

As Introduced

135th General Assembly

Regular Session

2023-2024

S. B. No. 8

Senators Schuring, Lang

A BILL

To enact section 4517.262 of the Revised Code to
generally exempt a motor vehicle dealer from
liability for the contents of a third-party
motor vehicle history report.

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

Section 1. That section 4517.262 of the Revised Code be
enacted to read as follows:

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Sec. 4517.262. (A) As used in this section:

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(1) "Motor vehicle dealer" includes any owner, partner,
shareholder, officer, member, trustee, employee, or agent of the
motor vehicle dealership.

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(2) "Third-party motor vehicle history report" means any
formal or informal report prepared by a person other than a
motor vehicle dealer that relates to one or more of the
following:

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(a) A motor vehicle's current ownership or a motor
vehicle's certificate of title transfer history;

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(b) A brand on a motor vehicle's certificate of title;

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<u>(c) A lien on a motor vehicle;</u>	18
<u>(d) A motor vehicle's service, maintenance, or repair history;</u>	19 20
<u>(e) A motor vehicle's condition;</u>	21
<u>(f) A motor vehicle's accident or collision history;</u>	22
<u>(g) A motor vehicle's mileage.</u>	23
<u>(B) When a motor vehicle dealer provides or otherwise makes available to a motor vehicle purchaser, lessee, or any other person a third-party motor vehicle history report in conjunction with the actual or potential sale or lease of a motor vehicle, both of the following apply:</u>	24 25 26 27 28
<u>(1) Except as provided in division (B) (2) of this section, the motor vehicle dealer is not liable for any representations, errors, omissions, or inaccuracies contained in the third-party motor vehicle history report.</u>	29 30 31 32
<u>(2) The motor vehicle dealer may be held liable for a representation, error, omission, or inaccuracy contained in a third-party motor vehicle history report that is based on information the dealer directly provided to the report's preparer.</u>	33 34 35 36 37