

**As Reported by the Senate Local Government, Public Safety and  
Veterans Affairs Committee**

**133rd General Assembly**

**Regular Session  
2019-2020**

**H. B. No. 158**

**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**

**Senators Manning, Brenner, Maharath**

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**A BILL**

To amend section 4509.101 of the Revised Code to 1  
waive the fee for filing a petition for limited 2  
driving privileges for an individual who 3  
qualifies as indigent and whose license is 4  
suspended as a result of failure to maintain 5  
proof of financial responsibility, and to 6  
authorize a court to grant such limited driving 7  
privileges on a first offense. 8

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

**Section 1.** That section 4509.101 of the Revised Code be 9  
amended to read as follows: 10

**Sec. 4509.101.** (A) (1) No person shall operate, or permit 11  
the operation of, a motor vehicle in this state, unless proof of 12  
financial responsibility is maintained continuously throughout 13

the registration period with respect to that vehicle, or, in the 14  
case of a driver who is not the owner, with respect to that 15  
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 license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time specified in division (B)(2) of section 4510.02 of the Revised Code. The court may grant limited driving privileges to the person only if the person presents proof of financial responsibility and has complied with division (A)(5) of this section, except that no court may grant limited driving privileges for the first thirty days of the suspension.

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

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

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

(a) The person or a motor vehicle owned by the person is involved in a traffic accident that requires the filing of an

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 490  
responsibility. 491

(b) Proof of financial responsibility was not in effect 492  
for the vehicle on the date in question for one of the following 493  
reasons: 494

(i) The vehicle was inoperable. 495

(ii) The vehicle is operated only seasonally, and the date 496  
in question was outside the season of operation. 497

(iii) A person other than the vehicle owner or driver was 498  
at fault for the lapse of proof of financial responsibility 499  
through no fault of the owner or driver. 500

(iv) The lapse of proof of financial responsibility was 501  
caused by excusable neglect under circumstances that are not 502  
likely to recur and do not suggest a purpose to evade the 503  
requirements of this chapter. 504

(2) The registrar may grant an owner or driver relief for 505  
a reason specified in division (L) (1) (b) (i) or (ii) of this 506  
section whenever the owner or driver is randomly selected to 507  
verify the existence of proof of financial responsibility for 508  
such a vehicle. However, the registrar may grant an owner or 509  
driver relief for a reason specified in division (L) (1) (b) (iii) 510  
or (iv) of this section only if the owner or driver has not 511  
previously been granted relief under division (L) (1) (b) (iii) or 512  
(iv) of this section. 513

(M) The registrar shall adopt rules in accordance with 514  
Chapter 119. of the Revised Code that are necessary to 515  
administer and enforce this section. The rules shall include 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