

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-03  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Financial responsibility bonds.  
**Agency Name:** Department of Public Safety  
**Division:** Bureau of Motor Vehicles  
**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081  
**Contact:** Joseph Kirk **Phone:** 614-466-5605  
**Email:** jakirk@dps.ohio.gov

#### **I. Rule Summary**

**1. Is this a five year rule review? Yes**

**A. What is the rule's five year review date? 11/26/2019**

**2. Is this rule the result of recent legislation? No**

**3. What statute is this rule being promulgated under? 119.03**

**4. What statute(s) grant rule writing authority? 4501.02, 4509.101**

**5. What statute(s) does the rule implement or amplify? 4509.59, 4590.45**

**6. What are the reasons for proposing the rule?**

The rule is being filed according to 106.03 ORC five-year review.

**7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule allows proof of financial responsibility. The rule is being amended to update a material incorporated by reference.

**8. Does the rule incorporate material by reference? Yes**

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

The rule make reference to a website where materials incorporated by reference can be located, including form name, form number and revision date.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

It is estimated that this rule does not result in any costs of compliance for stakeholders. This rule simply sets forth the process of evidencing surety bond by deposit pursuant to R.C. sections 4509.45 and 4509.59.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501:1-2-03

**Financial responsibility bonds.**

- (A) Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within this state if the bond is issued in compliance with section 4509.59 of the Revised Code.
- (B) Proof of financial responsibility also may be evidenced by a certificate of bond issued by the registrar of motor vehicles in accordance with this paragraph. The registrar shall prescribe a form upon which an application for a certificate of bond may be issued, "Application - Certificate of Financial Responsibility" form "BMV 2180" (5/18)~~(September, 2014)~~, available via the Ohio bureau of motor vehicles', website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm). A financial responsibility bond issued under this paragraph shall be:
- (1) In the amount of thirty thousand dollars;
  - (2) Signed by two individuals who own real estate having equity totaling at least sixty thousand dollars;
  - (3) Completed in full, including the legal description of the real estate;
  - (4) Duly witnessed and notarized;
  - (5) Approved by a judge of a court of record;
  - (6) Accompanied by a check or money order in the amount specified in section 4509.60 of the Revised Code made payable to the county recorder of the county in which the real estate is located; and
  - (7) If approved by the registrar, submitted to the appropriate county recorder for recording.
- (C) A certificate of bond issued under paragraph (B) of this rule shall not be effective until the registrar receives the recorded document from the county recorder and issues a certificate to the applicant.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.59, 4590.45  
Prior Effective Dates: 04/20/1995, 03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-04  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Deposits of money or securities.  
**Agency Name:** Department of Public Safety  
**Division:** Bureau of Motor Vehicles  
**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081  
**Contact:** Joseph Kirk **Phone:** 614-466-5605  
**Email:** jakirk@dps.ohio.gov

#### **I. Rule Summary**

**1. Is this a five year rule review? Yes**

**A. What is the rule's five year review date? 11/26/2019**

**2. Is this rule the result of recent legislation? No**

**3. What statute is this rule being promulgated under? 119.03**

**4. What statute(s) grant rule writing authority? 4501.02, 4509.101**

**5. What statute(s) does the rule implement or amplify? 4509.62, 4509.45**

**6. What are the reasons for proposing the rule?**

The rule is being filed according to 106.03 ORC five-year review.

**7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule allows proof of financial responsibility to be evidenced by a deposit of thirty-thousand dollars in money or bonds with the Treasurer of the United States, this state, or of a political subdivision of this state at their par or face value. The rule is being amended to update a material incorporated by reference.

**8. Does the rule incorporate material by reference? Yes**

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

The rule make reference to a website where materials incorporated by reference can be located, including form name, form number and revision date.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

It is estimated that this rule will not result in any costs of compliance for stakeholders. This rule simply sets forth the process of evidencing financial responsibility by deposit pursuant to R.C. 4509.42, 4509.62, and 4509.63.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**



4501:1-2-04

**Deposits of money or securities.**

- (A) Proof of financial responsibility may be evidenced by the certificate of the treasurer of state that the person named therein has deposited with the treasurer thirty thousand dollars in money or bonds of the United States, of this state, or of a political subdivision of this state at their par or face value. The treasurer of state shall not accept any such deposit and issue a certificate therefor and the registrar of motor vehicles shall not accept such certificate unless it is accompanied by evidence that there are no unsatisfied judgments against the depositor in the county where the depositor resides.
- (B) The application for and the issuance of a certificate under this rule shall be as follows:
- (1) The applicant shall complete the application prescribed by the registrar of motor vehicles, "Application for Certificate Deposit of \$30,000 in Money or Government Bonds" form "BMV 3146" (5/18)~~(September, 2014)~~, available via the Ohio bureau of motor vehicles' website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm), and sign the application in the presence of a notary public;
  - (2) The applicant shall deliver or otherwise transmit at applicant's own risk either thirty thousand dollars in the form of a money order or cashier's check payable to "Treasurer, State of Ohio" or bonds of the United States, or this state or a political subdivision of this state having a aggregate par or face value of at least thirty thousand dollars, along with the application, to the bureau of motor vehicles;
  - (3) Upon receipt of the application and the thirty thousand dollars in money or bonds, the registrar shall either approve or disapprove the application;
  - (4) If approved, the registrar shall transmit to the treasurer the money or bonds for deposit. No interest shall accrue to the credit of the applicant upon any money deposited by the treasurer pursuant to this rule;
  - (5) If approved by the treasurer of state, the treasurer shall deposit the money or bonds and shall execute a "Receipt and Certificate of Financial Responsibility" and return it to the registrar;
  - (6) The registrar shall transmit the receipt and certificate of financial responsibility to the applicant;
  - (7) The proof of financial responsibility shall become effective upon the registrar's receipt of the certificate from the treasurer.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.62, 4509.45  
Prior Effective Dates: 04/20/1995, 03/22/2010, 03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-05  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Self-insurance.  
**Agency Name:** Department of Public Safety  
**Division:** Bureau of Motor Vehicles  
**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081  
**Contact:** Joseph Kirk **Phone:** 614-466-5605  
**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 11/26/2019
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4509.101
5. What statute(s) does the rule implement or amplify? 4509.101, 4509.72, 4509.45
6. What are the reasons for proposing the rule?

The rule is being filed according to 106.03 ORC five-year review.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule allows persons and non-profit organizations that own or lease twenty six or more vehicles in the State of Ohio to be self insured. The rule is being amended to update a material incorporated by reference.

8. Does the rule incorporate material by reference? Yes

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

The rule make reference to a website where materials incorporated by reference can be located, including form name, form number and revision date.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

It is estimated that this rule will not result in any costs of compliance for stakeholders. This rule sets forth the process of evidencing financial responsibility by deposit in accordance with R.C. 4509.101, 4509.45, and 4509.72.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501:1-2-05

**Self-insurance.**

- (A) Any person in whose name more than twenty-five motor vehicles are registered in this state may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the registrar of motor vehicles as provided in division (B) of section 4509.72 of the Revised Code and this rule. The registrar shall prescribe a definite term of not more than five years for each certificate.
- (B) The registrar shall issue a certificate of self-insurance upon receipt of an "Application for Self-Insurance General" form "BMV 3148" (5/18)~~(October, 2014)~~. The application is available via the Ohio bureau of motor vehicles website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm).
- (C) The registrar shall issue a certificate of insurance if the registrar determines that all of the following conditions are met:
- (1) The applicant operates more than twenty-five motor vehicles that are registered in this state and are either owned or leased by the applicant;
  - (2) The applicant is financially solvent, and not subject to any actions in bankruptcy, trusteeship, receivership or any other court proceeding in which the applicant's financial solvency is in question;
  - (3) The applicant has a net worth of at least one hundred thousand dollars and sufficient reserves to pay any judgment likely to be taken against the applicant arising out of the operation, maintenance or use of any motor vehicle;
  - (4) The applicant has no judgments taken against him that have remained unsatisfied more than thirty days after becoming final;
  - (5) There are no other factors that cause the registrar to believe the applicant is not of sufficient financial ability to pay judgments against the applicant.
- (D) The registrar shall issue a certificate of self-insurance to a nonprofit corporation upon receipt of an "Application for Self-Insurance General" form "BMV 3148" (5/18)~~(October, 2014)~~ available via the Ohio bureau of motor vehicles' website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm), if the registrar determines that all of the following conditions are met:
- (1) The corporation is a nonprofit corporation in good standing with the Ohio secretary of state under Chapter 1702. of the Revised Code;
  - (2) Members of the nonprofit corporation operate more than twenty-five motor vehicles that are registered in this state and are either owned or leased by them;

- (3) One of the purposes of the nonprofit corporation is to allow its members to pool their risks in the operation of motor vehicles;
  - (4) The nonprofit corporation is financially solvent, and not subject to any actions in bankruptcy, trusteeship, receivership or any other court proceeding in which the nonprofit corporation's financial solvency is in question;
  - (5) The nonprofit corporation maintains a reserve of at least one hundred thousand dollars to assure payment of any judgment taken against its covered members arising out of the operation, maintenance or use of a motor vehicle;
  - (6) Neither the nonprofit corporation nor any of its covered members has any judgments arising out of the operation, maintenance or use of a motor vehicle taken against them which have remained unsatisfied for more than thirty days after becoming final; and
  - (7) There are no other factors which cause the registrar to believe that the nonprofit corporation is not of sufficient financial ability to pay judgments against it or its covered members.
- (E) The registrar may issue a certificate of self-insurance to a religious organization upon receipt of an "Application for Self-Insurance Religious Organization" form "BMV 3149" (5/19)~~(October, 2014)~~ available via the Ohio bureau of motor vehicles' website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm), if the registrar determines that all of the following conditions are met:
- (1) Members of the religious organization operate more than twenty-five motor vehicles which are registered in this state and are either owned or leased by them;
  - (2) The members hold a common belief in mutual financial assistance in time of need to the extent that they share in financial obligations of other members who would otherwise be unable to meet their obligations;
  - (3) The religious organization is financially solvent, and not subject to any actions in bankruptcy, trusteeship, receivership or any other court proceeding in which the organization's financial solvency is in question;
  - (4) Neither the religious organization nor any of its participating members has any judgments arising out of the operation, maintenance or use of a motor vehicle taken against them which have remained unsatisfied for more than thirty days after becoming final; and

- (5) There are no other factors which cause the registrar to believe that the religious organization and its members are not of sufficient financial ability to pay judgments taken against them.
- (F) Upon not less than five days' notice and a hearing pursuant to such notice, the registrar may cancel a certificate of self-insurance of the certificate holder upon failure to pay any judgment within thirty days after such judgment has become final or upon other proof that such person is no longer of sufficient financial ability to pay judgments against him.



Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.101, 4509.72, 4509.45  
Prior Effective Dates: 04/20/1995, 03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-06

**Rule Type:** Amendment

**Rule Title/Tagline:** Procedures for the surrender of suspended certificates of registration, license plates, and driver's licenses and procedures for reinstatement.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### **I. Rule Summary**

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/26/2019
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 62 - 133  
- Oelslager
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4501.02, 4509.101
5. **What statute(s) does the rule implement or amplify?** 4509.101, 4510.52, 4503.232
6. **What are the reasons for proposing the rule?**

The rule is being filed according to 106.03 ORC five-year review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule deals with notification of affected drivers concerning the requirements to surrender registrations, license plates and driver's licenses to the Ohio bureau of

motor Vehicles. The rule outlines procedures and reinstatement requirements. The rule is being amended because Section 4509.101(A)(c)(3) of the Revised Code, dealing with random selection of proof of insurance requirements was removed in HB 62 of the 133rd General Assembly. Reference to random selection has been stricken.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## II. Fiscal Analysis

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

### **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501:1-2-06

**Procedures for the surrender of suspended certificates of registration, license plates, and driver's licenses and procedures for reinstatement.**

(A) The following procedures shall be followed for any driver or owner who to show proof of financial responsibility to the registrar of motor vehicles as required ~~upon random selection~~, after a motor vehicle accident, upon issuance of a traffic ticket, or in conjunction with a motor vehicle inspection pursuant to section 4509.101 of the Revised Code:

(1) The registrar shall send a written notice to the last known address of the driver or owner that:

(a) Shall inform the driver or owner that his or her certificate of registration, license plates, driver's license, or all of them, are suspended;

(b) Shall direct the driver or owner to surrender his or her certificate of registration, license plates, driver's license, or all of them, to the bureau of motor vehicles;

(c) Shall state the duration of the suspension;

(d) May give notice of the driver's or owner's right, if any, to request a hearing or appeal the suspension and surrender determination; and

(e) May contain any other information the registrar may prescribe.

(2) Upon receipt of notice, the driver or owner shall immediately surrender his or her certificate of registration, license plates, driver's license, or all of them in accordance with the registrar's notice by transmitting them to the bureau of motor vehicles at the address specified in the notice.

(3) The registrar may cause such information about the notice and directive to surrender as he deems appropriate to be entered in the law enforcement automated data system (LEADS).

~~(4) If the suspension is a random selection suspension under division (A)(3)(c) of section 4509.101 of the Revised Code, no peace officer shall confiscate the license, certificate of registration, or registration plates.~~

~~(5)~~(4) Except for random selection suspensions, ~~any~~Any peace officer who, in the performance of his duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and registration plates are under an order of impoundment, pursuant to section 4509.101 of the Revised Code, may confiscate such

license, certificate of registration, and registration plates, and return them to the registrar.

~~(6)~~(5) If the driver or owner does not make a timely and voluntary surrender, the registrar may designate and authorize employees of the bureau of motor vehicles to obtain the surrender of certificates of registration, license plates, or driver's license directly from the driver or owner.

- (B) Upon receipt of any certificates of registration, license plates, or driver's licenses surrendered in accordance with this rule, the registrar shall destroy them pursuant to sections 4503.232 and 4510.52 of the Revised Code.
- (C) The registrar shall determine the length of any driver's license suspension based upon the records of the bureau of motor vehicles. The registrar shall not restore any driver's license until the suspension period has expired and any reinstatement requirements have been met.
- (D) The registrar shall determine from the records of the bureau of motor vehicles the amount of the financial responsibility reinstatement fee in accordance with division (A)(5)(a) of section 4509.101 of the Revised Code.
- (E) The registrar shall determine from the records of the bureau of motor vehicles whether the driver or owner is required to pay a financial responsibility nonvoluntary compliance fee in accordance with division (A)(5)(b) of section 4509.101 of the Revised Code and the amount of that fee, if any, for failure to comply with any order or notice requiring the surrender of his certificate of registration, license plates, or driver's license.
- (F) The registrar shall not restore any operating privileges or registration rights or return any license, certificate of registration, or license plates unless the rights are not subject to suspension or revocation under any other law and unless the person, in addition to complying with all other conditions required by law for reinstatement of the operating privileges or registration rights, complies with all of the following:
  - (1) Pays a financial responsibility reinstatement fee as determined by the registrar in accordance with this rule;
  - (2) Pays the financial responsibility nonvoluntary compliance fee, if any, as determined by the registrar in accordance with this rule; and
  - (3) Files and maintains proof of financial responsibility in accordance with paragraph (B) of rule 4501:1-2-01 of the Administrative Code.

- (G) When the period of any driver's license suspension has expired and the person has complied with all requirements of paragraph (F) of this rule, the registrar shall authorize the person to obtain a driver's license. The authorization shall be conditioned upon any other applicable requirement prescribed by law, including the requirement that the person submit to a driver's license examination if the driver's suspended driver's license has been expired for six months or more.
- (H) The registrar shall authorize any person whose certificate of registration or license plates that have been suspended to apply for a certificate of registration or license plates upon the registrar's determination that the person has complied with paragraph (F) of this rule.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.101, 4510.52, 4503.232  
Prior Effective Dates: 04/20/1995, 03/31/2015



## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-07

**Rule Type:** Rescission

**Rule Title/Tagline:** Requiring proof of financial responsibility by random selection.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 11/26/2019
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 62 - 133  
- Oelslager
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4509.101
5. What statute(s) does the rule implement or amplify? 4509.101
6. What are the reasons for proposing the rule?

The rule is being amended to update a material incorporated by reference.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule deals with proof of financial responsibility by random selection. The rule is being rescinded because Section 4509.101(A)(c)(3) of the Revised Code, dealing with

random selection of proof of insurance requirements was removed in HB 62 of the 133rd General Assembly.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

## TO BE RESCINDED

4501:1-2-07

**Requiring proof of financial responsibility by random selection.**

- (A) This rule governs procedures adopted by the registrar of motor vehicles requiring proof of financial responsibility by random selection.
- (B) The bureau of motor vehicles (BMV) vehicle registration data file shall be the original source from which random selections shall be made.
- (C) The registrar shall designate the types and classes of vehicles which shall be included in the random selection. Initially, the registrar shall limit selection to passenger cars and noncommercial vehicles, except farm trucks. One year after the random selection begins, and annually thereafter, the registrar may determine whether any types or classes of vehicles shall be added to or deleted from the selection process.
- (D) The registrar shall prescribe the number of vehicles to be included in the random selection. The number may be a stated number or a stated percentage of the vehicles registered in the vehicle types and classes designated by the registrar. Initially, five percent of the designated types and classes of vehicles shall be selected. One year after the random selection begins, and periodically thereafter, the registrar may increase or decrease the number of vehicles selected.
- (E) The registrar shall prescribe the method to be used to assure random selection. The method may employ the use of a computer program or any other reasonable method the registrar determines will assure a fair and representative random selection.
- (F) The registrar may determine that certain vehicles shall be exempt from the random selection process. Vehicles that may be exempted may include, but are not limited to:
  - (1) Leased vehicles;
  - (2) Vehicles used on a seasonal basis only;
  - (3) Vehicles that are shown by reliable evidence to be inoperable or out of service for at least thirty days;
  - (4) Such other vehicles as the registrar may reasonably prescribe.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.101  
Prior Effective Dates: 07/31/1998, 03/22/2010, 03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-2-08

**Rule Type:** Rescission

**Rule Title/Tagline:** Random selection suspension procedure.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 11/26/2019
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 62 - 133  
- Oelslager
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4509.101
5. What statute(s) does the rule implement or amplify? 4509.101
6. What are the reasons for proposing the rule?

The rule is being filed according to 106.03 ORC five-year review.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule deals with random selection suspension procedure. The rule is being rescinded because Section 4509.101(A)(c)(3) of the Revised Code, dealing with

random selection of proof of insurance requirements was removed in HB 62 of the 133rd General Assembly.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**



## TO BE RESCINDED

4501:1-2-08

**Random selection suspension procedure.**

- (A) The registrar of motor vehicles shall send a written notice by regular mail to the owner of each vehicle randomly selected in accordance with rule 4501:1-2-07 of the Administrative Code. The notice shall identify the vehicle selected and shall inform the owner that the owner is required to submit proof showing financial responsibility coverage was in effect with respect to the selected vehicle on the date specified by the registrar. The notice shall inform the owner of the methods and procedures for submitting proof of financial responsibility coverage and shall specify that the proof of financial responsibility shall be submitted within twenty-one days of the mailing of the notice. The notice may also contain such other information as the registrar may prescribe.
- (B) The owner may submit evidence to show that the vehicle subject to the registrar's notice is exempt because the vehicle is leased, the vehicle is used on a seasonal basis only and the date selected by the registrar is out of season for that vehicle, the vehicle is inoperable or has been out of service for a period of at least thirty days, or the vehicle is exempt for any other reason the registrar may prescribe. The evidence shall be sufficient to show that there is good cause to believe that the vehicle was not operated in violation of section 4509.101 of the Revised Code or was otherwise exempt.
- (C) If the owner of a vehicle randomly selected pursuant to rule 4501:1-2-07 of the Administrative Code, within twenty-one days of the mailing of the notice, fails to respond to the notice, fails to give acceptable evidence that the vehicle is exempt, or fails to give acceptable proof of financial responsibility, the registrar shall order the suspension of the license of the person required under division (A)(2)(a) of section 4509.101 of the Revised Code and the impoundment of the person's certificate of registration and license plates required under division (A)(2)(b) of section 4509.101 of the Revised Code, effective no less than fifty-six days after the date of the mailing of notice of suspension. The notice of suspension also shall notify the person that the person must present the registrar with proof of financial responsibility, submit evidence acceptable to the registrar showing that the vehicle is exempt, or surrender to the registrar the person's certificate of registration, license plates, and license. The notice of suspension shall be in writing and shall be sent to the person at the person's last known address as shown on the records of the bureau of motor vehicles. The person, within twenty-one days after the date of the mailing of the notice of suspension, shall present proof of financial responsibility, or submit evidence showing that the vehicle is exempt, together with any other information the person considers appropriate.
- (D) If the registrar does not receive proof or the person does not give acceptable evidence that the vehicle is exempt in accordance with this rule, within twenty-one days, the

registrar shall send a second notice of suspension to the person by certified mail return receipt requested. If the first notice of suspension is returned as not deliverable, the registrar shall make reasonable efforts to determine if the owner's address has changed before sending the second notice of suspension. The second notice of suspension shall contain the most recent address for the person as determined by the registrar, the same or similar information, and the same suspension date as the original notice of suspension unless the registrar determines that a different suspension date is necessary to give the person adequate notice. The second notice of suspension shall give the person an additional period of no less than fourteen days in which to present the registrar with proof of financial responsibility, or submit evidence acceptable to the registrar showing that the vehicle is exempt, together with any other information the person considers appropriate.

- (E) If the registrar does not receive acceptable proof and the person does not give acceptable evidence that the vehicle is exempt in accordance with this rule, the person shall surrender the certificate of registration, license plates, and license to the registrar no later than the date of suspension and the registrar shall permit the order of the suspension of the license of the person and the impoundment of the person's certificate of registration and license plates to take effect.
- (F) In the case of a person who presents, within the periods specified in this rule, documents to show proof of financial responsibility, the registrar shall terminate the order of suspension and the impoundment of the registration and license plates required under division (A)(2)(b) of section 4509.101 of the Revised Code and shall send written notification to the person, at the person's last known address as shown on the records of the bureau.
- (G) Any person adversely affected by the order of the registrar, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether the vehicle is exempt and whether the person in fact demonstrated to the registrar proof of financial responsibility in accordance with this rule. The registrar shall determine the date, time, and place of any hearing, provided, that the hearing shall be held, and an order issued or findings made, within thirty days after the registrar receives a request for a hearing. Such person shall pay the cost of the hearing before the registrar, if the registrar's order of suspension or impoundment is upheld.
- (H) Any suspensions imposed as a result of the failure to respond to a financial responsibility random verification request shall include a distinctive designation on the records of the registrar and on the records transmitted by the registrar to the law enforcement automated data system (LEADS).

- (I) Any person whose license has been suspended because of a failure to respond to a financial responsibility random verification notice may provide proof of financial responsibility at any deputy registrar agency. The proof shall be sufficient to show that the person had financial responsibility coverage in effect on the date specified by the registrar. If the proof is acceptable and the person is not under any other suspensions or disqualifications, the deputy registrar shall reissue the person's driver's license and vehicle registration upon payment of the applicable statutory fees, but without the payment of any reinstatement fees.
- (J) In carrying out his duties under this rule, the registrar may contract with outside sources to process any information, send and receive any notices, and take any actions on behalf of the registrar as the registrar may prescribe.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4509.101  
Rule Amplifies: 4509.101  
Prior Effective Dates: 07/31/1998, 06/30/1999 (Emer.), 09/26/1999,  
03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-10-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Written notice of orders.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 11/26/2019
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4501.022
5. What statute(s) does the rule implement or amplify? 4501.022, 4506.14, 4507.09, 4503.101
6. What are the reasons for proposing the rule?

The rule is being filed according to 106.03 ORC five-year review.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule deals with written notice of orders. The rule is being amended to update a material incorporated by reference.
8. Does the rule incorporate material by reference? Yes

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

The rule make reference to a website where materials incorporated by reference can be located, including form name, form number and revision date.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? No

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501:1-10-01

**Written notice of orders.**

- (A) Unless a different method is specified by law, the registrar of motor vehicles shall give written notice of any order revoking, canceling, or suspending a driver's license, a commercial driver's license, motorcycle operator's license or endorsement, or temporary permit, or any order requiring the surrender of a certificate of registration or registration plates, by regular mail sent to the person at the person's last known address as determined in accordance with this rule.
- (B) Pursuant to division (D) of section 4506.14 and division (C) of section 4507.09 of the Revised Code, each person licensed as a commercial driver under Chapter 4506. of the Revised Code or a driver under Chapter 4507. of the Revised Code shall notify the registrar of any change in the person's address within ten days following that change. The notification shall be in writing on the "Request for Change of Address" form "BMV 5756" (7/19)(December, 2014), available via the Ohio bureau of motor vehicles' (BMV) website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm) or by electronic means approved by the registrar ~~via the BMV website at <https://ext.dps.state.oh.us/bmvonlineservices/public/dlverification.aspx>~~ and shall include the full name, date of birth, license number, county of residence, last four digits of social security number, and new address of the person.
- (C) Any person applying for a motor vehicle certificate of registration shall state the person's correct and current address on the application. Pursuant to division (E) of section 4503.101 of the Revised Code, every owner or lessee of a motor vehicle holding a certificate of registration shall notify the registrar in writing of any change in the person's address within ten days after the change occurs. The notification shall be in writing on the "Request for Change of Address" form "BMV 5756" (7/19)(December, 2014), available via the BMV website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm) or by electronic means approved by the registrar ~~via the BMV website at <http://ext.dps.state.oh.us/bmvonlineservices/public/dlverification.aspx>~~ and shall include the full name, date of birth, license number, county of residence, last four digits of social security account number, and new address.
- (D) The BMV shall maintain a drivers' record data file that shall include the last known address of each driver, commercial driver, motorcycle operator, or temporary permit holder licensed by the state of Ohio. For the purpose of this rule, the last known address of the driver, commercial driver, motorcycle operator, or temporary permit holder shall be the address entered on the most recent application submitted by that person unless the BMV receives notice of, and enters, a new address in accordance with this paragraph. Upon receipt of a written or electronic notice of a new address submitted by a driver, commercial driver, motorcycle operator, or temporary permit holder pursuant to division (D) of section 4506.14 or division (C) of section 4507.09



of the Revised Code, the BMV shall, within twenty-eight days, enter the new address in the drivers' record data file.

- (E) The BMV shall maintain a vehicle registration data file that shall include the last known address of the registered owner or lessee of each motor vehicle registered in the state of Ohio. For the purpose of this rule, the last known address of the owner or lessee shall be the address entered on the most recent motor vehicle registration submitted by the owner or lessee, unless the BMV receives notice of, and enters, a new address in accordance with this paragraph. Upon receipt of a written or electronic notice of a new address submitted by an owner or lessee of a motor vehicle holding a certificate of registration pursuant to division (E) of section 4503.101 of the Revised Code, the BMV shall, within twenty-eight days, enter the new address in the vehicle registration data file.
- (F) Written notice of any order that relates only to requiring the surrender of a certificate of registration or registration plates, or both, but does not relate in any way to the revocation, cancellation, or suspension of a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or temporary permit, shall be sent by regular mail to the owner's last known address contained in the vehicle registration data file in accordance with paragraph (E) of this rule.
- (G) Written notice of all other orders, including orders revoking, canceling, or suspending a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or temporary permit, and any orders requiring the surrender of a certificate of registration or registration plates, or both, if there is any underlying relationship between that surrender and any action revoking, canceling, or suspending a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or temporary permit, shall be sent by regular mail to the driver's, commercial driver's, motorcycle operator's, or temporary permit holder's last known address contained in the drivers' record data file in accordance with paragraph (D) of this rule.
- (H) As an alternative to, or in addition to, written notice given by regular mail under this rule, the registrar may, but is not required to, give written notice by certified mail, return receipt requested. If certified mail is used, it shall be sent to the last known address of the owner in accordance with paragraphs (E) and (F) of this rule or to the driver, commercial driver, motorcycle operator, or temporary permit holder in accordance with paragraphs (D) and (G) of this rule, whichever applies. The proof of mailing procedures set forth in rule 4501:1-10-02 of the Administrative Code do not apply to written notice by certified mail, return receipt requested.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4501.022  
Rule Amplifies: 4501.022, 4506.14, 4507.09, 4503.101  
Prior Effective Dates: 02/05/1993 (Emer.), 05/03/1993, 03/27/2005,  
03/22/2010, 03/31/2015

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-11-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Process for a replacement vehicle identification number (VIN) plate.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 11/26/2019
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4569.62
5. What statute(s) does the rule implement or amplify? 4569.62
6. What are the reasons for proposing the rule?

The rule is being filed according to 106.03 ORC five-year review.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule deals with the process for a replacement vehicle identification number (VIN) plate. The rule is being amended to update a material incorporated by reference.
8. Does the rule incorporate material by reference? Yes

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

The rule make reference to a website where materials incorporated by reference can be located, including form name, form number and revision date.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

The estimated cost of compliance for stakeholders is fifty dollars, which is the cost for a motor vehicle inspection as set forth in 4505.11 of the Revised Code.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

The fee is established in Section 4505.11 of the Revised Code.

## **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? No

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501:1-11-01

**Process for a replacement vehicle identification number (VIN) plate.**

- (A) Any person who is the owner of a motor vehicle, or any owner's insurer, may apply for a replacement vehicle identification number (VIN) plate or replacement vehicle parts derivative VIN plates or stickers in accordance with the requirements of paragraphs (B) and (C) of this rule.
- (B) Before a person applies for a replacement vehicle identification number (VIN) plate or replacement vehicle parts derivative VIN plates or stickers, an inspection of the vehicle must be conducted by the state highway patrol in accordance with provisions of division (E) of section 4505.11 of the Revised Code. The inspection shall include the following:
- (1) The federal safety decal number;
  - (2) The engine and transmission numbers;
  - (3) Any manufacturer's applied number that can be traced by available record to the original VIN;
  - (4) Any owner's applied number that can be traced to the original owner or VIN;
  - (5) Any other number determined by the registrar or the state highway patrol to be relevant to the inspection.
- (C) The applicant shall obtain an "Application for Replacement Vehicle Identification Number (VIN) to a Motor Vehicle," form "BMV 3713," ~~(4/18)(December, 2014)~~, available on the bureau of motor vehicles' website at [http://www.bmv.ohio.gov/bmv\\_forms.stm](http://www.bmv.ohio.gov/bmv_forms.stm) and hereinafter referred to as the "application." The application shall be submitted to the registrar of motor vehicles with the following documents:
- (1) The evidence of an inspection by state highway patrol;
  - (2) The valid Ohio certificate of title or certificate of title or other lawful evidence of title issued in another state.
- (D) If the registrar determines that the applicant has complied with the requirements of paragraphs (B) and (C) of this rule, the registrar shall authorize the issuance of the original VIN or shall assign a new VIN. If a replacement VIN plate is required, the following procedures apply:
- (1) The dies, plates, stickers, or other suitable devices, materials, or equipment required to replace a VIN or derivative VIN on any vehicle part shall be

obtained and produced by the bureau of motor vehicles or the state highway patrol;

- (2) The applicant may be required to pay the bureau of motor vehicles the actual cost incurred by the bureau of motor vehicles or state highway patrol in obtaining or producing the replacement VIN plates or replacement vehicle parts derivative VIN plates or stickers for the vehicle;
- (3) The registrar shall send, a copy of all documentation pertaining to the replacement VIN plate or replacement vehicle parts derivative VIN plates or stickers to the state highway patrol;
- (4) The registrar shall send the Ohio certificate of title or other lawful evidence of ownership to the appropriate clerk of courts.

Effective:

Five Year Review (FYR) Dates: 11/26/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4501.02, 4569.62  
Rule Amplifies: 4569.62  
Prior Effective Dates: 09/23/1993, 03/27/2005, 03/23/2015



## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501-30-02

**Rule Type:** Amendment

**Rule Title/Tagline:** Equipment to be inspected.

**Agency Name:** Department of Public Safety

**Division:**

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

**Contact:** Joseph Kirk **Phone:** 614-466-5605

**Email:** jakirk@dps.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date? 11/30/2021
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4511.215, 4513.02
5. What statute(s) does the rule implement or amplify? 4511.214, 4511.215
6. What are the reasons for proposing the rule?

The rule is being amended to better clarify a requirement and remove confusion.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule contains the list of equipment that is required in order to operate and under-speed vehicle, utility vehicle, or mini truck on public streets or highways. The amended portion is in paragraph (C) removing "with the application of certificate of title to the clerk of courts." The required inspection will be need to presented at the time of registration instead of at the time of titling.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Cost of compliance for a consumer is based on the purchase of any required equipment in order to meet the requirements of road-use, and whether the local jurisdiction charges a fee.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

4501-30-02

**Equipment to be inspected.**

- (A) In order to operate an under-speed vehicle or utility vehicle, or a mini truck on public streets or highways, the vehicle must include the following equipment:
- (1) Adequate brakes and braking system;
  - (2) Equipped with properly working brake lights, head lights, tail lights, and warning devices, also known as turn signals;
  - (3) A properly working steering mechanism;
  - (4) A windshield to prohibit injury from any debris from the roadway;
  - (5) A rear view mirror to reflect the operator a view of the public street or highway to the rear; and
  - (6) Appropriate tires that are free of major bumps, bulges, breaks, or any condition that would be cause for unsafe conditions.
- (B) Any vehicle that does not comply with the requirements of this chapter of the Administrative Code and sections 4511.214 and 4511.215 of the Revised Code, shall not be permitted to operate on the public streets or highways.
- (C) Any vehicle that has complied with the requirements of this chapter of the Administrative Code and sections 4511.214 and 4511.215 of the Revised Code, are required to submit evidence of an approved inspection from local law enforcement ~~with the application of certificate of title to the clerk of courts~~ prior to registering the vehicle for road use.

Effective:

Five Year Review (FYR) Dates: 11/30/2021

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4511.215, 4513.02  
Rule Amplifies: 4511.214, 4511.215  
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