

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 65**

**Senator Lang**

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**A BILL**

To amend sections 1317.05, 3905.426, 4501.01, 1  
4503.21, 4505.08, 4509.06, 4509.70, 4513.071, 2  
4513.38, and 4513.41 and to enact sections 3  
1310.251, 4503.183, 4503.211, and 4505.072 of 4  
the Revised Code to modify the law governing 5  
ancillary product protection contracts, vehicle 6  
value protection agreements, replica and rental 7  
motor vehicles, and uninsured drivers. 8

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

**Section 1.** That sections 1317.05, 3905.426, 4501.01, 9  
4503.21, 4505.08, 4509.06, 4509.70, 4513.071, 4513.38, and 10  
4513.41 be amended and sections 1310.251, 4503.183, 4503.211, 11  
and 4505.072 of the Revised Code be enacted to read as follows: 12

**Sec. 1310.251.** (A) (1) As used in this section, "excess  
wear and use waiver" means a contractual agreement that is part 13  
of, or a separate addendum to, a lease agreement for use of a 14  
motor vehicle, under which the lessor agrees, with or without a 15  
separate charge, to do one or both of the following: 16  
17

(a) Cancel or waive all or part of amounts that may become 18  
due under a lessee's lease agreement as a result of excess wear 19

<u>and use of a motor vehicle;</u>	20
<u>(b) Cancel or waive amounts due for excess mileage.</u>	21
<u>(2) "Motor vehicle" has the same meaning as in section</u>	22
<u>4501.01 of the Revised Code and also includes utility vehicles</u>	23
<u>and under-speed vehicles as defined in that section.</u>	24
<u>(B) The terms of a related motor vehicle lease shall not</u>	25
<u>be conditioned upon the consumer's payment for any excess wear</u>	26
<u>and use waiver. Excess wear and use waivers may be discounted or</u>	27
<u>given at no extra charge in connection with the purchase of</u>	28
<u>other noncredit related goods or services.</u>	29
<u>(C) Notwithstanding any provision of the Revised Code to</u>	30
<u>the contrary, an excess wear and use waiver is not an insurance</u>	31
<u>product.</u>	32
<b>Sec. 1317.05.</b> (A) Any retail seller who, in any retail	33
installment contract, has agreed to purchase insurance for the	34
retail buyer and to extend credit for the price thereof,	35
excluding single interest insurance, shall, prior to the due	36
date of the first installment of the retail installment	37
contract, deliver to the retail buyer personally, or mail or	38
cause to be mailed to the retail buyer at the retail buyer's	39
address as shown on the retail installment contract, the policy	40
of insurance, or in lieu thereof a certificate of insurance, or	41
the retail buyer is not liable on the retail buyer's retail	42
installment contract until the policy, or certificate of	43
insurance, is received, or full refund is made of the insurance	44
premium.	45
If the premium for insurance of like kind and amount, as	46
fixed in the published manual of a recognized standard rating	47
bureau designated by the retail seller, is less than the amount	48

charged the retail buyer as fixed in the written instrument in 49  
compliance with division (D) of section 1317.04 of the Revised 50  
Code, the retail buyer may deduct an amount equal to three times 51  
the difference from the amount owed the retail seller, or the 52  
retail seller's successor in interest. Sections 1317.01 to 53  
1317.11 of the Revised Code do not impair the authority of the 54  
superintendent of insurance to grant, renew, or revoke licenses, 55  
nor do said sections authorize anyone other than a licensee of 56  
the division of insurance to directly or indirectly receive any 57  
part of the amount charged for insurance in connection with any 58  
retail installment sale. 59

(B) As used in this division, "debt cancellation or debt 60  
suspension product" means a contractual agreement in which a 61  
retail seller, or its assignee, agrees for a separate charge to 62  
cancel or waive all or a part of amounts due on a retail buyer's 63  
retail installment contract in the event of a total physical 64  
damage loss or unrecovered theft of the motor vehicle that is 65  
the subject of the contract. "Debt cancellation or debt 66  
suspension product" includes a guaranteed asset protection 67  
waiver, guaranteed auto protection waiver, or other similarly 68  
named agreement. A "debt cancellation or debt suspension 69  
product" may also provide, with or without a separate charge, a 70  
benefit that waives an amount, or provides a borrower with a 71  
credit, towards the purchase of a replacement motor vehicle. 72

A debt cancellation or debt suspension product, and an 73  
addendum to a retail installment contract containing a debt 74  
cancellation or debt suspension product, shall be considered a 75  
part of the retail installment contract and shall remain a part 76  
of that contract upon the assignment, sale, or transfer of that 77  
contract. The charge for any optional debt cancellation or debt 78  
suspension product shall be listed as a specific good and shall 79

not be considered a finance charge or interest. The purchase 80  
price and the terms of the debt cancellation or debt suspension 81  
product shall be disclosed in writing to the buyer. The 82  
extension of credit, terms of the credit, or the terms of the 83  
related motor vehicle sale or lease shall not be conditioned on 84  
the purchase of the debt cancellation or debt suspension 85  
product. Notwithstanding any other provision of law, a debt 86  
cancellation or debt suspension product shall not be considered 87  
insurance. 88

(C) Single interest insurance shall be listed as a 89  
specific good in a retail installment contract. 90

(D) As used in this section, "single interest insurance" 91  
means insurance that covers only the interest of the holder of 92  
the retail installment contract. 93

**Sec. 3905.426.** (A) As used in this section: 94

(1) "Contract holder" means the person who purchased a 95  
motor vehicle ancillary product protection contract, any 96  
authorized transferee or assignee of the purchaser, or any other 97  
person assuming the purchaser's rights under the motor vehicle 98  
ancillary product protection contract. 99

(2) "Finance agreement" means a loan or retail installment 100  
contract secured by a motor vehicle or a lease contract for the 101  
use of a motor vehicle. 102

~~(2)~~(3) "Motor vehicle" has the same meaning as in section 103  
4501.01 of the Revised Code and also includes utility vehicles\_ 104  
and under-speed vehicles as defined in that section. 105

~~(3)(a)~~(4) (a) "Motor vehicle ancillary product protection 106  
contract" means a contract or agreement that is effective for a 107  
specified duration and paid for by means other than the purchase 108

of a motor vehicle, or its parts or equipment, to perform any	109
one or more of the following services:	110
(i) Repair or replacement of glass on a motor vehicle	111
necessitated by wear and tear or damage caused by a road hazard;	112
(ii) Removal of a dent, ding, or crease without affecting	113
the existing paint finish using paintless dent removal	114
techniques but which expressly excludes replacement of vehicle	115
body panels, sanding, bonding, or painting;	116
(iii) Repair to the interior components of a motor vehicle	117
necessitated by wear and tear but which expressly excludes	118
replacement of any part or component of a motor vehicle's	119
interior;	120
(iv) Repair or replacement of tires or wheels damaged	121
because of a road hazard;	122
(v) Replacement of a lost, stolen, or inoperable key or	123
key fob;	124
(vi) <u>In conjunction with a motor vehicle leased for use,</u>	125
<u>the repair, replacement, or maintenance of property, or</u>	126
<u>indemnification for repair, replacement, or maintenance, due to</u>	127
<u>excess wear and use, damage for items such as tires, paint</u>	128
<u>cracks or chips, missing interior or exterior parts, or excess</u>	129
<u>mileage that results in a lease-end charge, or any other charge</u>	130
<u>for damage that is deemed as excess wear and use by a lessor</u>	131
<u>under a motor vehicle lease, provided any such charge shall not</u>	132
<u>exceed the purchase price of the vehicle at the end of the lease</u>	133
<u>term;</u>	134
(vii) <u>Provide a benefit under a vehicle value protection</u>	135
<u>agreement.</u>	136

(b) A motor vehicle ancillary product protection contract	137
may, but is not required to, provide for incidental payment of	138
indemnity under limited circumstances, including, without	139
limitation, towing, rental, and emergency road services.	140
(c) "Motor vehicle ancillary product protection contract"	141
does not include any of the following:	142
(i) A motor vehicle service contract;	143
(ii) A vehicle protection product warranty as defined in	144
section 3905.421 of the Revised Code;	145
(iii) A home service contract as defined in section	146
3905.422 of the Revised Code;	147
(iv) A consumer goods service contract as defined in	148
section 3905.423 of the Revised Code;	149
(v) A contract for prepaid routine, scheduled maintenance	150
only.	151
<del>(4)</del> <u>(5)</u> "Motor vehicle service contract" means a contract	152
or agreement to perform or pay for the repair, replacement, or	153
maintenance of a motor vehicle due to defect in materials or	154
workmanship, normal wear and tear, mechanical or electrical	155
breakdown, or failure of parts or equipment of a motor vehicle,	156
with or without additional provisions for incidental payment of	157
indemnity under limited circumstances, including, without	158
limitation, towing, rental, and emergency road services, that is	159
effective for a specified duration and paid for by means other	160
than the purchase of a motor vehicle.	161
<del>(5)</del> <u>(6)</u> "Provider" means a person who is contractually	162
obligated to a contract holder under the terms of a motor	163
vehicle ancillary product protection contract.	164

~~(6)~~ (7) "Road hazard" means a condition that may cause 165  
damage or wear and tear to a tire or wheel on a public or 166  
private roadway, roadside, driveway, or parking lot or garage, 167  
including potholes, nails, glass, road debris, and curbs. "Road 168  
hazard" does not include fire, theft, vandalism or malicious 169  
mischief, or other perils normally covered by automobile 170  
physical damage insurance. 171

~~(7)~~ (8) "Reimbursement insurance policy" means a policy of 172  
insurance issued by an insurer authorized or eligible to do 173  
business in this state to a provider to pay, on behalf of the 174  
provider in the event of the provider's nonperformance, all 175  
covered contractual obligations incurred by the provider under 176  
the terms and conditions of the motor vehicle ancillary product 177  
protection contract. 178

~~(8)~~ (9) "Supplier" has the same meaning as in section 179  
1345.01 of the Revised Code. 180

(10) "Vehicle value protection agreement" includes a 181  
contractual agreement that provides a benefit towards either the 182  
reduction of some or all of the contract holder's current 183  
finance agreement deficiency balance, or towards the purchase or 184  
lease of a replacement motor vehicle or motor vehicle services, 185  
upon the occurrence of an adverse event to the motor vehicle, 186  
including loss, theft, damage, obsolescence, diminished value, 187  
or depreciation. "Vehicle value protection agreement" includes 188  
trade-in-credit agreements, diminished value agreements, 189  
depreciation benefit agreements, or other similar agreements. 190  
"Vehicle value protection agreement" does not include a debt 191  
suspension or debt cancellation product. 192

(B) All motor vehicle ancillary product protection 193  
contracts issued in this state shall be covered by a 194

reimbursement insurance policy. 195

(C) A motor vehicle ancillary product protection contract 196  
issued by a provider that is required to be covered by a 197  
reimbursement insurance policy under division (B) of this 198  
section shall conspicuously state all of the following: 199

(1) "This contract is not insurance and is not subject to 200  
the insurance laws of this state." 201

(2) That the obligations of the provider are guaranteed 202  
under a reimbursement insurance policy; 203

(3) That if a provider fails to perform or make payment 204  
due under the terms of the contract within sixty days after the 205  
contract holder requests performance or payment pursuant to the 206  
terms of the contract, the contract holder may request 207  
performance or payment directly from the provider's 208  
reimbursement insurance policy insurer, including any obligation 209  
in the contract by which the provider must refund the contract 210  
holder upon cancellation of a contract; 211

(4) The name, address, and telephone number of the 212  
provider's reimbursement insurance policy insurer. 213

(D) A motor vehicle ancillary product protection contract 214  
that includes repair or replacement of glass on a motor vehicle 215  
as provided in division ~~(A) (3) (a) (i)~~ (A) (4) (a) (i) of this 216  
section, shall conspicuously state: "This contract may provide a 217  
duplication of coverage already provided by your automobile 218  
physical damage insurance policy." 219

(E) A vehicle value protection agreement may be canceled 220  
by the contract holder within thirty days of the effective date 221  
of the agreement, and the contract holder shall be entitled to a 222  
full refund of the purchase price paid by the contract holder, 223



if any, so long as no benefits have been provided under the 224  
contract. 225

(F) A vehicle value protection agreement that, under the 226  
terms of the agreement, may be canceled by the contract holder 227  
more than thirty days after the effective date of the agreement 228  
must state the conditions under which it may be canceled, 229  
including the procedures for requesting any refund of the 230  
purchase price paid by the contract holder and the methodology 231  
for calculating any refund of the purchase price. 232

(G) The contract provider of the vehicle value protection 233  
agreement shall mail a written notice to the contract holder at 234  
the last known address of the contract holder contained in the 235  
records of the contract provider at least five days prior to 236  
cancellation by the contract provider. Prior notice is not 237  
required if the reason for cancellation is nonpayment of the 238  
provider fee, a material misrepresentation by the contract 239  
holder to the contract provider or administrator, or a 240  
substantial breach of duties by the contract holder relating to 241  
the covered product or the use of the covered product. The 242  
notice shall state the effective date of the cancellation and 243  
the reason for the cancellation. If a vehicle value protection 244  
agreement is canceled by the contract provider for a reason 245  
other than nonpayment of the provider fee, the provider shall 246  
refund to the contract holder one hundred per cent of the 247  
unearned provider fee paid by the contract holder, if any. If 248  
coverage under the vehicle value protection agreement continues 249  
after a claim, then all claims paid may be deducted from any 250  
refund required by this division. A reasonable administrative 251  
fee of up to seventy-five dollars may be charged by the contract 252  
provider and deducted from any refund due under this division or 253  
division (F) of this section. 254

(H) Any refund under divisions (E) and (F) of this section 255  
shall be paid to the seller or assignee of a retail installment 256  
contract or lease agreement unless otherwise agreed to by the 257  
contract holder and the seller or assignee. 258

(I) A reimbursement insurance policy that is required to 259  
be issued under this section shall contain: 260

(1) A statement that if a provider fails to perform or 261  
make payment due under the terms of the motor vehicle ancillary 262  
product protection contract within sixty days after the contract 263  
holder requests performance or payment pursuant to the terms of 264  
the contract, the contract holder may request performance or 265  
payment directly from the provider's reimbursement insurance 266  
policy insurer, including any obligation in the contract by 267  
which the provider must refund the contract holder upon 268  
cancellation of a contract. 269

(2) A statement that in the event of cancellation of the 270  
provider's reimbursement insurance policy, insurance coverage 271  
will continue for all contract holders whose motor vehicle 272  
ancillary product protection contracts were issued by the 273  
provider and reported to the insurer for coverage during the 274  
term of the reimbursement insurance policy. 275

~~(F)~~ (J) The sale or issuance of a motor vehicle ancillary 276  
product protection contract is a consumer transaction for 277  
purposes of sections 1345.01 to 1345.13 of the Revised Code. The 278  
provider is the supplier and the contract holder is the consumer 279  
for purposes of those sections. 280

~~(G)~~ (K) Unless issued by an insurer authorized or eligible 281  
to do business in this state, a motor vehicle ancillary product 282  
protection contract does not constitute a contract substantially 283

amounting to insurance, or the contract's issuance the business	284
of insurance, under section 3905.42 of the Revised Code.	285
<del>(H)</del> <u>(L)</u> Unless issued by an insurer authorized or eligible	286
to do business in this state, a contract identified in division	287
<del>(A) (3) (e) (i)</del> <u>(A) (4) (c) (i)</u> or (v) of this section does not	288
constitute a contract substantially amounting to insurance, or	289
the contract's issuance the business of insurance, under section	290
3905.42 of the Revised Code.	291
<del>(I)</del> <u>(M)</u> The rights of a contract holder against a	292
provider's reimbursement insurance policy insurer as provided in	293
this section apply only in regard to a reimbursement insurance	294
policy issued under this section. This section does not create	295
any contractual rights in favor of a person that does not	296
qualify as an insured under any other type of insurance policy	297
described in Title XXXIX of the Revised Code. This section does	298
not prohibit the insurer of a provider's reimbursement insurance	299
policy from assuming liability for contracts issued prior to the	300
effective date of the policy or July 1, 2009.	301
<del>(J)</del> <u>(N)</u> A contract or agreement described in division (A)	302
(3) (a) (iv) of this section in which the provider is a tire	303
manufacturer shall be exempt from the requirements of division	304
(B) of this section if the contract or agreement conspicuously	305
states all of the following:	306
(1) That the contract or agreement is not an insurance	307
contract;	308
(2) That any covered obligations or claims under the	309
contract or agreement are the responsibility of the provider;	310
(3) The name, address, and telephone number of any	311
administrator responsible for the administration of the contract	312

or agreement, the provider obligated to perform under the 313  
contract or agreement, and the contract seller; 314

(4) The procedure for making a claim under the contract or 315  
agreement, including a toll-free telephone number for claims 316  
service and a procedure for obtaining emergency repairs or 317  
replacements performed outside normal business hours. 318

**Sec. 4501.01.** As used in this chapter and Chapters 4503., 319  
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of 320  
the Revised Code, and in the penal laws, except as otherwise 321  
provided: 322

(A) "Vehicles" means everything on wheels or runners, 323  
including motorized bicycles, but does not mean electric 324  
personal assistive mobility devices, low-speed micromobility 325  
devices, vehicles that are operated exclusively on rails or 326  
tracks or from overhead electric trolley wires, and vehicles 327  
that belong to any police department, municipal fire department, 328  
or volunteer fire department, or that are used by such a 329  
department in the discharge of its functions. 330

(B) "Motor vehicle" means any vehicle, including mobile 331  
homes and recreational vehicles, that is propelled or drawn by 332  
power other than muscular power or power collected from overhead 333  
electric trolley wires. "Motor vehicle" does not include utility 334  
vehicles as defined in division (VV) of this section, under- 335  
speed vehicles as defined in division (XX) of this section, 336  
mini-trucks as defined in division (BBB) of this section, 337  
motorized bicycles, electric bicycles, road rollers, traction 338  
engines, power shovels, power cranes, and other equipment used 339  
in construction work and not designed for or employed in general 340  
highway transportation, well-drilling machinery, ditch-digging 341  
machinery, farm machinery, and trailers that are designed and 342

used exclusively to transport a boat between a place of storage 343  
and a marina, or in and around a marina, when drawn or towed on 344  
a public road or highway for a distance of no more than ten 345  
miles and at a speed of twenty-five miles per hour or less. 346

(C) "Agricultural tractor" and "traction engine" mean any 347  
self-propelling vehicle that is designed or used for drawing 348  
other vehicles or wheeled machinery, but has no provisions for 349  
carrying loads independently of such other vehicles, and that is 350  
used principally for agricultural purposes. 351

(D) "Commercial tractor," except as defined in division 352  
(C) of this section, means any motor vehicle that has motive 353  
power and either is designed or used for drawing other motor 354  
vehicles, or is designed or used for drawing another motor 355  
vehicle while carrying a portion of the other motor vehicle or 356  
its load, or both. 357

(E) "Passenger car" means any motor vehicle that is 358  
designed and used for carrying not more than nine persons and 359  
includes any motor vehicle that is designed and used for 360  
carrying not more than fifteen persons in a ridesharing 361  
arrangement. 362

(F) "Collector's vehicle" means any motor vehicle or 363  
agricultural tractor or traction engine that is of special 364  
interest, that has a fair market value of one hundred dollars or 365  
more, whether operable or not, and that is owned, operated, 366  
collected, preserved, restored, maintained, or used essentially 367  
as a collector's item, leisure pursuit, or investment, but not 368  
as the owner's principal means of transportation. "Licensed 369  
collector's vehicle" means a collector's vehicle, other than an 370  
agricultural tractor or traction engine, that displays current, 371  
valid license tags issued under section 4503.45 of the Revised 372

Code, or a similar type of motor vehicle that displays current, 373  
valid license tags issued under substantially equivalent 374  
provisions in the laws of other states. 375

(G) "Historical motor vehicle" means any motor vehicle 376  
that is over twenty-five years old and is owned solely as a 377  
collector's item and for participation in club activities, 378  
exhibitions, tours, parades, and similar uses, but that in no 379  
event is used for general transportation. 380

(H) "Noncommercial motor vehicle" means any motor vehicle, 381  
including a farm truck as defined in section 4503.04 of the 382  
Revised Code, that is designed by the manufacturer to carry a 383  
load of no more than one ton and is used exclusively for 384  
purposes other than engaging in business for profit. 385

(I) "Bus" means any motor vehicle that has motor power and 386  
is designed and used for carrying more than nine passengers, 387  
except any motor vehicle that is designed and used for carrying 388  
not more than fifteen passengers in a ridesharing arrangement. 389

(J) "Commercial car" or "truck" means any motor vehicle 390  
that has motor power and is designed and used for carrying 391  
merchandise or freight, or that is used as a commercial tractor. 392

(K) "Bicycle" means every device, other than a device that 393  
is designed solely for use as a play vehicle by a child, that is 394  
propelled solely by human power upon which a person may ride, 395  
and that has two or more wheels, any of which is more than 396  
fourteen inches in diameter. 397

(L) "Motorized bicycle" or "moped" means any vehicle that 398  
either has two tandem wheels or one wheel in the front and two 399  
wheels in the rear, that may be pedaled, and that is equipped 400  
with a helper motor of not more than fifty cubic centimeters 401

piston displacement that produces no more than one brake 402  
horsepower and is capable of propelling the vehicle at a speed 403  
of no greater than twenty miles per hour on a level surface. 404  
"Motorized bicycle" or "moped" does not include an electric 405  
bicycle. 406

(M) "Trailer" means any vehicle without motive power that 407  
is designed or used for carrying property or persons wholly on 408  
its own structure and for being drawn by a motor vehicle, and 409  
includes any such vehicle that is formed by or operated as a 410  
combination of a semitrailer and a vehicle of the dolly type 411  
such as that commonly known as a trailer dolly, a vehicle used 412  
to transport agricultural produce or agricultural production 413  
materials between a local place of storage or supply and the 414  
farm when drawn or towed on a public road or highway at a speed 415  
greater than twenty-five miles per hour, and a vehicle that is 416  
designed and used exclusively to transport a boat between a 417  
place of storage and a marina, or in and around a marina, when 418  
drawn or towed on a public road or highway for a distance of 419  
more than ten miles or at a speed of more than twenty-five miles 420  
per hour. "Trailer" does not include a manufactured home or 421  
travel trailer. 422

(N) "Noncommercial trailer" means any trailer, except a 423  
travel trailer or trailer that is used to transport a boat as 424  
described in division (B) of this section, but, where 425  
applicable, includes a vehicle that is used to transport a boat 426  
as described in division (M) of this section, that has a gross 427  
weight of no more than ten thousand pounds, and that is used 428  
exclusively for purposes other than engaging in business for a 429  
profit, such as the transportation of personal items for 430  
personal or recreational purposes. 431

(O) "Mobile home" means a building unit or assembly of 432  
closed construction that is fabricated in an off-site facility, 433  
is more than thirty-five body feet in length or, when erected on 434  
site, is three hundred twenty or more square feet, is built on a 435  
permanent chassis, is transportable in one or more sections, and 436  
does not qualify as a manufactured home as defined in division 437  
(C) (4) of section 3781.06 of the Revised Code or as an 438  
industrialized unit as defined in division (C) (3) of section 439  
3781.06 of the Revised Code. 440

(P) "Semitrailer" means any vehicle of the trailer type 441  
that does not have motive power and is so designed or used with 442  
another and separate motor vehicle that in operation a part of 443  
its own weight or that of its load, or both, rests upon and is 444  
carried by the other vehicle furnishing the motive power for 445  
propelling itself and the vehicle referred to in this division, 446  
and includes, for the purpose only of registration and taxation 447  
under those chapters, any vehicle of the dolly type, such as a 448  
trailer dolly, that is designed or used for the conversion of a 449  
semitrailer into a trailer. 450

(Q) "Recreational vehicle" means a vehicular portable 451  
structure that meets all of the following conditions: 452

(1) It is designed for the sole purpose of recreational 453  
travel. 454

(2) It is not used for the purpose of engaging in business 455  
for profit. 456

(3) It is not used for the purpose of engaging in 457  
intrastate commerce. 458

(4) It is not used for the purpose of commerce as defined 459  
in 49 C.F.R. 383.5, as amended. 460



- (5) It is not regulated by the public utilities commission 461  
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 462
- (6) It is classed as one of the following: 463
- (a) "Travel trailer" or "house vehicle" means a nonself- 464  
propelled recreational vehicle that does not exceed an overall 465  
length of forty feet, exclusive of bumper and tongue or 466  
coupling. "Travel trailer" includes a tent-type fold-out camping 467  
trailer as defined in section 4517.01 of the Revised Code. 468
- (b) "Motor home" means a self-propelled recreational 469  
vehicle that has no fifth wheel and is constructed with 470  
permanently installed facilities for cold storage, cooking and 471  
consuming of food, and for sleeping. 472
- (c) "Truck camper" means a nonself-propelled recreational 473  
vehicle that does not have wheels for road use and is designed 474  
to be placed upon and attached to a motor vehicle. "Truck 475  
camper" does not include truck covers that consist of walls and 476  
a roof, but do not have floors and facilities enabling them to 477  
be used as a dwelling. 478
- (d) "Fifth wheel trailer" means a vehicle that is of such 479  
size and weight as to be movable without a special highway 480  
permit, that is constructed with a raised forward section that 481  
allows a bi-level floor plan, and that is designed to be towed 482  
by a vehicle equipped with a fifth-wheel hitch ordinarily 483  
installed in the bed of a truck. 484
- (e) "Park trailer" means a vehicle that is commonly known 485  
as a park model recreational vehicle, meets the American 486  
national standard institute standard A119.5 (1988) for park 487  
trailers, is built on a single chassis, has a gross trailer area 488  
of four hundred square feet or less when set up, is designed for 489

seasonal or temporary living quarters, and may be connected to 490  
utilities necessary for the operation of installed features and 491  
appliances. 492

(R) "Pneumatic tires" means tires of rubber and fabric or 493  
tires of similar material, that are inflated with air. 494

(S) "Solid tires" means tires of rubber or similar elastic 495  
material that are not dependent upon confined air for support of 496  
the load. 497

(T) "Solid tire vehicle" means any vehicle that is 498  
equipped with two or more solid tires. 499

(U) "Farm machinery" means all machines and tools that are 500  
used in the production, harvesting, and care of farm products, 501  
and includes trailers that are used to transport agricultural 502  
produce or agricultural production materials between a local 503  
place of storage or supply and the farm, agricultural tractors, 504  
threshing machinery, hay-baling machinery, corn shellers, 505  
hammermills, and machinery used in the production of 506  
horticultural, agricultural, and vegetable products. 507

(V) "Owner" includes any person or firm, other than a 508  
manufacturer or dealer, that has title to a motor vehicle, 509  
except that, in sections 4505.01 to 4505.19 of the Revised Code, 510  
"owner" includes in addition manufacturers and dealers. 511

(W) "Manufacturer" and "dealer" include all persons and 512  
firms that are regularly engaged in the business of 513  
manufacturing, selling, displaying, offering for sale, or 514  
dealing in motor vehicles, at an established place of business 515  
that is used exclusively for the purpose of manufacturing, 516  
selling, displaying, offering for sale, or dealing in motor 517  
vehicles. A place of business that is used for manufacturing, 518

selling, displaying, offering for sale, or dealing in motor 519  
vehicles shall be deemed to be used exclusively for those 520  
purposes even though snowmobiles or all-purpose vehicles are 521  
sold or displayed for sale thereat, even though farm machinery 522  
is sold or displayed for sale thereat, or even though repair, 523  
accessory, gasoline and oil, storage, parts, service, or paint 524  
departments are maintained thereat, or, in any county having a 525  
population of less than seventy-five thousand at the last 526  
federal census, even though a department in a place of business 527  
is used to dismantle, salvage, or rebuild motor vehicles by 528  
means of used parts, if such departments are operated for the 529  
purpose of furthering and assisting in the business of 530  
manufacturing, selling, displaying, offering for sale, or 531  
dealing in motor vehicles. Places of business or departments in 532  
a place of business used to dismantle, salvage, or rebuild motor 533  
vehicles by means of using used parts are not considered as 534  
being maintained for the purpose of assisting or furthering the 535  
manufacturing, selling, displaying, and offering for sale or 536  
dealing in motor vehicles. 537

(X) "Operator" includes any person who drives or operates 538  
a motor vehicle upon the public highways. 539

(Y) "Chauffeur" means any operator who operates a motor 540  
vehicle, other than a taxicab, as an employee for hire; or any 541  
operator whether or not the owner of a motor vehicle, other than 542  
a taxicab, who operates such vehicle for transporting, for gain, 543  
compensation, or profit, either persons or property owned by 544  
another. Any operator of a motor vehicle who is voluntarily 545  
involved in a ridesharing arrangement is not considered an 546  
employee for hire or operating such vehicle for gain, 547  
compensation, or profit. 548

(Z) "State" includes the territories and federal districts of the United States, and the provinces of Canada.	549 550
(AA) "Public roads and highways" for vehicles includes all public thoroughfares, bridges, and culverts.	551 552
(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.	553 554 555
(CC) "Motor number" means the manufacturer's original number that is affixed to or imprinted upon the engine or motor of the vehicle.	556 557 558
(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.	559 560 561 562 563 564 565 566
(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 ridesharing arrangements known as carpools, vanpools, and buspools.	567 568 569 570 571
(FF) "Apportionable vehicle" means any vehicle that is used or intended for use in two or more international registration plan member jurisdictions that allocate or proportionally register vehicles, that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property, and	572 573 574 575 576 577

that meets any of the following qualifications:	578
(1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;	579 580
(2) Is a power unit having three or more axles, regardless of the gross vehicle weight;	581 582
(3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.	583 584
"Apportionable vehicle" does not include recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, or vehicles owned and operated by the United States, this state, or any political subdivisions thereof.	585 586 587 588 589
(GG) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the United States department of transportation, for the purpose of group travel to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.	590 591 592 593 594 595 596 597
(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.	598 599 600 601 602 603 604
(II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and	605 606

includes license plates issued to farm trucks under division (J) 607  
of section 4503.04 of the Revised Code. 608

(JJ) "Gross vehicle weight," with regard to any commercial 609  
car, trailer, semitrailer, or bus that is taxed at the rates 610  
established under section 4503.042 or 4503.65 of the Revised 611  
Code, means the unladen weight of the vehicle fully equipped 612  
plus the maximum weight of the load to be carried on the 613  
vehicle. 614

(KK) "Combined gross vehicle weight" with regard to any 615  
combination of a commercial car, trailer, and semitrailer, that 616  
is taxed at the rates established under section 4503.042 or 617  
4503.65 of the Revised Code, means the total unladen weight of 618  
the combination of vehicles fully equipped plus the maximum 619  
weight of the load to be carried on that combination of 620  
vehicles. 621

(LL) "Chauffeured limousine" means a motor vehicle that is 622  
designed to carry nine or fewer passengers and is operated for 623  
hire pursuant to a prearranged contract for the transportation 624  
of passengers on public roads and highways along a route under 625  
the control of the person hiring the vehicle and not over a 626  
defined and regular route. "Prearranged contract" means an 627  
agreement, made in advance of boarding, to provide 628  
transportation from a specific location in a chauffeured 629  
limousine. "Chauffeured limousine" does not include any vehicle 630  
that is used exclusively in the business of funeral directing. 631

(MM) "Manufactured home" has the same meaning as in 632  
division (C) (4) of section 3781.06 of the Revised Code. 633

(NN) "Acquired situs," with respect to a manufactured home 634  
or a mobile home, means to become located in this state by the 635

placement of the home on real property, but does not include the 636  
placement of a manufactured home or a mobile home in the 637  
inventory of a new motor vehicle dealer or the inventory of a 638  
manufacturer, remanufacturer, or distributor of manufactured or 639  
mobile homes. 640

(OO) "Electronic" includes electrical, digital, magnetic, 641  
optical, electromagnetic, or any other form of technology that 642  
entails capabilities similar to these technologies. 643

(PP) "Electronic record" means a record generated, 644  
communicated, received, or stored by electronic means for use in 645  
an information system or for transmission from one information 646  
system to another. 647

(QQ) "Electronic signature" means a signature in 648  
electronic form attached to or logically associated with an 649  
electronic record. 650

(RR) "Financial transaction device" has the same meaning 651  
as in division (A) of section 113.40 of the Revised Code. 652

(SS) "Electronic motor vehicle dealer" means a motor 653  
vehicle dealer licensed under Chapter 4517. of the Revised Code 654  
whom the registrar of motor vehicles determines meets the 655  
criteria designated in section 4503.035 of the Revised Code for 656  
electronic motor vehicle dealers and designates as an electronic 657  
motor vehicle dealer under that section. 658

(TT) "Electric personal assistive mobility device" means a 659  
self-balancing two non-tandem wheeled device that is designed to 660  
transport only one person, has an electric propulsion system of 661  
an average of seven hundred fifty watts, and when ridden on a 662  
paved level surface by an operator who weighs one hundred 663  
seventy pounds has a maximum speed of less than twenty miles per 664

hour. 665

(UU) "Limited driving privileges" means the privilege to 666  
operate a motor vehicle that a court grants under section 667  
4510.021 of the Revised Code to a person whose driver's or 668  
commercial driver's license or permit or nonresident operating 669  
privilege has been suspended. 670

(VV) "Utility vehicle" means a self-propelled vehicle 671  
designed with a bed, principally for the purpose of transporting 672  
material or cargo in connection with construction, agricultural, 673  
forestry, grounds maintenance, lawn and garden, materials 674  
handling, or similar activities. 675

(WW) "Low-speed vehicle" means a three- or four-wheeled 676  
motor vehicle with an attainable speed in one mile on a paved 677  
level surface of more than twenty miles per hour but not more 678  
than twenty-five miles per hour and with a gross vehicle weight 679  
rating less than three thousand pounds. 680

(XX) "Under-speed vehicle" means a three- or four-wheeled 681  
vehicle, including a vehicle commonly known as a golf cart, with 682  
an attainable speed on a paved level surface of not more than 683  
twenty miles per hour and with a gross vehicle weight rating 684  
less than three thousand pounds. 685

(YY) "Motor-driven cycle or motor scooter" means any 686  
vehicle designed to travel on not more than three wheels in 687  
contact with the ground, with a seat for the driver and floor 688  
pad for the driver's feet, and is equipped with a motor with a 689  
piston displacement between fifty and one hundred cubic 690  
centimeters piston displacement that produces not more than five 691  
brake horsepower and is capable of propelling the vehicle at a 692  
speed greater than twenty miles per hour on a level surface. 693



(ZZ) "Motorcycle" means a motor vehicle with motive power 694  
having a seat or saddle for the use of the operator, designed to 695  
travel on not more than three wheels in contact with the ground, 696  
and having no occupant compartment top or occupant compartment 697  
top that can be installed or removed by the user. 698

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 699  
motive power having a seat or saddle for the use of the 700  
operator, designed to travel on not more than three wheels in 701  
contact with the ground, and having an occupant compartment top 702  
or an occupant compartment top that is installed. 703

(BBB) "Mini-truck" means a vehicle that has four wheels, 704  
is propelled by an electric motor with a rated power of seven 705  
thousand five hundred watts or less or an internal combustion 706  
engine with a piston displacement capacity of six hundred sixty 707  
cubic centimeters or less, has a total dry weight of nine 708  
hundred to two thousand two hundred pounds, contains an enclosed 709  
cabin and a seat for the vehicle operator, resembles a pickup 710  
truck or van with a cargo area or bed located at the rear of the 711  
vehicle, and was not originally manufactured to meet federal 712  
motor vehicle safety standards. 713

(CCC) "Autocycle" means a three-wheeled motorcycle that is 714  
manufactured to comply with federal safety requirements for 715  
motorcycles and that is equipped with safety belts, a steering 716  
wheel, and seating that does not require the operator to 717  
straddle or sit astride to ride the motorcycle. 718

(DDD) "Plug-in hybrid electric motor vehicle" means a 719  
passenger car powered in part by a battery cell energy system 720  
that can be recharged via an external source of electricity. 721

(EEE) "Hybrid motor vehicle" means a passenger car powered 722

by an internal propulsion system consisting of both of the 723  
following: 724

(1) A combustion engine; 725

(2) A battery cell energy system that cannot be recharged 726  
via an external source of electricity but can be recharged by 727  
other vehicle mechanisms that capture and store electric energy. 728

(FFF) "Low-speed micromobility device" means a device 729  
weighing less than one hundred pounds that has handlebars, is 730  
propelled by an electric motor or human power, and has an 731  
attainable speed on a paved level surface of not more than 732  
twenty miles per hour when propelled by the electric motor. 733

(GGG) "Specialty license plate" means a license plate, 734  
authorized by the general assembly, that displays a combination 735  
of words, markings, logos, or other graphic artwork that is in 736  
addition to the words, images, and distinctive numbers and 737  
letters required by section 4503.22 of the Revised Code. 738

(HHH) "Battery electric motor vehicle" means a passenger 739  
car powered wholly by a battery cell energy system that can be 740  
recharged via an external source of electricity. 741

(III) "Adaptive mobility vehicle" means either a new 742  
passenger car or bus purchased from a new motor vehicle dealer 743  
or a used passenger car or bus, provided that such passenger car 744  
or bus is designed, modified, or equipped to enable an 745  
individual with a disability to operate or to be transported in 746  
the passenger car or bus, in accordance with 49 C.F.R. part 568 747  
or 595, and contains at least one of the following: 748

(1) An electronic or mechanical lift that enables a person 749  
to enter or exit the motor vehicle while occupying a wheelchair 750  
or scooter; 751

(2) An electronic or mechanical wheelchair ramp;	752
(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.	753 754 755
<u>(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.</u>	756 757 758 759
<u>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:</u>	760 761 762 763
<u>(1) For club activities, exhibitions, tours, parades, and similar uses;</u>	764 765
<u>(2) To and from a location where maintenance is performed on the replica motor vehicle.</u>	766 767
<u>(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 ten dollars for the registration of a replica motor vehicle under this section. The fee shall be deposited into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.</u>	768 769 770 771 772 773 774
<u>(C) A person who owns a replica motor vehicle and applies for registration and a replica license plate under this section shall execute an affidavit that the replica motor vehicle for which the plate is requested is owned and operated solely for the purposes enumerated in division (A) of this section. The affidavit also shall set forth that the replica motor vehicle</u>	775 776 777 778 779 780

has been inspected and found safe to operate on the public roads 781  
and highways in the state. No registration issued pursuant to 782  
this section need specify the weight of the replica motor 783  
vehicle. 784

(D) The owner of a replica motor vehicle registered under 785  
this section shall display in plain view on the rear of the 786  
replica motor vehicle a replica license plate issued by the 787  
registrar. A replica license plate shall not display a date, but 788  
shall display the inscription "Replica Motor Vehicle--Ohio" and 789  
the registration number assigned to that replica motor vehicle. 790

(E) A replica license plate is valid without renewal as 791  
long as the replica motor vehicle for which it was issued or 792  
procured is in existence. A replica license plate is issued for 793  
the owner's use only for such replica motor vehicle unless later 794  
transferred to another replica motor vehicle owned by that 795  
person. In order to effect such a transfer, the owner of the 796  
replica motor vehicle that originally displayed the replica 797  
license plate shall comply with division (C) of this section. In 798  
the event of a transfer of title, the transferor shall surrender 799  
the replica license plate or transfer it to another replica 800  
motor vehicle owned by the transferor. The registrar may revoke 801  
any replica license plate issued under this section, for cause 802  
shown and after a hearing, for failure of the applicant to 803  
comply with this section. Upon revocation, a replica license 804  
plate shall be surrendered. 805

**Sec. 4503.21.** (A) (1) ~~No~~Subject to section 4503.211 of the 806  
Revised Code, no person who is the owner or operator of a motor 807  
vehicle shall fail to display in plain view on the rear of the 808  
motor vehicle a license plate that displays the distinctive 809  
number and registration mark assigned to the motor vehicle by 810

the director of public safety, including any county 811  
identification sticker and any validation sticker when required 812  
by and issued under sections 4503.19 and 4503.191 of the Revised 813  
Code. However, a commercial tractor shall display the license 814  
plate on the front of the commercial tractor. 815

(2) The license plate shall be securely fastened so as not 816  
to swing, and shall not be covered by any material that 817  
obstructs its visibility. 818

(3) No person to whom a temporary motor vehicle license 819  
registration has been issued for the use of a motor vehicle 820  
under section 4503.182 of the Revised Code, and no operator of 821  
that motor vehicle, shall fail to display the temporary motor 822  
vehicle license registration in plain view from the rear of the 823  
vehicle either in the rear window or on an external rear surface 824  
of the motor vehicle. 825

(4) No person shall cover a temporary motor vehicle 826  
license registration by any material that obstructs its 827  
visibility. 828

(B) Whoever violates this section is guilty of a minor 829  
misdemeanor. 830

(C) The offenses established under division (A) of this 831  
section are strict liability offenses and section 2901.20 of the 832  
Revised Code does not apply. The designation of these offenses 833  
as strict liability offenses shall not be construed to imply 834  
that any other offense, for which there is no specified degree 835  
of culpability, is not a strict liability offense. 836

**Sec. 4503.211.** (A) As used in this section: 837

(1) "Motor vehicle renting dealer" means any person 838  
engaged in the business of regularly making available, offering 839

to make available, or arranging for another person to use a 840  
motor vehicle pursuant to a bailment, rental agreement, or other 841  
contractual arrangement for a period of thirty days or less 842  
under which a charge is made for the motor vehicle's use at a 843  
specified rate and the title to the motor vehicle is in a person 844  
other than the operator, but does not mean a manufacturer or its 845  
affiliate renting to its employees or to dealers. 846

(2) "Operator" means a person driving or otherwise in 847  
control of a motor vehicle. 848

(3) "Registered owner" means any person or entity 849  
identified by the bureau of motor vehicles or any other state 850  
motor vehicle registration bureau, department, or office as the 851  
owner of a motor vehicle. 852

(B) No operator shall be charged with or convicted of a 853  
violation of section 4503.21 of the Revised Code when operating 854  
a motor vehicle on a public highway when all of the following 855  
apply: 856

(1) The operator has a valid written rental agreement with 857  
a motor vehicle renting dealer and such agreement is in effect 858  
at the time of the offense described in section 4503.21 of the 859  
Revised Code. 860

(2) At the time of the offense, the operator provides the 861  
valid written agreement to the peace officer or state highway 862  
patrol officer enforcing the prohibition. 863

(3) The operator has not removed, concealed, or modified 864  
the license plate or validation sticker as placed or attached by 865  
the motor vehicle renting dealer or its affiliate. 866

(C) If divisions (B) (1) and (3) of this section apply, but 867  
the operator is unable to produce a valid written agreement at 868

the time of the offense, the operator may submit a copy of the 869  
valid written agreement to the court at any time before or 870  
during the operator's court hearing. If such agreement is 871  
presented to the court, the court shall dismiss any ticket, 872  
citation, or summons issued to the operator for the offense. 873

(D) If division (B) or (C) of this section applies, the 874  
registered owner of the motor vehicle that was the subject of a 875  
violation of section 4503.21 of the Revised Code is solely 876  
liable for any fees, fines, or penalties for the violation. 877

**Sec. 4505.072.** (A) The owner of a motor vehicle seeking to 878  
obtain a certificate of title indicating that the motor vehicle 879  
is a replica motor vehicle shall do all of the following: 880

(1) Have that motor vehicle inspected by the state highway 881  
patrol in the manner specified in section 4505.111 of the 882  
Revised Code and obtain an inspection report from the state 883  
highway patrol; 884

(2) Obtain a signed written statement from a person or 885  
nonprofit corporation with expertise in historical motor 886  
vehicles that the owner's motor vehicle reasonably replicates 887  
the make, model, and model year of motor vehicle that the owner 888  
is intending to replicate; 889

(3) Sign the written statement and have it notarized by a 890  
notary public. 891

(B) When a clerk of a court of common pleas issues a 892  
physical or electronic certificate of title for a motor vehicle, 893  
the owner of the motor vehicle may request that the certificate 894  
of title indicate that the motor vehicle is a replica motor 895  
vehicle. 896

When a clerk of a court of common pleas issues a duplicate 897

certificate of title or memorandum certificate of title for a 898  
replica motor vehicle, that certificate of title shall be 899  
identical to the existing certificate of title. 900

Prior to issuance of the certificate of title, the owner 901  
of the replica motor vehicle shall surrender to the clerk any 902  
existing certificate of title, a copy of the inspection report, 903  
and the signed notarized written statement described in division 904  
(A) of this section. 905

(C) (1) Upon compliance with divisions (A) and (B) of this 906  
section and payment of the fee prescribed in section 4505.09 of 907  
the Revised Code, the clerk shall issue to the owner a 908  
certificate of title that complies with this section. 909

(2) The clerk shall use reasonable care in performing the 910  
duties imposed on the clerk by this section in issuing a 911  
certificate of title pursuant to this section, but the clerk is 912  
not liable for any of the clerk's errors or omissions or those 913  
of the clerk's deputies, or the automated title processing 914  
system in the performance of those duties. 915

(D) (1) The registrar of motor vehicles shall ensure that 916  
the certificate of title of a replica motor vehicle issued under 917  
this section complies with all of the following: 918

(a) It is in the same form as the original certificate of 919  
title. 920

(b) It displays the word "REPLICA" in black boldface 921  
letters on its face. 922

(c) It includes the make, model, and model year of motor 923  
vehicle that the owner is intending the motor vehicle to 924  
replicate. 925



(d) It includes the year the replica motor vehicle was 926  
constructed, assembled, or modified. 927

(2) The registrar shall determine the exact location on 928  
the face of the certificate of title of the word "REPLICA," the 929  
make, model, and model year of motor vehicle the owner is 930  
intending to replicate, and the year the replica motor vehicle 931  
was constructed, assembled, or modified. The registrar shall 932  
develop an automated procedure within the automated title 933  
processing system for purposes of this section. 934

(3) Every memorandum certificate of title or duplicate 935  
certificate of title issued for a replica motor vehicle for 936  
which a certificate of title has been issued under this section 937  
shall display the same information as is required under division 938  
(D) (1) of this section. 939

Any subsequent certificate of title issued for a replica 940  
motor vehicle for which a certificate of title has been issued 941  
under this section shall display the same information as is 942  
required under division (D) (1) of this section. 943

(E) (1) The owner of a replica motor vehicle who titles 944  
that vehicle as a replica motor vehicle under this section shall 945  
obtain replica license plates and comply with the requirements 946  
of section 4503.183 of the Revised Code. 947

(2) The owner of a replica motor vehicle who does not 948  
title that motor vehicle as a replica motor vehicle under this 949  
section is not required to obtain replica motor vehicle license 950  
plates and comply with the requirements of section 4503.183 of 951  
the Revised Code. Such an owner is subject to the general 952  
registration requirements of Chapter 4503., the titling 953  
requirements of Chapter 4505., and the equipment requirements of 954

Chapter 4513. of the Revised Code. 955

**Sec. 4505.08.** (A) When the clerk of a court of common 956  
pleas issues a physical certificate of title, the clerk shall 957  
issue the certificate of title on a form and in a manner 958  
prescribed by the registrar of motor vehicles. The clerk shall 959  
file a copy of the physical evidence for the creation of the 960  
certificate of title in a manner prescribed by the registrar. A 961  
clerk may retain digital images of documents used as evidence 962  
for issuance of a certificate of title. Certified printouts of 963  
documents retained as digital images shall have the same 964  
evidentiary value as the original physical documents. The record 965  
of the issuance of the certificate of title shall be maintained 966  
in the automated title processing system. The clerk shall sign 967  
and affix the clerk's seal to the original certificate of title 968  
and, if there are no liens on the motor vehicle, shall deliver 969  
the certificate to the applicant or the selling dealer. If there 970  
are one or more liens on the motor vehicle, the certificate of 971  
title shall be delivered to the holder of the first lien or the 972  
selling dealer, who shall deliver the certificate of title to 973  
the holder of the first lien. 974

The registrar shall prescribe a uniform method of 975  
numbering certificates of title, and such numbering shall be in 976  
such manner that the county of issuance is indicated. The clerk 977  
shall assign numbers to certificates of title in the manner 978  
prescribed by the registrar. The clerk shall file all 979  
certificates of title according to rules to be prescribed by the 980  
registrar, and the clerk shall maintain in the clerk's office 981  
indexes for the certificates of title. 982

The clerk need not retain on file any current certificates 983  
of title, current duplicate certificates of title, current 984

memorandum certificates of title, or current salvage 985  
certificates of title, or supporting evidence of them covering 986  
any motor vehicle or manufactured or mobile home for a period 987  
longer than seven years after the date of its filing; 988  
thereafter, the documents and supporting evidence may be 989  
destroyed. The clerk need not retain on file any inactive 990  
records, including certificates of title, duplicate certificates 991  
of title, or memorandum certificates of title, or supporting 992  
evidence of them, including the electronic record described in 993  
division (A) of section 4505.06 of the Revised Code, covering 994  
any motor vehicle or manufactured or mobile home for a period 995  
longer than five years after the date of its filing; thereafter, 996  
the documents and supporting evidence may be destroyed. 997

The automated title processing system shall contain all 998  
active records and an index of the active records, a record and 999  
index of all inactive titles for ten years, and a record and 1000  
index of all inactive titles for manufactured and mobile homes 1001  
for thirty years. If the clerk provides a written copy of any 1002  
information contained in the database, the copy shall be 1003  
considered the original for purposes of the clerk certifying the 1004  
record of the information for use in any legal proceeding. 1005

(B) (1) If the clerk issues a certificate of title for a 1006  
motor vehicle that was last previously registered in another 1007  
state, the clerk shall record verbatim, where practicable, in 1008  
the space on the title described in division (B) (19) of section 1009  
4505.07 of the Revised Code, the words that appear as a notation 1010  
to the vehicle on the title issued by the previous state. These 1011  
notations may include, but are not limited to, words to the 1012  
effect that the vehicle was considered or was categorized by the 1013  
state in which it was last previously registered to be a law 1014  
enforcement vehicle or a taxicab or was once in a flood. 1015

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

(4) 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 by this state and that the previous title included the notation "REPLICA" in accordance with section 4505.072 of the Revised Code, or the previous title to the vehicle issued by another

state indicates that the vehicle is a replica motor vehicle, the 1047  
clerk shall cause the certificate of title the clerk issues to 1048  
display the notation "REPLICA" in the location prescribed by the 1049  
registrar pursuant to that section. 1050

(C) When the clerk issues a certificate of title for a 1051  
motor vehicle that was last previously registered in this state 1052  
and was a law enforcement vehicle or a taxicab or was once in a 1053  
flood, the clerk shall record that information in the space on 1054  
the title described in division (B) (20) of section 4505.07 of 1055  
the Revised Code. The registrar, by rule, may prescribe any 1056  
additional uses of or happenings to a motor vehicle that the 1057  
registrar has reason to believe should be noted on the 1058  
certificate of title as provided in this division. 1059

(D) The clerk shall use reasonable care in recording or 1060  
entering onto titles the clerk issues any notation and 1061  
information the clerk is required by divisions (B) and (C) of 1062  
this section to record or enter and in causing the titles the 1063  
clerk issues to bear any notation required by those divisions, 1064  
but the clerk is not liable for any of the clerk's errors or 1065  
omissions or those of the clerk's deputies, or the automated 1066  
title processing system, in the performance of the duties 1067  
imposed on the clerk by this section. 1068

(E) The clerk may issue a duplicate title, when duly 1069  
applied for, of any title that has been destroyed as herein 1070  
provided. 1071

(F) Except as provided in section 4505.021 of the Revised 1072  
Code, the clerk shall issue a physical certificate of title to 1073  
an applicant unless the applicant specifically requests the 1074  
clerk not to issue a physical certificate of title and instead 1075  
to issue an electronic certificate of title. The fact that a 1076

physical certificate of title is not issued for a motor vehicle 1077  
does not affect ownership of the vehicle. In that case, when the 1078  
clerk completes the process of entering certificate of title 1079  
application information into the automated title processing 1080  
system, the effect of the completion of the process is the same 1081  
as if the clerk actually issued a physical certificate of title 1082  
for the motor vehicle. 1083

(G) An electronic motor vehicle dealer who applies for a 1084  
certificate of title on behalf of a customer who purchases a 1085  
motor vehicle from the dealer may print a non-negotiable 1086  
evidence of ownership for the customer if the customer so 1087  
requests. The authorization to print the non-negotiable evidence 1088  
of ownership shall come from the clerk with whom the dealer 1089  
makes application for the certificate of title for the customer, 1090  
but the printing by the dealer does not create an agency 1091  
relationship of any kind between the dealer and the clerk. 1092

(H) The owner of a motor vehicle may apply at any time to 1093  
a clerk of a court of common pleas for a non-negotiable evidence 1094  
of ownership for the motor vehicle. 1095

(I) In accordance with rules adopted by the registrar, a 1096  
clerk may issue a certificate of title applied for by an agent 1097  
of a licensed motor vehicle dealer when that agent has a 1098  
properly executed power of attorney from the dealer. 1099

**Sec. 4509.06.** (A) ~~The driver of any motor vehicle which~~ 1100  
Any person who is in any manner involved in a motor vehicle 1101  
accident within six months of the accident, including as the 1102  
driver of a motor vehicle, the owner of property, or any person 1103  
sustaining bodily injury or property damage, may, within six 1104  
months after the accident, forward a written report of the 1105  
accident to the registrar of motor vehicles on a form prescribed 1106

by the registrar alleging that a driver or owner of any ~~other~~ vehicle involved in the accident was uninsured at the time of the accident. 1107  
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(B) Upon receipt of the accident report, the registrar shall send a notice by regular mail to the driver and owner alleged to be uninsured requiring the person to give evidence that the person had proof of financial responsibility in effect at the time of the accident. 1110  
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(C) Within thirty days after the mailing of the notice by the registrar, the driver of the vehicle alleged to be uninsured shall forward a report together with acceptable proof of financial responsibility to the registrar in a form prescribed by the registrar. The forwarding of the report by the owner of the motor vehicle involved in the accident is deemed compliance with this section by the driver. This section does not change or modify the duties of the driver or operator of a motor vehicle as set forth in section 4549.02 of the Revised Code. 1115  
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**Sec. 4509.70.** (A) After consultation with the insurance companies authorized to issue automobile liability or physical damage policies, or both, in this state, the superintendent of insurance shall approve a reasonable plan, fair and equitable to the insurers and to their policyholders, for the apportionment among such companies of applicants for such policies and for motor-vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved by the superintendent, all such insurance companies shall subscribe and participate. Any applicant for such policy, any person insured under such plan of operation, and any insurance company affected, may appeal to the superintendent of insurance from any 1124  
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ruling or decision of the manager or committee designated in the 1137  
plan to operate the assigned risk insurance plan. Any order or 1138  
act of the superintendent under this section is subject to 1139  
review as provided in sections 119.01 to 119.13 of the Revised 1140  
Code, at the instance of any party in interest. 1141

(B) The plan described in division (A) of this section may 1142  
permit the assigned risk insurance plan to directly issue and 1143  
process claims arising from such policies described in division 1144  
(A) of this section to applicants of automobile insurance 1145  
policies who are in good faith entitled to but are unable to 1146  
procure such policies through ordinary methods. 1147

(C) Every form of a policy, endorsement, rider, manual of 1148  
classifications, rules, and rates, every rating plan, and every 1149  
modification of any of them proposed to be used by the assigned 1150  
risk insurance plan shall be filed, or the plan may satisfy its 1151  
obligation to make such filings, as described in section 3937.03 1152  
of the Revised Code. 1153

(D) Any automobile insurance policy issued by the assigned 1154  
risk insurance plan under division (B) of this section: 1155

(1) Shall be recognized as if issued by an insurance 1156  
company authorized to do business in this state; 1157

(2) Shall meet all requirements of proof of financial 1158  
responsibility as described in division (K) of section 4509.01 1159  
of the Revised Code. 1160

(E) Proof of financial responsibility provided by the 1161  
assigned risk insurance plan to an automobile insurance 1162  
policyholder that meets the requirements described in division 1163  
(G) (1) (a) or (b) of section 4509.101 of the Revised Code shall 1164  
be recognized as if issued by an insurance company authorized to 1165



do business in this state to demonstrate proof of financial 1166  
responsibility under section 4509.101 of the Revised Code. 1167

(F) The assigned risk insurance plan designated in 1168  
division (A) of this section shall do both of the following: 1169

(1) Make annual audited financial reports available to the 1170  
superintendent of insurance promptly upon the completion of such 1171  
audit; 1172

(2) Upon reasonable notice, make available to the 1173  
superintendent of insurance all books and records relating to 1174  
the insurance transactions of the assigned risk insurance plan. 1175

(G) (1) Except as provided in division (G) (2) of this 1176  
section, records created, held by, or pertaining to the assigned 1177  
risk insurance plan are not public records under section 149.43 1178  
of the Revised Code, are confidential, and are not subject to 1179  
inspection or disclosure. 1180

(2) Division (G) (1) of this section does not apply to the 1181  
plan of operation and other information required to be filed 1182  
under this section with the superintendent unless otherwise 1183  
prohibited from release by law. 1184

(H) (1) For the purposes of division (H) of this section, 1185  
"insurance agent" has the same meaning as in section 3905.01 of 1186  
the Revised Code. 1187

(2) Provided that the assigned risk insurance plan 1188  
establishes registration procedures for insurance agents under 1189  
division (H) (3) of this section, the plan shall not accept an 1190  
application for an automobile insurance policy issued under 1191  
division (B) of this section unless that application is 1192  
submitted through an insurance agent registered in accordance 1193  
with those procedures. 1194

- (3) The plan may do all of the following: 1195
- (a) Establish procedures to register insurance agents; 1196
- (b) Establish separate registrations for commercial and 1197  
personal insurance agents, or one registration for both; 1198
- (c) Empower the manager of the plan to make determinations 1199  
on registration status, including by revoking an insurance 1200  
agent's registration. 1201
- (4) If an insurance agent is denied registration with the 1202  
plan, or the insurance agent's registration is revoked, the plan 1203  
may notify the superintendent of the plan's decision. The plan 1204  
and manager are immune from civil liability for any decision to 1205  
deny or revoke registration and from any decision to report 1206  
denials or revocations to the superintendent. 1207
- (5) All insurance agents submitting applications to the 1208  
plan for automobile insurance coverage have an affirmative duty 1209  
to ensure that all information included in the application and 1210  
any supporting materials is true and accurate. 1211
- (6) (a) An insurance agent shall not submit an application 1212  
to the plan for automobile insurance coverage unless the agent 1213  
exercises due diligence in confirming that the person seeking 1214  
insurance is unable to obtain coverage through an insurer 1215  
authorized to do business in this state. 1216
- (b) For the purposes of this section, due diligence 1217  
requires an insurance agent to contact at least five of the 1218  
authorized insurers the agent represents or, if the agent does 1219  
not represent five authorized insurers that customarily write 1220  
automobile insurance coverage, as many of such insurers as the 1221  
agent represents. 1222

(c) An insurance agent may assume that insurance coverage cannot be procured for the applicant through ordinary methods after each insurer contacted under division (H) (6) (b) of this section declines to provide coverage. 1223  
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(d) An insurance agent may assume that an authorized insurer declines to provide coverage to the applicant seeking insurance upon either of the following: 1227  
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(i) Receiving notice from the insurer declining coverage; 1230

(ii) Receiving no response from the insurer within ten days after the date the insurance agent initially makes contact with the insurer. 1231  
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(e) The determination of whether an insurance agent has adequately complied with the due diligence requirements is at the discretion of the manager of the plan. 1234  
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(f) An agent shall not submit an application on behalf of an applicant to the plan for any automobile insurance policy if any insurer admitted, authorized, or otherwise eligible to do business in this state has in any way communicated a willingness to insure the applicant, even if coverage provided by the plan costs less than other insurers. 1237  
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(g) The manager of the plan may revoke the registration of an insurance agent who fails to comply with division (H) (6) of this section. 1243  
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**Sec. 4513.071.** (A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a highway shall be equipped with two or more stop lights, except that passenger cars manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear 1246  
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of the vehicle, actuated upon application of the service brake, 1252  
and may be incorporated with other rear lights. Such stop lights 1253  
when actuated shall emit a red light visible from a distance of 1254  
five hundred feet to the rear, provided that in the case of a 1255  
train of vehicles only the stop lights on the rear-most vehicle 1256  
need be visible from the distance specified. 1257

Such stop lights when actuated shall give a steady warning 1258  
light to the rear of a vehicle or train of vehicles to indicate 1259  
the intention of the operator to diminish the speed of or stop a 1260  
vehicle or train of vehicles. 1261

When stop lights are used as required by this section, 1262  
they shall be constructed or installed so as to provide adequate 1263  
and reliable illumination and shall conform to the appropriate 1264  
rules and regulations established under section 4513.19 of the 1265  
Revised Code. 1266

~~Historical~~ A historical motor vehicles as defined in 1267  
~~section 4503.181 of the Revised Code, vehicle that was not~~ 1268  
~~originally manufactured with stop lights, are or a replica motor~~ 1269  
~~vehicle that replicates a motor vehicle that was not originally~~ 1270  
~~manufactured with stop lights is not subject to this section.~~ 1271

(B) Whoever violates this section is guilty of a minor 1272  
misdemeanor. 1273

(C) As used in this section, "replica motor vehicle" means 1274  
a replica motor vehicle for which a certificate of title is 1275  
issued under section 4505.072 of the Revised Code. 1276

**Sec. 4513.38.** (A) No person shall be prohibited from 1277  
owning or operating a licensed collector's vehicle ~~or,~~ 1278  
historical motor vehicle, or replica motor vehicle that is 1279  
equipped with a feature of design, type of material, or article 1280

of equipment that was not in violation of any motor vehicle 1281  
equipment law of this state or of its political subdivisions in 1282  
effect during the calendar year the vehicle was manufactured or 1283  
the calendar year that it replicates, and no licensed 1284  
collector's vehicle ~~or~~, historical motor vehicle, or replica 1285  
motor vehicle shall be prohibited from displaying or using any 1286  
such feature of design, type of material, or article of 1287  
equipment. 1288

No person shall be prohibited from owning or operating a 1289  
licensed collector's vehicle ~~or~~, historical motor vehicle, or 1290  
replica motor vehicle for failing to comply with an equipment 1291  
provision contained in Chapter 4513. of the Revised Code or in 1292  
any state rule that was enacted or adopted in a year subsequent 1293  
to that in which the vehicle was manufactured or the calendar 1294  
year that it replicates, and no licensed collector's vehicle ~~or~~, 1295  
historical motor vehicle, or replica motor vehicle shall be 1296  
required to comply with an equipment provision enacted into 1297  
Chapter 4513. of the Revised Code or adopted by state rule 1298  
subsequent to the calendar year in which it was manufactured or 1299  
the calendar year that it replicates. No political subdivision 1300  
shall require an owner of a licensed collector's vehicle ~~or~~, 1301  
historical motor vehicle, or replica motor vehicle to comply 1302  
with equipment provisions contained in laws or rules that were 1303  
enacted or adopted subsequent to the calendar year in which the 1304  
vehicle was manufactured or the calendar year that it 1305  
replicates, and no political subdivision shall prohibit the 1306  
operation of a licensed collector's vehicle ~~or~~, historical motor 1307  
vehicle, or replica motor vehicle for failure to comply with any 1308  
such equipment laws or rules. 1309

(B) As used in this section, "replica motor vehicle" means 1310  
a replica motor vehicle for which a certificate of title is 1311

issued under section 4505.072 of the Revised Code. 1312

**Sec. 4513.41.** (A) No owner of a licensed collector's 1313  
vehicle, a historical motor vehicle, a replica motor vehicle, or 1314  
a collector's vehicle that is an agricultural tractor or 1315  
traction engine shall be required to comply with an emission, 1316  
noise control, or fuel usage provision contained in a law or 1317  
rule of this state or its political subdivisions that was 1318  
enacted or adopted subsequent to the calendar year in which the 1319  
vehicle was manufactured or the calendar year that it 1320  
replicates. 1321

(B) No person shall be prohibited from operating a 1322  
licensed collector's vehicle, a historical motor vehicle, a 1323  
replica motor vehicle, or a collector's vehicle that is an 1324  
agricultural tractor or traction engine for failing to comply 1325  
with an emission, noise control, or fuel usage law or rule of 1326  
this state or its political subdivisions that was enacted or 1327  
adopted subsequent to the calendar year in which his vehicle was 1328  
manufactured or the calendar year that it replicates. 1329

(C) Except as provided in section 4505.061 of the Revised 1330  
Code, no person shall be required to submit ~~his~~ the person's 1331  
collector's vehicle to a physical inspection prior to or in 1332  
connection with an issuance of title to, or the sale or transfer 1333  
of ownership of such vehicle, except that a police officer may 1334  
inspect it to determine ownership. 1335

In accordance with section 1.51 of the Revised Code, this 1336  
section shall, without exception, prevail over any special or 1337  
local provision of the Revised Code that requires owners or 1338  
operators of collector's vehicles to comply with standards of 1339  
emission, noise, fuel usage, or physical condition in connection 1340  
with an issuance of title to, or the sale or transfer of 1341

ownership of such vehicle or part thereof. 1342

(D) As used in this section, "replica motor vehicle" means 1343  
a replica motor vehicle for which a certificate of title is 1344  
issued under section 4505.072 of the Revised Code. 1345

**Section 2.** That existing sections 1317.05, 3905.426, 1346  
4501.01, 4503.21, 4505.08, 4509.06, 4509.70, 4513.071, 4513.38, 1347  
and 4513.41 of the Revised Code are hereby repealed. 1348