DEPARTMENT OF PUBLIC SAFETY

Motor vehicle registration and title

Additional motor vehicle registration and renewal fees

- Beginning January 1, 2026, increases the additional annual motor vehicle registration and renewal fees from $11 to $16 for noncommercial vehicles and from $30 to $35 for nonapportioned commercial vehicles.

Disabled veterans: registration transfer fee exemption

- Exempts a disabled veteran from the $1 transfer fee that applies when a person transfers the registration and license plate from one vehicle to another if the license plate is:
  - A license plate honoring military service or a military award; or
  - A disabled veteran license plate.

Registration fees for veterans with unemployability status

- Expands which disabled veterans are exempt from paying motor vehicle registration and service fees by exempting a veteran who has a service-connected disability that is compensated at 100% by the U.S. Veterans Administration in the same manner as if the veteran has a disability rating of 100%.

Deputy registrar/BMV service fee

- Increases from $5 to $8 the service fee charged by the Bureau of Motor Vehicles (BMV) and deputy registrars.
- Requires the Registrar of Motor Vehicles to modify the prorated multi-year registration service fee to account for the increase.
- Allocates the $3 increase to the Ohio State Highway Patrol (OSHP).

BMV electronic and online transactions

- Authorizes the Registrar and a deputy registrar to accept electronically:
  - Documents that are required to accompany the services and transactions that the BMV conducts electronically or online; and
  - Documents approved by the Registrar for electronic or online submission and acceptance.
- Authorizes a person to apply for an initial motor vehicle registration and a transfer of motor vehicle registration through the online system established by the Registrar, similar to registration renewals under continuing law.
- Requires the Registrar or deputy registrar to verify and authenticate any associated documents submitted electronically with those registrations.
- Allocates the service fee and postage costs for those online and electronic submissions.

Vehicle registration by telephone

- Eliminates the requirement that the BMV accept motor vehicle registration renewal payments via telephone.

Ohio Natural Energy Foundation license plate

- Regarding contributions collected for the Ohio Natural Energy Foundation license plate, requires the Registrar to pay contributions previously collected for payment to the now defunct Ohio Oil and Gas Energy Education Foundation and the Ohio Natural Energy Institute to the Ohio Natural Energy Foundation.

National Council of Negro Women license plate

- Regarding the contributions for the National Council of Negro Women license plate, which under prior law were required to be paid to the National Council of Negro Women, Incorporated, requires the Registrar to pay the contributions to the Ohio State Coalition-National Council of Negro Women, Incorporated.

Certificate of title application

- Allows an applicant for a motor vehicle certificate of title to use the last four digits of the applicant's Social Security number on the title application if the application is for either:
  - A salvage certificate for an owner-retained vehicle; or
  - A transfer of title to an insurance company or a nonprofit corporation.

Certificate of title fee increase

- Beginning January 1, 2026, increases the general certificate of title fee required for most motor vehicles, all-purpose vehicles, and off-highway motorcycles from $15 to $18.
- Allocates the $3 increase to the OSHP through the Security, Investigations, and Policing Fund.
- Authorizes a board of county commissioners to raise the fee an additional $5 for certificates of title issued in that county.
- Allocates the $5 increase to the clerk of a court of common pleas who issues the certificate of title.

Commercial motor vehicles

Drug and Alcohol Clearinghouse notifications

- Updates Ohio Commercial Motor Vehicle Laws to reflect federal requirements related to the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse (DAC) notifications to the Registrar, as follows:
  - Prohibits a commercial driver's license temporary instruction permit (CLP) or commercial driver's license (CDL) holder from operating a commercial motor vehicle if the holder has violated certain alcohol or controlled substances prohibitions;

- Prohibits the Registrar from issuing, renewing, or upgrading a CLP or CDL if the Registrar receives notice from DAC of that alcohol or controlled substance violation;
- Establishes procedures for the Registrar to downgrade or reinstate, as necessary, a CLP or CDL based on notices from DAC.

Limited term commercial driver's license

- Modifies the law governing a CDL issued to a temporary resident to do the following:
  - Exclude the license as a form of photo identification for purposes of voting;
  - Make it consistent with the federal REAL ID Act and state law for the issuance of a standard limited term license;
  - Clarify that the expiration date is either the expiration date of the holder's authorized stay in the U.S. or four years, whichever date is earliest, or is one year if there is no set expiration date;
  - Authorizes the renewal of the limited term CDL within 180 days of its expiration, provided the temporary resident can verify his or her continued lawful status in the U.S.; and
  - Specifies that the renewal may not take place through the BMV's online service, but must be conducted in person at a deputy registrar agency.

Hazardous materials endorsement

- Authorizes issuance of a hazardous materials endorsement for a CDL driver who is 18 to 20 years old, provided:
  - The driver only transports hazardous materials within Ohio; and
  - The driver meets all other federal and state requirements for the endorsement.

Driver's licenses and state identification cards

Medically restricted driver's license

- Eliminates the six-month validity period for a medically restricted driver's license and instead requires the Registrar to determine the validity period.

Ohio credential reprints

- Increases the number of reprints of an Ohio credential (e.g., driver's license, CDL, identification card) that a person may obtain from the BMV between initial issuance and renewal or between renewals from one reprint to two reprints.

Driver training

- Requires individuals 18 to 21 to complete the full driver's education course and 50 hours of practice driving with an eligible adult in order to obtain an initial driver's license, instead of just individuals under 18.

- Modifies the abbreviated driver training course for adults to apply to individuals 21 and older.
- Authorizes a beginning driver to complete the driver's education course at any point while holding a temporary instruction permit.

Proof of financial responsibility

- Extends, from 10 to 15 days, the time by which a person may request an administrative hearing after a driver's license suspension order is issued by the Registrar for failure to have proof of financial responsibility (i.e., motor vehicle insurance).
- Expands who may report a driver or owner of a motor vehicle involved in an accident to the BMV for failure to maintain proof of financial responsibility to include any person involved in the accident, as opposed to only the drivers of the vehicles involved in the accident.

Motor vehicle sales

Retail installment contracts

- Authorizes an alternative schedule of installment payments for a retail installment contract that arises out of a consumer transaction that may be used in lieu of the previously existing schedule, which is a schedule of substantially equal payments.
- Specifies that, under the alternative schedule, the scheduled installments may vary, but an individual installment payment cannot be greater than 50% of any other installment payment.

Trailers

- Excludes trailers from the Motor Vehicle Dealers Law, except fifth wheel trailers, park trailers, travel trailers, tent-type fold-out camping trailers, or semitrailers.

Warranty/recall compensation and indemnity for franchisees

- Requires a motor vehicle franchisor to compensate its motor vehicle franchisees for the parts and labor related to diagnosing warranty and recall obligations.
- Modifies the time frame from which additional documentation related to the rate for specified repair orders must originate.
- Requires a franchisor to compensate a franchisee for all of the following:
  - A part or a component provided at a reduced cost in addition to those provided at no cost;
  - Costs related to certain rental vehicles, even if the rental vehicle does not match the line-make, size, or category of vehicle that was originally promised to the customer; and

- At least 1.25% of the average trade-in cost of a used motor vehicle that is the subject of a stop-sale or do-not-drive order when the parts and remedy required to make the necessary repairs take more than 30 days to be provided.

- Exempts recreational vehicle franchisors and franchisees from all of the above requirements.

- Indemnifies a franchisee when a franchisor designates motor vehicle features or equipment as optional.

Classic motor vehicle auction exemption

- Creates a temporary exemption (until August 1, 2026) from the Motor Vehicle Sales Law relating to auctions for a person who auctions classic motor vehicles and collector's motor vehicles under certain parameters.

Emergency service provider "retired" designation

- Requires the State Board of Emergency Medical, Fire, and Transportation Services to establish procedures by which a certificate holder may be designated as "retired" in the Board's records.

Nuclear power plant security

- Excludes certain security personnel and contractors at a commercial nuclear power plant from the continuing law licensure requirement to engage in the business of security services.

Emergency management assistance compact immunity

- Applies the immunity provisions related to the Emergency Management Assistance Compact, which previously applied only to an employee of a political subdivision rendering aid in another state, to any person deployed to render aid in another state by an emergency management agency, including:
  - A full-time or part-time employee of a nonprofit organization; or
  - A paid or unpaid volunteer or health care worker of a for-profit or nonprofit organization.

OSHP jurisdiction

- Expands the jurisdiction of the OSHP to arrest any person who threatens the security of state property in addition to threatening the security of another person, concurrent with the arresting authority of the local law enforcement, under certain circumstances.

Motor vehicle registration and title

Additional motor vehicle registration and renewal fees

(R.C. 4503.10; Section 373.40)

The act increases the additional annual motor vehicle registration and renewal fees beginning on January 1, 2026, as follows:

1. From $11 to $16 for noncommercial vehicles; and

2. From $30 to $35 for nonapportioned commercial vehicles, which are generally intrastate commercial motor vehicles not subject to international registration plan (IRP) requirements.

Under continuing law, a motor vehicle owner must pay several different fees at the time of registration. The fees listed above involve one component of the overall cost of registering a motor vehicle and are used to defray the Department of Public Safety's (DPS) costs associated with the administration and enforcement of Ohio Motor Vehicle and Traffic Laws. This increase is expressly allocated for use by the Ohio State Highway Patrol (OSHP).

Disabled veterans: registration transfer fee exemption

(R.C. 4503.29 and 4503.41)

The act exempts a disabled veteran from the $1 transfer fee that generally applies when a person transfers the registration and license plate from one vehicle to another if the license plate is either a license plate honoring military service or a military award or a "Disabled Veteran" license plate.

Registration fees for veterans with unemployability status

(R.C. 4503.41)

The act also expands which disabled veterans are exempt from paying motor vehicle registration and service fees. Generally, a veteran with a disability rating of 100% is exempt. However, in some instances, a veteran may not have a disability rating of 100%. Yet, because of that veteran's condition, the veteran is compensated at 100%. Thus, the act extends the exemption to a disabled veteran with a disability that is compensated at 100%.

Deputy registrar/BMV service fee

(R.C. 4503.038)

The act increases from $5 to $8 the service fee charged by the Bureau of Motor Vehicles (BMV) and deputy registrars. The service fee applies to most BMV-related transactions (e.g., driver's licenses, state identification cards, motor vehicle registrations, motor vehicle inspections, etc.). Relatedly, the Registrar of Motor Vehicles must modify the prorated multi-year registration service fee to account for the increase. If the service fee is collected by a deputy registrar, the increased amount is retained by that deputy registrar. If the service fee is collected by the Registrar, any portion of the increased amount that is not allocated to the deputy registrars must be deposited into the Public Safety – Highway Purposes Fund. That increase must

be used exclusively towards funding the Ohio State Highway Patrol (OSHP). Additionally, since the service fee is established in statute, the act removes references to the Registrar adopting rules related to the service fees.

BMV electronic and online transactions

(R.C. 4501.027 and 4503.102)

Under continuing law, the Registrar may conduct, or allow a deputy registrar to conduct, any service or transaction provided by the BMV in an electronic or an online format rather than in person. Initially, BMV's online services involved motor vehicle registration renewals. In recent years, the online services have expanded to include taking the driver's knowledge tests, updating a residential or mailing address, scheduling driving skills tests, and renewing a driver's license or identification card.

The act further expands the BMV's options for electronic and online transactions by authorizing the Registrar and deputy registrars to accept electronically both:

- The documents that are required to accompany the services and transactions that the BMV conducts electronically or online; and
- The documents approved by the Registrar for electronic or online submission and acceptance.

The expansion allows certain services and transactions that require document authentication (e.g., initial motor vehicle registration) to be conducted online or electronically.

Online initial and transfer of motor vehicle registration

Relatedly, the act authorizes a person to apply for an initial motor vehicle registration or a transfer of a motor vehicle registration through the BMV's online system. As stated above, a person may use the online system for motor vehicle registration renewal, but under prior law, initial and transfer registrations could only be conducted in person at a deputy registrar agency. The initial and transfer registrations transactions typically involve additional document verifications (e.g., checks of a certificate of title or memorandum of title) that previously made it necessary for the transaction to occur in person. However, with the authorization for electronic and online submission of documents, the transactions can now occur through the BMV online system.

The act requires the Registrar or a deputy registrar to verify and authenticate the associated documents for the initial or transfer registration that are submitted electronically. An applicant who uses the online system will still need to pay the regular costs and fees, including the service fee, postage costs, and any financial transaction device surcharges (i.e., credit card fees). Accordingly, the act allocates the deputy registrar or BMV service fee to whoever verifies and authenticates the documents and allocates the postage costs to whoever mails the certificate of registration and any associated license plates to the applicant.

Vehicle registration by phone

(R.C. 4503.102)

The act eliminates the requirement that the BMV accept motor vehicle registration renewal payments via telephone.

Ohio Natural Energy Foundation license plate

(R.C. 4501.21)

Under continuing law, the Registrar must pay all contributions for the Ohio Natural Energy Foundation license plate to the Ohio Natural Energy Foundation. Under prior law, however, those contributions were paid to the Ohio Oil and Gas Energy Education Foundation and the Ohio Natural Energy Institute. Both organizations are now defunct. The act requires the contributions collected by the Registrar for payment to those former organizations that were not previously distributed to be paid instead to the Ohio Natural Energy Foundation.

National Council of Negro Women license plate

(R.C. 4501.21 and 4503.579)

The act changes the organization that receives the contributions for the National Council of Negro Women license plate. Under prior law those contributions were required to be paid to the National Council of Negro Women, Incorporated. The act instead requires the Registrar to pay them to the Ohio State Coalition-National Council of Negro Women, Incorporated.

Motor vehicle certificate of title application

(R.C. 4505.07)

The act allows the applicant for a motor vehicle certificate of title to use the last four digits of the applicant's Social Security number on the title application if the application is for:

1. A salvage certificate for an owner-retained vehicle; or

2. A transfer of title to an insurance company or a nonprofit corporation.

Generally, the application for a certificate of title, memorandum certificate of title, or salvage certificate of title includes a space for the applicant's full Social Security number or employer's identification number.

Certificate of title fee increases

(R.C. 4505.09 and 4519.59; Section 820.80)

The act increases the general certificate of title fee from $15 to between $18 and $23. Specifically, beginning January 1, 2026, it adds $3 to the fee statewide and allows a board of county commissioners, by resolution, to increase the fee by an additional $5 for certificates of title issued in that county. The $3 increase is allocated specifically to the Security, Investigations, and Policing Fund to be used for OSHP's security operations related to protecting certain officials (i.e., the Governor, federal, state, and foreign officials and dignitaries, etc.) and state property, including Capital Square, the Vern Riffe Center, and the James A. Rhodes State Office Tower. The $5 increase is allocated to the clerk of a court of common pleas who issues the certificate of title.

The general certificate of title fee is required for most motor vehicles, all-purpose vehicles, and off-highway motorcycles when the clerk issues the title. The remaining $15 of the fee is allocated by statute in specific amounts to the issuing clerk and various state funds.

Commercial motor vehicles

Drug and Alcohol Clearinghouse notifications

(R.C. 4506.01, 4506.05, 4506.07, and 4506.13)

The act updates the Ohio Commercial Motor Vehicle Laws to reflect recent changes to the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse (DAC) notifications that are sent to the Registrar. Specifically, effective as of November 18, 2024, states must request information from DAC about individuals applying for, renewing, or attempting to upgrade a commercial driver's license temporary instruction permit (CLP) or commercial driver's license (CDL). If in response to the request, DAC notifies the Registrar that the applicant is prohibited from operating a commercial motor vehicle because of a violation of certain alcohol or controlled substances prohibitions, the Registrar is prohibited from issuing, renewing, or upgrading that CLP or CDL.[128]

Under current federal law and under the act, a CLP or CDL holder is prohibited from operating a commercial motor vehicle if the holder has violated the federal alcohol or controlled substance prohibitions. The prohibitions relate to using alcohol or prohibited controlled substances before reporting for work, during work, or for a specified time after a motor vehicle accident. Work encompasses both the active driving of a commercial motor vehicle or performing safety-sensitive functions (e.g., inspecting equipment, waiting to be dispatched, loading or unloading a vehicle, or repairing a vehicle).[129]

In addition to the active checks at issuance, renewal, and upgrade, if the Registrar receives a notification from DAC that a current CLP or CDL holder has violated the alcohol and controlled substances prohibitions, the Registrar must take steps to downgrade the holder's CLP or CDL within 60 days of the notice. The act establishes those downgrade procedures.

Specifically, the Registrar must initiate downgrade procedures within ten calendar days after receiving the notice from DAC. The Registrar must notify the CLP or CDL holder that the holder's permit or license will be downgraded if that holder does not resolve the prohibition within 30 days. Resolution of the prohibition involves following federal procedures with a Substance Abuse Professional for evaluation, referral, and education/treatment.[130] If the holder does not resolve the prohibition, the Registrar must:

- Downgrade the CLP or CDL, meaning that while the person may operate a standard motor vehicle, the person is prohibited from operating a commercial motor vehicle;

[128] 49 C.F.R. 383.73

[129] 49 C.F.R. 382, subpart B.

[130] 49 C.F.R. 40, subpart O, as referenced in 49 C.F.R. 382.503.

- Send a second notice to the holder informing the holder of the downgrade and that the holder must take the steps necessary to reinstate the commercial driving privileges; and
- Record the downgrade on the person's Commercial Driver's License Information System (CDLIS) driver record.

Similar to the downgrade procedures, the act also establishes reinstatement procedures that apply when DAC informs the Registrar that a CLP or CDL holder is no longer prohibited from operating a commercial motor vehicle. Specifically:

- If the Registrar receives the notice before the holder's permit or license has been downgraded, the Registrar must terminate the downgrade process and notify the holder of the termination;
- If the Registrar receives the notice after the downgrade, the Registrar must reinstate the CLP or CDL, provided the person is otherwise eligible for reinstatement and commercial driving privileges;
- If the Registrar receives notice that the holder was erroneously identified by DAC, in addition to reinstating the permit or license, the Registrar must remove any record of the downgrade from the person's CDLIS driver record and motor vehicle driving record.

Limited term commercial driver's license

(R.C. 3501.01, 4506.14, 4507.061, and 4507.09)

The act modifies the law governing a CDL issued to a temporary resident to make it consistent with the laws governing the standard limited term license and limited term identification card issued to temporary residents. Temporary residents generally are persons who are not U.S. citizens or permanent residents but *have legal presence* to reside in the U.S. under federal immigration laws. The changes ensure that these CDLs conform to the federal REAL ID Act.[131] Consistent with that Act and the state law for the limited term license, the act does the following:

1. Renames the "nonrenewable commercial driver's license" to a "limited term commercial driver's license";

2. Excludes the limited term CDL as a form of photo identification for purposes of voting;

3. Clarifies that the expiration date is either the expiration date of the holder's authorized stay in the U.S. or four years, whichever date is earliest, or is one year if there is no expiration date of the temporary resident's authorized stay in the U.S.;

4. Authorizes the renewal of the limited term CDL within 180 days of its expiration, provided the temporary resident can verify his or her continued lawful status in the U.S.; and

5. Requires the renewal of the limited term CDL to be conducted in person at a deputy registrar agency, rather than through the BMV's online service.

[131] "Real ID Act," 49 U.S.C. 30301, *et seq*., 6 C.F.R. Part 37.

Hazardous materials endorsement

(R.C. 4506.131)

The act authorizes the Registrar to issue, renew, upgrade, or transfer a hazardous materials endorsement for a CDL to an individual who is under 21 if both of the following apply:

- The individual uses the endorsement for purposes of intrastate commerce of hazardous materials only; and
- The individual meets all other federal and state requirements for issuance of the endorsement.

Federal law generally prohibits a CDL holder who is under 21 from driving a commercial motor vehicle in interstate commerce (i.e., between states). However, CDL holders who are 18 to 20 may drive a commercial motor vehicle in intrastate commerce (i.e., only in Ohio). Nothing in federal law or codified state law prohibits the issuance of a hazardous materials endorsement to CDL drivers between 18 and 20.[132] While most hazardous materials transport occurs across state lines, some hazardous materials transport occurs exclusively within Ohio. The authorization enables younger CDL drivers to expressly obtain the endorsement to engage in that transport.

Driver's licenses

Medically restricted driver's license

(R.C. 4507.08)

The act eliminates the six-month validity period for a medically restricted temporary instruction permit or driver's license. Instead, it specifies that the Registrar must determine the validity period of that license. The Registrar may issue a restricted license to a person who is subject to any condition that causes episodic impairment of consciousness or loss of muscular control if that person presents a statement from a licensed physician that the person's condition is dormant or under effective medical control.

Ohio credential reprints

(R.C. 4507.40)

The act increases the number of reprints of an Ohio credential that a person may obtain from the BMV between initial issuance and renewal or between renewals from one reprint to two reprints. Reprinted credentials are generally issued when a credential is lost, destroyed, or mutilated.

[132] The PUCO through rule currently prohibits a CDL driver under 21 from transporting hazardous materials (O.A.C. 4901:2-5-05). However, the statute requiring the adoption of rules related to hazardous materials transport does not require a specific age for the CDL drivers transporting those materials (R.C. 4923.04, not in the act).

Under continuing law, an "Ohio credential" is a temporary instruction permit identification card, driver's license, CDL, motorcycle operator's license, motorized bicycle license, or state identification card issued by the BMV.

Driver training

(R.C. 4507.21 and 4508.02)

The act requires all individuals under 21, instead of under 18 as under prior law, to complete the full driver's education course and the 50 hours of practice driving with an eligible adult in order to obtain an initial driver's license. The full driver's education course consists of 24 hours of classroom instruction (either in person or online) and eight hours of behind-the-wheel training with a licensed instructor. The adults eligible to oversee the practice driving include a parent, guardian, custodian, or person who is 21 or older who acts in loco parentis of the driver's license applicant. The eligible adult must sign an affidavit attesting that the 50 hours were completed, with at least ten of those hours completed at night. That affidavit is presented at the time that the applicant applies for his or her initial driver's license, along with proof of successful completion of the driver's education course.

Relatedly, the act modifies the requirements for the abbreviated driver training course for adults to apply it to individuals 21 and older, rather than 18 and older, as under prior law. The abbreviated driver training course is required if an individual above the applicable age fails the road or maneuverability test and has not completed a driver's education course in the 12 months preceding the application.

Additionally, the act expressly authorizes a beginning driver to complete the driver education course at any point while holding a valid temporary instruction permit. These permits are valid for one year after issuance.

Proof of financial responsibility

Request for administrative hearing

(R.C. 4509.101)

Under continuing law, when the Registrar imposes a driver's license suspension on a person for failure to have proof of financial responsibility, the Registrar is not required to hold a hearing on the suspension in advance of its imposition. However, a person adversely affected by the Registrar's order may request an administrative hearing regarding the suspension. The act extends from ten days to 15 days the time within which the person must request that hearing after issuance of the order. This change makes the timeline consistent with other instances in which a person may request an administrative hearing based on the Registrar's orders.

Uninsured driver report

(R.C. 4509.06 and 4509.07)

The act expands who may report a driver or owner of a motor vehicle involved in an accident to the BMV for failure to maintain proof of financial responsibility (i.e., auto insurance). Under continuing law, the driver of any motor vehicle that is involved in the accident may make a written report on the BMV's established form within six months of the accident alleging that

another driver or owner involved in that accident was uninsured at the time of the accident. The Registrar is then required to investigate and notify the subject driver and owner that the person must provide the requisite proof and show that it was effective on the accident date. If the driver or owner cannot supply the proof, the driver or owner will be subject to the related penalties for not having proof of financial responsibility.

The act expands the reporting option to allow any person who is in any manner involved in the accident, including a property owner or person sustaining bodily injury or property damage, to make the report. Thus, if an uninsured driver crashes into a building, rather than into another vehicle, the building owner or an injured passenger from the vehicle can report that driver to the BMV.

Motor vehicle sales

Retail installment contracts

(R.C. 1317.06)

The act authorizes an alternative schedule of installment payments for a retail installment contract that arises out of a consumer transaction (e.g., an auto loan). Under the original requirements, these retail installment contracts could only have an installment payment schedule wherein the payments were all substantially equal and consecutive. For example, a buyer who signed a $30,000 contract with monthly installment payments over the course of five years could expect to pay $500 each month for 60 consecutive months.

The act creates an alternative schedule in which the scheduled installment payments may vary, but an individual installment payment cannot be greater than 50% of any other installment payment. The alternative schedule creates more variability in payments; however, it also may shorten the length of a contract (since the slight increases in payments allow a buyer to pay off the total faster). The act also retains the original schedule option, thus, creating more payment options for consumers.

Both the schedule in continuing law and the act's new alternative schedule exempt from their requirements any retail installment contracts that contain a provision allowing the buyer to refinance the contract under terms no less favorable than those of the original contract.

Trailers

(R.C. 4517.01)

The act expressly excludes the sale of trailers from the Motor Vehicle Dealers Law (MVDL). As a result, a person does not need a motor vehicle dealer's license to sell, display, or otherwise conduct business with respect to trailers. However, the act specifies that fifth wheel trailers, park trailers, travel trailers, tent-type fold-out camping trailers, or semitrailers remain subject to the MVDL.

Warranty/recall compensation and indemnity for franchisees

(R.C. 4517.52, 4517.521, and 4517.60)

The act modifies the laws relating to warranty and recall compensation between motor vehicle franchisors and franchisees. Specifically, it requires a franchisor to compensate its franchisees for their time and the parts related to diagnostic work, updates to vehicle accessories or functions, and initialization or repair of vehicle parts, systems, accessories, or functions. Under continuing law, a franchisor must compensate a franchisee for the repair and servicing of the vehicle related to warranty and recall repairs. However, previously it was unclear whether the diagnostic work related to those repairs was included in that compensation. Diagnostic work includes any time spent by the franchisee's qualified technician communicating with the franchisor's technical assistance or external source in order to complete the warranty repair.

Related to this compensation, under law changed in part by the act, a franchisor may request that the franchisee supply additional documentation if the repair order is substantially higher or lower than the rate on record with the franchisor. The additional documentation is meant to support the franchisee's request in calculating the correct rate for compensation. The act lowers the time frame from 90 days to 60 days surrounding the date of repair from which the documentation must originate. Similarly, the act removes the option for a franchisor to object to the retail labor rate or retail parts markup percentage submitted by a franchisee on the grounds that the rate is substantially different from that of other similarly situated, same line-make new motor vehicle dealers in the vicinity.

The act also requires a franchisor to compensate a franchisee for a part or a component that is provided at a reduced cost, in addition to those provided at no cost, related to warranty and recall repairs. It additionally requires the franchisor to compensate a franchisee for the costs the franchisee incurs related to any rental vehicle provided to a customer, based on the franchisor's promise to provide a rental vehicle. The franchisor must provide that compensation regardless of whether the rental vehicle matches the line-make, size, or category of vehicle that was originally promised to the customer.

The act's modifications for warranty and recall repair compensation do not apply to recreational vehicle franchisors or franchisees.

Stop-sale/do-not-drive order repairs

In certain circumstances, a motor vehicle manufacturer issues a notification to its franchised motor vehicle dealers stating that specific used motor vehicles in inventory cannot be sold (either at retail or wholesale), leased, or driven because of a federal safety recall or a federal or state emissions recall. These notifications are called "stop-sale" or "do-not drive" orders. In these circumstances, the franchisees cannot sell any of the used vehicles in inventory until the recall repairs are made on the vehicles so that they are safe to be purchased and driven.

The act requires a franchisor to compensate a franchisee at least 1.25% of the average trade-in cost of a used motor vehicle that is the subject of a stop-sale or do-not-drive order when the parts and remedy required to make the necessary repairs take more than 30 days to be provided by the franchisor. To receive that compensation, the franchisee must be authorized to sell or perform those recall repairs on motor vehicles that are the same line-make as the motor

vehicle that is the subject of the stop-sale/do-not-drive order. The compensation must be paid per month (or prorated, if necessary) and begin starting on the 30th day after the recall notice and stop-sale/do-not-drive order was issued (if the remedy or repair parts have not been delivered to the franchisee). The compensation ends either when the remedy/repair parts are available to the franchisee or the day the franchisee sells, trades, or otherwise disposes of the subject motor vehicle (whichever occurs first). A franchisor is not required to compensate a franchisee for more than the total average trade-in value for the subject motor vehicle. Additionally, the franchisor may use a national recall compensation program to make the required payments to the franchisee.

The franchisor may determine the manner and methods by which a franchisee must demonstrate the inventory status of eligible motor vehicles, but it cannot be unduly burdensome. Additionally, the franchisor cannot attempt to recover its costs for such compensation through reductions in other required compensation or additional charges expected of the franchisees. Similarly, a franchisee cannot "double-dip" and if the franchisee is compensated for lost opportunities to sell a used vehicle through the act's program, the franchisee cannot combine that compensation with any other state or federal recall compensation remedy for vehicles subject to a stop-sale or do-not-drive order.

The act's required compensation program does not apply to any motor vehicles purchased by the franchisee after the date the recall notice or stop-sale/do-not-drive order was issued, to motor vehicles purchased outside the ordinary course of business, or to recreational vehicle franchisees/franchisors.

Indemnity

Additionally, the act indemnifies a franchisee when a franchisor designates certain motor vehicle features or equipment as optional.

Classic motor vehicle auction exemption

(Section 745.10)

The act creates a temporary exemption (until August 1, 2026) from the Motor Vehicle Sales Law's provisions relating to auctions for a person who auctions classic motor vehicles (i.e., vehicles more than 26 years old) and collector's motor vehicles (i.e. special interest vehicles worth at least $100 that are owned, operated, collected, preserved, restored, maintained, or used primarily as a collector's item, leisure pursuit, or investment, rather than as a primary means of transportation), provided the auction meets all the following parameters:

1. All the vehicles that will be auctioned are classic motor vehicles or collector's motor vehicles;

2. One or more of the vehicles will be auctioned on behalf of a 501(c)(3) nonprofit organization located in Ohio;

3. At least ¾ of the vehicles will be auctioned in the style of an absolute auction;

4. The auction only lasts up to three days;

5. The auction will be held at an exposition center in Columbus;

6. The person will only hold one auction with the act's exemption; and

7. The person requests and receives permission for the auction from the Registrar.

At least 30 days prior to the proposed date of the auction, the auction host must file an application for approval from the Registrar. The application must include the person's name and business address, the location of the auction, evidence showing that the person does not exclusively sell motor vehicles, and any other necessary, reasonable, and relevant information required by the Registrar. The applicant must sign and swear to the veracity of the information contained in the application.

Related to the auction, the host must: (a) ensure that any classic or collector's motor vehicle auctioned has a valid certificate of title, (b) keep records of the classic motor vehicles auctions (e.g., year, make, model, VIN, name and address of the seller and purchaser, purchase price, odometer reading, etc.), and (c) allow for reasonable inspections of the records by the Registrar. Additionally, the host must use the auction services of an auction firm to conduct the auction and cannot use a nonresident individual who has been granted a one-auction license by the Department of Agriculture to conduct it. The act's auction provisions are not meant to modify or conflict with any of the Ohio Auctioneer Law requirements. The Registrar may refuse permission for a classic/collector's motor vehicle auction with the act's exemptions if the auction host fails to comply with any of the parameters or makes a false statement of material fact in the application.

Emergency service provider "retired" designation

(R.C. 4765.11 and 4765.55)

The act requires the State Board of Emergency Medical, Fire, and Transportation Services to adopt rules establishing procedures by which any of the following individuals may request the individual's employer to instruct the Board to designate the individual as "retired" in the Board's records when the individual retires:

- A first responder;
- An emergency medical technician (EMT)-basic;
- An EMT-intermediate; or
- An EMT-paramedic.

The act also requires the Executive Director of Emergency Medical, Fire, and Transportation Services to adopt similar rules regarding firefighters and fire safety inspectors. Under continuing law, the Director must seek the advice and counsel of the Firefighter and Fire Safety Inspector Training Committee of the Board when adopting rules that apply to firefighters and fire inspectors.

Nuclear power plant security

(R.C. 4749.01)

The act excludes security personnel and contractors for a security organization under a federally approved physical protection program at a commercial nuclear power plant from the

requirement to have an Ohio license to engage in the business of security services, while performing duties related to protecting the plant and nuclear material from threats, thefts, and sabotage.

The U.S. Nuclear Regulatory Commission approves physical protection programs at commercial nuclear power plants as a condition of licensure to operate under federal law.[133]

Emergency management assistance compact immunity

(R.C. 5502.30)

The act applies the immunity provisions related to the Emergency Management Assistance Compact, which previously applied only to employees of a political subdivision rendering aid in another state, to any person deployed to render aid in another state by an emergency management agency, including:

- A full-time or part-time employee of a nonprofit organization; or
- A paid or unpaid volunteer or health care worker of a for-profit or nonprofit organization.

In addition to the provisions above, the Emergency Management Assistance Compact, to which Ohio is a member state, includes a specific immunity provision. It states that officers or employees of a member state rendering aid in another state pursuant to the Compact are considered agents of the requesting state for tort liability and immunity purposes and generally are not liable for good faith actions taken when rendering aid.[134]

OSHP jurisdiction

(R.C. 5503.02)

The act expands the jurisdiction of the OSHP to arrest any person who threatens the security of state property when OSHP is providing security for the Governor, Ohio government officials, other state government officials, U.S. federal government officials, foreign government officials, visiting dignitaries or officials, Capital Square, the Vern Riffe Center, the James A. Rhodes State Office Tower, and other state property. Under continuing law, OSHP has such jurisdiction with respect to protecting any other person, but under prior law did not have it for protecting state property. This arrest authority is concurrent with any local law enforcement officer with jurisdiction at the respective location of the incident.

[133] 10 C.F.R. Part 73.

[134] R.C. 5502.40, not in the act.