

As Introduced

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

S. B. No. 65

Senator Lang

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 13
wear and use waiver" means a contractual agreement that is part 14
of, or a separate addendum to, a lease agreement for use of a 15
motor vehicle, under which the lessor agrees, with or without a 16
separate charge, to do one or both of the following: 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
Sec. 1317.05. (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
(4) <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
(5) <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) <u>(A) (4) (a) (i)</u> 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) <u>A vehicle value protection agreement may be canceled</u>	220
<u>by the contract holder within thirty days of the effective date</u>	221
<u>of the agreement, and the contract holder shall be entitled to a</u>	222
<u>full refund of the purchase price paid by the contract holder,</u>	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
(H) <u>(L)</u> Unless issued by an insurer authorized or eligible	286
to do business in this state, a contract identified in division	287
(A) (3) (e) (i) <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
(I) <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
(J) <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~~ 1107
vehicle involved in the accident was uninsured at the time of 1108
the accident. 1109

(B) Upon receipt of the accident report, the registrar 1110
shall send a notice by regular mail to the driver and owner 1111
alleged to be uninsured requiring the person to give evidence 1112
that the person had proof of financial responsibility in effect 1113
at the time of the accident. 1114

(C) Within thirty days after the mailing of the notice by 1115
the registrar, the driver of the vehicle alleged to be uninsured 1116
shall forward a report together with acceptable proof of 1117
financial responsibility to the registrar in a form prescribed 1118
by the registrar. The forwarding of the report by the owner of 1119
the motor vehicle involved in the accident is deemed compliance 1120
with this section by the driver. This section does not change or 1121
modify the duties of the driver or operator of a motor vehicle 1122
as set forth in section 4549.02 of the Revised Code. 1123

Sec. 4509.70. (A) After consultation with the insurance 1124
companies authorized to issue automobile liability or physical 1125
damage policies, or both, in this state, the superintendent of 1126
insurance shall approve a reasonable plan, fair and equitable to 1127
the insurers and to their policyholders, for the apportionment 1128
among such companies of applicants for such policies and for 1129
motor-vehicle liability policies who are in good faith entitled 1130
to but are unable to procure such policies through ordinary 1131
methods. When any such plan has been approved by the 1132
superintendent, all such insurance companies shall subscribe and 1133
participate. Any applicant for such policy, any person insured 1134
under such plan of operation, and any insurance company 1135
affected, may appeal to the superintendent of insurance from any 1136

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