

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete the first "and" and insert ", 1  
1317.06,"; after "3905.426" insert ", 4501.01, 4503.21, 4505.08, 4509.06, 2  
4509.70, 4513.071, 4513.38, 4513.41, and 5167.12" 3

In line 2 of the title, delete "section" and insert "sections"; 4  
after "1310.251" insert ", 3902.63, 3902.64, 4503.183, 4503.211, 4505.072, 5  
4729.362, and 5164.093" 6

In line 4 of the title, delete "vehicle" 7

Delete line 5 of the title 8

In line 6 of the title, delete "vehicle protection agreements" and 9  
insert "vehicles, retail installment contracts, prescription drug readers, 10  
and insurance, and to name a portion of this act Madeline's Law" 11

In line 7, delete "and" and insert ", 1317.06,"; after "3905.426" 12  
insert ", 4501.01, 4503.21, 4505.08, 4509.06, 4509.70, 4513.071, 4513.38, 13  
4513.41, and 5167.12" 14

In line 8, delete "section" and insert "sections"; after "1310.251" 15  
insert ", 3902.63, 3902.64, 4503.183, 4503.211, 4505.072, 4729.362, and 16



5164.093" 17

After line 90, insert: 18

**"Sec. 1317.06.** (A) A retail seller at the time of making 19  
any retail installment sale may charge and contract for the 20  
payment of a finance charge by the retail buyer and collect and 21  
receive the same, which shall not exceed the greater of the 22  
following: 23

(1) A base finance charge at the rate of eight dollars per 24  
one hundred dollars per year on the principal balance of the 25  
retail installment contract. On retail installment contracts 26  
providing for principal balances less than, nor not in multiples 27  
of one hundred dollars, or for installment payments extending 28  
for a period less than or greater than one year, said finance 29  
charge shall be computed proportionately. In addition to the 30  
base finance charge, the retail seller may charge and contract 31  
for a service charge of fifty cents per month for the first 32  
fifty dollar unit or fraction thereof, of the principal balance 33  
for each month of the term of the installment contract; and an 34  
additional service charge of twenty-five cents per month for 35  
each of the next five fifty dollar units or fraction thereof, of 36  
the principal balance for each month of the term of the 37  
installment contract. This paragraph applies only to retail 38  
installment contracts with a principal balance of seven hundred 39  
dollars or less. 40

(2) A pre-computed base finance charge not in excess of 41  
the amount obtained by applying the rate of one and one-half per 42  
cent per month to the unpaid portion of the unpaid principal 43  
balance determined to be outstanding from time to time according 44  
to the terms and schedule of payments of the retail installment 45

contract executed in connection with such retail installment sale. 46  
47

Such base finance charge and service charges may be 48  
computed on a basis of a full month for any fractional period in 49  
excess of ten days. For a fractional period of a month not in 50  
excess of ten days, there shall be no base finance charge or 51  
service charge. 52

Sections 1317.01 to 1317.11 of the Revised Code do not 53  
apply to any sale in which the base finance and service charge 54  
does not exceed the sum of fifteen dollars. 55

(B) Every retail seller may, at the time of making any 56  
retail installment sale, contract for the payment by the retail 57  
buyer of lawful delinquent charges as follows: 58

(1) No charges shall be made for delinquent payments less 59  
than ten days late. 60

(2) Five cents for each dollar for a delinquent payment 61  
that is more than ten days late may be charged, but in no event 62  
shall a delinquent charge for any one installment exceed three 63  
dollars. 64

A provision for the payment of interest on any installment 65  
not paid in full on or before its scheduled due date at a rate 66  
not to exceed one and one-half per cent interest per month is 67  
not a delinquent charge and is expressly authorized. 68

(C) No retail installment contract arising out of a 69  
consumer transaction and requiring the payment of the charges 70  
authorized by this section shall be executed unless the combined 71  
total of the cash price and all finance charges and service 72  
charges is required to be paid according to a schedule of 73

~~substantially equal consecutive periodic installments, except~~ 74  
~~where~~. If the contract contains a provision allowing final 75  
scheduled installment that is more than two times the average of 76  
all prior scheduled installments, the contract must allow the 77  
buyer to refinance the contract under terms no less favorable 78  
than those of the original contract after making the refund 79  
credit required by section 1317.09 of the Revised Code. No 80  
seller shall, pursuant to any provision in a retail installment 81  
contract arising out of a consumer transaction, accelerate any 82  
payments on account of a default in the making of an installment 83  
payment that has not continued for at least thirty days. 84  
Division (C) of this section does not apply to the extent that 85  
the payment schedule is adjusted to the seasonal or irregular 86  
income of the buyer. 87

**Sec. 3902.63.** (A) As used in this section: 88

(1) "Hearing aid" means any wearable instrument or device 89  
designed or offered for the purpose of aiding or compensating 90  
for impaired human hearing, including all attachments, 91  
accessories, and parts thereof, except batteries and cords, that 92  
is dispensed by a licensed audiologist, a licensed hearing aid 93  
dealer or fitter, or an otolaryngologist. 94

(2) "Otolaryngologist" means a licensed physician who 95  
practices otolaryngology. 96

(3) "Related services" means services necessary to assess, 97  
select, and appropriately adjust or fit a hearing aid to ensure 98  
optimal performance. 99

(B) On and after the effective date of this section, and 100  
notwithstanding section 3901.71 of the Revised Code, a health 101  
benefit plan shall provide coverage for the full cost of both of 102

the following: 103

(1) One hearing aid per hearing-impaired ear up to two 104  
thousand five hundred dollars every forty-eight months for a 105  
covered person twenty-one years of age or younger who is 106  
verified as being deaf or hearing impaired by a licensed 107  
audiologist or by an otolaryngologist or other licensed 108  
physician; 109

(2) All related services prescribed by an otolaryngologist 110  
or recommended by a licensed audiologist and dispensed by a 111  
licensed audiologist, a licensed hearing aid dealer or fitter, 112  
or an otolaryngologist. 113

(C) A covered person may choose a higher priced hearing 114  
aid and may pay the difference in cost above the two-thousand- 115  
five-hundred-dollar required coverage required by this section 116  
without any financial or contractual penalty to the covered 117  
person or to the provider of the hearing aid. 118

(D) A health plan issuer is not required to pay a claim 119  
for the cost of a hearing aid as required by division (B) of 120  
this section if, less than forty-eight months prior to the date 121  
of the claim, the covered person received the coverage required 122  
under division (B) of this section from any health benefit plan. 123

(E) (1) A health benefit plan shall only provide coverage 124  
for hearing aids that are considered medically appropriate to 125  
meet the needs of the covered person, according to professional 126  
standards established by the state speech and hearing 127  
professionals board. 128

(2) A health benefit plan shall not exclude coverage for 129  
any hearing aid that would be considered medically appropriate 130  
to meet the needs of the covered person, according to 131

professional standards established by the state speech and 132  
hearing professionals board. 133

(3) The state speech and hearing professionals board shall 134  
adopt professional standards concerning hearing aids as needed 135  
to evaluate the compliance of a health benefit plan with this 136  
section. 137

**Sec. 3902.64.** (A) Notwithstanding section 3901.71 of the 138  
Revised Code, a health benefit plan shall provide coverage for 139  
prescription readers provided by a licensed terminal distributor 140  
of dangerous drugs pursuant to section 4729.362 of the Revised 141  
Code. 142

(B) As used in this section, "prescription reader" has the 143  
same meaning as in section 4729.362 of the Revised Code." 144

After line 315, insert: 145

**"Sec. 4501.01.** As used in this chapter and Chapters 146  
4503., 4505., 4507., 4509., 4510., 4511., 4513., 4515., and 147  
4517. of the Revised Code, and in the penal laws, except as 148  
otherwise provided: 149

(A) "Vehicles" means everything on wheels or runners, 150  
including motorized bicycles, but does not mean electric 151  
personal assistive mobility devices, low-speed micromobility 152  
devices, vehicles that are operated exclusively on rails or 153  
tracks or from overhead electric trolley wires, and vehicles 154  
that belong to any police department, municipal fire department, 155  
or volunteer fire department, or that are used by such a 156  
department in the discharge of its functions. 157

(B) "Motor vehicle" means any vehicle, including mobile 158  
homes and recreational vehicles, that is propelled or drawn by 159

power other than muscular power or power collected from overhead 160  
electric trolley wires. "Motor vehicle" does not include utility 161  
vehicles as defined in division (VV) of this section, under- 162  
speed vehicles as defined in division (XX) of this section, 163  
mini-trucks as defined in division (BBB) of this section, 164  
motorized bicycles, electric bicycles, road rollers, traction 165  
engines, power shovels, power cranes, and other equipment used 166  
in construction work and not designed for or employed in general 167  
highway transportation, well-drilling machinery, ditch-digging 168  
machinery, farm machinery, and trailers that are designed and 169  
used exclusively to transport a boat between a place of storage 170  
and a marina, or in and around a marina, when drawn or towed on 171  
a public road or highway for a distance of no more than ten 172  
miles and at a speed of twenty-five miles per hour or less. 173

(C) "Agricultural tractor" and "traction engine" mean any 174  
self-propelling vehicle that is designed or used for drawing 175  
other vehicles or wheeled machinery, but has no provisions for 176  
carrying loads independently of such other vehicles, and that is 177  
used principally for agricultural purposes. 178

(D) "Commercial tractor," except as defined in division 179  
(C) of this section, means any motor vehicle that has motive 180  
power and either is designed or used for drawing other motor 181  
vehicles, or is designed or used for drawing another motor 182  
vehicle while carrying a portion of the other motor vehicle or 183  
its load, or both. 184

(E) "Passenger car" means any motor vehicle that is 185  
designed and used for carrying not more than nine persons and 186  
includes any motor vehicle that is designed and used for 187  
carrying not more than fifteen persons in a ridesharing 188  
arrangement. 189

(F) "Collector's vehicle" means any motor vehicle or agricultural tractor or traction engine that is of special interest, that has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment, but not as the owner's principal means of transportation. "Licensed collector's vehicle" means a collector's vehicle, other than an agricultural tractor or traction engine, that displays current, valid license tags issued under section 4503.45 of the Revised Code, or a similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.

(G) "Historical motor vehicle" means any motor vehicle that is over twenty-five years old and is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, but that in no event is used for general transportation.

(H) "Noncommercial motor vehicle" means any motor vehicle, including a farm truck as defined in section 4503.04 of the Revised Code, that is designed by the manufacturer to carry a load of no more than one ton and is used exclusively for purposes other than engaging in business for profit.

(I) "Bus" means any motor vehicle that has motor power and is designed and used for carrying more than nine passengers, except any motor vehicle that is designed and used for carrying not more than fifteen passengers in a ridesharing arrangement.

(J) "Commercial car" or "truck" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.



(K) "Bicycle" means every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter.

(L) "Motorized bicycle" or "moped" means any vehicle that either has two tandem wheels or one wheel in the front and two wheels in the rear, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface. "Motorized bicycle" or "moped" does not include an electric bicycle.

(M) "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.

(N) "Noncommercial trailer" means any trailer, except a travel trailer or trailer that is used to transport a boat as described in division (B) of this section, but, where applicable, includes a vehicle that is used to transport a boat as described in division (M) of this section, that has a gross weight of no more than ten thousand pounds, and that is used exclusively for purposes other than engaging in business for a profit, such as the transportation of personal items for personal or recreational purposes.

(O) "Mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division (C) (4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C) (3) of section 3781.06 of the Revised Code.

(P) "Semitrailer" means any vehicle of the trailer type that does not have motive power and is so designed or used with another and separate motor vehicle that in operation a part of its own weight or that of its load, or both, rests upon and is carried by the other vehicle furnishing the motive power for propelling itself and the vehicle referred to in this division, and includes, for the purpose only of registration and taxation under those chapters, any vehicle of the dolly type, such as a trailer dolly, that is designed or used for the conversion of a semitrailer into a trailer.

(Q) "Recreational vehicle" means a vehicular portable structure that meets all of the following conditions:

|  |  |
|--|--|
| (1) It is designed for the sole purpose of recreational travel.  | 280<br>281                             |
| (2) It is not used for the purpose of engaging in business for profit.   | 282<br>283                             |
| (3) It is not used for the purpose of engaging in intrastate commerce.   | 284<br>285                             |
| (4) It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.  | 286<br>287                             |
| (5) It is not regulated by the public utilities commission pursuant to Chapter 4905., 4921., or 4923. of the Revised Code.   | 288<br>289                             |
| (6) It is classed as one of the following:   | 290                                    |
| (a) "Travel trailer" or "house vehicle" means a nonself-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.                               | 291<br>292<br>293<br>294<br>295        |
| (b) "Motor home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.   | 296<br>297<br>298<br>299               |
| (c) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling. | 300<br>301<br>302<br>303<br>304<br>305 |
| (d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway   | 306<br>307                             |

permit, that is constructed with a raised forward section that 308  
allows a bi-level floor plan, and that is designed to be towed 309  
by a vehicle equipped with a fifth-wheel hitch ordinarily 310  
installed in the bed of a truck. 311

(e) "Park trailer" means a vehicle that is commonly known 312  
as a park model recreational vehicle, meets the American 313  
national standard institute standard A119.5 (1988) for park 314  
trailers, is built on a single chassis, has a gross trailer area 315  
of four hundred square feet or less when set up, is designed for 316  
seasonal or temporary living quarters, and may be connected to 317  
utilities necessary for the operation of installed features and 318  
appliances. 319

(R) "Pneumatic tires" means tires of rubber and fabric or 320  
tires of similar material, that are inflated with air. 321

(S) "Solid tires" means tires of rubber or similar elastic 322  
material that are not dependent upon confined air for support of 323  
the load. 324

(T) "Solid tire vehicle" means any vehicle that is 325  
equipped with two or more solid tires. 326

(U) "Farm machinery" means all machines and tools that are 327  
used in the production, harvesting, and care of farm products, 328  
and includes trailers that are used to transport agricultural 329  
produce or agricultural production materials between a local 330  
place of storage or supply and the farm, agricultural tractors, 331  
threshing machinery, hay-baling machinery, corn shellers, 332  
hammermills, and machinery used in the production of 333  
horticultural, agricultural, and vegetable products. 334

(V) "Owner" includes any person or firm, other than a 335  
manufacturer or dealer, that has title to a motor vehicle, 336

except that, in sections 4505.01 to 4505.19 of the Revised Code, 337  
"owner" includes in addition manufacturers and dealers. 338

(W) "Manufacturer" and "dealer" include all persons and 339  
firms that are regularly engaged in the business of 340  
manufacturing, selling, displaying, offering for sale, or 341  
dealing in motor vehicles, at an established place of business 342  
that is used exclusively for the purpose of manufacturing, 343  
selling, displaying, offering for sale, or dealing in motor 344  
vehicles. A place of business that is used for manufacturing, 345  
selling, displaying, offering for sale, or dealing in motor 346  
vehicles shall be deemed to be used exclusively for those 347  
purposes even though snowmobiles or all-purpose vehicles are 348  
sold or displayed for sale thereat, even though farm machinery 349  
is sold or displayed for sale thereat, or even though repair, 350  
accessory, gasoline and oil, storage, parts, service, or paint 351  
departments are maintained thereat, or, in any county having a 352  
population of less than seventy-five thousand at the last 353  
federal census, even though a department in a place of business 354  
is used to dismantle, salvage, or rebuild motor vehicles by 355  
means of used parts, if such departments are operated for the 356  
purpose of furthering and assisting in the business of 357  
manufacturing, selling, displaying, offering for sale, or 358  
dealing in motor vehicles. Places of business or departments in 359  
a place of business used to dismantle, salvage, or rebuild motor 360  
vehicles by means of using used parts are not considered as 361  
being maintained for the purpose of assisting or furthering the 362  
manufacturing, selling, displaying, and offering for sale or 363  
dealing in motor vehicles. 364

(X) "Operator" includes any person who drives or operates 365  
a motor vehicle upon the public highways. 366

(Y) "Chauffeur" means any operator who operates a motor vehicle, other than a taxicab, as an employee for hire; or any operator whether or not the owner of a motor vehicle, other than a taxicab, who operates such vehicle for transporting, for gain, compensation, or profit, either persons or property owned by another. Any operator of a motor vehicle who is voluntarily involved in a ridesharing arrangement is not considered an employee for hire or operating such vehicle for gain, compensation, or profit.

(Z) "State" includes the territories and federal districts of the United States, and the provinces of Canada.

(AA) "Public roads and highways" for vehicles includes all public thoroughfares, bridges, and culverts.

(BB) "Manufacturer's number" means the manufacturer's original serial number that is affixed to or imprinted upon the chassis or other part of the motor vehicle.

(CC) "Motor number" means the manufacturer's original number that is affixed to or imprinted upon the engine or motor of the vehicle.

(DD) "Distributor" means any person who is authorized by a motor vehicle manufacturer to distribute new motor vehicles to licensed motor vehicle dealers at an established place of business that is used exclusively for the purpose of distributing new motor vehicles to licensed motor vehicle dealers, except when the distributor also is a new motor vehicle dealer, in which case the distributor may distribute at the location of the distributor's licensed dealership.

(EE) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where the transportation is

incidental to another purpose of a volunteer driver and includes 396  
ridesharing arrangements known as carpools, vanpools, and 397  
buspools. 398

(FF) "Apportionable vehicle" means any vehicle that is 399  
used or intended for use in two or more international 400  
registration plan member jurisdictions that allocate or 401  
proportionally register vehicles, that is used for the 402  
transportation of persons for hire or designed, used, or 403  
maintained primarily for the transportation of property, and 404  
that meets any of the following qualifications: 405

(1) Is a power unit having a gross vehicle weight in 406  
excess of twenty-six thousand pounds; 407

(2) Is a power unit having three or more axles, regardless 408  
of the gross vehicle weight; 409

(3) Is a combination vehicle with a gross vehicle weight 410  
in excess of twenty-six thousand pounds. 411

"Apportionable vehicle" does not include recreational 412  
vehicles, vehicles displaying restricted plates, city pick-up 413  
and delivery vehicles, or vehicles owned and operated by the 414  
United States, this state, or any political subdivisions 415  
thereof. 416

(GG) "Chartered party" means a group of persons who 417  
contract as a group to acquire the exclusive use of a passenger- 418  
carrying motor vehicle at a fixed charge for the vehicle in 419  
accordance with the carrier's tariff, lawfully on file with the 420  
United States department of transportation, for the purpose of 421  
group travel to a specified destination or for a particular 422  
itinerary, either agreed upon in advance or modified by the 423  
chartered group after having left the place of origin. 424

(HH) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.

(II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (J) of section 4503.04 of the Revised Code.

(JJ) "Gross vehicle weight," with regard to any commercial car, trailer, semitrailer, or bus that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the unladen weight of the vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.

(KK) "Combined gross vehicle weight" with regard to any combination of a commercial car, trailer, and semitrailer, that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the total unladen weight of the combination of vehicles fully equipped plus the maximum weight of the load to be carried on that combination of vehicles.

(LL) "Chauffeured limousine" means a motor vehicle that is designed to carry nine or fewer passengers and is operated for hire pursuant to a prearranged contract for the transportation of passengers on public roads and highways along a route under the control of the person hiring the vehicle and not over a defined and regular route. "Prearranged contract" means an



agreement, made in advance of boarding, to provide 455  
transportation from a specific location in a chauffeured 456  
limousine. "Chauffeured limousine" does not include any vehicle 457  
that is used exclusively in the business of funeral directing. 458

(MM) "Manufactured home" has the same meaning as in 459  
division (C) (4) of section 3781.06 of the Revised Code. 460

(NN) "Acquired situs," with respect to a manufactured home 461  
or a mobile home, means to become located in this state by the 462  
placement of the home on real property, but does not include the 463  
placement of a manufactured home or a mobile home in the 464  
inventory of a new motor vehicle dealer or the inventory of a 465  
manufacturer, remanufacturer, or distributor of manufactured or 466  
mobile homes. 467

(OO) "Electronic" includes electrical, digital, magnetic, 468  
optical, electromagnetic, or any other form of technology that 469  
entails capabilities similar to these technologies. 470

(PP) "Electronic record" means a record generated, 471  
communicated, received, or stored by electronic means for use in 472  
an information system or for transmission from one information 473  
system to another. 474

(QQ) "Electronic signature" means a signature in 475  
electronic form attached to or logically associated with an 476  
electronic record. 477

(RR) "Financial transaction device" has the same meaning 478  
as in division (A) of section 113.40 of the Revised Code. 479

(SS) "Electronic motor vehicle dealer" means a motor 480  
vehicle dealer licensed under Chapter 4517. of the Revised Code 481  
whom the registrar of motor vehicles determines meets the 482

criteria designated in section 4503.035 of the Revised Code for 483  
electronic motor vehicle dealers and designates as an electronic 484  
motor vehicle dealer under that section. 485

(TT) "Electric personal assistive mobility device" means a 486  
self-balancing two non-tandem wheeled device that is designed to 487  
transport only one person, has an electric propulsion system of 488  
an average of seven hundred fifty watts, and when ridden on a 489  
paved level surface by an operator who weighs one hundred 490  
seventy pounds has a maximum speed of less than twenty miles per 491  
hour. 492

(UU) "Limited driving privileges" means the privilege to 493  
operate a motor vehicle that a court grants under section 494  
4510.021 of the Revised Code to a person whose driver's or 495  
commercial driver's license or permit or nonresident operating 496  
privilege has been suspended. 497

(VV) "Utility vehicle" means a self-propelled vehicle 498  
designed with a bed, principally for the purpose of transporting 499  
material or cargo in connection with construction, agricultural, 500  
forestry, grounds maintenance, lawn and garden, materials 501  
handling, or similar activities. 502

(WW) "Low-speed vehicle" means a three- or four-wheeled 503  
motor vehicle with an attainable speed in one mile on a paved 504  
level surface of more than twenty miles per hour but not more 505  
than twenty-five miles per hour and with a gross vehicle weight 506  
rating less than three thousand pounds. 507

(XX) "Under-speed vehicle" means a three- or four-wheeled 508  
vehicle, including a vehicle commonly known as a golf cart, with 509  
an attainable speed on a paved level surface of not more than 510  
twenty miles per hour and with a gross vehicle weight rating 511

less than three thousand pounds. 512

(YY) "Motor-driven cycle or motor scooter" means any 513  
vehicle designed to travel on not more than three wheels in 514  
contact with the ground, with a seat for the driver and floor 515  
pad for the driver's feet, and is equipped with a motor with a 516  
piston displacement between fifty and one hundred cubic 517  
centimeters piston displacement that produces not more than five 518  
brake horsepower and is capable of propelling the vehicle at a 519  
speed greater than twenty miles per hour on a level surface. 520

(ZZ) "Motorcycle" means a motor vehicle with motive power 521  
having a seat or saddle for the use of the operator, designed to 522  
travel on not more than three wheels in contact with the ground, 523  
and having no occupant compartment top or occupant compartment 524  
top that can be installed or removed by the user. 525

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 526  
motive power having a seat or saddle for the use of the 527  
operator, designed to travel on not more than three wheels in 528  
contact with the ground, and having an occupant compartment top 529  
or an occupant compartment top that is installed. 530

(BBB) "Mini-truck" means a vehicle that has four wheels, 531  
is propelled by an electric motor with a rated power of seven 532  
thousand five hundred watts or less or an internal combustion 533  
engine with a piston displacement capacity of six hundred sixty 534  
cubic centimeters or less, has a total dry weight of nine 535  
hundred to two thousand two hundred pounds, contains an enclosed 536  
cabin and a seat for the vehicle operator, resembles a pickup 537  
truck or van with a cargo area or bed located at the rear of the 538  
vehicle, and was not originally manufactured to meet federal 539  
motor vehicle safety standards. 540

(CCC) "Autocycle" means a three-wheeled motorcycle that is 541  
manufactured to comply with federal safety requirements for 542  
motorcycles and that is equipped with safety belts, a steering 543  
wheel, and seating that does not require the operator to 544  
straddle or sit astride to ride the motorcycle. 545

(DDD) "Plug-in hybrid electric motor vehicle" means a 546  
passenger car powered in part by a battery cell energy system 547  
that can be recharged via an external source of electricity. 548

(EEE) "Hybrid motor vehicle" means a passenger car powered 549  
by an internal propulsion system consisting of both of the 550  
following: 551

(1) A combustion engine; 552

(2) A battery cell energy system that cannot be recharged 553  
via an external source of electricity but can be recharged by 554  
other vehicle mechanisms that capture and store electric energy. 555

(FFF) "Low-speed micromobility device" means a device 556  
weighing less than one hundred pounds that has handlebars, is 557  
propelled by an electric motor or human power, and has an 558  
attainable speed on a paved level surface of not more than 559  
twenty miles per hour when propelled by the electric motor. 560

(GGG) "Specialty license plate" means a license plate, 561  
authorized by the general assembly, that displays a combination 562  
of words, markings, logos, or other graphic artwork that is in 563  
addition to the words, images, and distinctive numbers and 564  
letters required by section 4503.22 of the Revised Code. 565

(HHH) "Battery electric motor vehicle" means a passenger 566  
car powered wholly by a battery cell energy system that can be 567  
recharged via an external source of electricity. 568

(III) "Adaptive mobility vehicle" means either a new passenger car or bus purchased from a new motor vehicle dealer or a used passenger car or bus, provided that such passenger car or bus is designed, modified, or equipped to enable an individual with a disability to operate or to be transported in the passenger car or bus, in accordance with 49 C.F.R. part 568 or 595, and contains at least one of the following:

(1) An electronic or mechanical lift that enables a person to enter or exit the motor vehicle while occupying a wheelchair or scooter;

(2) An electronic or mechanical wheelchair ramp;

(3) A system to secure a wheelchair or scooter in order to allow a person to operate or be transported safely while occupying that wheelchair or scooter.

(JJJ) "Replica motor vehicle" means a motor vehicle that is constructed, assembled, or modified so as to replicate the make, model, and model year of a motor vehicle that is at least twenty-five years old.

**Sec. 4503.183.** (A) No person shall use a replica motor vehicle for general transportation. However, a person may operate a replica motor vehicle registered under this section on the public roads and highways as follows:

(1) For club activities, exhibitions, tours, parades, and similar uses;

(2) To and from a location where maintenance is performed on the replica motor vehicle.

(B) In lieu of the annual license tax levied in sections 4503.02 and 4503.04 of the Revised Code, the registrar of motor

vehicles or a deputy registrar shall collect a license fee of 597  
ten dollars for the registration of a replica motor vehicle 598  
under this section. The fee shall be deposited into the public 599  
safety - highway purposes fund established in section 4501.06 of 600  
the Revised Code. 601

(C) A person who owns a replica motor vehicle and applies 602  
for registration and a replica license plate under this section 603  
shall execute an affidavit that the replica motor vehicle for 604  
which the plate is requested is owned and operated solely for 605  
the purposes enumerated in division (A) of this section. The 606  
affidavit also shall set forth that the replica motor vehicle 607  
has been inspected and found safe to operate on the public roads 608  
and highways in the state. No registration issued pursuant to 609  
this section need specify the weight of the replica motor 610  
vehicle. 611

(D) The owner of a replica motor vehicle registered under 612  
this section shall display in plain view on the rear of the 613  
replica motor vehicle a replica license plate issued by the 614  
registrar. A replica license plate shall not display a date, but 615  
shall display the inscription "Replica Motor Vehicle--Ohio" and 616  
the registration number assigned to that replica motor vehicle. 617

(E) A replica license plate is valid without renewal as 618  
long as the replica motor vehicle for which it was issued or 619  
procured is in existence. A replica license plate is issued for 620  
the owner's use only for such replica motor vehicle unless later 621  
transferred to another replica motor vehicle owned by that 622  
person. In order to effect such a transfer, the owner of the 623  
replica motor vehicle that originally displayed the replica 624  
license plate shall comply with division (C) of this section. In 625  
the event of a transfer of title, the transferor shall surrender 626

the replica license plate or transfer it to another replica 627  
motor vehicle owned by the transferor. The registrar may revoke 628  
any replica license plate issued under this section, for cause 629  
shown and after a hearing, for failure of the applicant to 630  
comply with this section. Upon revocation, a replica license 631  
plate shall be surrendered. 632

**Sec. 4503.21.** (A) (1) ~~No~~Subject to section 4503.211 of the 633  
Revised Code, no person who is the owner or operator of a motor 634  
vehicle shall fail to display in plain view on the rear of the 635  
motor vehicle a license plate that displays the distinctive 636  
number and registration mark assigned to the motor vehicle by 637  
the director of public safety, including any county 638  
identification sticker and any validation sticker when required 639  
by and issued under sections 4503.19 and 4503.191 of the Revised 640  
Code. However, a commercial tractor shall display the license 641  
plate on the front of the commercial tractor. 642

(2) The license plate shall be securely fastened so as not 643  
to swing, and shall not be covered by any material that 644  
obstructs its visibility. 645

(3) No person to whom a temporary motor vehicle license 646  
registration has been issued for the use of a motor vehicle 647  
under section 4503.182 of the Revised Code, and no operator of 648  
that motor vehicle, shall fail to display the temporary motor 649  
vehicle license registration in plain view from the rear of the 650  
vehicle either in the rear window or on an external rear surface 651  
of the motor vehicle. 652

(4) No person shall cover a temporary motor vehicle 653  
license registration by any material that obstructs its 654  
visibility. 655

(B) Whoever violates this section is guilty of a minor  
misdemeanor.

(C) The offenses established under division (A) of this  
section are strict liability offenses and section 2901.20 of the  
Revised Code does not apply. The designation of these offenses  
as strict liability offenses shall not be construed to imply  
that any other offense, for which there is no specified degree  
of culpability, is not a strict liability offense.

**Sec. 4503.211.** (A) As used in this section:

(1) "Motor vehicle renting dealer" means any person  
engaged in the business of regularly making available, offering  
to make available, or arranging for another person to use a  
motor vehicle pursuant to a bailment, rental agreement, or other  
contractual arrangement for a period of thirty days or less  
under which a charge is made for the motor vehicle's use at a  
specified rate and the title to the motor vehicle is in a person  
other than the operator, but does not mean a manufacturer or its  
affiliate renting to its employees or to dealers.

(2) "Operator" means a person driving or otherwise in  
control of a motor vehicle.

(3) "Registered owner" means any person or entity  
identified by the bureau of motor vehicles or any other state  
motor vehicle registration bureau, department, or office as the  
owner of a motor vehicle.

(B) No operator shall be charged with or convicted of a  
violation of section 4503.21 of the Revised Code when operating  
a motor vehicle on a public highway when all of the following  
apply:



(1) The operator has a valid written rental agreement with a motor vehicle renting dealer and such agreement is in effect at the time of the offense described in section 4503.21 of the Revised Code. 684  
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(2) At the time of the offense, the operator provides the valid written agreement to the peace officer or state highway patrol officer enforcing the prohibition. 688  
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(3) The operator has not removed, concealed, or modified the license plate or validation sticker as placed or attached by the motor vehicle renting dealer or its affiliate. 691  
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(C) If divisions (B) (1) and (3) of this section apply, but the operator is unable to produce a valid written agreement at the time of the offense, the operator may submit a copy of the valid written agreement to the court at any time before or during the operator's court hearing. If such agreement is presented to the court, the court shall dismiss any ticket, citation, or summons issued to the operator for the offense. 694  
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(D) If division (B) or (C) of this section applies, the registered owner of the motor vehicle that was the subject of a violation of section 4503.21 of the Revised Code is solely liable for any fees, fines, or penalties for the violation. 701  
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**Sec. 4505.072.** (A) The owner of a motor vehicle seeking to obtain a certificate of title indicating that the motor vehicle is a replica motor vehicle shall do all of the following: 705  
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(1) Have that motor vehicle inspected by the state highway patrol in the manner specified in section 4505.111 of the Revised Code and obtain an inspection report from the state highway patrol; 708  
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(2) Obtain a signed written statement from a person or nonprofit corporation with expertise in historical motor vehicles that the owner's motor vehicle reasonably replicates the make, model, and model year of motor vehicle that the owner is intending to replicate;

(3) Sign the written statement and have it notarized by a notary public.

(B) When a clerk of a court of common pleas issues a physical or electronic certificate of title for a motor vehicle, the owner of the motor vehicle may request that the certificate of title indicate that the motor vehicle is a replica motor vehicle.

When a clerk of a court of common pleas issues a duplicate certificate of title or memorandum certificate of title for a replica motor vehicle, that certificate of title shall be identical to the existing certificate of title.

Prior to issuance of the certificate of title, the owner of the replica motor vehicle shall surrender to the clerk any existing certificate of title, a copy of the inspection report, and the signed notarized written statement described in division (A) of this section.

(C) (1) Upon compliance with divisions (A) and (B) of this section and payment of the fee prescribed in section 4505.09 of the Revised Code, the clerk shall issue to the owner a certificate of title that complies with this section.

(2) The clerk shall use reasonable care in performing the duties imposed on the clerk by this section in issuing a certificate of title pursuant to this section, but the clerk is not liable for any of the clerk's errors or omissions or those

of the clerk's deputies, or the automated title processing 741  
system in the performance of those duties. 742

(D) (1) The registrar of motor vehicles shall ensure that 743  
the certificate of title of a replica motor vehicle issued under 744  
this section complies with all of the following: 745

(a) It is in the same form as the original certificate of 746  
title. 747

(b) It displays the word "REPLICA" in black boldface 748  
letters on its face. 749

(c) It includes the make, model, and model year of motor 750  
vehicle that the owner is intending the motor vehicle to 751  
replicate. 752

(d) It includes the year the replica motor vehicle was 753  
constructed, assembled, or modified. 754

(2) The registrar shall determine the exact location on 755  
the face of the certificate of title of the word "REPLICA," the 756  
make, model, and model year of motor vehicle the owner is 757  
intending to replicate, and the year the replica motor vehicle 758  
was constructed, assembled, or modified. The registrar shall 759  
develop an automated procedure within the automated title 760  
processing system for purposes of this section. 761

(3) Every memorandum certificate of title or duplicate 762  
certificate of title issued for a replica motor vehicle for 763  
which a certificate of title has been issued under this section 764  
shall display the same information as is required under division 765  
(D) (1) of this section. 766

Any subsequent certificate of title issued for a replica 767  
motor vehicle for which a certificate of title has been issued 768

under this section shall display the same information as is 769  
required under division (D)(1) of this section. 770

(E)(1) The owner of a replica motor vehicle who titles 771  
that vehicle as a replica motor vehicle under this section shall 772  
obtain replica license plates and comply with the requirements 773  
of section 4503.183 of the Revised Code. 774

(2) The owner of a replica motor vehicle who does not 775  
title that motor vehicle as a replica motor vehicle under this 776  
section is not required to obtain replica motor vehicle license 777  
plates and comply with the requirements of section 4503.183 of 778  
the Revised Code. Such an owner is subject to the general 779  
registration requirements of Chapter 4503., the titling 780  
requirements of Chapter 4505., and the equipment requirements of 781  
Chapter 4513. of the Revised Code. 782

**Sec. 4505.08.** (A) When the clerk of a court of common 783  
pleas issues a physical certificate of title, the clerk shall 784  
issue the certificate of title on a form and in a manner 785  
prescribed by the registrar of motor vehicles. The clerk shall 786  
file a copy of the physical evidence for the creation of the 787  
certificate of title in a manner prescribed by the registrar. A 788  
clerk may retain digital images of documents used as evidence 789  
for issuance of a certificate of title. Certified printouts of 790  
documents retained as digital images shall have the same 791  
evidentiary value as the original physical documents. The record 792  
of the issuance of the certificate of title shall be maintained 793  
in the automated title processing system. The clerk shall sign 794  
and affix the clerk's seal to the original certificate of title 795  
and, if there are no liens on the motor vehicle, shall deliver 796  
the certificate to the applicant or the selling dealer. If there 797  
are one or more liens on the motor vehicle, the certificate of 798

title shall be delivered to the holder of the first lien or the selling dealer, who shall deliver the certificate of title to the holder of the first lien.

The registrar shall prescribe a uniform method of numbering certificates of title, and such numbering shall be in such manner that the county of issuance is indicated. The clerk shall assign numbers to certificates of title in the manner prescribed by the registrar. The clerk shall file all certificates of title according to rules to be prescribed by the registrar, and the clerk shall maintain in the clerk's office indexes for the certificates of title.

The clerk need not retain on file any current certificates of title, current duplicate certificates of title, current memorandum certificates of title, or current salvage certificates of title, or supporting evidence of them covering any motor vehicle or manufactured or mobile home for a period longer than seven years after the date of its filing; thereafter, the documents and supporting evidence may be destroyed. The clerk need not retain on file any inactive records, including certificates of title, duplicate certificates of title, or memorandum certificates of title, or supporting evidence of them, including the electronic record described in division (A) of section 4505.06 of the Revised Code, covering any motor vehicle or manufactured or mobile home for a period longer than five years after the date of its filing; thereafter, the documents and supporting evidence may be destroyed.

The automated title processing system shall contain all active records and an index of the active records, a record and index of all inactive titles for ten years, and a record and index of all inactive titles for manufactured and mobile homes

for thirty years. If the clerk provides a written copy of any information contained in the database, the copy shall be considered the original for purposes of the clerk certifying the record of the information for use in any legal proceeding.

(B) (1) If the clerk issues a certificate of title for a motor vehicle that was last previously registered in another state, the clerk shall record verbatim, where practicable, in the space on the title described in division (B) (19) of section 4505.07 of the Revised Code, the words that appear as a notation to the vehicle on the title issued by the previous state. These notations may include, but are not limited to, words to the effect that the vehicle was considered or was categorized by the state in which it was last previously registered to be a law enforcement vehicle or a taxicab or was once in a flood.

(2) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that a title to the vehicle previously was issued by this state and that the previous title contained notations that appeared in the space described in division (B) (19) or (20) of section 4505.07 of the Revised Code, the clerk shall enter the notations that appeared on the previous certificate of title issued by this state on the new certificate of title in the space described in division (B) (19) or (20) of section 4505.07 of the Revised Code, irrespective of whether the notations appear on the certificate of title issued by the state in which the vehicle was last previously registered.

(3) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing

system indicating that the vehicle was previously issued a title 859  
by this state and that the previous title bore the notation 860  
"REBUILT SALVAGE" as required by division (E) of section 4505.11 861  
of the Revised Code, or the previous title to the vehicle issued 862  
by this state was a salvage certificate of title, the clerk 863  
shall cause the certificate of title the clerk issues to bear 864  
the notation "REBUILT SALVAGE" in the location prescribed by the 865  
registrar pursuant to that division. 866

(4) If the clerk, while issuing a certificate of title for 867  
a motor vehicle that was last previously registered in another 868  
state, receives information from the automated title processing 869  
system indicating that the vehicle was previously issued a title 870  
by this state and that the previous title included the notation 871  
"REPLICA" in accordance with section 4505.072 of the Revised 872  
Code, or the previous title to the vehicle issued by another 873  
state indicates that the vehicle is a replica motor vehicle, the 874  
clerk shall cause the certificate of title the clerk issues to 875  
display the notation "REPLICA" in the location prescribed by the 876  
registrar pursuant to that section. 877

(C) When the clerk issues a certificate of title for a 878  
motor vehicle that was last previously registered in this state 879  
and was a law enforcement vehicle or a taxicab or was once in a 880  
flood, the clerk shall record that information in the space on 881  
the title described in division (B) (20) of section 4505.07 of 882  
the Revised Code. The registrar, by rule, may prescribe any 883  
additional uses of or happenings to a motor vehicle that the 884  
registrar has reason to believe should be noted on the 885  
certificate of title as provided in this division. 886

(D) The clerk shall use reasonable care in recording or 887  
entering onto titles the clerk issues any notation and 888

information the clerk is required by divisions (B) and (C) of 889  
this section to record or enter and in causing the titles the 890  
clerk issues to bear any notation required by those divisions, 891  
but the clerk is not liable for any of the clerk's errors or 892  
omissions or those of the clerk's deputies, or the automated 893  
title processing system, in the performance of the duties 894  
imposed on the clerk by this section. 895

(E) The clerk may issue a duplicate title, when duly 896  
applied for, of any title that has been destroyed as herein 897  
provided. 898

(F) Except as provided in section 4505.021 of the Revised 899  
Code, the clerk shall issue a physical certificate of title to 900  
an applicant unless the applicant specifically requests the 901  
clerk not to issue a physical certificate of title and instead 902  
to issue an electronic certificate of title. The fact that a 903  
physical certificate of title is not issued for a motor vehicle 904  
does not affect ownership of the vehicle. In that case, when the 905  
clerk completes the process of entering certificate of title 906  
application information into the automated title processing 907  
system, the effect of the completion of the process is the same 908  
as if the clerk actually issued a physical certificate of title 909  
for the motor vehicle. 910

(G) An electronic motor vehicle dealer who applies for a 911  
certificate of title on behalf of a customer who purchases a 912  
motor vehicle from the dealer may print a non-negotiable 913  
evidence of ownership for the customer if the customer so 914  
requests. The authorization to print the non-negotiable evidence 915  
of ownership shall come from the clerk with whom the dealer 916  
makes application for the certificate of title for the customer, 917  
but the printing by the dealer does not create an agency 918



relationship of any kind between the dealer and the clerk. 919

(H) The owner of a motor vehicle may apply at any time to 920  
a clerk of a court of common pleas for a non-negotiable evidence 921  
of ownership for the motor vehicle. 922

(I) In accordance with rules adopted by the registrar, a 923  
clerk may issue a certificate of title applied for by an agent 924  
of a licensed motor vehicle dealer when that agent has a 925  
properly executed power of attorney from the dealer. 926

**Sec. 4509.06.** (A) ~~The driver of any motor vehicle which~~ 927  
Any person who is in any manner involved in a motor vehicle 928  
~~accident within six months of the accident, including as the~~ 929  
driver of a motor vehicle, the owner of property, or any person 930  
sustaining bodily injury or property damage, may, within six 931  
months after the accident, forward a written report of the 932  
accident to the registrar of motor vehicles on a form prescribed 933  
by the registrar alleging that a driver or owner of any ~~other~~ 934  
vehicle involved in the accident was uninsured at the time of 935  
the accident. 936

(B) Upon receipt of the accident report, the registrar 937  
shall send a notice by regular mail to the driver and owner 938  
alleged to be uninsured requiring the person to give evidence 939  
that the person had proof of financial responsibility in effect 940  
at the time of the accident. 941

(C) Within thirty days after the mailing of the notice by 942  
the registrar, the driver of the vehicle alleged to be uninsured 943  
shall forward a report together with acceptable proof of 944  
financial responsibility to the registrar in a form prescribed 945  
by the registrar. The forwarding of the report by the owner of 946  
the motor vehicle involved in the accident is deemed compliance 947

with this section by the driver. This section does not change or 948  
modify the duties of the driver or operator of a motor vehicle 949  
as set forth in section 4549.02 of the Revised Code. 950

**Sec. 4509.70.** (A) After consultation with the insurance 951  
companies authorized to issue automobile liability or physical 952  
damage policies, or both, in this state, the superintendent of 953  
insurance shall approve a reasonable plan, fair and equitable to 954  
the insurers and to their policyholders, for the apportionment 955  
among such companies of applicants for such policies and for 956  
motor-vehicle liability policies who are in good faith entitled 957  
to but are unable to procure such policies through ordinary 958  
methods. When any such plan has been approved by the 959  
superintendent, all such insurance companies shall subscribe and 960  
participate. Any applicant for such policy, any person insured 961  
under such plan of operation, and any insurance company 962  
affected, may appeal to the superintendent of insurance from any 963  
ruling or decision of the manager or committee designated in the 964  
plan to operate the assigned risk insurance plan. Any order or 965  
act of the superintendent under this section is subject to 966  
review as provided in sections 119.01 to 119.13 of the Revised 967  
Code, at the instance of any party in interest. 968

(B) The plan described in division (A) of this section may 969  
permit the assigned risk insurance plan to directly issue and 970  
process claims arising from such policies described in division 971  
(A) of this section to applicants of automobile insurance 972  
policies who are in good faith entitled to but are unable to 973  
procure such policies through ordinary methods. 974

(C) Every form of a policy, endorsement, rider, manual of 975  
classifications, rules, and rates, every rating plan, and every 976  
modification of any of them proposed to be used by the assigned 977

risk insurance plan shall be filed, or the plan may satisfy its 978  
obligation to make such filings, as described in section 3937.03 979  
of the Revised Code. 980

(D) Any automobile insurance policy issued by the assigned 981  
risk insurance plan under division (B) of this section: 982

(1) Shall be recognized as if issued by an insurance 983  
company authorized to do business in this state; 984

(2) Shall meet all requirements of proof of financial 985  
responsibility as described in division (K) of section 4509.01 986  
of the Revised Code. 987

(E) Proof of financial responsibility provided by the 988  
assigned risk insurance plan to an automobile insurance 989  
policyholder that meets the requirements described in division 990  
(G) (1) (a) or (b) of section 4509.101 of the Revised Code shall 991  
be recognized as if issued by an insurance company authorized to 992  
do business in this state to demonstrate proof of financial 993  
responsibility under section 4509.101 of the Revised Code. 994

(F) The assigned risk insurance plan designated in 995  
division (A) of this section shall do both of the following: 996

(1) Make annual audited financial reports available to the 997  
superintendent of insurance promptly upon the completion of such 998  
audit; 999

(2) Upon reasonable notice, make available to the 1000  
superintendent of insurance all books and records relating to 1001  
the insurance transactions of the assigned risk insurance plan. 1002

(G) (1) Except as provided in division (G) (2) of this 1003  
section, records created, held by, or pertaining to the assigned 1004  
risk insurance plan are not public records under section 149.43 1005

of the Revised Code, are confidential, and are not subject to inspection or disclosure.

(2) Division (G)(1) of this section does not apply to the plan of operation and other information required to be filed under this section with the superintendent unless otherwise prohibited from release by law.

(H)(1) For the purposes of division (H) of this section, "insurance agent" has the same meaning as in section 3905.01 of the Revised Code.

(2) Provided that the assigned risk insurance plan establishes registration procedures for insurance agents under division (H)(3) of this section, the plan shall not accept an application for an automobile insurance policy issued under division (B) of this section unless that application is submitted through an insurance agent registered in accordance with those procedures.

(3) The plan may do all of the following:

(a) Establish procedures to register insurance agents;

(b) Establish separate registrations for commercial and personal insurance agents, or one registration for both;

(c) Empower the manager of the plan to make determinations on registration status, including by revoking an insurance agent's registration.

(4) If an insurance agent is denied registration with the plan, or the insurance agent's registration is revoked, the plan may notify the superintendent of the plan's decision. The plan and manager are immune from civil liability for any decision to deny or revoke registration and from any decision to report

denials or revocations to the superintendent. 1034

(5) All insurance agents submitting applications to the 1035  
plan for automobile insurance coverage have an affirmative duty 1036  
to ensure that all information included in the application and 1037  
any supporting materials is true and accurate. 1038

(6) (a) An insurance agent shall not submit an application 1039  
to the plan for automobile insurance coverage unless the agent 1040  
exercises due diligence in confirming that the person seeking 1041  
insurance is unable to obtain coverage through an insurer 1042  
authorized to do business in this state. 1043

(b) For the purposes of this section, due diligence 1044  
requires an insurance agent to contact at least five of the 1045  
authorized insurers the agent represents or, if the agent does 1046  
not represent five authorized insurers that customarily write 1047  
automobile insurance coverage, as many of such insurers as the 1048  
agent represents. 1049

(c) An insurance agent may assume that insurance coverage 1050  
cannot be procured for the applicant through ordinary methods 1051  
after each insurer contacted under division (H) (6) (b) of this 1052  
section declines to provide coverage. 1053

(d) An insurance agent may assume that an authorized 1054  
insurer declines to provide coverage to the applicant seeking 1055  
insurance upon either of the following: 1056

(i) Receiving notice from the insurer declining coverage; 1057

(ii) Receiving no response from the insurer within ten 1058  
days after the date the insurance agent initially makes contact 1059  
with the insurer. 1060

(e) The determination of whether an insurance agent has 1061

adequately complied with the due diligence requirements is at 1062  
the discretion of the manager of the plan. 1063

(f) An agent shall not submit an application on behalf of 1064  
an applicant to the plan for any automobile insurance policy if 1065  
any insurer admitted, authorized, or otherwise eligible to do 1066  
business in this state has in any way communicated a willingness 1067  
to insure the applicant, even if coverage provided by the plan 1068  
costs less than other insurers. 1069

(g) The manager of the plan may revoke the registration of 1070  
an insurance agent who fails to comply with division (H) (6) of 1071  
this section. 1072

**Sec. 4513.071.** (A) Every motor vehicle, trailer, 1073  
semitrailer, and pole trailer when operated upon a highway shall 1074  
be equipped with two or more stop lights, except that passenger 1075  
cars manufactured or assembled prior to January 1, 1967, 1076  
motorcycles, and motor-driven cycles shall be equipped with at 1077  
least one stop light. Stop lights shall be mounted on the rear 1078  
of the vehicle, actuated upon application of the service brake, 1079  
and may be incorporated with other rear lights. Such stop lights 1080  
when actuated shall emit a red light visible from a distance of 1081  
five hundred feet to the rear, provided that in the case of a 1082  
train of vehicles only the stop lights on the rear-most vehicle 1083  
need be visible from the distance specified. 1084

Such stop lights when actuated shall give a steady warning 1085  
light to the rear of a vehicle or train of vehicles to indicate 1086  
the intention of the operator to diminish the speed of or stop a 1087  
vehicle or train of vehicles. 1088

When stop lights are used as required by this section, 1089  
they shall be constructed or installed so as to provide adequate 1090

and reliable illumination and shall conform to the appropriate 1091  
rules and regulations established under section 4513.19 of the 1092  
Revised Code. 1093

~~Historical~~ A historical motor vehicles as defined in 1094  
section 4503.181 of the Revised Code, vehicle that was not 1095  
originally manufactured with stop lights, are or a replica motor 1096  
vehicle that replicates a motor vehicle that was not originally 1097  
manufactured with stop lights is not subject to this section. 1098

(B) Whoever violates this section is guilty of a minor 1099  
misdemeanor. 1100

(C) As used in this section, "replica motor vehicle" means 1101  
a replica motor vehicle for which a certificate of title is 1102  
issued under section 4505.072 of the Revised Code. 1103

**Sec. 4513.38.** (A) No person shall be prohibited from 1104  
owning or operating a licensed collector's vehicle ~~or,~~ 1105  
historical motor vehicle, or replica motor vehicle that is 1106  
equipped with a feature of design, type of material, or article 1107  
of equipment that was not in violation of any motor vehicle 1108  
equipment law of this state or of its political subdivisions in 1109  
effect during the calendar year the vehicle was manufactured or 1110  
the calendar year that it replicates, and no licensed 1111  
collector's vehicle ~~or,~~ historical motor vehicle, or replica 1112  
motor vehicle shall be prohibited from displaying or using any 1113  
such feature of design, type of material, or article of 1114  
equipment. 1115

No person shall be prohibited from owning or operating a 1116  
licensed collector's vehicle ~~or,~~ historical motor vehicle, or 1117  
replica motor vehicle for failing to comply with an equipment 1118  
provision contained in Chapter 4513. of the Revised Code or in 1119

any state rule that was enacted or adopted in a year subsequent 1120  
to that in which the vehicle was manufactured or the calendar 1121  
year that it replicates, and no licensed collector's vehicle ~~or,~~ 1122  
historical motor vehicle, or replica motor vehicle shall be 1123  
required to comply with an equipment provision enacted into 1124  
Chapter 4513. of the Revised Code or adopted by state rule 1125  
subsequent to the calendar year in which it was manufactured or 1126  
the calendar year that it replicates. No political subdivision 1127  
shall require an owner of a licensed collector's vehicle ~~or,~~ 1128  
historical motor vehicle, or replica motor vehicle to comply 1129  
with equipment provisions contained in laws or rules that were 1130  
enacted or adopted subsequent to the calendar year in which the 1131  
vehicle was manufactured or the calendar year that it 1132  
replicates, and no political subdivision shall prohibit the 1133  
operation of a licensed collector's vehicle ~~or,~~ historical motor 1134  
vehicle, or replica motor vehicle for failure to comply with any 1135  
such equipment laws or rules. 1136

(B) As used in this section, "replica motor vehicle" means 1137  
a replica motor vehicle for which a certificate of title is 1138  
issued under section 4505.072 of the Revised Code. 1139

**Sec. 4513.41.** (A) No owner of a licensed collector's 1140  
vehicle, a historical motor vehicle, a replica motor vehicle, or 1141  
a collector's vehicle that is an agricultural tractor or 1142  
traction engine shall be required to comply with an emission, 1143  
noise control, or fuel usage provision contained in a law or 1144  
rule of this state or its political subdivisions that was 1145  
enacted or adopted subsequent to the calendar year in which the 1146  
vehicle was manufactured or the calendar year that it 1147  
replicates. 1148

(B) No person shall be prohibited from operating a 1149



licensed collector's vehicle, a historical motor vehicle, a 1150  
replica motor vehicle, or a collector's vehicle that is an 1151  
agricultural tractor or traction engine for failing to comply 1152  
with an emission, noise control, or fuel usage law or rule of 1153  
this state or its political subdivisions that was enacted or 1154  
adopted subsequent to the calendar year in which his vehicle was 1155  
manufactured or the calendar year that it replicates. 1156

(C) Except as provided in section 4505.061 of the Revised 1157  
Code, no person shall be required to submit ~~his~~ the person's 1158  
collector's vehicle to a physical inspection prior to or in 1159  
connection with an issuance of title to, or the sale or transfer 1160  
of ownership of such vehicle, except that a police officer may 1161  
inspect it to determine ownership. 1162

In accordance with section 1.51 of the Revised Code, this 1163  
section shall, without exception, prevail over any special or 1164  
local provision of the Revised Code that requires owners or 1165  
operators of collector's vehicles to comply with standards of 1166  
emission, noise, fuel usage, or physical condition in connection 1167  
with an issuance of title to, or the sale or transfer of 1168  
ownership of such vehicle or part thereof. 1169

(D) As used in this section, "replica motor vehicle" means 1170  
a replica motor vehicle for which a certificate of title is 1171  
issued under section 4505.072 of the Revised Code. 1172

**Sec. 4729.362.** (A) (1) Except as provided in division (B) 1173  
of this section, prior to selling a dangerous drug at retail, a 1174  
licensed terminal distributor of dangerous drugs shall provide 1175  
notice, in the manner specified in division (A)(2) of this 1176  
section, that a prescription reader can be made available. If 1177  
the person purchasing the drug requests a prescription reader, 1178  
the terminal distributor shall provide a prescription reader for 1179

at least the duration of the prescription. 1180

(2) A licensed terminal distributor shall provide the 1181  
notice required by division (A)(1) of this section as follows: 1182

(a) For in-person transactions, the notice shall be 1183  
provided to the purchaser of the drug if the licensed terminal 1184  
distributor has reason to believe that the purchaser is blind or 1185  
visually impaired or is purchasing the drug on behalf of a 1186  
patient who is blind or visually impaired. 1187

(b) For transactions in which the drug will be delivered 1188  
to a patient by mail, parcel post, or common carrier, the notice 1189  
shall be provided to the person purchasing the drug. 1190

(B) This section does not apply in either of the following 1191  
circumstances: 1192

(1) When the drug is personally furnished by a licensed 1193  
health professional authorized to prescribe drugs; 1194

(2) When the licensed terminal distributor dispensing the 1195  
drug is any of the following: 1196

(a) An institutional pharmacy; 1197

(b) A pharmacy participating in the drug repository 1198  
program pursuant to section 3715.871 of the Revised Code, but 1199  
only if the drug being dispensed was donated or given under the 1200  
program; 1201

(c) A pharmacy in a jail, state correctional institution, 1202  
federal correctional facility or complex, or juvenile detention 1203  
facility; 1204

(d) A pharmacy operated by a government entity. 1205

(C) This section does not affect any law relative to 1206

|   |      |
|---|------|
| <u>labeling requirements for drugs.</u>                                 | 1207 |
| <u>(D) As used in this section:</u>                                     | 1208 |
| <u>(1) "Dangerous drug" has the same meaning as set forth in</u>        | 1209 |
| <u>division (F) of section 4729.01 of the Revised Code.</u>             | 1210 |
| <u>(2) "Institutional pharmacy" means a pharmacy that is part</u>       | 1211 |
| <u>of or is operated in conjunction with any of the following</u>       | 1212 |
| <u>health care facilities: an ambulatory surgical facility, nursing</u> | 1213 |
| <u>home, residential care facility, freestanding rehabilitation</u>     | 1214 |
| <u>facility, hospice care program, home and community-based</u>         | 1215 |
| <u>services provider, or residential facility for individuals with</u>  | 1216 |
| <u>mental illness or developmental disabilities. "Institutional</u>     | 1217 |
| <u>pharmacy" includes both of the following:</u>                        | 1218 |
| <u>(a) A pharmacy on the premises of a health care facility</u>         | 1219 |
| <u>identified in division (D) (2) of this section that provides a</u>   | 1220 |
| <u>system of distributing and supplying medication to the facility</u>  | 1221 |
| <u>or its patients, whether or not operated by the facility;</u>        | 1222 |
| <u>(b) A pharmacy off the premises of a health care facility</u>        | 1223 |
| <u>identified in division (D) (2) of this section that provides</u>     | 1224 |
| <u>services only to patients of one or more health care facilities.</u> | 1225 |
| <u>(3) "Terminal distributor of dangerous drugs" has the same</u>       | 1226 |
| <u>meaning as set forth in division (Q) of section 4729.01 of the</u>   | 1227 |
| <u>Revised Code, and specifically includes retail pharmacies, as</u>    | 1228 |
| <u>well as mail-order or other pharmacies that deliver dangerous</u>    | 1229 |
| <u>drugs by mail, parcel post, or common carrier.</u>                   | 1230 |
| <u>(4) "Prescription reader" means a device that audibly</u>            | 1231 |
| <u>conveys the information that is required by law or rule to be</u>    | 1232 |
| <u>contained on a label affixed to the container in which a</u>         | 1233 |
| <u>dangerous drug is dispensed for a patient who is visually</u>        | 1234 |

impaired or otherwise would have difficulty reading the label. 1235  
The information to be audibly conveyed shall include any 1236  
cautions that may be required by federal and state law and any 1237  
information regarding drug interactions, contraindications, and 1238  
side effects that are also provided to sighted patients and 1239  
patients who have no difficulty reading the label. 1240

**Sec. 5164.093.** (A) The medicaid program shall cover 1241  
prescription readers provided by a licensed terminal distributor 1242  
of dangerous drugs pursuant to section 4729.362 of the Revised 1243  
Code. 1244

(B) As used in this section, "prescription reader" has the 1245  
same meaning as in section 4729.362 of the Revised Code. 1246

**Sec. 5167.12.** If prescribed drugs are included in the 1247  
care management system: 1248

(A) Medicaid MCO plans may include strategies for the 1249  
management of drug utilization, but any such strategies are 1250  
subject to the limitations and requirements of this section and 1251  
the approval of the department of medicaid. 1252

(B) A medicaid MCO plan shall not impose a prior 1253  
authorization requirement in the case of a drug to which all of 1254  
the following apply: 1255

(1) The drug is an antidepressant or antipsychotic. 1256

(2) The drug is administered or dispensed in a standard 1257  
tablet or capsule form, except that in the case of an 1258  
antipsychotic, the drug also may be administered or dispensed in 1259  
a long-acting injectable form. 1260

(3) The drug is prescribed by any of the following: 1261

(a) A physician who has registered the physician's 1262

psychiatric specialty with the department; 1263

(b) A psychiatrist who is practicing at a location on 1264  
behalf of a community mental health services provider whose 1265  
mental health services are certified by the department of mental 1266  
health and addiction services under section 5119.36 of the 1267  
Revised Code; 1268

(c) A certified nurse practitioner, as defined in section 1269  
4723.01 of the Revised Code, who is certified in psychiatric 1270  
mental health by a national certifying organization approved by 1271  
the board of nursing under section 4723.46 of the Revised Code; 1272

(d) A clinical nurse specialist, as defined in section 1273  
4723.01 of the Revised Code, who is certified in psychiatric 1274  
mental health by a national certifying organization approved by 1275  
the board of nursing under section 4723.46 of the Revised Code. 1276

(4) The drug is prescribed for a use that is indicated on 1277  
the drug's labeling, as approved by the federal food and drug 1278  
administration. 1279

(C) The department shall authorize a medicaid MCO plan to 1280  
include a pharmacy utilization management program under which 1281  
prior authorization through the program is established as a 1282  
condition of obtaining a controlled substance pursuant to a 1283  
prescription. 1284

(D) Each medicaid managed care organization and medicaid 1285  
MCO plan shall comply with sections 5164.091, 5164.093, 5164.10, 1286  
5164.7511, 5164.7512, and 5164.7514 of the Revised Code as if 1287  
the organization were the department and the plan were the 1288  
medicaid program." 1289

In line 316, delete "and" and insert ", 1317.06,"; after "3905.426" 1290  
insert ", 4501.01, 4503.21, 4505.08, 4509.06, 4509.70, 4513.071, 4513.38, 1291

4513.41, and 5167.12" 1292

After line 317, insert: 1293

**"Section 3.** Section 3902.64 of the Revised Code, as 1294  
enacted by this act, applies only to health benefit plans, as 1295  
defined in section 3922.01 of the Revised Code, delivered, 1296  
issued for delivery, modified, or renewed in this state on or 1297  
after the effective date of this section. 1298

**Section 4.** The enactment by this act of section 3902.63 of 1299  
the Revised Code shall be known as Madeline's Law." 1300

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 1301

**Retail Installment Sales Act** 1302

**R.C. 1317.06** 1303

Eliminates the requirement that any retail installment 1304  
contract arising out of a consumer transaction be payable in 1305  
substantially equal consecutive installments. 1306

Instead requires such contracts to be payable in periodic 1307  
installments which need not be consecutive or substantially 1308  
equal. 1309

Requires contracts that include a final scheduled 1310  
installment that is more than two times the average of all prior 1311  
scheduled installments to allow the buyer to refinance the 1312  
contract under terms no less favorable than the original 1313  
contract. 1314

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| <b>Hearing aid coverage</b>                                      | 1315 |
| <b>R.C. 3902.63; Section 4</b>                                   | 1316 |
| Requires health plan issuers to cover hearing aids and           | 1317 |
| related services for persons age 21 and younger.                 | 1318 |
| <b>Prescription drug readers</b>                                 | 1319 |
| <b>R.C. 3902.64, 4729.362, 5164.093, and 5167.12; Section 3</b>  | 1320 |
| Requires a licensed terminal distributor of dangerous            | 1321 |
| drugs, such as a pharmacy, to notify a purchaser of a            | 1322 |
| prescription drug at retail of the availability of a             | 1323 |
| prescription drug reader and to make the reader available on     | 1324 |
| request.   | 1325 |
| Requires health benefit plans and Medicaid to cover              | 1326 |
| prescription readers provided by a terminal distributor.         | 1327 |
| <b>Replica motor vehicles</b>                                    | 1328 |
| <b>R.C. 4501.01, 4503.183, 4505.072, 4505.08, 4513.071,</b>      | 1329 |
| <b>4513.38, and 4513.41</b>                                      | 1330 |
| Authorizes a person to register a replica motor vehicle          | 1331 |
| (which is a vehicle that intends to replicate another motor      | 1332 |
| vehicle that is at least 25 years old), for limited operation on | 1333 |
| public roads and highways.                                       | 1334 |
| Authorizes the owner of a replica motor vehicle to request       | 1335 |
| that the certificate of title indicate that the vehicle is a     | 1336 |
| replica vehicle, and establishes procedures for issuance of the  | 1337 |
| certificate of title.  | 1338 |
| Exempts replica motor vehicles from certain requirements         | 1339 |
| (e.g., emissions, noise control, and fuel usage) that were not   | 1340 |
| in effect in the year of manufacture that the vehicle            | 1341 |

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| replicates.  | 1342 |
| <b>Expired rental motor vehicle registration exception</b>       | 1343 |
| <b>R.C. 4503.21 and 4503.211</b>                                 | 1344 |
| Exempts the operator of a rental vehicle from the                | 1345 |
| prohibition against driving without a valid motor vehicle        | 1346 |
| registration when all of the following apply:                    | 1347 |
| 1. The operator has a valid and effective rental agreement       | 1348 |
| with a motor vehicle renting dealer;                             | 1349 |
| 2. At the time of the offense, the operator provides the         | 1350 |
| valid written agreement to the peace officer or state highway    | 1351 |
| patrol officer enforcing the prohibition; and                    | 1352 |
| 3. The operator has not removed, concealed, or modified          | 1353 |
| the license plate or validation sticker as placed or attached by | 1354 |
| the motor vehicle renting dealer or its affiliate.               | 1355 |
| Places the liability for fees, fines, and penalties              | 1356 |
| arising from the violation of the prohibition on the registered  | 1357 |
| owner of the rental motor vehicle.                               | 1358 |
| <b>Uninsured driver report</b>                                   | 1359 |
| <b>R.C. 4509.06</b>  | 1360 |
| Expands the persons who may report a driver or owner of a        | 1361 |
| motor vehicle involved in an accident to the Bureau of Motor     | 1362 |
| Vehicles for failure to maintain financial responsibility to     | 1363 |
| include any person who suffers injury or property damage, as     | 1364 |
| opposed to only persons who are also drivers of a vehicle        | 1365 |
| involved in the accident.  | 1366 |
| <b>Ohio assigned risk insurance plan</b>                         | 1367 |



**R.C. 4509.70**

1368

Requires insurance agents to take certain actions to 1369  
confirm that a person seeking automobile insurance through the 1370  
Ohio assigned risk insurance plan is unable to secure coverage 1371  
through private insurers authorized to do business in Ohio. 1372