



Ohio Legislative Service Commission

Bill Analysis

Nicholas A. Keller

Am. S.B. 245

129th General Assembly
(As Passed by the Senate)

Sens. Hughes, Beagle, Hite, Sawyer, Bacon, Balderson, Daniels, Jordan, Oelslager, Patton

BILL SUMMARY

- Requires new applicants for a used motor vehicle dealer's license to complete training in order to be licensed.
- Exempts applicants that have held a used or new motor vehicle license in good standing during the two years prior to applying for the license and applicants who hold a salvage motor vehicle auction license or a motor vehicle auction license.
- Prescribes requirements for course providers to meet and basic qualifications for courses to be considered legitimate.

CONTENT AND OPERATION

The bill requires an owner, officer, partner, or director of a business entity that is a new applicant for a used motor vehicle dealer's license to complete training in order to be licensed.¹ The applicant must provide proof that the applicant completed the training within six months before applying for the license.² This requirement does not take effect until 90 days after the effective date of the bill and does not apply to applicants that have an owner, officer, partner, or director who has held a used or new motor vehicle dealer's license within two years prior to the date of application that was not revoked or suspended.³ Individuals described above applying for a used motor

¹ R.C. 4517.05(B) and (C)(3).

² R.C. 4517.05(A) and (B)(1).

³ R.C. 4517.05(B)(1) and (B)(2).

vehicle dealer's license who already hold a salvage motor vehicle auction license or a motor vehicle auction owner license are also exempt from the training requirements.⁴

The bill requires the Motor Vehicles Dealers Licensing Board (MVDLB) to adopt rules governing used motor vehicle dealer training courses. The rules must do all of the following:

- Require that such courses be taught by an institution of higher education or a relevant professional or trade association that has been in existence for more than five years and has a majority of members who are motor vehicle dealers licensed in Ohio;
- Establish the course curriculum, which must include information on all relevant federal and state laws, including Consumer Protection Laws;
- Require that courses must be at least six hours, but not more than 24;
- Prescribe the form for the certificate of completion;
- Establish additional qualifications and requirements for course providers as necessary.⁵

The MVDLB is required to maintain specified information received from course providers on the courses provided and to give this information to individuals upon request.⁶

The bill requires any person offering used motor vehicle dealer training to do all of the following:

- Conform courses offered to the rules adopted by MVDLB;
- Establish reasonable fees for courses offered;
- Issue a certificate of completion that attests that the person named on the certificate successfully completed the required training;
- Notify MVDLB of the course location, content, length, and cost.⁷

⁴ R.C. 4517.05(B)(3).

⁵ R.C. 4517.05(C)(1).

⁶ R.C. 4517.05(C)(2).

⁷ R.C. 4517.05(C)(1)(d) and (D)(1).

Course providers are allowed to use material provided by the Bureau of Motor Vehicles and the Attorney General.⁸

Finally, the bill stipulates that none of the aforementioned requirements apply to new motor vehicle dealer licensing.⁹

HISTORY

ACTION	DATE
Introduced	10-31-11
Reported, S. Insurance, Commerce & Labor	12-08-11
Passed Senate (33-0)	12-14-11

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⁸ R.C. 4517.05(D)(2).

⁹ R.C. 4517.05(E).

