

4501:1-1-40

Next of kin database.

- (A) The registrar of motor vehicles shall establish within the bureau of motor vehicles a database of the next of kin of persons who hold an Ohio driver's license, commercial driver's license, temporary instruction permit identification card (TIPIC), motorcycle operator's license, or endorsement, motorized bicycle ~~operator's~~ operator's license, or state identification card. Information in the database shall be accessible only to employees of the bureau of motor vehicles and to criminal justice agencies and is not a public record for purposes of section 149.43 of the Revised Code. The database shall be known as the Ohio next of kin database.
- (B) ~~An~~ When an individual holding a valid Ohio ~~submits an application to the registrar of motor vehicles or a deputy registrar for a driver's license, commercial driver's license, TIPIC, motorcycle operator's license, or endorsement, motorized bicycle operator's~~ operator's license, or state identification card, or renewal of any of them, the individual shall be afforded the opportunity to ~~furnished with an application for entry in the Ohio next of kin database on which the individual may list the name, address, telephone number, and relationship to the individual of at least one contact person whom the individual wishes to be~~ contacted ~~notified~~ if the individual is involved in a motor vehicle accident or emergency situation and the individual dies or is seriously injured or rendered unconscious and is unable to communicate with the contact person. The contact person may or may not be the next of kin of the applicant individual, except that if the applicant individual is under eighteen years of age and is not emancipated, the contact person shall include the parent, guardian, or custodian of the applicant individual.
- (C) ~~Application for entry in, or changes to, listing next of kin on the Ohio next of kin database shall be made electronically on the bureau of motor vehicles website at <http://bmv.ohio.gov/> or in person at any by written application on blanks furnished by the registrar at all bureau offices~~ office ~~and or deputy registrar agencies~~ agency, ~~who shall accept the application from the individual without payment of any fee. The applicant may list the names and contact information for no more than two contact persons. Changes to the Ohio next of kin database shall be made electronically on the bureau of motor vehicles website or by written application on blanks furnished by the registrar. The bureau will not enter or change any information except upon electronic or written application of the person~~ individual ~~himself or herself. The registrar may prescribe security requirements to protect against unauthorized entry of, access to, or changes to the next of kin and contact person~~ person ~~information.~~
- (D) The registrar shall prescribe which information is mandatory and which information is optional for entry into the Ohio next of kin database. The form shall contain the option to add, remove, or change next of kin information; the individual's name, address, and Ohio driver license or identification card number; and the emergency contact's name, address, telephone number, and relationship to the individual. The

individual may list the names and contact information for no more than two contact persons.

- (E) By submitting the application for entry in the Ohio next of kin database, the ~~applicant~~individual consents to the use of the information in accordance with section 4501.81 of the Revised Code and this rule.
- (F) The registrar shall establish and maintain the Ohio next of kin database in a manner that provides the information to criminal justice agencies twenty-four hours a day and seven days a week except in cases of computer malfunction or other emergency circumstances.
- (G) In the event of a motor vehicle accident or emergency situation in which an ~~person~~individual dies or is seriously injured or rendered unconscious, and is unable to communicate with the contact person specified in the database, an employee of a criminal justice agency shall make a good faith effort to notify the contact person of the situation, ~~but neither~~ However, no liability shall be incurred if the bureau of motor vehicles, ~~nor the employee, nor~~ the criminal justice agency ~~that employs that employee incurs any liability if the employee is not able~~ is unable to make notify ~~the contact with the~~ contact person.

Effective: 02/10/2012

R.C. 119.032 review dates: 08/24/2013

CERTIFIED ELECTRONICALLY

Certification

01/30/2012

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 4501.81
Rule Amplifies: R.C. 4501.81
Prior Effective Dates: 8/24/08, 3/21/11