



Ohio Administrative Code

Rule 4501-45-03 Licensing requirements for manufacturers of ignition interlock devices.

Effective: May 1, 2024

(A) A manufacturer of an ignition interlock device that intends to lease, sell, or otherwise use its ignition interlock device(s) in this state shall annually obtain first a license from the department, and then certification from the director for each ignition interlock device model or type that differ in any aspect.

(B) A manufacturer of an ignition interlock device may not be eligible for a license if any of the manufacturer's owner(s), officers, partners, agents, employees, contractors, or installers is an employee, or immediate family member of an employee, of the department or the department of health.

(C) A manufacturer of an ignition interlock device shall not be eligible for licensing if the manufacturer, including, but not limited to the agents, employees, contractors, or installer(s), who work in Ohio, has plead guilty to, or been convicted of, any disqualifying offense in paragraphs (C)(10)(a) to (C)(10)(d) of rule 4501-45-05 of the Administrative Code.

A manufacturer of an ignition interlock device may not be eligible for licensing if the manufacturer, including, but not limited to, the agents, employees, contractors, or installer(s), who work in Ohio, has plead guilty to, or been convicted of, any disqualifying offense in paragraphs (C)(10)(e) to (C)(10)(t) of rule 4501-45-05 of the Administrative Code.

(D) A manufacturer shall submit an "Ignition Interlock Manufacturer Application for Licensing" for first-time and renewal of an ignition interlock device. Beginning January 1, 2024, renewal applications shall be submitted to the department between October first and December thirtieth each year.

(1) A manufacturer of an ignition interlock device shall file with the department a complete, original or renewal application for licensing, together with all documents required by the application, and the rules of this chapter.



(2) At the time a manufacturer of an ignition interlock device files its original or renewal application for licensing with the department, and all required documents, the manufacturer shall pay a licensing fee of one hundred dollars, in the form of a check or money order, payable to the treasurer of the state of Ohio. The licensing fee is non-refundable.

(3) The department has the authority to request a computerized criminal history for any person identified in the manufacturer's application for licensing or any person identified in any documents filed with the application. The manufacturer pays all costs for the computerized criminal history.

(E) The department shall notify a manufacturer of an ignition interlock device, whether a license is granted or denied.

(1) If a license is granted, a manufacturer of an ignition interlock device will receive a license from the department on a format prescribed by the director. Beginning January 1, 2024, all licenses shall be renewed between October first and December thirtieth of each year. The license expires on December thirty-first of each year, unless the license is suspended or revoked pursuant to rule 4501-45-05 of the Administrative Code prior to the expiration date stated on the license.

(2) A licensed manufacturer is immediately eligible to apply for certification, pursuant to rule 4501-45-04 of the Administrative Code, for each ignition interlock device model or type that differ in any aspect, and which is intended for lease, sale, or any other use in this state.

(3) When the department issues a license to a manufacturer of an ignition interlock device, the department shall add the manufacturer's name, business address, and contact information to the department's list of licensed manufacturers of ignition interlock devices and certified devices published on the department's website.

(F) The department shall deny a license to a manufacturer of an ignition interlock device for any reason(s) set forth in rule 4501-45-05 of the Administrative Code, or the rules of this chapter. If a license is denied, a manufacturer shall receive a written notice from the department stating the reason(s) the license was denied.



A manufacturer whose license application is denied by the department may appeal the department's denial of a license pursuant to rule 4501-45-06 of the Administrative Code.

(G) A manufacturer of an ignition interlock device that is issued a license by the department shall file "Ignition Interlock Licensing, Certification, and Annual Report Payment Processing" (OTS 0028), and pay an annual report fee, not later than thirty days after the date the manufacturer's license expires.

(1) The "Ignition Interlock Licensing, Certification, and Annual Report Payment Processing" shall state the amount of net profit a licensed manufacturer earned for each certified ignition interlock device model or type from the sales of its certified devices to purchasers in this state during the one-year period its license was in effect. A licensed manufacturer shall pay to the department an annual report fee equal to five per cent of the net profit stated in the "Ignition Interlock Licensing, Certification, and Annual Report Payment Processing" by check or money order and made payable to the treasurer of the state of Ohio.

(2) A manufacturer files its annual report with the department by electronic mail, facsimile, or certified mail, return receipt, postmarked no later than thirty days after the date the manufacturer's license expires.

(3) If a licensed manufacturer of an ignition interlock device fails to timely file the "Ignition Interlock Licensing, Certification, and Annual Report Payment Processing" with the department, timely pay the total annual report fee due to the department, and/or files with the department an annual report containing incorrect or erroneous information, the director shall immediately remove the manufacturer's name, business address, contact information, and certified ignition interlock device(s) from the department's list of licensed manufacturers of ignition interlock devices and certified devices published on the department's website as listed in paragraph (E) of rule 4501-45-11 of the Administrative Code.

A manufacturer of an ignition interlock device shall be ineligible for a renewal application for licensing until the manufacturer fully complies with all requirements set forth in this rule.

(H) A manufacturer shall notify the department in writing if a device certified for use in Ohio is or



has been suspended, revoked, de-certified, or denied in another state, whether such action occurred before or after approval in Ohio or if and when an appeal to the action(s) was made and the outcome of the appeal. A manufacturer shall notify the department, in writing, if its business has been suspended, revoked, or de-certified in another state, and whether such action occurred on or before approval in Ohio or if and when an appeal to the action(s) were made and the outcome of the appeal. This notification shall be made in a timely manner not to exceed thirty days after the manufacturer has received notice of suspension, revocation, or denial of certification of the device, whether or not the action is or has been appealed. Failure to notify the department may result in suspension, revocation, or denial of certification of the device in Ohio.

(I) Should a manufacturer change its legal business name, be acquired by another manufacturer, or merge with another manufacturer, the manufacturer shall notify the department within thirty days of such transaction.

(J) A licensed manufacturer of an ignition interlock device shall maintain complete and accurate records for business conducted in the state of Ohio including:

- (1) Testing certifications, protocols, results, and manuals for each device certified pursuant to rule 4501-45-04 of the Administrative Code,
- (2) Certificate of product liability insurance, financial statements, and records for all certified devices sold, leased, or otherwise used in Ohio,
- (3) Legal action pertaining to the licensed manufacturer.

(K) Records retained under this section shall be made available to the department within fifteen days of a written request by the department.

(L) Records shall be maintained for a period of not less than five years after the license expiration date and be made available to the department upon request.