



- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



Bureau of Motor Vehicles
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July 7, 2014

Dear Stakeholder,

You are invited to offer public comment as outlined in this notice regarding proposed changes to Chapter 4501:1-3 (Motor Vehicle Dealers and Salespersons), of the Ohio Administrative Code (OAC).

You are receiving this message pursuant to the requirements of Executive Order 2011-011K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the Ohio Department of Public Safety, Bureau of Motor Vehicles (BMV), to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community (as defined by Senate Bill 2), and provide opportunity for interested parties to submit feedback regarding proposed rules.

Rules 4501:1-3-04 (Dealer required to maintain records), 4501:1-3-08 (Place of business required for used motor vehicle dealers), 4501:1-3-11 (Dealer required to maintain net worth), 4501:1-3-32 (Place of business required for a motor vehicle leasing dealers), and 4501:1-3-33 (Place of business required for motor vehicle auction owner) are being proposed in response to a completed five-year rule review pursuant to section 119.032 of the Revised Code.

Rule 4501:1-3-11 requires a dealer to maintain a net worth in the sum of at least seventy five thousand (\$75,000) dollars in order to be issued a motor vehicle dealer's license. This rule is proposed for amendment to more clearly define assets and liabilities.

All remaining rules in this package are being simultaneously rescinded and proposed as new rules under their same rule numbers due to complete reorganization of content.

Rule 4501:1-3-04 requires dealers to maintain all records for vehicles that have been purchased, leased or sold, require purchase agreements to include the vehicle serial number and the business name and address as listed on the dealer permit, and the retention of all electronic records for electronic motor vehicle dealers. Changes to the new rule reorganized the content for easier reading, increased the record retention requirement from three to five years, and requires purchase agreements to include the dealer's business name and address as listed on the dealer's permit.

Rule 4501:1-3-08 sets forth the business and facility requirements for a used motor vehicle dealer's place of business. Changes to this new rule reorganized the content for easier reading, removed the restriction that business telephone service be limited to landlines, and expanded the Motor Vehicle Dealer Board's discretion to approve a previously licensed new motor vehicle dealer's for a used motor vehicle dealer's license in circumstances where there is unforeseen economic impact preventing the dealer's place of business from meeting all requirements set forth in this rule.

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

Rule 4501:1-3-32 sets forth the business and facility requirements for a motor vehicle leasing dealer's place of business. Changes to this new rule reorganized the content for easier reading, clarified that no separate office is required for leasing if the leasing motor vehicle dealer is located within a valid new motor vehicle, used motor vehicle, or renting motor vehicle dealership.

Rule 4501:1-3-33 sets forth the business and facility requirements for a motor vehicle auction owner's place of business. Changes to this new rule reorganized the content for easier reading and provides the option to conduct dealer and general public auctions simultaneously, with separate inventories and clearly identified authorized buyers.

The proposed rules and link to submit comments may be accessed electronically via BMV's small business regulatory website at http://publicsafety.ohio.gov/bmv_rules.stm.

All interested parties are invited to offer public comment at BMV-DLR.rules@dps.state.oh.us regarding the proposed changes. Public comments may be submitted through 11:59 p.m. on July 21, 2014.

Please copy the Common Sense Initiative Office, which governs the state's regulatory process, at CSIPublicComments@governor.ohio.gov on all public comments that you submit.

Sincerely,