

OPINION NO. 78-011**Syllabus:**

If a person whose driver's license has been suspended pursuant to R.C. 4507.40 fails to provide proof of financial responsibility as required by R.C. 4507.41, such person is not entitled to have a motor vehicle registered in his name.

To: Dean L. Dollison, Bureau of Motor Vehicles, Columbus, Ohio
By: William J. Brown, Attorney General, April 11, 1978

I have before me your request for my opinion as to whether R.C. 4509.44 is applicable where a person whose driver's license has been suspended pursuant to R.C. 4507.40 fails to provide proof of financial responsibility as required by R.C. 4507.41.

R.C. 4507.40 establishes a system of points assessed against an individual driver according to the nature of the traffic offense that he has committed. R.C. 4507.40 (K) indicates that if a person has charged against him a total of not less than twelve points within a period of two years from the date of the first conviction, that person's license shall be suspended for six months. R.C. 4507.41 requires any person whose license has been suspended and who is seeking the return of said license, to demonstrate to the satisfaction of the registrar that he is a qualified driver, and to give and maintain proof of financial responsibility. R.C. 4509.45 describes the evidence that shall constitute sufficient proof of financial responsibility in order to satisfy the requirements of R.C. 4507.41. Moreover, R.C. 4509.44 states that "[n]o motor vehicle shall be or continue to be registered in the name of any such person required to file proof of financial responsibility unless such proof is furnished and maintained in accordance with §4509.45 of the Revised Code." Due to the absence of any qualifying language in R.C. 4509.44 limiting its application to specific incidents where proof of financial responsibility is required, I must conclude that R.C. 4509.44 applies to all situations in which proof of financial responsibility is required.

Thus, in specific answer to your question, it is my opinion and you are so advised that if a person whose driver's license has been suspended pursuant to R.C. 4507.40 fails to provide proof of financial responsibility as required by R.C. 4507.41, such person is not entitled to have a motor vehicle registered in his name.