As Introduced

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Representatives Abrams, Daniels

Cosponsors: Representatives Lorenz, Willis, John, Miller, K., Ghanbari, Plummer, White, A., Hall, T., Kishman, Bird, Ray, Johnson, Robb Blasdel, Schmidt, Moore, LaRe

To amend sections 4503.10, 4503.102, 4503.20, 4507.212, 4509.101, 4509.66, 4509.67, 4509.69, and 4509.77 and to enact sections 4503.48, 4509.43, 4509.431, 4509.432, 4509.433, and 4509.434 of the Revised Code to implement an online financial responsibility verification system and to modify the financial responsibility laws.

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

Section 1. That sections 4503.10, 4503.102, 4503.20, 4507.212, 4509.101, 4509.66, 4509.67, 4509.69, and 4509.77 be amended and sections 4503.48, 4509.43, 4509.431, 4509.432, 4509.433, and 4509.434 of the Revised Code be enacted to read as follows:

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a

snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

(1) A brief description of the motor vehicle to be

registered, including the year, make, model, and vehicle identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the manner prescribed in section 4503.08 of the Revised Code;

(2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;

(3) The district of registration, which shall be determined as follows:

(a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located.

(b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application.

(4) Whether the motor vehicle is a new or used motor vehicle;

(5) The date of purchase of the motor vehicle;

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner

elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required.

(7) The owner's social security number, driver's license number, or state identification number, or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal taxpayer identification number. The bureau of motor vehicles shall retain in its records all social security numbers provided under this section, but the bureau shall not place social security numbers on motor vehicle certificates of registration.

(8) Whether the applicant wishes to certify willingness to make an anatomical gift if an applicant has not so certified under section 2108.05 of the Revised Code. The applicant's response shall not be considered in the decision of whether to approve the application for registration.

(B)(1) When an applicant first registers a motor vehicle in the applicant's name, the applicant shall provide proof of ownership of that motor vehicle. Proof of ownership may include any of the following:

(a) The applicant may present for inspection a physical certificate of title or memorandum certificate showing title to the motor vehicle to be registered in the name of the applicant.

(b) The applicant may present for inspection an electronic certificate of title for the applicant's motor vehicle in a manner prescribed by rules adopted by the registrar.

(c) The registrar or deputy registrar may electronically confirm the applicant's ownership of the motor vehicle.

An applicant is not required to present a certificate of

title to an electronic motor vehicle dealer acting as a limited authority deputy registrar in accordance with rules adopted by the registrar.

(2) When a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it, each application for registration for a vehicle required to be inspected under that section and those rules shall be accompanied by an inspection certificate or alternative emissions certificate for the motor vehicle issued in accordance with that section.

(3) An application for registration shall be refused if any of the following applies:

(a) The application is not in proper form.

(b) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

(c) Proof of ownership is required but is not presented or confirmed in accordance with division (B)(1) of this section.

(d) All registration and transfer fees for the motor vehicle, for the preceding year or the preceding period of the current registration year, have not been paid.

(e) The owner or lessee does not have an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, and rules adopted under it, if that section is applicable.

(f) The owner or lessee does not have proof of financial

responsibility with respect to the motor vehicle being registered.

(4) This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the Revised Code.

(5) When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title or electronic verification of ownership, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any.

(6) The official also shall indicate, by a stamp or by other means the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

(7) The registrar shall include in the permanent registration record of any vehicle required to be inspected under section 3704.14 of the Revised Code the inspection

certificate number from the inspection certificate or the alternative emissions certificate number from the alternative emissions certificate that is presented at the time of registration of the vehicle as required under this division.

(8) When an applicant submits an application for registration or registration renewal to the registrar or a deputy registrar, the registrar or deputy registrar shall inquire via the online financial responsibility verification system established under sections 4509.43 to 4509.434 of the Revised Code whether the applicant is maintaining proof of financial responsibility.

If the results of the inquiry indicate no proof of the maintenance of financial responsibility, are inconclusive, or the applicant is submitting the application by mail or electronic means in accordance with section 4503.102 of the Revised Code, the registrar or deputy registrar shall request the owner of the motor vehicle to demonstrate proof of financial responsibility in the manner described in division (G) of section 4509.101 of the Revised Code.

(C)(1) The registrar and each deputy registrar shall collect the following additional fees for each application for registration and registration renewal received:

(a) Except as provided in division (C)(1)(b) of this section, a fee of eleven dollars on or before December 31, 2025, and a fee of sixteen dollars on and after January 1, 2026;

(b) For vehicles specified in divisions (A)(1) to (21) of section 4503.042 of the Revised Code, a fee of thirty dollars on or before December 31, 2025, and a fee of thirty-five dollars on and after January 1, 2026.

No additional fee shall be charged for vehicles registered under section 4503.65 of the Revised Code. Each additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under divisions (C)(1) and (3) of this section in the time and manner provided in this section. The registrar shall deposit all moneys received under division (C)(1) of this section into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(2) In addition, a charge of twenty-five cents shall be made for each reflectorized safety license plate issued, and a single charge of twenty-five cents shall be made for each county identification sticker or each set of county identification stickers issued, as the case may be, to cover the cost of producing the license plates and stickers, including material, manufacturing, and administrative costs. Those fees shall be in addition to the license tax. If the total cost of producing the plates is less than twenty-five cents per plate, or if the total cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from the fees shall be distributed in the same manner as provided by section 4501.04 of the Revised Code for the distribution of license tax moneys. If the total cost of producing the plates exceeds twenty-five cents per plate, or if the total cost of producing the stickers exceeds twenty-five cents per sticker or per set issued, the difference shall be paid from the license tax moneys collected pursuant to section 4503.02 of the Revised Code.

(3) The registrar and each deputy registrar shall collect

the following additional fee, as applicable, for each application for registration or registration renewal received for any hybrid motor vehicle, plug-in hybrid electric motor vehicle, or battery electric motor vehicle:

(a) One hundred dollars for a hybrid motor vehicle;

(b) One hundred fifty dollars for a plug-in hybrid electric motor vehicle;

(c) Two hundred dollars for a battery electric motor vehicle.

Each fee imposed under this division shall be prorated based on the number of months for which the vehicle is registered. The registrar shall transmit all money arising from each fee to the treasurer of state for distribution in accordance with division (E) of section 5735.051 of the Revised Code, subject to division (D) of section 5735.05 of the Revised Code.

(D) Each deputy registrar shall be allowed a fee equal to the amount established under section 4503.038 of the Revised Code for each application for registration and registration renewal notice the deputy registrar receives, which shall be for the purpose of compensating the deputy registrar for the deputy registrar's services, and such office and rental expenses, as may be necessary for the proper discharge of the deputy registrar's duties in the receiving of applications and renewal notices and the issuing of registrations.

(E) Upon the certification of the registrar, the county sheriff or local police officials shall recover license plates erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application

for registration or registration renewal notice, together with the license fee and any local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule. The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, municipal corporations, and transportation improvement districts levying local motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy registrars are located in communities where banking facilities are not available, they shall transmit the fees forthwith, by money order or otherwise, as the registrar, by rule approved by the director and the treasurer of state, may prescribe. The registrar may pay the usual and customary fees for such service.

(G) This section does not prevent any person from making an application for a motor vehicle license directly to the registrar by mail, by electronic means, or in person at any of the registrar's offices, upon payment of a service fee equal to the amount established under section 4503.038 of the Revised Code for each application.

(H) No person shall make a false statement as to the district of registration in an application required by division (A) of this section. Violation of this division is falsification under section 2921.13 of the Revised Code and punishable as specified in that section.

(I)(1) Where applicable, the requirements of division (B) of this section relating to the presentation of an inspection certificate issued under section 3704.14 of the Revised Code and rules adopted under it for a motor vehicle, the refusal of a license for failure to present an inspection certificate or alternative emissions certificate, and the stamping of the inspection certificate or alternative emissions certificate by the official issuing the certificate of registration apply to the registration of and issuance of license plates for a motor vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised Code.

(2)(a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to

present an inspection certificate or an alternative emissions certificate with an application for registration or preregistration.

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan guidelines and pursuant to rules adopted by the registrar, the forms shall include the following:

(1) A uniform mileage schedule;

(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by

the registrant;

(3) Any other information the registrar requires by rule.

(K) The registrar shall determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010, or sooner. If the registrar determines that implementing such a program is feasible, the registrar shall adopt new rules under this division or amend existing rules adopted under this division as necessary in order to respond to advances in technology.

If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.

Sec. 4503.102. (A)(1) The registrar of motor vehicles may adopt rules to establish a centralized system of motor vehicle registration for initial registration, registration renewal, and transfer of registration, by mail or by electronic means.

(2) Any person applying electronically for initial registration or for transfer of registration may submit all associated documents electronically through the centralized system of motor vehicle registration established under this section. The registrar or a deputy registrar shall verify and authenticate such documents.

(3) Any person owning a motor vehicle that was registered in the person's name during the preceding registration year shall renew the registration of the motor vehicle not more than

ninety days prior to the expiration date of the registration through one of the following:

(a) By mail or by electronic means through the centralized system of registration established under this section;

(b) In person at any office of the registrar or at a deputy registrar's office.

(B)(1) Except as provided in division (B)(2) of this section, no less than forty-five days prior to the expiration date of any motor vehicle registration, the registrar shall mail a renewal notice to the person in whose name the motor vehicle is registered. The renewal notice shall clearly state that the registration of the motor vehicle may be renewed by mail or electronic means through the centralized system of registration or in person at any office of the registrar or at a deputy registrar's office and shall be preprinted with information including, but not limited to, the owner's name and residence address as shown in the records of the bureau of motor vehicles, a brief description of the motor vehicle to be registered, notice of the license taxes and fees due on the motor vehicle, the toll-free telephone number of the registrar as required under division (D)(1) of section 4503.031 of the Revised Code, and any additional information the registrar may require by rule. The renewal notice shall not include the social security number of either the owner of the motor vehicle or the person in whose name the motor vehicle is registered. The renewal notice shall be sent by regular mail to the owner's last known address as shown in the records of the bureau of motor vehicles.

(2) The registrar is not required to mail a renewal notice if either of the following applies:

(a) The owner of the vehicle has consented to receiving the renewal notice by electronic means only.

(b) The application for renewal of the registration of a motor vehicle is prohibited from being accepted by the registrar or a deputy registrar by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

(3) If the owner of a motor vehicle has consented to receiving a renewal notice by electronic means only, the registrar shall send an electronic renewal notice to the owner that contains the information specified in division (B)(1) of this section at the time specified under that division.

~~(C)~~ (C)(1) The owner of the motor vehicle shall verify the information contained in the notice, sign it either manually or by electronic means, and return it, either by mail or electronic means, or the owner may take it in person to any office of the registrar or of a deputy registrar. ~~The~~

(2) The owner shall include with the notice ~~a~~ all of the following:

(a) A financial transaction device number when renewing in person or by electronic means but not by mail, check, or money order in the amount of the registration taxes and fees payable on the motor vehicle ~~and~~ , a service fee equal to the amount established under section 4503.038 of the Revised Code, plus postage as indicated on the notice if the registration is renewed or fulfilled by mail~~, and an~~ ;

(b) Proof of financial responsibility in the manner

described in division (G) of section 4509.101 of the Revised Code;

(c) An inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code. ~~If~~

(3) If the motor vehicle owner chooses to renew the motor vehicle registration by electronic means, the owner shall proceed in accordance with the rules the registrar adopts.

(D) ~~If all~~ The registrar or deputy registrar shall refuse an application for registration renewal and shall so notify the owner or lessee if any of the following apply:

(1) All registration and transfer fees for the motor vehicle for the preceding year or the preceding period of the current registration year have not been paid~~, if division~~;

(2) Division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code prohibits acceptance of the renewal ~~notice, or if the~~ application;

(3) The owner or lessee does not have proof of financial responsibility with respect to the motor vehicle being registered;

(4) The owner or lessee does not have an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, if that section is applicable~~, the license shall be refused, and the registrar or deputy registrar shall so notify the owner~~. ~~This~~

This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under section 4503.02, 4503.04, 4503.11, 4503.12, or 4503.16 or Chapter 4504. of the Revised Code.

(E)(1) Failure to receive a renewal notice does not relieve a motor vehicle owner from the responsibility to renew the registration for the motor vehicle. Any person who has a motor vehicle registered in this state and who does not receive a renewal notice as provided in division (B) of this section prior to the expiration date of the registration shall request an application for registration from the registrar or a deputy registrar and sign the application manually or by electronic means and submit the application and pay any applicable license taxes and fees to the registrar or deputy registrar.

(2) If the owner of a motor vehicle submits an application for registration and the registrar is prohibited by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code from accepting the application, the registrar shall return the application and the payment to the owner. If the owner of a motor vehicle submits a registration renewal application to the registrar by electronic means and the registrar is prohibited from accepting the application as provided in this division, the registrar shall notify the owner of this fact and deny the application and return the payment or give a credit on the financial transaction device account of the owner in the manner the registrar prescribes by rule adopted pursuant to division (A) of this section.

(F) Every deputy registrar shall post in a prominent place at the deputy's office a notice informing the public of the mail registration system required by this section and also shall post a notice that every owner of a motor vehicle and every chauffeur holding a certificate of registration is required to notify the registrar in writing of any change of residence within ten days after the change occurs. The notice shall be in such form as the registrar prescribes by rule.

(G)(1) The service fee equal to the amount established under section 4503.038 of the Revised Code that is collected from a person who renews a motor vehicle registration by electronic means or by mail, plus postage collected by the registrar and any financial transaction device surcharge collected by the registrar, shall be paid to the credit of the public safety - highway purposes fund established by section 4501.06 of the Revised Code.

(2) A person who submits an initial registration or a transfer of registration by electronic means under this section shall pay a service fee equal to the amount established under section 4503.038 of the Revised Code, any necessary postage costs, and any financial transaction device surcharge, as applicable. The service fee collected shall be paid either to the registrar or to the deputy registrar that verifies and authenticates the submitted documents in accordance with division (A)(2) of this section. If the registrar authorizes a deputy registrar to mail the certificate of registration and any associated license plate to the applicant, the postage costs shall be paid to that deputy registrar.

(H)(1) Pursuant to section 113.40 of the Revised Code, the registrar shall implement a program permitting payment of motor

vehicle registration taxes and fees, driver's license and commercial driver's license fees, and any other taxes, fees, penalties, or charges imposed or levied by the state by means of a financial transaction device for transactions occurring online, at any office of the registrar, and at all deputy registrar locations. The program shall take effect not later than July 1, 2016. The registrar shall adopt rules as necessary for this purpose, but all such rules are subject to any action, policy, or procedure of the board of deposit or treasurer of state taken or adopted under section 113.40 of the Revised Code.

(2) The rules adopted under division (H)(1) of this section shall require a deputy registrar to accept payments by means of a financial transaction device beginning on the effective date of the rules unless the deputy registrar contract entered into by the deputy registrar prohibits the acceptance of such payments by financial transaction device. However, commencing with deputy registrar contract awards that have a start date of July 1, 2016, and for all contract awards thereafter, the registrar shall require that the proposer accept payment by means of a financial transaction device, including credit cards and debit cards, for all department of public safety transactions conducted at that deputy registrar location.

The bureau and deputy registrars are not required to pay any costs that result from accepting payment by means of a financial transaction device. A deputy registrar may charge a person who tenders payment for a department transaction by means of a financial transaction device any cost the deputy registrar incurs from accepting payment by the financial transaction device, but the deputy registrar shall not require the person to pay any additional fee of any kind in connection with the use by the person of the financial transaction device.

(3) In accordance with division (H)(1) of this section and rules adopted by the registrar under that division, a county auditor or clerk of a court of common pleas that is designated a deputy registrar shall accept payment by means of a financial transaction device, including credit cards and debit cards, for all department transactions conducted at the office of the county auditor or clerk in the county auditor's or clerk's capacity as deputy registrar. The bureau is not required to pay any costs incurred by a county auditor or clerk that result from accepting payment by means of a financial transaction device for any department transaction.

(I) For persons who reside in counties where tailpipe emissions inspections are required under the motor vehicle inspection and maintenance program, the notice required by division (B) of this section shall also include the toll-free telephone number maintained by the Ohio environmental protection agency to provide information concerning the locations of emissions testing centers. The registrar also shall include a statement in the notice that a battery electric motor vehicle is not required to undergo emissions inspection under the motor vehicle inspection and maintenance program established under section 3704.14 of the Revised Code.

Sec. 4503.20. (A) As used in this section:

(1) "Dealer engaged in the business of leasing motor vehicles" 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, lease, or other contractual arrangement.

(2) "Motor vehicle" has the meaning set forth in section 4509.01 of the Revised Code.

(B) ~~An~~ In addition to an applicant for registration or registration renewal providing proof of financial responsibility in accordance with division (B)(8) of section 4503.10 of the Revised Code, an application for the registration of a motor vehicle shall contain a statement, to be signed by the applicant either manually or by electronic signature, that does all of the following:

(1) States that the applicant maintains, or has maintained on the applicant's behalf, proof of financial responsibility at the time of application, and will not operate a motor vehicle in this state, unless the applicant maintains, with respect to that motor vehicle or the operation of such vehicle, proof of financial responsibility;

(2) Contains a brief summary of the purposes and operation of section 4509.101 of the Revised Code, the rights and duties of the applicant under that section, and the penalties for violation of that section;

(3) Warns the applicant that the financial responsibility law does not prevent the possibility that the applicant may be involved in an accident with an owner or operator of a motor vehicle who is without proof of financial responsibility.

(C)(1) A person who purchases any motor vehicle from a licensed motor vehicle dealer who agrees to make application for registration of the motor vehicle on behalf of the purchaser shall sign statements that comply with divisions (B) and (F) of this section. The dealer shall submit the statements to the deputy registrar where the dealer has agreed to make application for registration on behalf of the person.

(2) In the case of a person who leases any motor vehicle

from a dealer engaged in the business of leasing motor vehicles who agrees to make application for registration of the motor vehicle on behalf of the lessee, the person shall sign a statement that complies with division (B) of this section, and the dealer shall do either of the following:

(a) Submit the statement signed by the person to the deputy registrar where the dealer has agreed to make application for registration on behalf of the person;

(b) Sign and submit a statement to the deputy registrar that certifies that a statement has been signed and filed with the dealer or incorporated into the lease.

The dealer shall submit to the registrar or deputy registrar to whom the dealer submits the application for registration a statement signed by the person that complies with division (F) of this section.

(D) The registrar of motor vehicles shall prescribe the form of the statements required under divisions (B), (C), and (F) of this section, and the manner or manners in which the statements required under divisions (B) and (F) of this section shall be presented to the applicant. Any statement that is required under divisions (B), (C), and (F) of this section shall be designed to enable the applicant to retain a copy of it.

(E) Nothing within this section shall be construed to excuse a violation of section 4509.101 of the Revised Code. A motor vehicle dealer who makes application for the registration of a motor vehicle on behalf of the purchaser or lessee of the motor vehicle is not liable in damages in any civil action on account of the act of making such application for registration or the content of any such application for registration.

(F) In addition to the statements required by divisions (B) and (C) of this section, a person who makes application for registration of a motor vehicle shall be furnished with a form that lists in plain language all the possible penalties to which a person could be subject for a violation of the financial responsibility law, including driver's license suspensions, impoundment of certificates of registration and license plates, and all fees, including ~~nonvoluntary compliance and~~ reinstatement fees. The person shall read the form and either manually or by electronic signature sign the form, which shall be submitted along with the application for registration as provided in this section. The form shall be retained by the registrar or deputy registrar who issues the motor vehicle registration or the registrar's or deputy registrar's successor for a period of two years from the date of issuance of the registration.

(G) Upon the registration of a motor vehicle, the owner of the motor vehicle is deemed to have agreed to the production of proof of financial responsibility by the owner or the operator of the motor vehicle, upon the request of a peace officer or state highway patrol trooper made in accordance with division (D)(2) of section 4509.101 of the Revised Code.

(H) The registrar shall adopt rules governing the renewal of motor vehicle registrations by electronic means, the mechanism of providing proof of financial responsibility through those electronic means, and the completion and submission of statements that comply with divisions (B) and (F) of this section. The registrar shall adopt the rules prescribed by this division in accordance with Chapter 119. of the Revised Code.

Sec. 4503.48. (A) The owner or lessee of any passenger

car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar of motor vehicles may apply to the registrar for the registration of the vehicle and issuance of a blackout license plate. The application may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a blackout license plate and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, blackout license plates shall have a black background with white letters or numbers. Blackout license plates shall not display the slogan "BIRTHPLACE OF AVIATION" as required under section 4503.22 of the Revised Code. Blackout license plates also shall not display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

(B) A blackout license plate and a validation sticker, or validation sticker alone, shall be issued upon receipt of an application for registration of a motor vehicle under this section; payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, a blackout license plate fee as provided in division (C) of this section, and an additional administrative fee of ten dollars; and compliance with all other applicable laws relating to the registration of

motor vehicles.

(C) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a blackout license plate fee of forty dollars. The registrar shall deposit both of the following into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code:

(1) The forty-dollar blackout license plate fee, the purpose of which is to offset the costs of the online financial responsibility verification system established under sections 4509.43 to 4509.434 of the Revised Code;

(2) The ten-dollar administrative fee, the purpose of which is to compensate the bureau of motor vehicles for additional services required in the issuing of blackout license plates.

Sec. 4507.212. (A) As used in this section, "motor vehicle" has the same meaning as in section 4509.01 of the Revised Code.

(B) An application for a driver's, commercial driver's, restricted, or probationary license, or renewal of such license shall contain a statement, to be signed by the applicant, that does all of the following:

(1) States that the applicant maintains, or has maintained on the applicant's behalf, proof of financial responsibility at the time of application, and will not operate a motor vehicle in this state, unless the applicant maintains, or has maintained on the applicant's behalf, proof of financial responsibility;

(2) Contains a brief summary of the purposes and operation of section 4509.101 of the Revised Code, the rights and duties

of the applicant under that section, and the penalties for violation of that section;

(3) Warns the applicant that the financial responsibility law does not prevent the possibility that the applicant may be involved in an accident with an owner or operator of a motor vehicle who is without proof of financial responsibility.

(C) The registrar of motor vehicles shall prescribe the form of the statement, and the manner in which the statement shall be presented to the applicant. The statement shall be designed to enable the applicant to retain a copy of it.

(D) Nothing within this section shall be construed to excuse a violation of section 4509.101 of the Revised Code.

(E) At the time a person submits an application for a driver's, commercial driver's, restricted, or probationary license, or renewal of such a license, the applicant also shall be furnished with a form that lists in plain language all the possible penalties to which the applicant could be subject for a violation of the financial responsibility law, including driver's license suspensions, impoundment of certificates of registration and license plates, and all fees, including ~~nonvoluntary compliance and~~ reinstatement fees. The applicant shall sign the form, which shall be submitted along with the application. The form shall be retained by the registrar or deputy registrar who issues the license or renewal or the registrar's or deputy registrar's successor for a period of two years from the date of issuance of the license or renewal. The registrar shall prescribe the manner in which the form shall be presented to the applicant, and the format of the form, which shall be such that the applicant can retain a copy of it.

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

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

(a) Subject to divisions (A)(2)(b) and (c) of this section, a class (F) 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)(6) of section 4510.02 of the Revised Code and impoundment of the person's license. The court may grant limited driving privileges to the person, but only if the person presents proof of financial responsibility and is enrolled in a reinstatement fee payment plan pursuant to section 4510.10 of the Revised Code.

(b) If, within one year of the violation, the person's operating privileges are again suspended and the person's license again is impounded for a violation of division (A)(1) of this section, a class C 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)(3) 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, and no court may grant limited driving privileges for the first fifteen days of the suspension.

(c) If, within one year of the violation, the person's operating privileges are suspended and the person's license is impounded two or more times for a violation of division (A)(1) 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.

(e) 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~~ is 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 ~~either~~ 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.

(b) The person receives a traffic ticket indicating ~~that~~ both of the following:

(i) That proof of the maintenance of financial responsibility was not verified for the motor vehicle when a peace officer or state highway patrol trooper made an inquiry via the online financial responsibility verification system established under sections 4509.43 to 4509.434 of the Revised Code;

(ii) That proof of the maintenance of financial responsibility was not produced upon the request of a peace officer or state highway patrol trooper made in accordance with division (D)(2) of this section.

(c) The person submits an application for registration or registration renewal in accordance with the procedures specified under section 4503.10 of the Revised Code.

(d) Whenever the registrar, via the online financial responsibility verification system established under sections 4509.43 to 4509.434 of the Revised Code, determines that a person is not maintaining proof of financial responsibility and requests the person to respond under section 4509.433 of the Revised Code.

(4) An order of the registrar that suspends and impounds a license, registration, or both, shall state the date on or before which the person is required to surrender the person's license or certificate of registration and license plates. The

person is deemed to have surrendered the license or certificate of registration and license plates, in compliance with the order, if the person does either of the following:

(a) On or before the date specified in the order, delivers the license or certificate of registration and license plates to the registrar;

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

(5) Except as provided in division (L) of this section or division (B) of section 4509.434 of the Revised Code, the registrar shall not restore any operating privileges or registration rights suspended under this section, return any license, certificate of registration, or license plates surrendered under this section, or reissue license plates under section 4503.232 of the Revised Code, if the registrar destroyed the impounded license plates under that section, or reissue a license under section 4510.52 of the Revised Code, if the registrar destroyed the suspended license under that section, unless the rights are not subject to suspension or revocation under any other law and unless the person, in addition to complying with all other conditions required by law for reinstatement of the operating privileges or registration rights, complies with all of the following:

(a) Pays to the registrar or an eligible deputy registrar a financial responsibility reinstatement fee of forty dollars for the first violation of division (A)(1) of this section, three hundred dollars for a second violation of that division, and six hundred dollars for a third or subsequent violation of

that division;

(b) Files and continuously maintains proof of financial responsibility in accordance with sections 4509.44 to 4509.65 of the Revised Code;

(c) Pays a deputy registrar a service fee of ten dollars to compensate the deputy registrar for services performed under this section. The deputy registrar shall retain eight dollars of the service fee and shall transmit the reinstatement fee and two dollars of the service fee to the registrar in the manner the registrar shall determine.

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

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

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

(b) With respect to the motor vehicle that is the subject of the violation, order the impoundment required under division (A)(2)(d) of this section of the certificate of registration and license plates of any owner who has violated division (A)(1) of this section;

(c) Record the name and address of the person whose

license has been suspended or is under an order of suspension, or whose certificate of registration and license plates have been impounded or are under an order of impoundment, the serial number of the person's license, the serial numbers of the person's certificate of registration and license plates, and the person's social security account number, if assigned, or, where the motor vehicle that is the subject of the violation is used for hire or principally in connection with any established business, the person's federal taxpayer identification number. The information shall be recorded in such a manner that it becomes a part of the person's permanent record, and assists the registrar in monitoring compliance with the orders of suspension or impoundment.

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

(2) The registrar shall issue any order under division (B)(1) of this section without a hearing. Any person adversely affected by the order, within fifteen days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether the person in fact demonstrated to the registrar proof of financial responsibility in accordance with this section. The registrar shall determine

the date, time, and place of any hearing, provided that the hearing shall be held, and an order issued or findings made, within thirty days after the registrar receives a request for a hearing. If requested by the person in writing, the registrar may designate as the place of hearing the county seat of the county in which the person resides or a place within fifty miles of the person's residence. The person shall pay the cost of the hearing before the registrar, if the registrar's order of suspension or impoundment is upheld.

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

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

~~(b) Any~ (a) Except as provided in division (D)(1)(b) of this section, any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment, pursuant to this section, may confiscate the license, certificate of registration, and license plates,

and return ~~it~~ them to the registrar.

(b) Any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment, resulting from failure to respond to an online financial responsibility verification system request, shall not, for that reason arrest the owner or operator. Instead, the peace officer shall issue a citation for a violation of section 4510.16 of the Revised Code specifying the circumstances as failure to respond to an online financial responsibility verification system request.

(2) A peace officer shall ~~request the owner or operator of a motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section~~ make an inquiry via the online financial responsibility verification system at the time the peace officer acts to enforce the traffic laws of this state and during motor vehicle inspections conducted pursuant to section 4513.02 of the Revised Code. If the results of the inquiry indicate no proof of the maintenance of financial responsibility or are inconclusive, the peace officer shall request the owner or operator of the motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section.

(3) A peace officer shall indicate on every traffic ticket the results of the inquiry via the online financial responsibility verification system and whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the officer's request under division (D)(2) of this section, as applicable. The peace

officer shall inform every person who receives a traffic ticket and who has failed to produce proof of the maintenance of financial responsibility that the person must submit proof to the traffic violations bureau with any payment of a fine and costs for the ticketed violation or, if the person is to appear in court for the violation, the person must submit proof to the court.

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

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

(5)(a) Upon receiving notice from a clerk of courts or traffic violations bureau pursuant to division (D)(4) of this section, the registrar shall order the suspension of the license of the person required under division (A)(2)(a), (b), or (c) of this section and the impoundment of the person's certificate of registration and license plates required under division (A)(2)(d) of this section, effective forty-five days after the date of

the mailing of notification. The registrar also shall notify the person that the person must present the registrar with proof of financial responsibility in accordance with this section, surrender to the registrar the person's license, certificate of registration, and license plates, or submit a statement subject to section 2921.13 of the Revised Code that the person did not operate or permit the operation of the motor vehicle at the time of the offense. Notification shall be in writing and shall be sent to the person at the person's last known address as shown on the records of the bureau of motor vehicles. The person, within forty-five days after the date of the mailing of notification, shall present proof of financial responsibility, surrender the license, certificate of registration, and license plates to the registrar in a manner set forth in division (A)(4) of this section, or submit the statement required under this section together with other information the person considers appropriate.

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

(b) In the case of a person who presents, within the forty-five-day period, proof of financial responsibility, the registrar shall terminate the order of suspension and the impoundment of the certificate of registration and license plates and shall send written notification to the person, at the person's last known address as shown on the records of the bureau.

(c) Any person adversely affected by the order of the registrar under division (D)(5)(a) or (b) of this section, within fifteen days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether, at the time of the hearing, the person presents proof of financial responsibility covering the vehicle and whether the person is eligible for an exemption in accordance with this section or any rule adopted under it. The registrar shall determine the date, time, and place of any hearing; provided, that the hearing shall be held, and an order issued or findings made, within thirty days after the registrar receives a request for a hearing. If requested by the person, the hearing may be held remotely by electronic means. If requested by the person in writing, the registrar may designate as the place of hearing the county seat of the county in which the person resides or a place within fifty miles of the person's residence. Such person shall pay the cost of the hearing before the registrar, if the registrar's order of suspension under division (D)(5)(a) or (b) of this section is upheld.

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

(7) 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.

(8) 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)(c) of this section, the registrar shall deposit ten dollars of each forty-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.

(G)(1)(a) The registrar, court, traffic violations bureau, or peace officer may require proof of financial responsibility to be demonstrated by use of a standard form prescribed by the registrar. If the use of a standard form is not required, a

person may demonstrate proof of financial responsibility under this section by presenting to the traffic violations bureau, court, registrar, or peace officer any of the following documents or a copy of the documents:

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

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

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

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

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

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

(b) A person also may present proof of financial responsibility under this section to the traffic violations bureau, court, registrar, or peace officer through use of an electronic wireless communications device as specified under section 4509.103 of the Revised Code.

(2) If a person fails to demonstrate proof of financial responsibility in a manner described in division (G)(1) of this section, the person may demonstrate proof of financial

responsibility under this section by any other method that the court or the bureau, by reason of circumstances in a particular case, may consider appropriate.

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

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

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

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

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

(iii) Waive any defenses or counterclaims available to an insurer, surety, agent, employee, or representative in an action

commenced by an insured or third-party claimant upon a cause of action alleged to have arisen under an insurance policy or surety bond or by reason of the preparation and delivery of a document for use as proof of financial responsibility or the generation and delivery of proof of financial responsibility to an electronic wireless communications device.

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

(H) In order for any document or display of text or images on an electronic wireless communications device described in division (G)(1) of this section to be used for the demonstration of proof of financial responsibility under this section, the document or words or images shall state the name of the insured or obligor, the name of the insurer or surety company, and the effective and expiration dates of the financial responsibility, and designate by explicit description or by appropriate reference all motor vehicles covered which may include a reference to fleet insurance coverage.

(I) For purposes of this section, "owner" does not include a licensed motor vehicle leasing dealer as defined in section

4517.01 of the Revised Code, but does include a motor vehicle renting dealer as defined in section 4549.65 of the Revised Code. Nothing in this section or in section 4509.51 of the Revised Code shall be construed to prohibit a motor vehicle renting dealer from entering into a contractual agreement with a person whereby the person renting the motor vehicle agrees to be solely responsible for maintaining proof of financial responsibility, in accordance with this section, with respect to the operation, maintenance, or use of the motor vehicle during the period of the motor vehicle's rental.

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

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

(L)(1) The registrar may terminate any suspension imposed under this section and not require the owner to comply with division (A)(5) of this section if the registrar with or without a hearing determines that the owner of the vehicle has established by clear and convincing evidence that all of the following apply:

(a) The owner customarily maintains proof of financial responsibility.

(b) Proof of financial responsibility was not in effect

for the vehicle on the date in question for one of the following reasons:

(i) The vehicle was inoperable.

(ii) The vehicle is operated only seasonally, and the date in question was outside the season of operation, and the vehicle was not operated on that date.

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

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

(2) The registrar may grant an owner or driver relief for a reason specified in division (L)(1)(b)(iii) or (iv) of this section only if the owner or driver has not previously been granted relief under division (L)(1)(b)(iii) or (iv) of this section.

(M) The registrar shall adopt rules in accordance with Chapter 119. of the Revised Code that are necessary to administer and enforce this section. The rules shall include provisions relating to acceptable forms of proof of financial responsibility, the use of an electronic wireless communications device to present proof of financial responsibility, and verification of the existence of financial responsibility during the period of registration.

(N)(1) When a person utilizes an electronic wireless communications device to present proof of financial responsibility, only the evidence of financial responsibility

displayed on the device shall be viewed by the registrar, peace officer, employee or official of the traffic violations bureau, or the court. No other content of the device shall be viewed for purposes of obtaining proof of financial responsibility.

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

Sec. 4509.43. As used in sections 4509.43 to 4509.434 of the Revised Code:

"Commercial motor vehicle coverage" means the insurance coverage provided for commercial motor vehicles, regardless of the number of commercial motor vehicles covered, the entity covered, or the format of the insurance.

"Required financial responsibility verification event" means any event during which a person is required to provide proof of financial responsibility, including during traffic stops, traffic accidents, motor vehicle inspections, motor vehicle registration, and appearance before the traffic violations bureau.

Sec. 4509.431. (A)(1) The registrar of motor vehicles shall, in accordance with sections 4509.43 to 4509.434 of the Revised Code and rules adopted under those sections, implement an online financial responsibility verification system. The registrar shall either create and develop the system or shall contract with a third party to create and develop the system.

The system may be based in whole or in part on the model established by the insurance industry committee on motor vehicle administration. The registrar or the contracted third party shall ensure that the system is capable of electronically verifying proof of financial responsibility for motor vehicles that are registered in this state.

(2) The entity that creates and develops the system is responsible for all ongoing maintenance of the system, including all technology support services, troubleshooting, and technology updates.

(B) The registrar and any third party, if applicable, shall work together to ensure that all of the following apply to the online financial responsibility verification system:

(1) At the time of a required financial responsibility verification event, it is able to verify whether a person operating a motor vehicle registered in this state has proof of financial responsibility with respect to that motor vehicle that is either maintained by the motor vehicle's owner or operator. The verification conducted under division (B)(1) of this section is based on the latest information included in the system, specifically whether the owner or operator has added, dropped, or changed the owner's or operator's proof of financial responsibility.

(2) It is able to send requests to insurers for verification of proof of financial responsibility through electronic services or the internet using multiple data elements, including:

(a) The national association of insurance commissioner's code that is specific to each licensed insurance company;

(b) Vehicle identification number;

(c) Policy number;

(d) Any other data element as determined by the registrar by rule.

(3) It uses data and data transmission formats that are compatible with the technology and systems available to and used by the bureau of motor vehicles.

(4) It provides sufficient measures for the security and integrity of the data contained in and obtained through use of the system. Such measures may include measures that limit the use and disclosure of the data in accordance with the disclosure authorized for personal information, other than sensitive personal information, in section 4501.27 of the Revised Code and in compliance with all federal and state data privacy laws.

(C) The registrar and any third party, if applicable, shall maintain a record of all system data related to an inquiry and the response to that inquiry for not less than six months after the date of the inquiry and the response to that inquiry.

(D) The registrar and any third party, if applicable, may implement periods of reasonable system downtime for system maintenance as determined by the registrar.

Sec. 4509.432. (A) Except as otherwise provided by this section, any insurer that provides proof of financial responsibility for a motor vehicle registered in this state shall do all of the following with respect to the online financial responsibility verification system:

(1) Cooperate with the registrar of motor vehicles and any third party, if applicable, in establishing and operating the

system;

(2) Maintain the data necessary to verify proof of financial responsibility provided to customers and update such data as necessary and in the time period established by and through the system;

(3) Maintain any internet or electronic service through which the online verification can take place, including the ability to respond to authorized inquiries regarding whether a motor vehicle is insured or an insurance policy is in effect on the requested date that is based on the latest information included in the system;

(4) Provide data security consistent with all established and agreed-upon standards;

(5) Maintain a record of all system data related to an inquiry and the response to that inquiry for not less than six months after the date of the inquiry and the response to that inquiry.

(B) Any insurer that provides commercial motor vehicle coverage or that covers less than one thousand motor vehicles registered in this state shall cooperate with the registrar to verify proof of financial responsibility either by using the online financial responsibility verification system or by establishing a mechanism to verify coverage through data file transfers to the registrar, in a form and in the time period established by the registrar. A vehicle identification number is not required as part of the data transfer if the commercial motor vehicle coverage is a nonvehicle specific policy or is not regularly required by the insurer.

(C)

An insurer may use a third party service provider to facilitate the responsibilities of the insurer under this section.

(D) An insurer and third-party service provider are immune from civil and administrative liability if that insurer or provider makes reasonable efforts, as determined by the registrar, to comply with this section.

Sec. 4509.433. (A) When, through the operation of the online financial responsibility verification system, a person is identified as not having proof of financial responsibility with respect to a motor vehicle owned or leased by that person, notice shall be sent to the person, either by electronic means or through regular mail at the last known address on record for the person. The notice shall request that the person respond in accordance with rules adopted by the registrar of motor vehicles under section 4509.434 of the Revised Code by doing one of the following:

(1) Providing proof of financial responsibility;

(2) Obtaining a motor vehicle liability policy or other form of proof of financial responsibility and subsequently providing proof of financial responsibility;

(3) Verifying that the person who received the request does not have legal title or right of possession to the motor vehicle that is the subject of the request;

(4) Verifying that proof of financial responsibility was not in effect for the motor vehicle on the date in question for one of the reasons specified in division (L)(1)(b) of section 4509.101 of the Revised Code.

(B) If a person fails to respond to the notice sent under

division (A) of this section within the time frame established by the registrar under rules adopted under section 4509.434 of the Revised Code, that failure may result in the suspension of the person's driver's license or impoundment of the person's certificate of registration and license plates and the imposition of reinstatement fees and other monetary penalties in accordance with an order issued under section 4509.434 of the Revised Code.

Sec. 4509.434. (A) The registrar of motor vehicles shall adopt rules in accordance with Chapter 119. of the Revised Code that do all of the following:

(1) Establish procedures for issuing and responding to a notice under section 4509.433 of the Revised Code, including all of the following:

(a) The information to be included in the notice, including a warning that failure to respond may result in the suspension of the person's driver's license, impoundment of the person's certificate of registration and license plates, and the imposition of reinstatement fees and other monetary penalties;

(b) The manner, timing, and number of notices that shall be sent to a person identified as not having proof of financial responsibility for a motor vehicle owned or leased by that person;

(c) The entity responsible for sending the notices.

(2) Establish procedures for verifying proof of financial responsibility, sale or disposition of the motor vehicle that is the subject of a notice, evidence that proof of financial responsibility was reasonably excused for the motor vehicle that is the subject of the notice and on the date in question in

accordance with division (L)(1)(b) of section 4509.101 of the Revised Code, or that the notice is in any manner invalid. The rules shall authorize such verification either through electronic means, by mail, or at the office of a deputy registrar.

(3) Establish procedures for the registrar to issue an order imposing the civil penalties required under division (A)(2) of section 4509.101 of the Revised Code if a person fails to respond within the time frame established by rule after any final notice is sent under section 4509.433 of the Revised Code;

(4) Establish procedures for a person adversely affected by an order issued under division (A)(3) of this section to request an administrative hearing before the registrar;

(5) Establish procedures and requirements for implementing division (B) of section 4509.432 of the Revised Code;

(6) Establish any other procedures and requirements necessary to administer and implement sections 4509.43 to 4509.434 of the Revised Code.

(B) The registrar shall terminate an order of suspension and impoundment issued under division (A)(2) of section 4509.101 of the Revised Code and rules adopted under this section and restore operating and motor vehicle registration privileges of a person if both of the following apply:

(1) The registrar issued the order under this section because the person failed to respond within the time frame established by rule after any final notice was sent under section 4509.433 of the Revised Code.

(2) The registrar or a deputy registrar determines that the person was in compliance with division (A)(1) of section

4509.101 of the Revised Code within the time frame established by rule after any final notice was sent under section 4509.433 of the Revised Code.

If division (B) of this section applies to a person, the person is not required to continuously file proof of financial responsibility or pay the fees established in divisions (A)(5)(a) and (b) of section 4509.101 of the Revised Code.

(C) Any suspensions or impoundment of certificates of registration and license plates imposed in accordance with this section shall include a distinctive designation on the records of the bureau of motor vehicles and the registrar and on the records transmitted by the registrar to the law enforcement automated data system.

(D) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under this section is not subject to sections 121.95 to 121.953 of the Revised Code.

Sec. 4509.66. Whenever any proof of financial responsibility filed under sections 4509.01 to 4509.78, inclusive, of the Revised Code, no longer fulfills the purposes for which required, the registrar of motor vehicles shall require other proof and shall suspend the license and motor vehicle registration or the nonresident's operating privilege pending the filing of such other proof.

Sec. 4509.67. (A) The registrar of motor vehicles shall, upon request, consent to the immediate cancellation of any bond or certificate of insurance, return to the person entitled any money deposited under sections 4509.01 to 4509.78 of the Revised Code, as proof of financial responsibility, or waive the

requirement of filing proof, in any of the following events:

(1) At any time after one year from the date such proof was required when, during the one year preceding the request, the registrar has not received record of a conviction or bail forfeiture which would require or permit the suspension or revocation of the license, motor vehicle registration, or nonresident's operating privilege of the person by or for whom such proof was furnished;

(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle;

(3) In the event the person who has given proof surrenders the person's license and motor vehicle registration to the registrar.

(B) The registrar shall not consent to the cancellation of any bond or the return of any money if any action for damages upon a liability covered by such proof is pending, or any judgment upon any such liability is unsatisfied, or in the event the person who has filed such bond or deposited such money has within two years immediately preceding such request been involved as a driver or owner in any motor vehicle accident resulting in injury to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that the applicant has been released from all liability, or has been finally adjudicated not liable, for such injury may be accepted as evidence thereof in the absence of evidence to the contrary in the records of the registrar.

(C) Whenever any person whose proof has been canceled or returned under division (A)(3) of this section applies for a

license or motor vehicle registration within a period of one year from the date proof was originally required, any such application shall be refused unless the applicant re-establishes proof of financial responsibility for the remainder of the one-year period.

Sec. 4509.69. Any person whose license or motor vehicle registration has been suspended, or whose policy of insurance or bond has been canceled or terminated, or who neglects to furnish other proof of financial responsibility upon request of the registrar of motor vehicles, shall immediately return the person's license, certificate of registration, and license plates to the registrar.

Sec. 4509.77. (A) No person shall willfully fail to return a license, certificate of registration, or license plates as required in section 4509.69 of the Revised Code.

(B) Whoever violates this section shall be fined not more than five hundred dollars, imprisoned for not more than thirty days, or both.

Section 2. That existing sections 4503.10, 4503.102, 4503.20, 4507.212, 4509.101, 4509.66, 4509.67, 4509.69, and 4509.77 of the Revised Code are hereby repealed.

Section 3. (A) The Registrar of Motor Vehicles shall not make the online financial verification system established under sections 4509.43 to 4509.434 of the Revised Code operational for the nine-month period immediately after the effective date of this section. Beginning nine months after the effective date of this section, the Registrar shall implement the system as a pilot program for a period of nine months. During the pilot program, all of the following apply:

(1) The Registrar shall work with any third party creator or developer, if applicable, and insurers to discover and correct any technological challenges, problems, or delays in the system.

(2) The Registrar shall work with law enforcement agencies and courts to discover and correct any technological problems and problems with access to the system's data.

(3) No person shall be penalized for failure to provide proof of financial responsibility solely based on data provided by the system.

(B) At the conclusion of the nine-month pilot program, the online financial responsibility verification system shall be fully operational. Beginning on the day after the pilot program terminates, a person may be penalized in accordance with applicable law for failure to provide proof of financial responsibility based on data provided by the system.

(C) Not later than two years after the effective date of this section, the Registrar shall submit a report regarding the online financial responsibility verification system to the General Assembly. The report shall specify the costs of the system for the Bureau of Motor Vehicles, any ongoing challenges in implementing and administering the system, the benefits of the system, and the effectiveness of the system in reducing the number of uninsured motor vehicles in this state.