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Representative Blessing

Cosponsors: Representatives Green, McClain, Sheehy, Jones, Manning, G., Blair, Brown, Butler, Carruthers, Crawley, Crossman, Denson, Galonski, Greenspan, Grendell, Hambley, Hicks-Hudson, Lanese, Lepore-Hagan, Miller, J., Miranda, O'Brien, Patterson, Plummer, Rogers, Seitz, Smith, K., Smith, T., Sobecki, Sykes, Upchurch, Vitale, West

A BILL

To amend section 4509.101 of the Revised Code to
waive the fee for filing a petition for limited
driving privileges for an individual who
qualifies as indigent and whose license is
suspended as a result of failure to maintain
proof of financial responsibility, and to
authorize a court to grant such limited driving
privileges on a first offense.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4509.101 of the Revised Code be
amended to read as follows:

Sec. 4509.101. (A) (1) No person shall operate, or permit
the operation of, a motor vehicle in this state, unless proof of
financial responsibility is maintained continuously throughout
the registration period with respect to that vehicle, or, in the
case of a driver who is not the owner, with respect to that

driver's operation of that vehicle. 16

(2) Whoever violates division (A)(1) of this section shall 17
be subject to the following civil penalties: 18

(a) Subject to divisions (A)(2)(b) and (c) of this 19
section, a class (F) suspension of the person's driver's 20
license, commercial driver's license, temporary instruction 21
permit, probationary license, or nonresident operating privilege 22
for the period of time specified in division (B)(6) of section 23
4510.02 of the Revised Code and impoundment of the person's 24
license. The court may grant limited driving privileges to the 25
person, but only if the person presents proof of financial 26
responsibility and is enrolled in a reinstatement fee payment 27
plan pursuant to section 4510.10 of the Revised Code. 28

(b) If, within five years of the violation, the person's 29
operating privileges are again suspended and the person's 30
license again is impounded for a violation of division (A)(1) of 31
this section, a class C suspension of the person's driver's 32
license, commercial driver's license, temporary instruction 33
permit, probationary license, or nonresident operating privilege 34
for the period of time specified in division (B)(3) of section 35
4510.02 of the Revised Code. The court may grant limited driving 36
privileges to the person only if the person presents proof of 37
financial responsibility and has complied with division (A)(5) 38
of this section, and no court may grant limited driving 39
privileges for the first fifteen days of the suspension. 40

(c) If, within five years of the violation, the person's 41
operating privileges are suspended and the person's license is 42
impounded two or more times for a violation of division (A)(1) 43
of this section, a class B suspension of the person's driver's 44
license, commercial driver's license, temporary instruction 45

permit, probationary license, or nonresident operating privilege 46
for the period of time specified in division (B) (2) of section 47
4510.02 of the Revised Code. The court may grant limited driving 48
privileges to the person only if the person presents proof of 49
financial responsibility and has complied with division (A) (5) 50
of this section, except that no court may grant limited driving 51
privileges for the first thirty days of the suspension. 52

(d) In addition to the suspension of an owner's license 53
under division (A) (2) (a), (b), or (c) of this section, the 54
suspension of the rights of the owner to register the motor 55
vehicle and the impoundment of the owner's certificate of 56
registration and license plates until the owner complies with 57
division (A) (5) of this section. 58

The clerk of court shall waive the cost of filing a 59
petition for limited driving privileges if, pursuant to section 60
2323.311 of the Revised Code, the petitioner applies to be 61
qualified as an indigent litigant and the court approves the 62
application. 63

(3) A person to whom this state has issued a certificate 64
of registration for a motor vehicle or a license to operate a 65
motor vehicle or who is determined to have operated any motor 66
vehicle or permitted the operation in this state of a motor 67
vehicle owned by the person shall be required to verify the 68
existence of proof of financial responsibility covering the 69
operation of the motor vehicle or the person's operation of the 70
motor vehicle under any of the following circumstances: 71

(a) The person or a motor vehicle owned by the person is 72
involved in a traffic accident that requires the filing of an 73
accident report under section 4509.06 of the Revised Code. 74

(b) The person receives a traffic ticket indicating that 75
proof of the maintenance of financial responsibility was not 76
produced upon the request of a peace officer or state highway 77
patrol trooper made in accordance with division (D) (2) of this 78
section. 79

(c) Whenever, in accordance with rules adopted by the 80
registrar, the person is randomly selected by the registrar and 81
requested to provide such verification. 82

(4) An order of the registrar that suspends and impounds a 83
license or registration, or both, shall state the date on or 84
before which the person is required to surrender the person's 85
license or certificate of registration and license plates. The 86
person is deemed to have surrendered the license or certificate 87
of registration and license plates, in compliance with the 88
order, if the person does either of the following: 89

(a) On or before the date specified in the order, 90
personally delivers the license or certificate of registration 91
and license plates, or causes the delivery of the items, to the 92
registrar; 93

(b) Mails the license or certificate of registration and 94
license plates to the registrar in an envelope or container 95
bearing a postmark showing a date no later than the date 96
specified in the order. 97

(5) Except as provided in division (A) (6) or (L) of this 98
section, the registrar shall not restore any operating 99
privileges or registration rights suspended under this section, 100
return any license, certificate of registration, or license 101
plates impounded under this section, or reissue license plates 102
under section 4503.232 of the Revised Code, if the registrar 103

destroyed the impounded license plates under that section, or 104
reissue a license under section 4510.52 of the Revised Code, if 105
the registrar destroyed the suspended license under that 106
section, unless the rights are not subject to suspension or 107
revocation under any other law and unless the person, in 108
addition to complying with all other conditions required by law 109
for reinstatement of the operating privileges or registration 110
rights, complies with all of the following: 111

(a) Pays to the registrar or an eligible deputy registrar 112
a financial responsibility reinstatement fee of one hundred 113
dollars for the first violation of division (A)(1) of this 114
section, three hundred dollars for a second violation of that 115
division, and six hundred dollars for a third or subsequent 116
violation of that division; 117

(b) If the person has not voluntarily surrendered the 118
license, certificate, or license plates in compliance with the 119
order, pays to the registrar or an eligible deputy registrar a 120
financial responsibility nonvoluntary compliance fee in an 121
amount, not to exceed fifty dollars, determined by the 122
registrar; 123

(c) Files and continuously maintains proof of financial 124
responsibility under sections 4509.44 to 4509.65 of the Revised 125
Code; 126

(d) Pays a deputy registrar a service fee of ten dollars 127
to compensate the deputy registrar for services performed under 128
this section. The deputy registrar shall retain eight dollars of 129
the service fee and shall transmit the reinstatement fee, any 130
nonvoluntary compliance fee, and two dollars of the service fee 131
to the registrar in the manner the registrar shall determine. 132

(6) If the registrar issues an order under division (A) (2) 133
of this section resulting from the failure of a person to 134
respond to a financial responsibility random verification 135
request under division (A) (3) (c) of this section and the person 136
successfully maintains an affirmative defense to a violation of 137
section 4510.16 of the Revised Code or is determined by the 138
registrar or a deputy registrar to have been in compliance with 139
division (A) (1) of this section at the time of the initial 140
financial responsibility random verification request, the 141
registrar shall do both of the following: 142

(a) Terminate the order of suspension or impoundment; 143

(b) Restore the operating privileges and registration 144
rights of the person without payment of the fees established in 145
divisions (A) (5) (a) and (b) of this section and without a 146
requirement to file proof of financial responsibility. 147

(B) (1) Every party required to file an accident report 148
under section 4509.06 of the Revised Code also shall include 149
with the report a document described in division (G) (1) (a) of 150
this section or shall present proof of financial responsibility 151
through use of an electronic wireless communications device as 152
permitted by division (G) (1) (b) of this section. 153

If the registrar determines, within forty-five days after 154
the report is filed, that an operator or owner has violated 155
division (A) (1) of this section, the registrar shall do all of 156
the following: 157

(a) Order the impoundment, with respect to the motor 158
vehicle involved, required under division (A) (2) (d) of this 159
section, of the certificate of registration and license plates 160
of any owner who has violated division (A) (1) of this section; 161

(b) Order the suspension required under division (A) (2) 162
(a), (b), or (c) of this section of the license of any operator 163
or owner who has violated division (A) (1) of this section; 164

(c) Record the name and address of the person whose 165
certificate of registration and license plates have been 166
impounded or are under an order of impoundment, or whose license 167
has been suspended or is under an order of suspension; the 168
serial number of the person's license; the serial numbers of the 169
person's certificate of registration and license plates; and the 170
person's social security account number, if assigned, or, where 171
the motor vehicle is used for hire or principally in connection 172
with any established business, the person's federal taxpayer 173
identification number. The information shall be recorded in such 174
a manner that it becomes a part of the person's permanent 175
record, and assists the registrar in monitoring compliance with 176
the orders of suspension or impoundment. 177

(d) Send written notification to every person to whom the 178
order pertains, at the person's last known address as shown on 179
the records of the bureau. The person, within ten days after the 180
date of the mailing of the notification, shall surrender to the 181
registrar, in a manner set forth in division (A) (4) of this 182
section, any certificate of registration and registration plates 183
under an order of impoundment, or any license under an order of 184
suspension. 185

(2) The registrar shall issue any order under division (B) 186
(1) of this section without a hearing. Any person adversely 187
affected by the order, within ten days after the issuance of the 188
order, may request an administrative hearing before the 189
registrar, who shall provide the person with an opportunity for 190
a hearing in accordance with this paragraph. A request for a 191

hearing does not operate as a suspension of the order. The scope 192
of the hearing shall be limited to whether the person in fact 193
demonstrated to the registrar proof of financial responsibility 194
in accordance with this section. The registrar shall determine 195
the date, time, and place of any hearing, provided that the 196
hearing shall be held, and an order issued or findings made, 197
within thirty days after the registrar receives a request for a 198
hearing. If requested by the person in writing, the registrar 199
may designate as the place of hearing the county seat of the 200
county in which the person resides or a place within fifty miles 201
of the person's residence. The person shall pay the cost of the 202
hearing before the registrar, if the registrar's order of 203
suspension or impoundment is upheld. 204

(C) Any order of suspension or impoundment issued under 205
this section or division (B) of section 4509.37 of the Revised 206
Code may be terminated at any time if the registrar determines 207
upon a showing of proof of financial responsibility that the 208
operator or owner of the motor vehicle was in compliance with 209
division (A) (1) of this section at the time of the traffic 210
offense, motor vehicle inspection, or accident that resulted in 211
the order against the person. A determination may be made 212
without a hearing. This division does not apply unless the 213
person shows good cause for the person's failure to present 214
satisfactory proof of financial responsibility to the registrar 215
prior to the issuance of the order. 216

(D) (1) For the purpose of enforcing this section, every 217
peace officer is deemed an agent of the registrar. 218

(a) Except as provided in division (D) (1) (b) of this 219
section, any peace officer who, in the performance of the peace 220
officer's duties as authorized by law, becomes aware of a person 221

whose license is under an order of suspension, or whose 222
certificate of registration and license plates are under an 223
order of impoundment, pursuant to this section, may confiscate 224
the license, certificate of registration, and license plates, 225
and return them to the registrar. 226

(b) Any peace officer who, in the performance of the peace 227
officer's duties as authorized by law, becomes aware of a person 228
whose license is under an order of suspension, or whose 229
certificate of registration and license plates are under an 230
order of impoundment resulting from failure to respond to a 231
financial responsibility random verification, shall not, for 232
that reason, arrest the owner or operator or seize the vehicle 233
or license plates. Instead, the peace officer shall issue a 234
citation for a violation of section 4510.16 of the Revised Code 235
specifying the circumstances as failure to respond to a 236
financial responsibility random verification. 237

(2) A peace officer shall request the owner or operator of 238
a motor vehicle to produce proof of financial responsibility in 239
a manner described in division (G) of this section at the time 240
the peace officer acts to enforce the traffic laws of this state 241
and during motor vehicle inspections conducted pursuant to 242
section 4513.02 of the Revised Code. 243

(3) A peace officer shall indicate on every traffic ticket 244
whether the person receiving the traffic ticket produced proof 245
of the maintenance of financial responsibility in response to 246
the officer's request under division (D) (2) of this section. The 247
peace officer shall inform every person who receives a traffic 248
ticket and who has failed to produce proof of the maintenance of 249
financial responsibility that the person must submit proof to 250
the traffic violations bureau with any payment of a fine and 251

costs for the ticketed violation or, if the person is to appear 252
in court for the violation, the person must submit proof to the 253
court. 254

(4) (a) If a person who has failed to produce proof of the 255
maintenance of financial responsibility appears in court for a 256
ticketed violation, the court may permit the defendant to 257
present evidence of proof of financial responsibility to the 258
court at such time and in such manner as the court determines to 259
be necessary or appropriate. In a manner prescribed by the 260
registrar, the clerk of courts shall provide the registrar with 261
the identity of any person who fails to submit proof of the 262
maintenance of financial responsibility pursuant to division (D) 263
(3) of this section. 264

(b) If a person who has failed to produce proof of the 265
maintenance of financial responsibility also fails to submit 266
that proof to the traffic violations bureau with payment of a 267
fine and costs for the ticketed violation, the traffic 268
violations bureau, in a manner prescribed by the registrar, 269
shall notify the registrar of the identity of that person. 270

(5) (a) Upon receiving notice from a clerk of courts or 271
traffic violations bureau pursuant to division (D) (4) of this 272
section, the registrar shall order the suspension of the license 273
of the person required under division (A) (2) (a), (b), or (c) of 274
this section and the impoundment of the person's certificate of 275
registration and license plates required under division (A) (2) 276
(d) of this section, effective thirty days after the date of the 277
mailing of notification. The registrar also shall notify the 278
person that the person must present the registrar with proof of 279
financial responsibility in accordance with this section, 280
surrender to the registrar the person's certificate of 281

registration, license plates, and license, or submit a statement 282
subject to section 2921.13 of the Revised Code that the person 283
did not operate or permit the operation of the motor vehicle at 284
the time of the offense. Notification shall be in writing and 285
shall be sent to the person at the person's last known address 286
as shown on the records of the bureau of motor vehicles. The 287
person, within fifteen days after the date of the mailing of 288
notification, shall present proof of financial responsibility, 289
surrender the certificate of registration, license plates, and 290
license to the registrar in a manner set forth in division (A) 291
(4) of this section, or submit the statement required under this 292
section together with other information the person considers 293
appropriate. 294

If the registrar does not receive proof or the person does 295
not surrender the certificate of registration, license plates, 296
and license, in accordance with this division, the registrar 297
shall permit the order for the suspension of the license of the 298
person and the impoundment of the person's certificate of 299
registration and license plates to take effect. 300

(b) In the case of a person who presents, within the 301
fifteen-day period, proof of financial responsibility, the 302
registrar shall terminate the order of suspension and the 303
impoundment of the registration and license plates required 304
under division (A) (2) (d) of this section and shall send written 305
notification to the person, at the person's last known address 306
as shown on the records of the bureau. 307

(c) Any person adversely affected by the order of the 308
registrar under division (D) (5) (a) or (b) of this section, 309
within ten days after the issuance of the order, may request an 310
administrative hearing before the registrar, who shall provide 311

the person with an opportunity for a hearing in accordance with 312
this paragraph. A request for a hearing does not operate as a 313
suspension of the order. The scope of the hearing shall be 314
limited to whether, at the time of the hearing, the person 315
presents proof of financial responsibility covering the vehicle 316
and whether the person is eligible for an exemption in 317
accordance with this section or any rule adopted under it. The 318
registrar shall determine the date, time, and place of any 319
hearing; provided, that the hearing shall be held, and an order 320
issued or findings made, within thirty days after the registrar 321
receives a request for a hearing. If requested by the person in 322
writing, the registrar may designate as the place of hearing the 323
county seat of the county in which the person resides or a place 324
within fifty miles of the person's residence. Such person shall 325
pay the cost of the hearing before the registrar, if the 326
registrar's order of suspension or impoundment under division 327
(D) (5) (a) or (b) of this section is upheld. 328

(6) A peace officer may charge an owner or operator of a 329
motor vehicle with a violation of section 4510.16 of the Revised 330
Code when the owner or operator fails to show proof of the 331
maintenance of financial responsibility pursuant to a peace 332
officer's request under division (D) (2) of this section, if a 333
check of the owner or operator's driving record indicates that 334
the owner or operator, at the time of the operation of the motor 335
vehicle, is required to file and maintain proof of financial 336
responsibility under section 4509.45 of the Revised Code for a 337
previous violation of this chapter. 338

(7) Any forms used by law enforcement agencies in 339
administering this section shall be prescribed, supplied, and 340
paid for by the registrar. 341

(8) No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency that employs a peace officer shall be liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section.

(9) As used in this section, "peace officer" has the meaning set forth in section 2935.01 of the Revised Code.

(E) All fees, except court costs, fees paid to a deputy registrar, and those portions of the financial responsibility reinstatement fees as otherwise specified in this division, collected under this section shall be paid into the state treasury to the credit of the public safety - highway purposes fund established in section 4501.06 of the Revised Code and used to cover costs incurred by the bureau in the administration of this section and sections 4503.20, 4507.212, and 4509.81 of the Revised Code, and by any law enforcement agency employing any peace officer who returns any license, certificate of registration, and license plates to the registrar pursuant to division (C) of this section.

Of each financial responsibility reinstatement fee the registrar collects pursuant to division (A) (5) (a) of this section or receives from a deputy registrar under division (A) (5) (d) of this section, the registrar shall deposit twenty-five dollars of each one-hundred-dollar reinstatement fee, fifty dollars of each three-hundred-dollar reinstatement fee, and one hundred dollars of each six-hundred-dollar reinstatement fee into the state treasury to the credit of the indigent defense support fund created by section 120.08 of the Revised Code.

(F) Chapter 119. of the Revised Code applies to this section only to the extent that any provision in that chapter is

not clearly inconsistent with this section. 372

(G) (1) (a) The registrar, court, traffic violations bureau, 373
or peace officer may require proof of financial responsibility 374
to be demonstrated by use of a standard form prescribed by the 375
registrar. If the use of a standard form is not required, a 376
person may demonstrate proof of financial responsibility under 377
this section by presenting to the traffic violations bureau, 378
court, registrar, or peace officer any of the following 379
documents or a copy of the documents: 380

(i) A financial responsibility identification card as 381
provided in section 4509.103 of the Revised Code; 382

(ii) A certificate of proof of financial responsibility on 383
a form provided and approved by the registrar for the filing of 384
an accident report required to be filed under section 4509.06 of 385
the Revised Code; 386

(iii) A policy of liability insurance, a declaration page 387
of a policy of liability insurance, or liability bond, if the 388
policy or bond complies with section 4509.20 or sections 4509.49 389
to 4509.61 of the Revised Code; 390

(iv) A bond or certification of the issuance of a bond as 391
provided in section 4509.59 of the Revised Code; 392

(v) A certificate of deposit of money or securities as 393
provided in section 4509.62 of the Revised Code; 394

(vi) A certificate of self-insurance as provided in 395
section 4509.72 of the Revised Code. 396

(b) A person also may present proof of financial 397
responsibility under this section to the traffic violations 398
bureau, court, registrar, or peace officer through use of an 399

electronic wireless communications device as specified under 400
section 4509.103 of the Revised Code. 401

(2) If a person fails to demonstrate proof of financial 402
responsibility in a manner described in division (G)(1) of this 403
section, the person may demonstrate proof of financial 404
responsibility under this section by any other method that the 405
court or the bureau, by reason of circumstances in a particular 406
case, may consider appropriate. 407

(3) A motor carrier certificated by the interstate 408
commerce commission or by the public utilities commission may 409
demonstrate proof of financial responsibility by providing a 410
statement designating the motor carrier's operating authority 411
and averring that the insurance coverage required by the 412
certificating authority is in full force and effect. 413

(4) (a) A finding by the registrar or court that a person 414
is covered by proof of financial responsibility in the form of 415
an insurance policy or surety bond is not binding upon the named 416
insurer or surety or any of its officers, employees, agents, or 417
representatives and has no legal effect except for the purpose 418
of administering this section. 419

(b) The preparation and delivery of a financial 420
responsibility identification card or any other document 421
authorized to be used as proof of financial responsibility and 422
the generation and delivery of proof of financial responsibility 423
to an electronic wireless communications device that is 424
displayed on the device as text or images does not do any of the 425
following: 426

(i) Create any liability or estoppel against an insurer or 427
surety, or any of its officers, employees, agents, or 428

representatives; 429

(ii) Constitute an admission of the existence of, or of 430
any liability or coverage under, any policy or bond; 431

(iii) Waive any defenses or counterclaims available to an 432
insurer, surety, agent, employee, or representative in an action 433
commenced by an insured or third-party claimant upon a cause of 434
action alleged to have arisen under an insurance policy or 435
surety bond or by reason of the preparation and delivery of a 436
document for use as proof of financial responsibility or the 437
generation and delivery of proof of financial responsibility to 438
an electronic wireless communications device. 439

(c) Whenever it is determined by a final judgment in a 440
judicial proceeding that an insurer or surety, which has been 441
named on a document or displayed on an electronic wireless 442
communications device accepted by a court or the registrar as 443
proof of financial responsibility covering the operation of a 444
motor vehicle at the time of an accident or offense, is not 445
liable to pay a judgment for injuries or damages resulting from 446
such operation, the registrar, notwithstanding any previous 447
contrary finding, shall forthwith suspend the operating 448
privileges and registration rights of the person against whom 449
the judgment was rendered as provided in division (A) (2) of this 450
section. 451

(H) In order for any document or display of text or images 452
on an electronic wireless communications device described in 453
division (G) (1) of this section to be used for the demonstration 454
of proof of financial responsibility under this section, the 455
document or words or images shall state the name of the insured 456
or obligor, the name of the insurer or surety company, and the 457
effective and expiration dates of the financial responsibility, 458

and designate by explicit description or by appropriate 459
reference all motor vehicles covered which may include a 460
reference to fleet insurance coverage. 461

(I) For purposes of this section, "owner" does not include 462
a licensed motor vehicle leasing dealer as defined in section 463
4517.01 of the Revised Code, but does include a motor vehicle 464
renting dealer as defined in section 4549.65 of the Revised 465
Code. Nothing in this section or in section 4509.51 of the 466
Revised Code shall be construed to prohibit a motor vehicle 467
renting dealer from entering into a contractual agreement with a 468
person whereby the person renting the motor vehicle agrees to be 469
solely responsible for maintaining proof of financial 470
responsibility, in accordance with this section, with respect to 471
the operation, maintenance, or use of the motor vehicle during 472
the period of the motor vehicle's rental. 473

(J) The purpose of this section is to require the 474
maintenance of proof of financial responsibility with respect to 475
the operation of motor vehicles on the highways of this state, 476
so as to minimize those situations in which persons are not 477
compensated for injuries and damages sustained in motor vehicle 478
accidents. The general assembly finds that this section contains 479
reasonable civil penalties and procedures for achieving this 480
purpose. 481

(K) Nothing in this section shall be construed to be 482
subject to section 4509.78 of the Revised Code. 483

(L) (1) The registrar may terminate any suspension imposed 484
under this section and not require the owner to comply with 485
divisions (A) (5) (a), (b), and (c) of this section if the 486
registrar with or without a hearing determines that the owner of 487
the vehicle has established by clear and convincing evidence 488

that all of the following apply:	489
(a) The owner customarily maintains proof of financial responsibility.	490 491
(b) Proof of financial responsibility was not in effect for the vehicle on the date in question for one of the following reasons:	492 493 494
(i) The vehicle was inoperable.	495
(ii) The vehicle is operated only seasonally, and the date in question was outside the season of operation.	496 497
(iii) A person other than the vehicle owner or driver was at fault for the lapse of proof of financial responsibility through no fault of the owner or driver.	498 499 500
(iv) The lapse of proof of financial responsibility was caused by excusable neglect under circumstances that are not likely to recur and do not suggest a purpose to evade the requirements of this chapter.	501 502 503 504
(2) The registrar may grant an owner or driver relief for a reason specified in division (L) (1) (b) (i) or (ii) of this section whenever the owner or driver is randomly selected to verify the existence of proof of financial responsibility for such a vehicle. However, the registrar may grant an owner or driver relief for a reason specified in division (L) (1) (b) (iii) or (iv) of this section only if the owner or driver has not previously been granted relief under division (L) (1) (b) (iii) or (iv) of this section.	505 506 507 508 509 510 511 512 513
(M) The registrar shall adopt rules in accordance with Chapter 119. of the Revised Code that are necessary to administer and enforce this section. The rules shall include	514 515 516

procedures for the surrender of license plates upon failure to 517
maintain proof of financial responsibility and provisions 518
relating to reinstatement of registration rights, acceptable 519
forms of proof of financial responsibility, the use of an 520
electronic wireless communications device to present proof of 521
financial responsibility, and verification of the existence of 522
financial responsibility during the period of registration. 523

(N) (1) When a person utilizes an electronic wireless 524
communications device to present proof of financial 525
responsibility, only the evidence of financial responsibility 526
displayed on the device shall be viewed by the registrar, peace 527
officer, employee or official of the traffic violations bureau, 528
or the court. No other content of the device shall be viewed for 529
purposes of obtaining proof of financial responsibility. 530

(2) When a person provides an electronic wireless 531
communications device to the registrar, a peace officer, an 532
employee or official of a traffic violations bureau, or the 533
court, the person assumes the risk of any resulting damage to 534
the device unless the registrar, peace officer, employee, or 535
official, or court personnel purposely, knowingly, or recklessly 536
commits an action that results in damage to the device. 537

Section 2. That existing section 4509.101 of the Revised 538
Code is hereby repealed. 539