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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 342
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Sens. Schuring and Lang

Larry Gunter, Jr., Research Analyst

SUMMARY

- Specifies that a motor vehicle dealer is not liable for any representations, errors, omissions, or inaccuracies contained in a third-party motor vehicle history report when providing the report to a purchaser or potential purchaser.

DETAILED ANALYSIS

Third-party vehicle history reports: immunity

The bill specifies that a motor vehicle dealer is not liable for any representations, errors, omissions, or inaccuracies contained in a third-party motor vehicle history report (e.g., [Carfax report](#)) when providing the report to a purchaser, lessee, or potential purchaser or lessee. A motor vehicle dealer, which includes the dealer's agents and employees, can be held liable for the contents of the report if the report is based on information the dealer provided directly to the report's preparer.¹

Under the bill, a third-party motor vehicle history report is any formal or informal report prepared by a person other than a motor vehicle dealer that relates to one or more of the following:

- A motor vehicle's current ownership or a motor vehicle's certificate of title transfer history;
- A brand on a motor vehicle's certificate of title;
- A lien on a motor vehicle;
- A motor vehicle's service, maintenance, or repair history;

¹ R.C. 4517.262(B).

- A motor vehicle's condition;
- A motor vehicle's accident or collision history; and
- A motor vehicle's mileage.²

Current law, unchanged by the bill, requires a person who is selling a motor vehicle to execute a contract with the buyer that contains a written description of the motor vehicle, the vehicle identification number, and the mileage on the motor vehicle's odometer and a statement declaring the odometer's accuracy.³

HISTORY

Action	Date
Introduced	05-24-22

ANSB0342IN-134/ec

² R.C. 4517.262(A).

³ R.C. 4517.26(A), not in the bill.