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SENATORS Amstutz, Jacobson, Harris, Mallory, Prentiss, Spada, Oelslager,
Johnson, Fingerhut, Hagan, Furney, Espy, Armbruster

A B I L L

To amend sections 325.33, 1548.01, 1548.02, 1548.03, 1
1548.06, 1548.07, 1548.08, 1548.09, 1548.11, 2
1548.12, 1548.13, 1548.16, 1548.17, 1548.18, 3
1548.19, 1548.20, 4501.01, 4503.03, 4503.10, 4
4503.182, 4505.03, 4505.04, 4505.06, 4505.08, 5
4505.09, 4505.10, 4505.102, 4505.11, 4505.12, 6
4505.13, 4505.18, 4505.181, 4505.19, 4505.20, 7
4519.01, 4519.03, 4519.51, 4519.52, 4519.53, 8
4519.55, 4519.56, 4519.57, 4519.58, 4519.59, 9
4519.60, 4519.61, 4519.62, 4519.66, 4519.67, and 10
4519.68 and to enact sections 1548.021, 1548.141, 11
4503.034, 4505.021, 4505.032, 4505.141, 4505.25, 12
4519.511, 4519.512, 4519.521, and 4519.631 of the 13
Revised Code to make changes in the titling 14
processes for motor vehicles, watercraft, outboard 15
motors, off-highway motorcycles, and all-purpose 16
vehicles. 17

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 325.33, 1548.01, 1548.02, 1548.03, 18
1548.06, 1548.07, 1548.08, 1548.09, 1548.11, 1548.12, 1548.13, 19
1548.16, 1548.17, 1548.18, 1548.19, 1548.20, 4501.01, 4503.03, 20

4503.10, 4503.182, 4505.03, 4505.04, 4505.06, 4505.08, 4505.09, 21
4505.10, 4505.102, 4505.11, 4505.12, 4505.13, 4505.18, 4505.181, 22
4505.19, 4505.20, 4519.01, 4519.03, 4519.51, 4519.52, 4519.53, 23
4519.55, 4519.56, 4519.57, 4519.58, 4519.59, 4519.60, 4519.61, 24
4519.62, 4519.66, 4519.67, and 4519.68 be amended and sections 25
1548.021, 1548.141, 4503.034, 4505.021, 4505.032, 4505.141, 26
4505.25, 4519.511, 4519.512, 4519.521, and 4519.631 of the Revised 27
Code be enacted to read as follows: 28

Sec. 325.33. Notwithstanding sections 325.27 and 325.31 of 29
the Revised Code, all fees retained by the clerk of courts under 30
Chapters 1548., 4505., and 4519. of the Revised Code shall be paid 31
into the county treasury to the credit of the certificate of title 32
administration fund, which is hereby created. Except as otherwise 33
provided in this section, fees credited to the fund shall be used 34
only to pay the costs incurred by the clerk of courts in 35
processing titles under ~~Chapters 1548., 4505., and 4519. of the~~ 36
~~Revised Code~~ those chapters and in performing the duties of a 37
deputy registrar if the clerk of courts is appointed a deputy 38
registrar under section 4503.03 of the Revised Code. However, if 39
the board of county commissioners and the clerk of courts agree 40
that the money in the fund exceeds what is needed to pay ~~such~~ 41
those costs, the excess may be transferred to the county general 42
fund and used for other county purposes. If the board of county 43
commissioners and the clerk of courts are unable to agree on the 44
amount of any such excess, the county budget commission shall 45
determine the amount that will be transferred to the county 46
general fund. 47

Sec. 1548.01. (A) As used in this chapter, "electronic" and 48
"watercraft" ~~has~~ have the same ~~meaning~~ meanings as in section 49
1547.01 of the Revised Code. 50

(B) This chapter does not apply to any of the following: 51

(1) A watercraft covered by a marine document in effect that 52
has been assigned to it by the United States government pursuant 53
to federal law; 54

(2) A watercraft from a country other than the United States 55
temporarily using the waters in this state; 56

(3) A watercraft whose owner is the United States, a state, 57
or a political subdivision ~~thereof~~ of a state; 58

(4) A ship's lifeboat. As used in division (B)(4) of this 59
section, "lifeboat" means a watercraft that is held aboard another 60
vessel and used exclusively for emergency purposes. 61

(5) A canoe; 62

(6) A watercraft less than fourteen feet in length without a 63
permanently affixed mechanical means of propulsion; 64

(7) A watercraft less than fourteen feet in length with a 65
permanently fixed mechanical means of propulsion of less than ten 66
horsepower as determined by the manufacturer's rating; 67

(8) Outboard motors of less than ten horsepower as determined 68
by the manufacturer's rating. 69

(C) The various certificates, applications, and assignments 70
necessary to provide certificates of title for watercraft and 71
outboard motors shall be made on appropriate forms approved by the 72
chief of the division of watercraft. 73

Sec. 1548.02. The chief of the division of watercraft shall 74
adopt such rules as ~~he~~ the chief considers necessary to ensure 75
uniform and orderly operation of this chapter, and the clerks of 76
the courts of common pleas shall conform ~~thereto~~ to those rules. 77
The chief shall receive and file in ~~his~~ the chief's office all 78
information forwarded to ~~him~~ the chief by the clerks under this 79

chapter and shall maintain indexes covering the state at large for 80
that information. These indexes shall be for the state at large 81
and not for individual counties. 82

The chief shall check with ~~his~~ the chief's record all 83
duplicate certificates of title received in ~~his~~ the chief's office 84
from the clerks. ~~if~~ 85

If it appears that ~~a~~ any certificate of title has been 86
improperly issued, the chief shall cancel the certificate. Upon 87
the cancellation of any certificate of title, the chief shall 88
notify the clerk who issued it, and the clerk shall enter the 89
cancellation in ~~his~~ the clerk's records. The chief also shall 90
notify the person to whom the certificate of title was issued, as 91
well as any lienholders appearing ~~thereon~~ on it, of the 92
cancellation and, if it is a physical certificate of title, shall 93
demand the surrender of the certificate of title, but the 94
cancellation shall not affect the validity of any lien noted 95
~~thereon~~ on it. The holder of ~~the~~ a physical certificate of title 96
shall return it to the chief immediately. ~~The~~ 97

The clerks shall keep on hand a sufficient supply of blank 98
forms that, except certificate of title and memorandum certificate 99
forms, shall be furnished and distributed without charge to 100
registered manufacturers or dealers or to other persons residing 101
within the county. The clerks shall provide the certificates of 102
title, the ribbons for data processing, and removable backup media 103
from moneys provided to the clerks from the automated title 104
processing fund in accordance with division (B)(3)(b) of section 105
4505.09 of the Revised Code. The clerks shall furnish all other 106
supplies from other moneys available to the clerks. 107

Sec. 1548.021. The owner of a watercraft or outboard motor 109
shall apply for a certificate of title for the watercraft or 110

outboard motor when required by this chapter, but, except as 111
otherwise specifically required in this chapter, the owner may 112
elect whether or not to have the clerk of the court of common 113
pleas to whom the certificate of title application is submitted 114
issue a physical certificate of title for the watercraft or 115
outboard motor, as provided in section 1548.09 of the Revised 116
Code. 117

Except as otherwise specifically provided in this chapter, 118
any provision of this chapter relating to the cancellation, 119
issuance, or surrender of a certificate of title, including, but 120
not limited to, provisions that contain a phrase such as "when a 121
certificate of title is issued," "the clerk shall issue a 122
certificate of title," or "the person shall obtain a certificate 123
of title to the watercraft or outboard motor," or another phrase 124
of similar import, shall include those circumstances when a clerk 125
enters certificate of title information into the automated title 126
processing system, but does not take any further action relating 127
to a physical certificate of title for the watercraft or outboard 128
motor. 129

Sec. 1548.03. No person, except as provided in section 130
1548.05 of the Revised Code, shall sell or otherwise dispose of a 131
watercraft or outboard motor without delivering to the purchaser 132
or transferee thereof a physical certificate of title with such an 133
assignment ~~thereon~~ on it as is necessary to show title in the 134
purchaser or transferee; nor shall any person purchase or 135
otherwise acquire a watercraft or outboard motor without obtaining 136
a certificate of title for it in ~~his~~ the person's name in 137
accordance with ~~Chapter 1548. of the Revised Code~~ this chapter; 138
however, a purchaser may take possession of and operate a 139
watercraft or outboard motor on the waters in this state without a 140
certificate of title for a period not exceeding thirty days if ~~he~~ 141

the purchaser has been issued and has in ~~his~~ the purchaser's 142
possession a dealer's dated bill of sale, or, in the case of a 143
casual sale, a notarized bill of sale. 144
145

Sec. 1548.06. Application for a certificate of title for a 146
watercraft or outboard motor shall be made upon a form prescribed 147
by the chief of the division of watercraft ~~and shall be sworn to~~ 148
~~before a notary public or other officer empowered to administer~~ 149
~~oaths.~~ The application shall be filed with the clerk of the any 150
court of common pleas ~~of the county in which the applicant resides~~ 151
~~if the applicant is a resident of this state or, if not a~~ 152
~~resident, in the county in which the transaction is consummated.~~ 153
An application for a certificate of title may be filed 154
electronically by any electronic means approved by the chief in 155
any county with the clerk of the court of common pleas of that 156
county. The application shall be accompanied by the fee prescribed 157
in section 1548.10 of the Revised Code, ~~and if.~~ The fee shall be 158
retained by the clerk who issues the certificate of title and 159
shall be distributed in accordance with that section. If a clerk 160
of a court of common pleas, other than the clerk of the court of 161
common pleas of an applicant's county of residence, issues a 162
certificate of title to the applicant, the clerk shall transmit 163
data related to the transaction to the database of the automated 164
data processing system in the office of the clerk of the court of 165
common pleas of the applicant's county of residence. 166

If a certificate of title previously has been issued for the 167
watercraft or outboard motor, ~~it~~ the application for a certificate 168
of title also shall be accompanied by the certificate of title 169
duly assigned unless otherwise provided in this chapter. If a 170
certificate of title previously has not been issued for the 171
watercraft or outboard motor in this state, the application, 172
unless otherwise provided in this chapter, shall be accompanied by 173

a manufacturer's or importer's certificate; by a sworn statement
of ownership if the watercraft or outboard motor was purchased by
the applicant on or before October 9, 1963, or if the watercraft
is less than fourteen feet long with a permanently affixed
mechanical means of propulsion and was purchased by the applicant
on or before January 1, 2000; or by a certificate of title, bill
of sale, or other evidence of ownership required by the law of
another state from which the watercraft or outboard motor was
brought into this state. Evidence of ownership of a watercraft or
outboard motor for which an Ohio certificate of title previously
has not been issued and which watercraft or outboard motor does
not have permanently affixed ~~thereto~~ to it a manufacturer's serial
number shall be accompanied by the certificate of assignment of a
hull identification number assigned by the chief as provided in
section 1548.07 of the Revised Code.

The clerk shall retain the evidence of title presented by the
applicant and on which the certificate of title is issued. ~~The,~~
except that, if an application for a certificate of title is filed
electronically, by a vendor on behalf of a purchaser of a
watercraft or outboard motor, the clerk shall retain the completed
electronic record to which the vendor converted the certificate of
title application and other required documents. The vendor shall
forward the actual application and all other documents relating to
the sale of the watercraft or outboard motor to any clerk within
thirty days after the certificate of title is issued. The chief,
after consultation with the attorney general, shall adopt rules
that govern the location at which, and the manner in which, are
stored the actual application and all other documents relating to
the sale of a watercraft or outboard motor when a vendor files the
application for a certificate of title electronically on behalf of
a purchaser.

The clerk shall use reasonable diligence in ascertaining 206
whether the facts in the application are true by checking the 207
application and documents accompanying it or the electronic record 208
to which a vendor converted the application and accompanying 209
documents with the records of watercraft and outboard motors in 210
the clerk's office. If the clerk is satisfied that the applicant 211
is the owner of the watercraft or outboard motor and that the 212
application is in the proper form, the clerk shall issue a 213
physical certificate of title over the clerk's signature and 214
sealed with the clerk's seal unless the applicant specifically 215
requests the clerk not to issue a physical certificate of title 216
and instead to issue an electronic certificate of title. However, 217
if the evidence indicates and an investigation shows that one or 218
more Ohio titles already exist for the watercraft or outboard 219
motor, the chief may cause the redundant title or titles to be 220
canceled. 221

In the case of the sale of a watercraft or outboard motor by 222
a vendor to a general purchaser or user, the certificate of title 223
shall be obtained in the name of the purchaser by the vendor upon 224
application signed by the purchaser. In all other cases, the 225
certificate shall be obtained by the purchaser. In all cases of 226
transfer of watercraft or outboard motors, the application for 227
certificate of title shall be filed within thirty days after the 228
later of the date of purchase or assignment of ownership of the 229
watercraft or outboard motor. If the application for certificate 230
of title is not filed within thirty days after the later of the 231
date of purchase or assignment of ownership of the watercraft or 232
outboard motor, the clerk shall charge a late penalty fee of five 233
dollars in addition to the fee prescribed by section 1548.10 of 234
the Revised Code. The clerk shall retain the entire amount of each 235
late penalty fee. 236

The clerk shall refuse to accept an application for 237

certificate of title unless the applicant either tenders with the
application payment of all taxes levied by or pursuant to Chapter
5739. or 5741. of the Revised Code based on the applicant's county
of residence less, in the case of a sale by a vendor, any discount
to which the vendor is entitled under section 5739.12 of the
Revised Code, or submits any of the following:

(A) A receipt issued by the tax commissioner or a clerk of
courts showing payment of the tax;

(B) A copy of the unit certificate of exemption completed by
the purchaser at the time of sale as provided in section 5739.03
of the Revised Code;

(C) An exemption certificate, in a form prescribed by the tax
commissioner, that specifies why the purchase is not subject to
the tax imposed by Chapter 5739. or 5741. of the Revised Code.

Payment of the tax shall be in accordance with rules issued
by the tax commissioner, and the clerk shall issue a receipt in
the form prescribed by the tax commissioner to any applicant who
tenders payment of the tax with the application for ~~registration~~
the certificate of title.

For receiving and disbursing the taxes paid to the clerk by a
resident of the clerk's county, the clerk may retain a poundage
fee of one and one one-hundredth per cent of the taxes collected,
which shall be paid into the ~~general fund of the county~~
certificate of title administration fund created by section 325.33
of the Revised Code. In The clerk shall not retain a poundage fee
from payments of taxes by persons who do not reside in the clerk's
county.

A clerk, however, may retain from the taxes paid to the clerk
an amount equal to the poundage fees associated with certificates
of title issued by other clerks of courts of common pleas to
applicants who reside in the first clerk's county. The chief of

the division of watercraft, in consultation with the tax
commissioner and the clerks of the courts of common pleas, shall
develop a report from the automated title processing system that
informs each clerk of the amount of the poundage fees that the
clerk is permitted to retain from those taxes because of
certificates of title issued by the clerks of other counties to
applicants who reside in the first clerk's county.

In the case of casual sales of watercraft or outboard motors
that are subject to the tax imposed by Chapter 5739. or 5741. of
the Revised Code, the purchase price for the purpose of
determining the tax shall be the purchase price on an affidavit
executed and filed with the clerk by the vendor on a form to be
prescribed by the chief, which shall be prima-facie evidence of
the price for the determination of the tax. In addition to the
information required by section 1548.08 of the Revised Code, each
certificate of title shall contain in bold lettering the following
notification and statements: "WARNING TO TRANSFEROR AND TRANSFEREE
(SELLER AND BUYER). You are required by law to state the true
selling price. A false statement is a violation of section 2921.13
of the Revised Code and is punishable by six months imprisonment
or a fine of up to one thousand dollars, or both. All transfers
are audited by the department of taxation. The seller and buyer
must provide any information requested by the department of
taxation. The buyer may be assessed any additional tax found to be
due."

The clerk shall forward all payments of taxes, less poundage
fees, to the treasurer of state in a manner to be prescribed by
the tax commissioner and shall furnish ~~such~~ information to the
commissioner as the commissioner may require. For purposes of a
transfer of a certificate of title, if the clerk is satisfied that
a secured party has discharged a lien, but has not canceled the
lien notation with ~~the a clerk of the county of origin~~, the clerk

may cancel the lien notation on the automated title processing 301
system and notify the clerk of the county of origin. 302

Every clerk shall have the capability to transact by 303
electronic means all procedures and transactions relating to the 304
issuance of watercraft or outboard motor certificates of title 305
that are described in the Revised Code as being accomplished by 306
electronic means. 307

Sec. 1548.07. (A) An application for a certificate of title 308
shall be ~~sworn to before a notary public or other officer~~ 309
~~empowered to administer oaths by the lawful owner or purchaser of~~ 310
~~the watercraft or outboard motor and shall~~ contain the following 311
information in the form ~~and,~~ together with any other information, 312
that the chief of the division of watercraft may require: 313

(1) Name, address, and social security number or employer's 314
tax identification number of the applicant; 315

(2) Statement of how the watercraft or outboard motor was 316
acquired; 317

(3) Name and address of the previous owner; 318

(4) A statement of all liens, mortgages, or other 319
encumbrances on the watercraft or outboard motor, including a 320
description of the nature and amount of each lien, mortgage, or 321
encumbrance, and the name and address of each holder ~~thereof of~~ 322
each lien, mortgage, or encumbrance; 323

(5) If there are no outstanding liens, mortgages, or other 324
encumbrances, a statement of that fact; 325

(6) A description of the watercraft, including the make, 326
year, length, series or model, if any, body type, hull 327
identification number or ~~hull identification number~~ serial number, 328
and make, manufacturer's serial number, and horsepower of any 329
inboard motor or motors; or a description of the outboard motor, 330

including the make, year, series or model, if any, manufacturer's 331
serial number, and horsepower; 332

~~(G)~~(7) The purchase price, trade-in allowed, and amount of 333
sales or use tax paid under Chapter 5739. or 5741. of the Revised 334
Code. 335

(B) If the application is made by two persons regarding a 336
watercraft or outboard motor in which they wish to establish joint 337
ownership with right of survivorship, they may do so as provided 338
in section 2106.17 of the Revised Code. 339

(C) If the watercraft or outboard motor contains a permanent 340
identification number placed ~~thereon~~ on it by the manufacturer, 341
this number shall be used as the serial number or hull 342
identification number. If there is no manufacturer's 343
identification number, or if the manufacturer's identification 344
number has been removed or obliterated, the chief, upon receipt of 345
a prescribed application and proof of ownership, may assign an 346
identification number for the watercraft or outboard motor, and 347
this number shall be permanently affixed or imprinted by the 348
applicant, at the place and in the manner designated by the chief, 349
upon the watercraft or outboard motor for which it is assigned. 350
351

Sec. 1548.08. ~~The~~ When the clerk of ~~the~~ a court of common 352
pleas issues a physical certificate of title for a watercraft or 353
outboard motor, the clerk shall issue ~~certificates of title for~~ 354
~~watercraft and outboard motors~~ it over ~~his~~ the clerk's official 355
seal. ~~The~~ All physical certificates of title to watercraft or 356
outboard motors shall contain the information required in the 357
application for ~~the certificate of title, them~~ as prescribed by 358
section 1548.07 of the Revised Code, as well as spaces for the 359
dates of notation and cancellation of each lien, mortgage, or 360
encumbrance, over the signature of the clerk. If ~~the~~ any 361

certificate of title is issued for a watercraft or outboard motor 362
in which two persons are establishing joint ownership with right 363
of survivorship under section 2106.17 of the Revised Code, the 364
certificate, in addition to the information required by this 365
section, shall show that the two persons have established joint 366
ownership with right of survivorship in the watercraft or outboard 367
motor. ~~An~~ 368

~~An~~ assignment of certificate of title ~~before a notary public~~ 369
~~or other officer empowered to administer oaths~~ shall appear on the 370
reverse side of each physical certificate of title in the form to 371
be prescribed by the chief of the division of watercraft. ~~Such~~ The 372
assignment form shall include a warranty that the signer is the 373
owner of the watercraft or outboard motor and that there are no 374
mortgages, liens, or encumbrances on the watercraft or outboard 375
motor except as are noted on the face of the certificate of title. 376
377

Sec. 1548.09. ~~The~~ When the clerk of ~~the~~ a court of common 378
pleas issues a physical certificate of title, the clerk shall 379
issue ~~certificates~~ the certificate of title in duplicate. One copy 380
shall be retained and filed by the clerk in the clerk's office, 381
and the information contained in it shall be transmitted on the 382
day it is issued to the chief of the division of watercraft. The 383
clerk shall sign and affix the clerk's seal to the original 384
certificate of title and, if there are no liens on the watercraft 385
or outboard motor, shall deliver the certificate to the applicant. 386
If there are one or more liens on the watercraft or outboard 387
motor, the clerk shall deliver the certificate of title to the 388
holder of the first lien. 389

The chief shall approve a uniform method of numbering 390
certificates of title. The numbering shall be in such manner that 391
the county of issuance is indicated. Numbers shall be assigned to 392
certificates of title in the manner approved by the chief. The 393

clerk shall file all certificates of title according to policies
prescribed by the chief, and the clerk shall maintain in the
clerk's office indexes for the certificates of title.

The clerk need not retain on file any certificate of title,
duplicate certificate of title, or memorandum certificate of
title, or supporting evidence ~~thereof of them~~, covering any
watercraft or outboard motor for a period longer than seven years
after the date of its filing; thereafter, the certificate and
supporting information may be destroyed. The clerk shall issue a
duplicate title, when duly applied for, of any title that has been
destroyed as provided in this section.

The clerk shall issue a physical certificate of title to an
applicant unless the applicant specifically requests the clerk not
to issue a physical certificate of title and instead to issue an
electronic certificate of title. The fact that a physical
certificate of title is not issued for a watercraft or outboard
motor does not affect ownership of the watercraft or outboard
motor. In that case, when the clerk completes the process of
entering certificate of title application information into the
automated title processing system, the effect of the completion of
the process is the same as if the clerk actually issued a physical
certificate of title for the watercraft or outboard motor.

Sec. 1548.11. (A) In the event of the transfer of ownership
of a watercraft or outboard motor by operation of law, as upon
inheritance, devise, bequest, order in bankruptcy, insolvency,
replevin, or execution of sale, or whenever the engine of a
watercraft is replaced by another engine, or whenever a watercraft
or outboard motor is sold to satisfy storage or repair charges, or
repossession is had upon default in performance of the terms of a
security agreement as provided in ~~sections 1309.01 to 1309.50~~
Chapter 1309. of the Revised Code, ~~the a~~ clerk of ~~the a~~ court of

common pleas ~~of the county in which the last certificate of title~~ 426
~~to the watercraft or outboard motor was issued,~~ upon the surrender 427
of the prior certificate of title or the manufacturer's or 428
importer's certificate, or, when that is not possible, upon 429
presentation of satisfactory proof to the clerk of ownership and 430
rights of possession to the watercraft or outboard motor, and upon 431
payment of the fee prescribed in section 1548.10 of the Revised 432
Code and presentation of an application for certificate of title, 433
may issue to the applicant a certificate of title to the 434
watercraft or outboard motor. Only an affidavit by the person or 435
agent of the person to whom possession of the watercraft or 436
outboard motor has passed, setting forth the facts entitling the 437
person to possession and ownership, together with a copy of the 438
journal entry, court order, or instrument upon which the claim of 439
possession and ownership is founded, is satisfactory proof of 440
ownership and right of possession. If the applicant cannot produce 441
such proof of ownership, the applicant may apply directly to the 442
chief of the division of watercraft and submit such evidence as 443
the applicant has, and the chief, if the chief finds the evidence 444
sufficient, may authorize the clerk to issue a certificate of 445
title. If, from the records in the office of the clerk, there 446
appears to be any lien on the watercraft or outboard motor, the 447
certificate of title shall contain a statement of the lien unless 448
the application is accompanied by proper evidence of its 449
extinction. 450

(B) Upon the death of one of the persons who have established 452
joint ownership with right of survivorship under section 2106.17 453
of the Revised Code in a watercraft or outboard motor and the 454
presentation to the clerk of the title and the certificate of 455
death of the deceased person, the clerk shall enter into the 456
records the transfer of the watercraft or outboard motor to the 457
surviving person, and the title to the watercraft or outboard 458

motor immediately passes to the surviving person. The transfer
does not affect any liens on the watercraft or outboard motor.

(C) The clerk shall transfer a decedent's interest in one
watercraft, one outboard motor, or one of each to the decedent's
surviving spouse as provided in section 2106.19 of the Revised
Code.

Sec. 1548.12. Each owner of a watercraft or outboard motor
and each person mentioned as owner in the last certificate of
title, when ~~such~~ the watercraft or outboard motor is dismantled,
destroyed, or changed in such manner that it loses its character
as a watercraft or outboard motor, or changed in such manner that
it is not the watercraft or outboard motor described in the
certificate of title, shall surrender ~~his~~ the certificate of title
to ~~the~~ a clerk of ~~the~~ a court of common pleas ~~who issued it~~, and
~~thereupon~~ the clerk ~~shall~~, with the consent of any holders of any
liens noted ~~thereon~~ on the certificate of title, then shall enter
a cancellation upon ~~his~~ the clerk's records and shall notify the
chief of the division of watercraft of ~~such~~ the cancellation.

Upon the cancellation of a certificate of title in the manner
prescribed by this section, the clerk and the chief may cancel and
destroy all certificates and all memorandum certificates in that
chain of title.

Sec. 1548.13. In the event of a lost or destroyed certificate
of title, application shall be made to ~~the~~ a clerk of ~~the~~ a court
of common pleas ~~of the county where such certificate of title was~~
~~issued~~, by the owner of ~~such~~ the watercraft or outboard motor, or
the holder of a lien ~~thereon~~ on it, for a certified copy of ~~such~~
the certificate upon a form prescribed by the chief of the
division of watercraft and accompanied by the fee prescribed by

section 1548.10 of the Revised Code. ~~Such~~ The application shall be 490
signed ~~and sworn to~~ by the person making the ~~same~~. ~~Thereupon~~ 491
application, and the clerk shall issue a certified copy of ~~such~~ 492
the certificate of title to the person entitled to receive it 493
under ~~Chapter 1548. of the Revised Code~~ this chapter. ~~Such~~ The 494
certified copy shall be plainly marked across its face with the 495
word "duplicate," and any subsequent purchaser of ~~such~~ the 496
watercraft or outboard motor in the chain of title originating 497
through ~~such~~ the certified copy acquires only such rights in the 498
watercraft or outboard motor as the original holder of the 499
certified copy ~~himself~~ had. Any purchaser of ~~such~~ the watercraft 500
or outboard motor ~~may,~~ at the time of purchase, may require the 501
seller ~~of the same~~ to indemnify ~~him~~ the purchaser and all 502
subsequent purchasers of ~~such~~ the watercraft or outboard motor 503
against any loss ~~which he~~ that the purchaser or ~~they~~ any 504
subsequent purchaser may suffer by reason of any claim presented 505
upon the original certificate. In the event of the recovery of the 506
original certificate of title by ~~said~~ the owner, ~~he~~ the owner 507
shall ~~forthwith~~ surrender ~~same~~ it immediately to the clerk for 508
cancellation. 509

The holder of a certificate of title for a watercraft or 510
outboard motor upon which is noted an existing lien, encumbrance, 511
or mortgage, may apply at any time ~~make application to the~~ a clerk 512
~~who issued the certificate of title for a memorandum certificate,~~ 513
~~which form shall be made in the~~ on a form prescribed by the chief 514
~~and that is~~ signed ~~and sworn to~~ by the applicant. Upon receipt of 515
~~such~~ the application, ~~if it appears to be regular,~~ together with 516
the fee prescribed by section 1548.10 of the Revised Code, and if 517
the application appears to be regular, the clerk shall issue to 518
~~such~~ the applicant a memorandum certificate for the watercraft or 519
outboard motor. ~~In the event such~~ If the memorandum certificate is 520
lost or destroyed, the holder ~~thereof~~ of it may obtain a certified 521
copy of ~~the same~~ it by applying for the copy on a form prescribed 522

by the chief ~~and~~, accompanied by the fee prescribed in section 523
1548.10 of the Revised Code. In the event of the recovery of the 524
original memorandum certificate by the owner, ~~he~~ the owner shall 525
~~forthwith~~ surrender ~~the same~~ it immediately to ~~the~~ a clerk for 526
cancellation. Such a memorandum certificate is not assignable and 527
constitutes no evidence of title or of right to transfer or 528
encumber the watercraft or outboard motor described ~~therein~~ in it. 529

530

Sec. 1548.141. The chief of the division of watercraft shall 531
enable the public to access watercraft and outboard motor title 532
information via electronic means. No fee shall be charged for this 533
access. The title information that must be so accessible is only 534
the title information that is in an electronic format at the time 535
a person requests this access. 536

The chief, in accordance with Chapter 119. of the Revised 537
Code, shall adopt rules governing this access. In adopting these 538
rules, the chief shall confer with the clerks of the courts of 539
common pleas. 540

Access by the public to watercraft and outboard motor title 541
information under this section shall comply with all restrictions 542
contained in the Revised Code and federal law that govern the 543
disclosure of that information. 544

Sec. 1548.16. The clerk of the court of common pleas and ~~his~~ 545
the clerk's authorized deputies may administer oaths on any 546
~~application or affidavit required by Chapter 1548. of the Revised~~ 547
~~Code~~ this chapter. 548

Sec. 1548.17. Every peace officer, sheriff, watercraft 549
officer, division of parks and recreation officer, division of 550
wildlife officer, conservancy district officer, constable, or 551
state highway patrol trooper, having knowledge of a stolen 552

watercraft or outboard motor, shall immediately furnish the chief 553
of the division of watercraft with full information concerning 554
such the theft. 555

The chief, whenever ~~he receives~~ a report of the theft or 556
conversion of a watercraft or outboard motor is received, shall 557
make a distinctive record ~~thereof~~ of it, including the make of the 558
stolen watercraft or outboard motor and its manufacturer's or 559
assigned serial number, and shall file the ~~same record~~ in the 560
numerical order of the manufacturer's or assigned serial number 561
with the index records of the watercraft or outboard motors of 562
such make. The chief shall prepare a report listing watercraft and 563
outboard motors stolen and recovered as disclosed by the reports 564
submitted to ~~him~~ the chief, to be distributed as ~~he~~ the chief 565
deems advisable. 566

In the event of the receipt from any clerk of ~~the~~ a court of 567
common pleas of a copy of a physical certificate of title to such 568
a watercraft or outboard motor, the chief shall immediately notify 569
the rightful owner ~~thereof~~ of the watercraft or outboard motor and 570
the clerk who issued ~~such~~ its physical certificate of title, and 571
if, upon investigation, it appears that ~~such~~ the physical 572
certificate of title was improperly issued, the chief shall 573
immediately cancel ~~the same~~ it. 574

In the event of the recovery of a stolen or converted 575
watercraft or outboard motor, the owner shall immediately notify 576
the chief, who shall remove the record of the theft or conversion 577
from ~~his~~ the chief's file. 578

Sec. 1548.18. No person shall do any of the following: 579

(A) Operate in this state a watercraft for which a 580
certificate of title is required or a watercraft powered by an 581
outboard motor for which a certificate of title is required 582
without having ~~such~~ the certificate, or a valid temporary permit 583

and number, in accordance with ~~Chapter 1548. of the Revised Code~~ 584
this chapter or, if a physical certificate of title has not been 585
issued for it, operate the watercraft or outboard motor in this 586
state knowing that the ownership information relating to the 587
watercraft or outboard motor has not been entered into the 588
automated title processing system by a clerk of a court of common 589
pleas; 590

(B) Operate in this state a watercraft for which a 591
certificate of title is required or a watercraft powered by an 592
outboard motor for which a certificate of title is required upon 593
which the certificate of title has been canceled; 594

(C) Fail to surrender any certificate of title upon 595
cancellation of ~~the same~~ it by the chief of the division of 596
watercraft and notice ~~thereof~~ of the cancellation as prescribed in 597
~~Chapter 1548. of the Revised Code~~ this chapter; 598

(D) Fail to surrender the certificate of title to ~~the~~ a clerk 599
of ~~the~~ a court of common pleas as provided in ~~Chapter 1548. of the~~ 600
~~Revised Code~~ this chapter, in case of the destruction or 601
dismantling or change of a watercraft or outboard motor in such 602
respect that it is not the watercraft or outboard motor described 603
in the certificate of title; 604

(E) Violate ~~sections 1548.01 to 1548.21 of the Revised Code,~~ 605
any provision of this chapter for which no penalty is otherwise 606
provided, or any lawful rules ~~or regulations promulgated~~ adopted 607
pursuant to ~~such sections~~ this chapter; 608

(F) Operate in this state a watercraft or outboard motor 609
knowing that the certificate of title to or ownership of the 610
watercraft or outboard motor as otherwise reflected in the 611
automated title processing system has been canceled. 612

Sec. 1548.19. No person shall do any of the following: 613

(A) Procure or attempt to procure a certificate of title to a watercraft or outboard motor, or pass or attempt to pass a certificate of title or any assignment ~~thereof~~ of a certificate of title to a watercraft or outboard motor, or in any other manner gain or attempt to gain ownership of a watercraft or outboard motor, knowing or having reason to believe that ~~such the~~ watercraft or outboard motor has been stolen;

(B) Sell or offer for sale in this state a watercraft or outboard motor on which the manufacturer's or assigned serial number has been destroyed, removed, covered, altered, or defaced with knowledge of ~~such the~~ destruction, removal, covering, alteration, or defacement of ~~such the~~ manufacturer's or assigned serial number;

(C) Sell or transfer a watercraft or outboard motor without delivering to the purchaser or transferee ~~thereof~~ of it a certificate of title, or a manufacturer's or importer's certificate ~~thereto~~ to it, assigned to ~~such the~~ purchaser as provided for in ~~such sections this chapter, except as otherwise~~ provided in this chapter.

Sec. 1548.20. (A) Chapter 1309. of the Revised Code does not permit or require the deposit, filing, or other ~~records~~ record of a security interest covering a watercraft or outboard motor for which a certificate of title is required. Any security agreement covering a security interest in a watercraft or outboard motor, if it is accompanied by delivery of a manufacturer's or importer's certificate and followed by actual and continued possession of that certificate by the holder of the instrument, or, in the case of a certificate of title, if a notation of the ~~instrument~~ security agreement has been made by ~~the a~~ a clerk of ~~the a~~ a court of common pleas on the face of the certificate of title or the clerk has entered a notation of the agreement into the automated title

processing system and a physical certificate of title for the
watercraft or outboard motor has not been issued, shall be valid
as against the creditors of the debtor, whether armed with process
or not, and against subsequent purchasers, secured parties, and
other lienholders or claimants. All security interests, liens,
mortgages, and encumbrances ~~noted upon~~ entered into the automated
title processing system in relation to a particular certificate of
title, regardless of whether a physical certificate of title shall
is issued, take priority according to the order of time in which
they are ~~noted thereon~~ entered into the automated title processing
system by the clerk. Exposure for sale of any watercraft or
outboard motor by its owner, with the knowledge or with the
knowledge and consent of the holder of any security interest,
lien, mortgage, or encumbrance ~~thereon~~ on the watercraft or
outboard motor, shall not render the security interest lien,
mortgage, or encumbrance ineffective as against the creditors of
the owner or against holders of subsequent security interests,
liens, mortgages, or encumbrances upon the watercraft or outboard
motor.

(B) If ~~the a~~ a secured party presents evidence of the security
~~agreement interest~~ interest to ~~the a~~ a clerk of ~~the a~~ a court of common pleas
of the county in which the certificate of title was issued
together with the certificate of title, if a physical certificate
of title for the watercraft or outboard motor exists, and the fee
prescribed by section 1548.10 of the Revised Code, the clerk,
unless the secured party specifically requests the clerk not to
issue a physical certificate of title, shall issue a new original
certificate of title from the automated title processing records.
The new certificate shall indicate the ~~lien or~~ security interest
and the date of ~~that encumbrance~~ the security interest. The clerk
also shall note the ~~lien or~~ security interest and ~~the~~ its date
~~thereof~~ in ~~his~~ the clerk's files and enter that information into

the automated title processing system, and on that day shall 678
notify the chief of the division of watercraft. The clerk shall 679
indicate by appropriate notation on the security agreement itself 680
the fact that the ~~lien or~~ security interest has been noted on the 681
certificate of title. 682

~~When the lien or~~ (C) If a security interest is fully 683
discharged as a result of its holder's receipt of good funds in 684
the correct amount and if the holder holds a physical certificate 685
of title, the holder ~~thereof~~ shall note the discharge of the 686
security interest over ~~his~~ the holder's signature on the face of 687
the certificate of title, or, if there is not sufficient space for 688
the notation on the face of ~~the~~ certificate of title, he the 689
holder shall note the discharge over the holder's signature on a 690
form prescribed by the chief. ~~Prior~~ Except as otherwise provided 691
in this section, prior to delivering the certificate of title to 692
the owner, the holder or ~~his~~ the holder's agent shall ~~present it~~ 693
convey the certificate of title or a separate sworn statement of 694
the discharge of the security interest and any additional 695
information the chief requires to ~~the~~ a clerk for the purpose of 696
having. The conveyance shall occur not more than seven business 697
days after the date the holder deposits the good funds received in 698
the correct amount to fully discharge the security interest into 699
an account of the holder, provided the holder has accurate 700
information concerning the watercraft or outboard motor. 701
Conveyance of the certificate of title or separate sworn statement 702
of the discharge within the required seven business days may be 703
indicated by postmark or receipt by a clerk within that period. If 704
the discharge of the security interest appears to be genuine, the 705
clerk shall note the discharge of the ~~lien or~~ security interest on 706
the face of the certificate of title, if it was so conveyed, and 707
note it in the automated title processing system and upon the 708
records of the clerk. ~~If the discharge appears to be genuine, the~~ 709
~~clerk shall note it on the certificate of title, and he also shall~~ 710

~~note the discharge on his records and notify the chief, who shall
note the discharge.~~

(D)(1) In all cases, a secured party may choose to present a
clerk with evidence of a security interest via electronic means,
and the clerk shall enter the security interest into the automated
title processing system. A secured party also may choose to notify
a clerk of the discharge of its security interest via electronic
means, and the clerk shall enter the cancellation into the
automated title processing system.

(2) In the case of a security interest that is being
satisfied by a watercraft dealer to whom a certificate of title is
being transferred, the cancellation of the security interest shall
occur during the course of the transfer. The dealer shall submit a
discharge request to the secured party. A discharge request shall
include good funds in the correct amount to fully discharge the
security interest and accurate information concerning the
watercraft or outboard motor.

(3)(a) Upon receiving a discharge request that complies with
division (D)(2) of this section, except as otherwise provided in
this division, a secured party shall convey the certificate of
title, with the discharge of the security interest noted on its
face, to the dealer within seven business days after the date the
secured party deposits the good funds received in the correct
amount to fully discharge the security interest into an account of
the secured party.

If a secured party is unable to convey to the dealer a
certificate of title within the required seven business days, the
secured party instead shall convey to the dealer an affidavit
stating that the security interest has been discharged, together
with payment for a duplicate certificate of title, within that
period.

(b) A certificate of title, or affidavit and required

payment, is conveyed from a secured party to a dealer under the
circumstances described in division (D)(3)(a) of this section
within the required seven business days if it is postmarked within
that period.

(4) A secured party is liable to a dealer for a late fee of
ten dollars per day for each certificate of title, or affidavit
and required payment, conveyed to the dealer more than seven
business days but less than twenty-one days after the date
specified in division (D)(3)(a) of this section and, from then on,
twenty-five dollars per day until the certificate of title, or
affidavit and required payment, are conveyed to the dealer.

(E) If a physical certificate of title has not been issued
for a watercraft or outboard motor and all the security interests
relating to that watercraft or outboard motor have been
discharged, the owner of the watercraft or outboard motor may
obtain a physical certificate of title from the clerk of any court
of common pleas upon payment of the fee specified in section
1548.10 of the Revised Code.

(F) If a clerk of a court of common pleas, other than the
clerk of the court of common pleas of the county in which the
owner of a watercraft or outboard motor resides, enters a notation
of the existence of, or the cancellation of, a security interest
relating to the watercraft or outboard motor, the clerk shall
transmit the data relating to the notation to the database of the
automated data processing system in the office of the clerk of the
court of common pleas of the county of the owner's residence.

(G) The electronic transmission of security interest and
other information under this section shall comply with rules
adopted by the registrar of motor vehicles under section 4505.13
of the Revised Code.

(H) As used in this section:

(1) "Accurate information" means the serial number of the 774
watercraft or outboard motor, if any; the make and model of the 775
watercraft or outboard motor; and the name and address of the 776
owner of the watercraft or outboard motor as they appear on the 777
certificate of title that is to be conveyed. 778

(2) "Good funds" has the same meaning as in section 4505.13 779
of the Revised Code. 780

(3) "Watercraft dealer" has the same meaning as in section 781
1547.01 of the Revised Code. 782

Sec. 4501.01. As used in this chapter and Chapters 4503., 783
4505., 4507., 4509., 4511., 4513., 4515., and 4517. of the Revised 784
Code, and in the penal laws, except as otherwise provided: 785
786

(A) "Vehicles" means everything on wheels or runners, 787
including motorized bicycles, but does not mean vehicles that are 788
operated exclusively on rails or tracks or from overhead electric 789
trolley wires and vehicles that belong to any police department, 790
municipal fire department, or volunteer fire department, or that 791
are used by such a department in the discharge of its functions. 792

(B) "Motor vehicle" means any vehicle, including mobile homes 793
and recreational vehicles, that is propelled or drawn by power 794
other than muscular power or power collected from overhead 795
electric trolley wires. "Motor vehicle" does not include motorized 796
bicycles, road rollers, traction engines, power shovels, power 797
cranes, and other equipment used in construction work and not 798
designed for or employed in general highway transportation, 799
well-drilling machinery, ditch-digging machinery, farm machinery, 800
trailers that are used to transport agricultural produce or 801
agricultural production materials between a local place of storage 802
or supply and the farm when drawn or towed on a public road or 803
highway at a speed of twenty-five miles per hour or less, 804

threshing machinery, hay-baling machinery, corn sheller, 805
hammermill and agricultural tractors, machinery used in the 806
production of horticultural, agricultural, and vegetable products, 807
and trailers that are designed and used exclusively to transport a 808
boat between a place of storage and a marina, or in and around a 809
marina, when drawn or towed on a public road or highway for a 810
distance of no more than ten miles and at a speed of twenty-five 811
miles per hour or less. 812

(C) "Agricultural tractor" and "traction engine" mean any 813
self-propelling vehicle that is designed or used for drawing other 814
vehicles or wheeled machinery, but has no provisions for carrying 815
loads independently of such other vehicles, and that is used 816
principally for agricultural purposes. 817

(D) "Commercial tractor," except as defined in division (C) 818
of this section, means any motor vehicle that has motive power and 819
either is designed or used for drawing other motor vehicles, or is 820
designed or used for drawing another motor vehicle while carrying 821
a portion of the other motor vehicle or its load, or both. 822
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(E) "Passenger car" means any motor vehicle that is designed 824
and used for carrying not more than nine persons and includes any 825
motor vehicle that is designed and used for carrying not more than 826
fifteen persons in a ridesharing arrangement. 827
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(F) "Collector's vehicle" means any motor vehicle or 829
agricultural tractor or traction engine that is of special 830
interest, that has a fair market value of one hundred dollars or 831
more, whether operable or not, and that is owned, operated, 832
collected, preserved, restored, maintained, or used essentially as 833
a collector's item, leisure pursuit, or investment, but not as the 834
owner's principal means of transportation. "Licensed collector's 835
vehicle" means a collector's vehicle, other than an agricultural 836

tractor or traction engine, that displays current, valid license
tags issued under section 4503.45 of the Revised Code, or a
similar type of motor vehicle that displays current, valid license
tags issued under substantially equivalent provisions in the laws
of other states.

(G) "Historical motor vehicle" means any motor vehicle that
is over twenty-five years old and is owned solely as a collector's
item and for participation in club activities, exhibitions, tours,
parades, and similar uses, but that in no event is used for
general transportation.

(H) "Noncommercial motor vehicle" means any motor vehicle,
including a farm truck as defined in section 4503.04 of the
Revised Code, that is designed by the manufacturer to carry a load
of no more than one ton and is used exclusively for purposes other
than engaging in business for profit.

(I) "Bus" means any motor vehicle that has motor power and is
designed and used for carrying more than nine passengers, except
any motor vehicle that is designed and used for carrying not more
than fifteen passengers in a ridesharing arrangement.

(J) "Commercial car" or "truck" means any motor vehicle that
has motor power and is designed and used for carrying merchandise
or freight, or that is used as a commercial tractor.

(K) "Bicycle" means every device, other than a tricycle that
is designed solely for use as a play vehicle by a child, that is
propelled solely by human power upon which any person may ride,
and that has either two tandem wheels, or one wheel in front and
two wheels in the rear, any of which is more than fourteen inches
in diameter.

(L) "Motorized bicycle" means any vehicle that either has two
tandem wheels or one wheel in the front and two wheels in the
rear, that is capable of being pedaled, and that is equipped with

a helper motor of not more than fifty cubic centimeters piston
displacement that produces no more than one brake horsepower and
is capable of propelling the vehicle at a speed of no greater than
twenty miles per hour on a level surface.

(M) "Trailer" means any vehicle without motive power that is
designed or used for carrying property or persons wholly on its
own structure and for being drawn by a motor vehicle, and includes
any such vehicle that is formed by or operated as a combination of
a semitrailer and a vehicle of the dolly type such as that
commonly known as a trailer dolly, a vehicle used to transport
agricultural produce or agricultural production materials between
a local place of storage or supply and the farm when drawn or
towed on a public road or highway at a speed greater than
twenty-five miles per hour, and a vehicle that is designed and
used exclusively to transport a boat between a place of storage
and a marina, or in and around a marina, when drawn or towed on a
public road or highway for a distance of more than ten miles or at
a speed of more than twenty-five miles per hour. "Trailer" does
not include a manufactured home or travel trailer.

(N) "Noncommercial trailer" means any trailer, except a
travel trailer or trailer that is used to transport a boat as
described in division (B) of this section, but, where applicable,
includes a vehicle that is used to transport a boat as described
in division (M) of this section, that has a gross weight of no
more than three thousand pounds, and that is used exclusively for
purposes other than engaging in business for a profit.

(O) "Mobile home" means a building unit or assembly of closed
construction that is fabricated in an off-site facility, is more
than thirty-five body feet in length or, when erected on site, is
three hundred twenty or more square feet, is built on a permanent
chassis, is transportable in one or more sections, and does not

qualify as a manufactured home as defined in division (C)(4) of
section 3781.06 of the Revised Code or as an industrialized unit
as defined in division (C)(3) of section 3781.06 of the Revised
Code.

(P) "Semitrailer" means any vehicle of the trailer type that
does not have motive power and is so designed or used with another
and separate motor vehicle that in operation a part of its own
weight or that of its load, or both, rests upon and is carried by
the other vehicle furnishing the motive power for propelling
itself and the vehicle referred to in this division, and includes,
for the purpose only of registration and taxation under those
chapters, any vehicle of the dolly type, such as a trailer dolly,
that is designed or used for the conversion of a semitrailer into
a trailer.

(Q) "Recreational vehicle" means a vehicular portable
structure that meets all of the following conditions:

(1) It is designed for the sole purpose of recreational
travel.

(2) It is not used for the purpose of engaging in business
for profit.

(3) It is not used for the purpose of engaging in intrastate
commerce.

(4) It is not used for the purpose of commerce as defined in
49 C.F.R. 383.5, as amended.

(5) It is not regulated by the public utilities commission
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code.

(6) It is classed as one of the following:

(a) "Travel trailer" means a nonself-propelled recreational
vehicle that does not exceed an overall length of thirty-five
feet, exclusive of bumper and tongue or coupling, and contains

less than three hundred twenty square feet of space when erected 930
on site. "Travel trailer" includes a tent-type fold-out camping 931
trailer as defined in section 4517.01 of the Revised Code. 932

(b) "Motor home" means a self-propelled recreational vehicle 933
that has no fifth wheel and is constructed with permanently 934
installed facilities for cold storage, cooking and consuming of 935
food, and for sleeping. 936

(c) "Truck camper" means a nonself-propelled recreational 937
vehicle that does not have wheels for road use and is designed to 938
be placed upon and attached to a motor vehicle. "Truck camper" 939
does not include truck covers that consist of walls and a roof, 940
but do not have floors and facilities enabling them to be used as 941
a dwelling. 942

(d) "Fifth wheel trailer" means a vehicle that is of such 943
size and weight as to be movable without a special highway permit, 944
that has a gross trailer area of four hundred square feet or less, 945
that is constructed with a raised forward section that allows a 946
bi-level floor plan, and that is designed to be towed by a vehicle 947
equipped with a fifth-wheel hitch ordinarily installed in the bed 948
of a truck. 949

(e) "Park trailer" means a vehicle that is commonly known as 950
a park model recreational vehicle, meets the American national 951
standard institute standard A119.5 (1988) for park trailers, is 952
built on a single chassis, has a gross trailer area of four 953
hundred square feet or less when set up, is designed for seasonal 954
or temporary living quarters, and may be connected to utilities 955
necessary for the operation of installed features and appliances. 956

(R) "Pneumatic tires" means tires of rubber and fabric or 957
tires of similar material, that are inflated with air. 958

(S) "Solid tires" means tires of rubber or similar elastic 959
material that are not dependent upon confined air for support of 960

the load.

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(T) "Solid tire vehicle" means any vehicle that is equipped
with two or more solid tires.

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(U) "Farm machinery" means all machines and tools that are
used in the production, harvesting, and care of farm products, and
includes trailers that are used to transport agricultural produce
or agricultural production materials between a local place of
storage or supply and the farm when drawn or towed on a public
road or highway at a speed of twenty-five miles per hour or less.

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(V) "Owner" includes any person, ~~or~~ firm, ~~or corporation~~
other than a manufacturer or dealer, that has title to a motor
vehicle, except that, in sections 4505.01 to 4505.19 of the
Revised Code, "owner" includes in addition manufacturers and
dealers.

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(W) "Manufacturer" and "dealer" include all persons, and
~~firms, and corporations~~ that are regularly engaged in the business
of manufacturing, selling, displaying, offering for sale, or
dealing in motor vehicles, at an established place of business
that is used exclusively for the purpose of manufacturing,
selling, displaying, offering for sale, or dealing in motor
vehicles. A place of business that is used for manufacturing,
selling, displaying, offering for sale, or dealing in motor
vehicles shall be deemed to be used exclusively for those purposes
even though snowmobiles or all-purpose vehicles are sold or
displayed for sale thereat, even though farm machinery is sold or
displayed for sale thereat, or even though repair, accessory,
gasoline and oil, storage, parts, service, or paint departments
are maintained thereat, or, in any county having a population of
less than seventy-five thousand ~~persons~~ at the last federal
census, even though a department in a place of business is used to
dismantle, salvage, or rebuild motor vehicles by means of used

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parts, if such departments are operated for the purpose of 993
furthering and assisting in the business of manufacturing, 994
selling, displaying, offering for sale, or dealing in motor 995
vehicles. Places of business or departments in a place of business 996
used to dismantle, salvage, or rebuild motor vehicles by means of 997
using used parts are not considered as being maintained for the 998
purpose of assisting or furthering the manufacturing, selling, 999
displaying, and offering for sale or dealing in motor vehicles. 1000
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(X) "Operator" includes any person who drives or operates a 1002
motor vehicle upon the public highways. 1003

(Y) "Chauffeur" means any operator who operates a motor 1004
vehicle, other than a taxicab, as an employee for hire; or any 1005
operator whether or not the owner of a motor vehicle, other than a 1006
taxicab, who operates such vehicle for transporting, for gain, 1007
compensation, or profit, either persons or property owned by 1008
another. Any operator of a motor vehicle who is voluntarily 1009
involved in a ridesharing arrangement is not considered an 1010
employee for hire or operating such vehicle for gain, 1011
compensation, or profit. 1012

(Z) "State" includes the territories and federal districts of 1013
the United States, and the provinces of Canada. 1014

(AA) "Public roads and highways" for vehicles includes all 1015
public thoroughfares, bridges, and culverts. 1016

(BB) "Manufacturer's number" means the manufacturer's 1017
original serial number that is affixed to or imprinted upon the 1018
chassis or other part of the motor vehicle. 1019

(CC) "Motor number" means the manufacturer's original number 1020
that is affixed to or imprinted upon the engine or motor of the 1021
vehicle. 1022

(DD) "Distributor" means any person who is authorized by a 1023

motor vehicle manufacturer to distribute new motor vehicles to 1024
licensed motor vehicle dealers at an established place of business 1025
that is used exclusively for the purpose of distributing new motor 1026
vehicles to licensed motor vehicle dealers, except when the 1027
distributor also is a new motor vehicle dealer, in which case the 1028
distributor may distribute at the location of the distributor's 1029
licensed dealership. 1030

(EE) "Ridesharing arrangement" means the transportation of 1031
persons in a motor vehicle where the transportation is incidental 1032
to another purpose of a volunteer driver and includes ridesharing 1033
arrangements known as carpools, vanpools, and buspools. 1034

(FF) "Apportionable vehicle" means any vehicle that is used 1035
or intended for use in two or more international registration plan 1036
member jurisdictions that allocate or proportionally register 1037
vehicles, that is used for the transportation of persons for hire 1038
or designed, used, or maintained primarily for the transportation 1039
of property, and that meets any of the following qualifications: 1040

(1) Is a power unit having a gross vehicle weight in excess 1042
of twenty-six thousand pounds; 1043

(2) Is a power unit having three or more axles, regardless of 1044
the gross vehicle weight; 1045

(3) Is a combination vehicle with a gross vehicle weight in 1046
excess of twenty-six thousand pounds. 1047

"Apportionable vehicle" does not include recreational 1048
vehicles, vehicles displaying restricted plates, city pick-up and 1049
delivery vehicles, buses used for the transportation of chartered 1050
parties, or vehicles owned and operated by the United States, this 1051
state, or any political subdivisions thereof. 1052

(GG) "Chartered party" means a group of persons who contract 1053
as a group to acquire the exclusive use of a passenger-carrying 1054

motor vehicle at a fixed charge for the vehicle in accordance with 1055
the carrier's tariff, lawfully on file with the United States 1056
department of transportation, for the purpose of group travel to a 1057
specified destination or for a particular itinerary, either agreed 1058
upon in advance or modified by the chartered group after having 1059
left the place of origin. 1060

(HH) "International registration plan" means a reciprocal 1061
agreement of member jurisdictions that is endorsed by the American 1062
association of motor vehicle administrators, and that promotes and 1063
encourages the fullest possible use of the highway system by 1064
authorizing apportioned registration of fleets of vehicles and 1065
recognizing registration of vehicles apportioned in member 1066
jurisdictions. 1067

(II) "Restricted plate" means a license plate that has a 1068
restriction of time, geographic area, mileage, or commodity, and 1069
includes license plates issued to farm trucks under division (K) 1070
of section 4503.04 of the Revised Code. 1071

(JJ) "Gross vehicle weight," with regard to any commercial 1072
car, trailer, semitrailer, or bus that is taxed at the rates 1073
established under section 4503.042 of the Revised Code, means the 1074
unladen weight of the vehicle fully equipped plus the maximum 1075
weight of the load to be carried on the vehicle. 1076

(KK) "Combined gross vehicle weight" with regard to any 1077
combination of a commercial car, trailer, and semitrailer, that is 1078
taxed at the rates established under section 4503.042 of the 1079
Revised Code, means the total unladen weight of the combination of 1080
vehicles fully equipped plus the maximum weight of the load to be 1081
carried on that combination of vehicles. 1082

(LL) "Chauffeured limousine" means a motor vehicle that is 1083
designed to carry nine or fewer passengers and is operated for 1084
hire on an hourly basis pursuant to a prearranged contract for the 1085

transportation of passengers on public roads and highways along a route under the control of the person hiring the vehicle and not over a defined and regular route. "Prearranged contract" means an agreement, made in advance of boarding, to provide transportation from a specific location in a chauffeured limousine at a fixed rate per hour or trip. "Chauffeured limousine" does not include any vehicle that is used exclusively in the business of funeral directing.

(MM) "Manufactured home" has the same meaning as in division (C)(4) of section 3781.06 of the Revised Code.

(NN) "Acquired situs," with respect to a manufactured home or a mobile home, means to become located in this state by the placement of the home on real property, but does not include the placement of a manufactured home or a mobile home in the inventory of a new motor vehicle dealer or the inventory of a manufacturer, remanufacturer, or distributor of manufactured or mobile homes.

(OO) "Electronic" includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.

(PP) "Electronic record" means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.

(QQ) "Electronic signature" means a signature in electronic form attached to or logically associated with an electronic record.

(RR) "Financial transaction device" has the same meaning as in division (A) of section 113.40 of the Revised Code.

(SS) "Electronic motor vehicle dealer" means a motor vehicle dealer licensed under Chapter 4517. of the Revised Code whom the

registrar of motor vehicles determines meets the criteria 1117
designated in section 4503.034 of the Revised Code for electronic 1118
motor vehicle dealers and designates as an electronic motor 1119
vehicle dealer under that section. 1120

Sec. 4503.03. (A)(1)(a) The registrar of motor vehicles may 1121
designate the county auditor in each county a deputy registrar. If 1122
the population of a county is forty thousand or less according to 1123
the last federal census and if the county auditor is designated by 1124
the registrar as a deputy registrar, no other person need be 1125
designated in the county to act as a deputy registrar. ~~In~~ 1126

(b) For three years after the effective date of this 1127
amendment, the registrar may designate a clerk of a court of 1128
common pleas as a deputy registrar if the population of the county 1129
is forty thousand or less according to the last federal census. 1130

(c) In all other instances, the registrar shall contract with 1131
one or more other persons in each county to act as deputy 1132
registrars. ~~Deputy~~ 1133

(2) Deputy registrars shall accept applications for the 1134
annual license tax for any vehicle not taxed under section 4503.63 1135
of the Revised Code and shall assign distinctive numbers in the 1136
same manner as the registrar. Such deputies shall be located in 1137
such locations in the county as the registrar sees fit. There 1138
shall be at least one deputy registrar in each county. 1139

Deputy registrar contracts are subject to the provisions of 1140
division (B) of section 125.081 of the Revised Code. 1141

(B) The registrar shall not contract with any person to act 1142
as a deputy registrar if the person or, where applicable, ~~his~~ the 1143
person's spouse or a member of ~~his~~ the person's immediate family 1144
has made, within the current calendar year or any one of the 1145
previous three calendar years, one or more contributions totaling 1146
in excess of one hundred dollars to any person or entity included 1147

in division (A)(2) of section ~~102.021~~ 4503.033 of the Revised 1148
Code. As used in this division, "immediate family" has the same 1149
meaning as in division (D) of section 102.01 of the Revised Code, 1150
and "entity" includes any political party and any "continuing 1151
association" as defined in division (B)(4) of section 3517.01 of 1152
the Revised Code or "political action committee" as defined in 1153
division (B)(8) of that section that is primarily associated with 1154
that political party. For purposes of this division, contributions 1155
to any continuing association or any political action committee 1156
that is primarily associated with a political party shall be 1157
aggregated with contributions to that political party. 1158

The contribution limitations contained in this division do 1160
not apply to any county auditor or clerk of a court of common 1161
pleas. 1162

The registrar shall not contract with either of the following 1163
to act as a deputy registrar: 1164

(1) Any elected public official other than a county auditor 1165
or, as authorized by division (A)(1)(b) of this section, a clerk 1166
of a court of common pleas, acting in ~~his~~ an official capacity; 1167

(2) Any person holding a current, valid contract to conduct 1168
motor vehicle inspections under section 3704.14 of the Revised 1169
Code. 1170

(C) Deputy registrars are independent contractors and neither 1171
they nor their employees are employees of this state, except that 1172
nothing in this section shall affect the status of county auditors 1173
or clerks of courts of common pleas as public officials, nor the 1174
status of their employees as employees of any of the counties of 1175
this state, which are political subdivisions of this state. Each 1176
deputy registrar shall be responsible for the payment of all 1177
unemployment compensation premiums, all workers' compensation 1178
premiums, social security contributions, and any and all taxes for 1179

which ~~he~~ the deputy registrar is legally responsible. Each deputy 1180
registrar shall comply with all applicable federal, state, and 1181
local laws requiring the withholding of income taxes or other 1182
taxes from the compensation of ~~his~~ the deputy registrar's 1183
employees. Each deputy registrar shall maintain during the entire 1184
term of ~~his~~ the deputy registrar's contract a policy of business 1185
liability insurance satisfactory to the registrar and shall hold 1186
the department of public safety, the director of public safety, 1187
the bureau of motor vehicles, and the registrar harmless upon any 1188
and all claims for damages arising out of the operation of the 1189
deputy registrar agency. 1190

(D)(1) With the approval of the director, the registrar shall 1192
adopt rules governing the terms of the contract between the 1193
registrar and each deputy registrar and specifications for the 1194
services to be performed. The rules shall include specifications 1195
relating to the amount of bond to be given as provided in this 1196
section; the size and location of the deputy's office; and the 1197
leasing of equipment necessary to conduct the vision screenings 1198
required under section 4507.12 of the Revised Code, and training 1199
in the use of the equipment. The specifications shall permit and 1200
encourage every deputy registrar to inform the public of the 1201
location of ~~his~~ the deputy registrar's office and hours of 1202
operation by means of public service announcements and allow any 1203
deputy registrar to advertise in regard to the operation of the 1204
deputy registrar's office. The rules also shall include 1205
specifications for the hours the deputy's office is to be open to 1206
the public and shall require as a minimum that one deputy's office 1207
in each county be open to the public for at least four hours each 1208
weekend, provided that if only one deputy's office is located 1209
within the boundary of the county seat, that office is the office 1210
that shall be open for the four-hour period each weekend, and that 1211
every deputy's office in each county shall be open to the public 1212

until six-thirty p.m. on at least one weeknight each week. The 1213
rules also shall include specifications providing that every 1214
deputy in each county, upon request, provide any person with 1215
information about the location and office hours of all deputy 1216
registrars in the county and that every deputy registrar 1217
prominently display within ~~his~~ the deputy's office, the toll-free 1218
telephone number of the bureau. The rules shall not prohibit the 1219
award of a deputy registrar contract to a nonprofit corporation 1220
formed under the laws of this state. The rules shall prohibit any 1221
deputy registrar from operating more than one such office at any 1222
time, except that the rules may permit a nonprofit corporation 1223
formed for the purposes of providing automobile-related services 1224
to its members or the public and that provides such services from 1225
more than one location in this state to operate a deputy registrar 1226
office at any such location, provided that the nonprofit 1227
corporation operates no more than one deputy registrar office in 1228
any one county. The rules may include such other specifications as 1229
the registrar and director consider necessary to provide a high 1230
level of service. 1231

(2) With the prior approval of the registrar, each deputy 1232
registrar may conduct at the location of the deputy registrar's 1233
office any business that is consistent with the functions of a 1234
deputy registrar and that is not specifically mandated or 1235
authorized by this or another chapter of the Revised Code or by 1236
implementing rules of the registrar. 1237

(3) Each even-numbered year, the registrar, in consultation 1238
with the Ohio deputy registrars association, shall review the 1239
economic effect of the terms of the contracts entered into between 1240
the registrar and each deputy registrar and of the specifications 1241
for or related to the performance of deputy registrar services. 1242
Upon the completion of this review, the registrar shall submit to 1243
the governor, the president of the senate, and the speaker of the 1244

house of representatives written recommendations for any 1245
transaction fee adjustments for deputy registrars that are 1246
considered to be appropriate as a result of the review. 1247

(4) As used in this section and in section 4507.01 of the 1248
Revised Code, "nonprofit corporation" has the same meaning as in 1249
section 1702.01 of the Revised Code. 1250

(E) Unless otherwise terminated and except for interim 1251
contracts of less than one year, contracts with deputy registrars 1252
shall be for a term of at least two years, but no more than three 1253
years, and all contracts effective on or after July 1, 1996, shall 1254
be for a term of more than two years, but not more than three 1255
years. All contracts with deputy registrars shall expire on the 1256
thirtieth day of June in the year of their expiration. The auditor 1257
of state may examine the accounts, reports, systems, and other 1258
data of each deputy registrar at least every two years. The 1259
registrar, with the approval of the director, shall immediately 1260
remove a deputy who violates any provision of the Revised Code 1261
related to ~~his~~ the duties as a deputy, any rule adopted by the 1262
registrar, or a term of ~~his~~ the deputy's contract with the 1263
registrar. The registrar also may remove a deputy who, in the 1264
opinion of the registrar, has engaged in any conduct that is 1265
either unbecoming to one representing this state or is 1266
inconsistent with the efficient operation of the deputy's office. 1267
Upon removal of a deputy registrar for contract violation, the 1268
auditor of state shall examine the accounts, records, systems, and 1269
other data of the deputy registrar so removed. 1270

If the registrar, with the approval of the director, 1271
determines that there is good cause to believe that a deputy 1272
registrar or a person proposing for a deputy registrar contract 1273
has engaged in any conduct that would require the denial or 1274
termination of the deputy registrar contract, the registrar may 1275
require the production of ~~such~~ books, records, and papers as ~~he~~ 1276

the registrar determines are necessary, and may take the 1277
depositions of witnesses residing within or outside the state in 1278
the same manner as is prescribed by law for the taking of 1279
depositions in civil actions in the court of common pleas, and for 1280
that purpose the registrar may issue a subpoena for any witness or 1281
a subpoena duces tecum to compel the production of any books, 1282
records, or papers, directed to the sheriff of the county where 1283
the witness resides or is found. Such a subpoena shall be served 1284
and returned in the same manner as a subpoena in a criminal case 1285
is served and returned. The fees and mileage of the sheriff and 1286
witnesses shall be the same as that allowed in the court of common 1287
pleas in criminal cases and shall be paid from the fund in the 1288
state treasury for the use of the agency in the same manner as 1289
other expenses of the agency are paid. 1290

In any case of disobedience or neglect of any subpoena served 1291
on any person or the refusal of any witness to testify to any 1292
matter regarding which ~~he~~ the witness lawfully may be 1293
interrogated, the court of common pleas of any county where the 1294
disobedience, neglect, or refusal occurs or any judge ~~thereof~~ of 1295
that court, on application by the registrar, shall compel 1296
obedience by attachment proceedings for contempt, as in the case 1297
of disobedience of the requirements of a subpoena issued from ~~such~~ 1298
that court, or a refusal to testify ~~therein~~ in that court. 1299

Nothing in this division shall be construed to require a 1300
hearing of any nature prior to the termination of any deputy 1301
registrar contract by the registrar, with the approval of the 1302
director, for cause. 1303

(F) Except as provided in section 2743.03 of the Revised 1304
Code, no court, other than the court of common pleas of Franklin 1305
county, has jurisdiction of any action against the department of 1306
public safety, the director, the bureau, or the registrar to 1307
restrain the exercise of any power or authority ~~nor, or~~ to 1308

entertain any action for declaratory judgment, in the selection 1309
and appointment of, or contracting with, deputy registrars. 1310
Neither the department, the director, the bureau, nor the 1311
registrar is liable in any action at law for damages sustained by 1312
any person because of any acts of the department, the director, 1313
the bureau, or the registrar, ~~nor~~ or of any employee of the 1314
department or bureau, in the performance of ~~his~~ official duties in 1315
the selection and appointment of, and contracting with, deputy 1316
registrars. 1317

(G) The registrar shall assign to each deputy registrar a 1318
series of numbers sufficient to supply the demand at all times in 1319
the area the deputy registrar serves, and the registrar shall keep 1320
a record in ~~his~~ the registrar's office of the numbers within the 1321
series assigned. Each deputy shall be required to give bond in the 1322
amount of at least twenty-five thousand dollars, or in such higher 1323
amount as the registrar determines necessary, based on a uniform 1324
schedule of bond amounts established by the registrar and 1325
determined by the volume of registrations handled by the deputy. 1326
The form of the bond shall be prescribed by the registrar. The 1327
bonds required of deputy registrars, in the discretion of the 1328
registrar, may be individual or schedule bonds or may be included 1329
in any blanket bond coverage carried by the department. 1330

(H) Each deputy registrar shall keep a file of each 1331
application received by ~~him~~ the deputy and shall register that 1332
motor vehicle with the name and address of ~~the~~ its owner ~~thereof~~. 1333

(I) Upon request, a deputy registrar shall make the physical 1334
inspection of a motor vehicle and issue the physical inspection 1335
certificate required in section 4505.061 of the Revised Code. 1336

(J) Each deputy registrar shall file a report semi-annually 1337
with the registrar of motor vehicles listing the number of 1338
applicants for licenses ~~he~~ the deputy has served, the number of 1339
voter registration applications ~~he~~ the deputy has completed and 1340

transmitted to the board of elections, and the number of voter 1341
registration applications declined. 1342

Sec. 4503.034. The registrar of motor vehicles shall 1343
designate as an electronic motor vehicle dealer a motor vehicle 1344
dealer who meets all of the following criteria: 1345

(A) The dealer holds a current, valid dealer license issued 1346
under Chapter 4517. of the Revised Code. 1347

(B) The dealer participates in the title defect recision fund 1348
created by section 1345.52 of the Revised Code. 1349

(C) The dealer has the capability, via electronic means, to 1350
send motor vehicle title and registration information, as 1351
specified by the registrar, to the registrar and clerks of the 1352
courts of common pleas. 1353

(D) The dealer meets other criteria for electronic motor 1354
vehicle dealers that the registrar may establish by rule adopted 1355
under Chapter 119. of the Revised Code. 1356

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 1357
motorcycle, and all-purpose vehicle required to be registered 1358
under section 4519.02 of the Revised Code shall file an 1359
application for registration under section 4519.03 of the Revised 1360
Code. The owner of a motor vehicle, other than a snowmobile, 1361
off-highway motorcycle, or all-purpose vehicle, that is not 1362
designed and constructed by the manufacturer for operation on a 1363
street or highway may not register it under this chapter except 1364
upon certification of inspection pursuant to section 4513.02 of 1365
the Revised Code by the sheriff, or the chief of police of the 1366
municipal corporation or township police, with jurisdiction over 1367
the political subdivision in which the owner of the motor vehicle 1368
resides. Except as provided in section 4503.103 of the Revised 1369
Code, every owner of every other motor vehicle not previously 1370

described in this section and every person mentioned as owner in 1371
the last certificate of title of a motor vehicle that is operated 1372
or driven upon the public roads or highways shall cause to be 1373
filed each year, by mail or otherwise, in the office of the 1374
registrar of motor vehicles or a deputy registrar, a written or 1375
electronic application or a preprinted registration renewal notice 1376
issued under section 4503.102 of the Revised Code, the form of 1377
which shall be prescribed by the registrar, for registration for 1378
the following registration year, which shall begin on the first 1379
day of January of every calendar year and end on the thirty-first 1380
day of December in the same year. Applications for registration 1381
and registration renewal notices shall be filed at the times 1382
established by the registrar pursuant to section 4503.101 of the 1383
Revised Code. A motor vehicle owner also may elect to apply for or 1384
renew a motor vehicle registration by electronic means using 1385
electronic signature in accordance with rules adopted by the 1386
registrar. Except as provided in division (J) of this section, 1387
applications for registration shall be made on blanks furnished by 1388
the registrar for that purpose, containing the following 1389
information: 1390

(1) A brief description of the motor vehicle to be 1391
registered, including the name of the manufacturer, the factory 1392
number of the vehicle, the year's model, and, in the case of 1393
commercial cars, the gross weight of the vehicle fully equipped 1394
computed in the manner prescribed in section 4503.08 of the 1395
Revised Code; 1396

(2) The name and residence address of the owner, and the 1397
township and municipal corporation in which the owner resides; 1398

(3) The district of registration, which shall be determined 1399
as follows: 1400

(a) In case the motor vehicle to be registered is used for 1401
hire or principally in connection with any established business or 1402

branch business, conducted at a particular place, the district of
registration is the municipal corporation in which that place is
located or, if not located in any municipal corporation, the
county and township in which that place is located.

(b) In case the vehicle is not so used, the district of
registration is the municipal corporation or county in which the
owner resides at the time of making the application.

(4) Whether the motor vehicle is a new or used motor vehicle;

(5) The date of purchase of the motor vehicle;

(6) Whether the fees required to be paid for the registration
or transfer of the motor vehicle, during the preceding
registration year and during the preceding period of the current
registration year, have been paid. Each application for
registration shall be signed by the owner, either manually or by
electronic signature, or pursuant to obtaining a limited power of
attorney authorized by the registrar for registration, or other
document authorizing such signature. If the owner elects to apply
for or renew the motor vehicle registration with the registrar by
electronic means, the owner's manual signature is not required.

(7) The owner's social security number, if assigned, or,
where a motor vehicle to be registered is used for hire or
principally in connection with any established business, the
owner's federal taxpayer identification number.

(B) Each time ~~the~~ an applicant first registers a motor
vehicle in the applicant's name, the applicant shall present for
inspection a physical certificate of title or ~~a~~ memorandum
certificate showing title to the motor vehicle to be registered in
the applicant if a physical certificate of title or memorandum
certificate has been issued by a clerk of a court of common pleas.
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised

Code, a clerk instead has issued an electronic certificate of 1434
title for the applicant's motor vehicle, that certificate may be 1435
presented for inspection at the time of first registration in a 1436
manner prescribed by rules adopted by the registrar. When a motor 1437
vehicle inspection and maintenance program is in effect under 1438
section 3704.14 of the Revised Code and rules adopted under it, 1439
each application for registration for a vehicle required to be 1440
inspected under that section and those rules shall be accompanied 1441
by an inspection certificate for the motor vehicle issued in 1442
accordance with that section. The application shall be refused if 1443
any of the following applies: 1444

(1) The application is not in proper form. 1445

(2) The application is prohibited from being accepted by 1446
division (D) of section 2935.27, division (A) of section 2937.221, 1447
division (A) of section 4503.13, division (B) of section 4507.168, 1448
or division (B)(1) of section 4521.10 of the Revised Code. 1449

(3) A certificate of title or memorandum certificate of title 1450
does not accompany the application or, in the case of an 1451
electronic certificate of title, is not presented in a manner 1452
prescribed by the registrar's rules. 1453

(4) All registration and transfer fees for the motor vehicle, 1454
for the preceding year or the preceding period of the current 1455
registration year, have not been paid. 1456

(5) The owner or lessee does not have an inspection 1457
certificate for the motor vehicle as provided in section 3704.14 1458
of the Revised Code, and rules adopted under it, if that section 1459
is applicable. 1460

This section does not require the payment of license or 1461
registration taxes on a motor vehicle for any preceding year, or 1462
for any preceding period of a year, if the motor vehicle was not 1463
taxable for that preceding year or period under sections 4503.02, 1464

1465 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the
1466 Revised Code. When a certificate of registration is issued upon
1467 the first registration of a motor vehicle by or on behalf of the
1468 owner, the official issuing the certificate shall indicate the
1469 issuance with a stamp on the certificate of title or memorandum
1470 certificate or, in the case of an electronic certificate of title,
1471 an electronic stamp or other notation as specified in rules
1472 adopted by the registrar, and with a stamp on the inspection
1473 certificate for the motor vehicle, if any. The official also shall
1474 indicate, by a stamp or by ~~such~~ other means ~~as~~ the registrar
1475 prescribes, on the registration certificate issued upon the first
1476 registration of a motor vehicle by or on behalf of the owner the
1477 odometer reading of the motor vehicle as shown in the odometer
1478 statement included in or attached to the certificate of title.
1479 Upon each subsequent registration of the motor vehicle by or on
1480 behalf of the same owner, the official also shall so indicate the
1481 odometer reading of the motor vehicle as shown on the immediately
1482 preceding certificate of registration.

1483 The registrar shall include in the permanent registration
1484 record of any vehicle required to be inspected under section
1485 3704.14 of the Revised Code the inspection certificate number from
1486 the inspection certificate that is presented at the time of
1487 registration of the vehicle as required under this division.

1488 (C) In addition, a charge of twenty-five cents shall be made
1489 for each reflectorized safety license plate issued, and a single
1490 charge of twenty-five cents shall be made for each county
1491 identification sticker or each set of county identification
1492 stickers issued, as the case may be, to cover the cost of
1493 producing the license plates and stickers, including material,
1494 manufacturing, and administrative costs. Those fees shall be in
1495 addition to the license tax. If the total cost of producing the
1496 plates is less than twenty-five cents per plate, or if the total

cost of producing the stickers is less than twenty-five cents per 1497
sticker or per set issued, any excess moneys accruing from the 1498
fees shall be distributed in the same manner as provided by 1499
section 4501.04 of the Revised Code for the distribution of 1500
license tax moneys. If the total cost of producing the plates 1501
exceeds twenty-five cents per plate, or if the total cost of 1502
producing the stickers exceeds twenty-five cents per sticker or 1503
per set issued, the difference shall be paid from the license tax 1504
moneys collected pursuant to section 4503.02 of the Revised Code. 1505

(D) Each deputy registrar shall be allowed a fee of two 1506
dollars and twenty-five cents for each application for 1507
registration and registration renewal notice the deputy registrar 1508
receives, which shall be for the purpose of compensating the 1509
deputy registrar for the deputy registrar's services, and such 1510
office and rental expenses, as may be necessary for the proper 1511
discharge of the deputy registrar's duties in the receiving of 1512
applications and renewal notices and the issuing of ~~licenses~~ 1513
registrations. 1514

(E) Upon the certification of the registrar, the county 1515
sheriff or local police officials shall recover license plates 1516
erroneously or fraudulently issued. 1517

(F) Each deputy registrar, upon receipt of any application 1518
for registration or registration renewal notice, together with the 1519
license fee and any local motor vehicle license tax levied 1520
pursuant to Chapter 4504. of the Revised Code, shall transmit that 1521
fee and tax, if any, in the manner provided in this section, 1522
together with the original and duplicate copy of the application, 1523
to the registrar. The registrar, subject to the approval of the 1524
director of public safety, may deposit the funds collected by 1525
those deputies in a local bank or depository to the credit of the 1526
"state of Ohio, bureau of motor vehicles." Where a local bank or 1527
depository has been designated by the registrar, each deputy 1528

1529 registrar shall deposit all moneys collected by the deputy
1530 registrar into that bank or depository not more than one business
1531 day after their collection and shall make reports to the registrar
1532 of the amounts so deposited, together with any other information,
1533 some of which may be prescribed by the treasurer of state, as the
1534 registrar may require and as prescribed by the registrar by rule.
1535 The registrar, within three days after receipt of notification of
1536 the deposit of funds by a deputy registrar in a local bank or
1537 depository, shall draw on that account in favor of the treasurer
1538 of state. The registrar, subject to the approval of the director
1539 and the treasurer of state, may make reasonable rules necessary
1540 for the prompt transmittal of fees and for safeguarding the
1541 interests of the state and of counties, townships, municipal
1542 corporations, and transportation improvement districts levying
1543 local motor vehicle license taxes. The registrar may pay service
1544 charges usually collected by banks and depositories for such
1545 service. If deputy registrars are located in communities where
1546 banking facilities are not available, they shall transmit the fees
1547 forthwith, by money order or otherwise, as the registrar, by rule
1548 approved by the director and the treasurer of state, may
1549 prescribe. The registrar may pay the usual and customary fees for
1550 such service.

1551 (G) This section does not prevent any person from making an
1552 application for a motor vehicle license directly to the registrar
1553 by mail, by electronic means, or in person at any of the
1554 registrar's offices, upon payment of a service fee of two dollars
1555 and twenty-five cents for each application.

1556 (H) No person shall make a false statement as to the district
1557 of registration in an application required by division (A) of this
1558 section. Violation of this division is falsification under section
1559 2921.13 of the Revised Code and punishable as specified in that
1560 section.

(I)(1) Where applicable, the requirements of division (B) of
this section relating to the presentation of an inspection
certificate issued under section 3704.14 of the Revised Code and
rules adopted under it for a motor vehicle, the refusal of a
license for failure to present an inspection certificate, and the
stamping of the inspection certificate by the official issuing the
certificate of registration apply to the registration of and
issuance of license plates for a motor vehicle under sections
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172,
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46,
4503.47, and 4503.51 of the Revised Code.

(2)(a) The registrar shall adopt rules ensuring that each
owner registering a motor vehicle in a county where a motor
vehicle inspection and maintenance program is in effect under
section 3704.14 of the Revised Code and rules adopted under it
receives information about the requirements established in that
section and those rules and about the need in those counties to
present an inspection certificate with an application for
registration or preregistration.

(b) Upon request, the registrar shall provide the director of
environmental protection, or any person that has been awarded a
contract under division (D) of section 3704.14 of the Revised
Code, an on-line computer data link to registration information
for all passenger cars, noncommercial motor vehicles, and
commercial cars that are subject to that section. The registrar
also shall provide to the director of environmental protection a
magnetic data tape containing registration information regarding
passenger cars, noncommercial motor vehicles, and commercial cars
for which a multi-year registration is in effect under section
4503.103 of the Revised Code or rules adopted under it, including,
without limitation, the date of issuance of the multi-year
registration, the registration deadline established under rules

adopted under section 4503.101 of the Revised Code that was
applicable in the year in which the multi-year registration was
issued, and the registration deadline for renewal of the
multi-year registration.

(J) Application for registration under the international
registration plan, as set forth in sections 4503.60 to 4503.66 of
the Revised Code, shall be made to the registrar on forms
furnished by the registrar. In accordance with international
registration plan guidelines and pursuant to rules adopted by the
registrar, the forms shall include the following:

(1) A uniform mileage schedule;

(2) The gross vehicle weight of the vehicle or combined gross
vehicle weight of the combination vehicle as declared by the
registrant;

(3) Any other information the registrar requires by rule.

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon
application and proof of purchase of the vehicle, may be issued a
temporary license placard or windshield sticker for the motor
vehicle.

The purchaser of a vehicle applying for a temporary license
placard or windshield sticker under this section shall execute an
affidavit stating that the purchaser has not been issued
previously during the current registration year a license plate
that could legally be transferred to ~~such~~ the vehicle.

Placards or windshield stickers shall be issued only for the
applicant's use of the vehicle to enable the applicant to legally
operate the motor vehicle while proper title, license plates, and
a certificate of registration are being obtained, and shall be
displayed on no other motor vehicle.

Placards or windshield stickers issued under this section are

valid for a period of thirty days from date of issuance and are
not transferable or renewable.

The fee for ~~such~~ the placards or windshield stickers is two
dollars plus a deputy registrar service fee of two dollars and
twenty-five cents for each ~~such~~ placard issued by a deputy
registrar.

(B) The registrar of motor vehicles may issue to a motorized
bicycle dealer or a licensed motor vehicle dealer temporary
license placards to be issued to purchasers for use on vehicles
sold by the ~~licensed~~ dealer, in accordance with rules prescribed
by the registrar. The dealer shall notify the registrar, within
forty-eight hours ~~of proof~~, of the issuance ~~on of a form~~
prescribed placard by the registrar electronic means via computer
equipment purchased and maintained by the dealer or in any other
manner prescribed by the registrar.

The fee for each ~~such~~ placard issued by the registrar to a
licensed motor vehicle dealer is two dollars plus a fee of two
dollars and twenty-five cents.

(C) The registrar of motor vehicles, at the registrar's
discretion, may issue a temporary license placard. Such a placard
may be issued in the case of extreme hardship encountered by a
citizen from this state or another state who has attempted to
comply with all registration laws, but for extreme circumstances
is unable to properly register the citizen's vehicle.

(D) The registrar shall adopt rules, in accordance with
division (B) of section 111.15 of the Revised Code, to specify the
procedures for reporting the information from applications for
temporary license placards and windshield stickers and for
providing the information from these applications to law
enforcement agencies.

(E) Temporary license placards issued under this section 1654
shall bear a distinctive combination of seven letters, numerals, 1655
or letters and numerals, and shall incorporate a security feature 1656
that, to the greatest degree possible, prevents tampering with any 1657
of the information that is entered upon a placard when it is 1658
issued. 1659

(F) As used in this section, "motorized bicycle dealer" means 1660
any person engaged in the business of selling at retail, 1661
displaying, offering for sale, or dealing in motorized bicycles 1662
who is not subject to section 4503.09 of the Revised Code. 1663

Sec. 4505.021. The owner of a motor vehicle shall apply for a 1664
certificate of title for the vehicle when required by this 1665
chapter, but, except as otherwise specifically required in this 1666
chapter, the owner may elect whether or not to have the clerk of 1667
the court of common pleas to whom the certificate of title 1668
application is submitted issue a physical certificate of title for 1669
the motor vehicle, as provided in section 4505.08 of the Revised 1670
Code. 1671

Except as otherwise specifically provided in this chapter, 1672
any provision of this chapter relating to the cancellation, 1673
issuance, or surrender of a certificate of title, including, but 1674
not limited to, provisions that contain a phrase such as "when a 1675
certificate of title is issued," "the clerk shall issue a 1676
certificate of title," or "the person shall obtain a certificate 1677
of title to the motor vehicle," or another phrase of similar 1678
import, shall include those circumstances when a clerk enters 1679
certificate of title information into the automated title 1680
processing system, but does not take any further action relating 1681
to a physical certificate of title for the motor vehicle. 1682

Sec. 4505.03. No person, except as provided in section 1683

sections 4505.032 and 4505.05 of the Revised Code, shall sell or
otherwise dispose of a motor vehicle without delivering to the
buyer or transferee ~~thereof~~ of it a certificate of title with ~~such~~
an assignment thereon on it as is necessary to show title in the
buyer or transferee; nor shall any person, except as provided in
section 4505.032 or 4505.11 of the Revised Code, buy or otherwise
acquire a motor vehicle without obtaining a certificate of title
for it in the person's name in accordance with this chapter.

Sec. 4505.032. (A)(1) If a person who is not an electronic
motor vehicle dealer owns a motor vehicle for which a physical
certificate of title has not been issued by a clerk of a court of
common pleas and the person sells the motor vehicle to an
electronic motor vehicle dealer, the person is not required to
obtain a physical certificate of title to the motor vehicle in
order to transfer ownership to the dealer. The person shall
present the dealer, in a manner approved by the registrar of motor
vehicles, with sufficient proof of the person's identity and
complete and sign a form prescribed by the registrar attesting to
the person's identity and assigning the motor vehicle to the
dealer. The electronic motor vehicle dealer then shall inform a
clerk of a court of common pleas via electronic means of the sale
of the motor vehicle and assignment of ownership of the vehicle to
the dealer. The clerk shall enter the information relating to the
assignment, including, but not limited to, the odometer disclosure
statement required by section 4505.06 of the Revised Code, into
the automated title processing system, and ownership of the
vehicle passes to the dealer when the clerk enters this
information into the system. The dealer is not required to obtain
a certificate of title to the vehicle in the dealer's name.

(2) A clerk shall charge and collect from a dealer a fee of 1715
five dollars for each motor vehicle assigned to the dealer under 1716
division (A)(1) of this section. The fee shall be distributed in 1717
accordance with section 4505.09 of the Revised Code. 1718

(B) If a person who is not an electronic motor vehicle dealer 1719
owns a motor vehicle for which a physical certificate of title has 1720
not been issued by a clerk of a court of common pleas and the 1721
person sells the motor vehicle to a person who is not an 1722
electronic motor vehicle dealer, the person shall obtain a 1723
physical certificate of title to the motor vehicle in order to 1724
transfer ownership of the vehicle to the person who is not an 1725
electronic motor vehicle dealer. 1726

Sec. 4505.04. (A) No person acquiring a motor vehicle from 1727
its owner, whether the owner is a manufacturer, importer, dealer, 1728
or any other person, shall acquire any right, title, claim, or 1729
interest in or to the motor vehicle until there is issued to the 1730
person a certificate of title to the motor vehicle, or there is 1731
delivered to the person a manufacturer's or importer's certificate 1732
for it, or a certificate of title to it is assigned as authorized 1733
by section 4505.032 of the Revised Code; and no waiver or estoppel 1734
operates in favor of such person against a person having 1735
possession of the certificate of title to, or manufacturer's or 1736
importer's certificate for, the motor vehicle, for a valuable 1737
consideration. 1738

(B) Subject to division (C) of this section, no court shall 1739
recognize the right, title, claim, or interest of any person in or 1740
to any motor vehicle sold or disposed of, or mortgaged or 1741
encumbered, unless evidenced: 1742

(1) By a certificate of title, an assignment of a certificate 1743
of title made under section 4505.032 of the Revised Code, a 1744
manufacturer's or importer's certificate, or a certified receipt 1745

of title cancellation to an exported motor vehicle issued in 1746
accordance with sections 4505.01 to 4505.21 of the Revised Code; 1747
1748

(2) By admission in the pleadings or stipulation of the 1749
parties; 1750

(3) In an action by a secured party to enforce a security 1751
interest perfected under ~~sections 1309.01 to 1309.50~~ Chapter 1309. 1752
of the Revised Code in accordance with division (A) of section 1753
4505.13 of the Revised Code, by an instrument showing a valid 1754
security interest. 1755

(C)(1) As used in division (C) of this section: 1756

(a) "Harm" means damage or other loss. 1757

(b) "Lease agreement" includes a sublease agreement as 1758
defined in division (C)(1)(d) of this section. 1759

(c) "Lessee" includes a sublessee under a sublease agreement, 1760
but only if the sublessee is a motor vehicle leasing dealer 1761
licensed under Chapter 4517. of the Revised Code. 1762

(d) "Sublease agreement" means a lease of a motor vehicle 1763
between a motor vehicle leasing dealer licensed under Chapter 1764
4517. of the Revised Code and a second such duly licensed motor 1765
vehicle leasing dealer. 1766

(e) "Tort action" means a civil action for damages for harm 1767
to a motor vehicle, other than a civil action for damages for a 1768
breach of contract or another agreement between persons. 1769

(2) Notwithstanding divisions (A) and (B) of this section, if 1770
a motor vehicle that is the subject of a lease agreement sustains 1771
harm during the term of that agreement and if all of the following 1772
conditions are satisfied, the lessee may commence a tort action in 1773
the lessee's own name to recover damages for the harm from the 1774
person allegedly responsible for it: 1775

(a) The lessee shall file with and attach to the complaint in 1776
the tort action a copy of the lease agreement pursuant to which 1777
the lessee is responsible for damage to the motor vehicle, for 1778
purposes of establishing the ownership of the motor vehicle and 1779
the interest of the lessee in it~~7~~. 1780

(b) The harm to the motor vehicle shall be such that, under 1781
the lease agreement, the lessee bringing the action is legally 1782
responsible for the repair of the harm~~7~~. 1783

(c) The lessee shall cause a copy of the complaint in the 1784
tort action to be served upon the owner of the motor vehicle and 1785
upon any other lessee of the vehicle in accordance with the Rules 1786
of Civil Procedure. 1787

Sec. 4505.06. (A)~~(1)~~ Application for a certificate of title 1788
shall be made in a form prescribed by the registrar of motor 1789
vehicles, ~~and shall be sworn to before a notary public or other~~ 1790
~~officer empowered to administer oaths.~~ The application shall be 1791
filed with the clerk of the any court of common pleas ~~of the~~ 1792
~~county in which the applicant resides if the applicant is a~~ 1793
~~resident of this state or, if not a resident, in the county in~~ 1794
~~which the transaction is consummated.~~ An application for a 1795
certificate of title may be filed electronically by any electronic 1796
~~image transmission means approved by the registrar in any county~~ 1797
~~in which with the clerk of the court of common pleas permits an~~ 1798
~~application to be filed electronically.~~ The signature of an 1799
~~officer empowered to administer oaths that appears on an~~ 1800
~~application for a certificate of title, or on any other document~~ 1801
~~required to be filed by this chapter that has been filed~~ 1802
~~electronically, is not a facsimile signature as defined in section~~ 1803
~~9.10 of the Revised Code of that county.~~ Any payments required by 1804
this chapter shall be considered as accompanying any 1805
electronically transmitted application when payment actually is 1806

received by the clerk. Payment of any fee or taxes may be made by
electronic transfer of funds.

(2) The application for a certificate of title shall be
accompanied by the fee prescribed in section 4505.09 of the
Revised Code, ~~and if, The fee shall be retained by the clerk who~~
issues the certificate of title and shall be distributed in
accordance with that section. If a clerk of a court of common
pleas, other than the clerk of the court of common pleas of an
applicant's county of residence, issues a certificate of title to
the applicant, the clerk shall transmit data related to the
transaction to the database of the automated data processing
system in the office of the clerk of the court of common pleas of
the applicant's county of residence.

(3) If a certificate of title previously has been issued for
the a motor vehicle in this state, it the application for a
certificate of title also shall be accompanied by that certificate
of title duly assigned, unless otherwise provided in this chapter.
If a certificate of title previously has not been issued for the
motor vehicle in this state, the application, unless otherwise
provided in this chapter, shall be accompanied by a manufacturer's
or importer's certificate or by a certificate of title of another
state from which the motor vehicle was brought into this state. If
the application refers to a motor vehicle last previously
registered in another state, the application also shall be
accompanied by the physical inspection certificate required by
section 4505.061 of the Revised Code. If the application is made
by two persons regarding a motor vehicle in which they wish to
establish joint ownership with right of survivorship, they may do
so as provided in section 2106.17 of the Revised Code. The clerk
shall retain the evidence of title presented by the applicant and
on which the certificate of title is issued, except that, if an
application for a certificate of title is filed electronically by

an electronic motor vehicle dealer on behalf of the purchaser of a 1839
motor vehicle, the clerk shall retain the completed electronic 1840
record to which the dealer converted the certificate of title 1841
application and other required documents. The electronic motor 1842
vehicle dealer shall forward the actual application and all other 1843
documents relating to the sale of the motor vehicle to any clerk 1844
within thirty days after the certificate of title is issued. The 1845
registrar, after consultation with the attorney general, shall 1846
adopt rules that govern the location at which, and the manner in 1847
which, are stored the actual application and all other documents 1848
relating to the sale of a motor vehicle when an electronic motor 1849
vehicle dealer files the application for a certificate of title 1850
electronically on behalf of the purchaser. The 1851

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The clerk shall use reasonable diligence in ascertaining 1853
whether or not the facts in the application for a certificate of 1854
title are true by checking the application and documents 1855
accompanying it or the electronic record to which a dealer 1856
converted the application and accompanying documents with the 1857
records of motor vehicles in the clerk's office; ~~if.~~ If the clerk 1858
is satisfied that the applicant is the owner of the motor vehicle 1859
and that the application is in the proper form, the clerk, within 1860
five business days after the application is filed, shall issue a 1861
physical certificate of title over the clerk's signature and 1862
sealed with the clerk's seal unless the applicant specifically 1863
requests the clerk not to issue a physical certificate of title 1864
and instead to issue an electronic certificate of title. For 1865
purposes of the transfer of a certificate of title, if the clerk 1866
is satisfied that the secured party has duly discharged a lien 1867
notation, ~~but has not canceled the lien notation with the~~ a clerk 1868
~~of the county of origin,~~ the clerk may cancel the lien notation on 1869
the automated title processing system and notify the clerk of the 1870
county of origin. 1871

(4) In the case of the sale of a motor vehicle to a general
buyer or user by a dealer, by a motor vehicle leasing dealer
selling the motor vehicle to the lessee or, in a case in which the
leasing dealer subleased the motor vehicle, the sublessee, at the
end of the lease agreement or sublease agreement, or by a
manufactured home broker, the certificate of title shall be
obtained in the name of the buyer by the dealer, leasing dealer,
or ~~the~~ manufactured home broker, as the case may be, upon
application signed by the buyer. The certificate of title shall be
issued, or the process of entering the certificate of title
application information into the automated title processing system
if a physical certificate of title is not to be issued shall be
completed, within five business days after the application for
title is filed with the clerk. If the buyer of the motor vehicle
previously leased the motor vehicle and is buying the motor
vehicle at the end of the lease pursuant to that lease, the
certificate of title shall be obtained in the name of the buyer by
the motor vehicle leasing dealer who previously leased the motor
vehicle to the buyer or by the motor vehicle leasing dealer who
subleased the motor vehicle to the buyer under a sublease
agreement.

In all other cases, except as provided in section 4505.032
and division (D)(2) of section 4505.11 of the Revised Code, such
certificates shall be obtained by the buyer. ~~in~~

(5)(a)(i) If the certificate of title is being obtained in
the name of the buyer by a motor vehicle dealer or motor vehicle
leasing dealer and there is a security interest to be noted on the
certificate of title, the dealer or leasing dealer shall submit
the application for the certificate of title and payment of the
applicable tax to a clerk within seven business days after the
later of the delivery of the motor vehicle to the buyer or the
date the dealer or leasing dealer obtains the manufacturer's or

importer's certificate, or certificate of title issued in the name of the dealer or leasing dealer, for the motor vehicle. Submission of the application for the certificate of title and payment of the applicable tax within the required seven business days may be indicated by postmark or receipt by a clerk within that period.

(ii) Upon receipt of the certificate of title with the security interest noted on its face, the dealer or leasing dealer shall forward the certificate of title to the secured party at the location noted in the financing documents or otherwise specified by the secured party.

(iii) A motor vehicle dealer or motor vehicle leasing dealer is liable to a secured party for a late fee of ten dollars per day for each certificate of title application and payment of the applicable tax that is submitted to a clerk more than seven business days but less than twenty-one days after the later of the delivery of the motor vehicle to the buyer or the date the dealer or leasing dealer obtains the manufacturer's or importer's certificate, or certificate of title issued in the name of the dealer or leasing dealer, for the motor vehicle and, from then on, twenty-five dollars per day until the application and applicable tax are submitted to a clerk.

(b) In all cases of transfer of a motor vehicle, the application for certificate of title shall be filed within thirty days after the assignment or delivery of the motor vehicle. If an application for a certificate of title is not filed within that the period specified in division (A)(5)(b) of this section, the clerk shall collect a fee of five dollars for the issuance of the certificate, except that no such fee shall be required from a motor vehicle salvage dealer, as defined in division (A) of section 4738.01 of the Revised Code, who immediately surrenders the certificate of title for cancellation. The fee shall be in addition to all other fees established by this chapter, and shall

be retained by the clerk. The registrar shall provide, on the
certificate of title form prescribed by section 4505.07 of the
Revised Code, language necessary to give evidence of the date on
which the assignment or delivery of the motor vehicle was made.

(6) As used in ~~this~~ division (A) of this section, "lease
agreement," "lessee," and "sublease agreement" have the same
meanings as in section 4505.04 of the Revised Code.

(B) The clerk, except as provided in this section, shall
refuse to accept for filing any application for a certificate of
title and shall refuse to issue a certificate of title unless the
dealer or manufactured home broker or the applicant, in cases in
which the certificate shall be obtained by the buyer, submits with
the application payment of the tax levied by or pursuant to
Chapters 5739. and 5741. of the Revised Code based on the
purchaser's county of residence. Upon payment of the tax in
accordance with division (E) of this section, the clerk shall
issue a receipt prescribed by the registrar and agreed upon by the
tax commissioner showing payment of the tax or a receipt issued by
the commissioner showing the payment of the tax. When submitting
payment of the tax to the clerk, a dealer shall retain any
discount to which the dealer is entitled under section 5739.12 of
the Revised Code.

For receiving and disbursing such taxes paid to the clerk by
a resident of the clerk's county, the clerk may retain a poundage
fee of one and one one-hundredth per cent, which shall be paid
into the certificate of title administration fund created by
section 325.33 of the Revised Code. The clerk shall not retain a
poundage fee from payments of taxes by persons who do not reside
in the clerk's county.

A clerk, however, may retain from the taxes paid to the clerk
an amount equal to the poundage fees associated with certificates

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of title issued by other clerks of courts of common pleas to
applicants who reside in the first clerk's county. The registrar,
in consultation with the tax commissioner and the clerks of the
courts of common pleas, shall develop a report from the automated
title processing system that informs each clerk of the amount of
the poundage fees that the clerk is permitted to retain from those
taxes because of certificates of title issued by the clerks of
other counties to applicants who reside in the first clerk's
county.

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In the case of casual sales of motor vehicles, as defined in
section 4517.01 of the Revised Code, the price for the purpose of
determining the tax shall be the purchase price on the assigned
certificate of title executed by the seller and filed with the
clerk by the buyer on a form to be prescribed by the registrar,
which shall be prima-facie evidence of the amount for the
determination of the tax.

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(C)(1) If the transferor indicates on the certificate of
title that the odometer reflects mileage in excess of the designed
mechanical limit of the odometer, the clerk shall enter the phrase
"exceeds mechanical limits" following the mileage designation. If
the transferor indicates on the certificate of title that the
odometer reading is not the actual mileage, the clerk shall enter
the phrase "nonactual: warning - odometer discrepancy" following
the mileage designation. The clerk shall use reasonable care in
transferring the information supplied by the transferor, but is
not liable for any errors or omissions of the clerk or those of
the clerk's deputies in the performance of the clerk's duties
created by this chapter.

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The registrar shall prescribe an affidavit in which the
transferor shall swear to the true selling price and, except as
provided in this division, the true odometer reading of the motor
vehicle. The registrar may prescribe an affidavit in which the

2000 seller and buyer provide information pertaining to the odometer
2001 reading of the motor vehicle in addition to that required by this
2002 section, as such information may be required by the United States
2003 secretary of transportation by rule prescribed under authority of
2004 subchapter IV of the "Motor Vehicle Information and Cost Savings
2005 Act," 86 Stat. 961 (1972), 15 U.S.C. 1981.

2006 (2) Division (C)(1) of this section does not require the
2007 giving of information concerning the odometer and odometer reading
2008 of a motor vehicle when ownership of a motor vehicle is being
2009 transferred as a result of a bequest, under the laws of intestate
2010 succession, to a surviving spouse pursuant to section 2106.17,
2011 2106.18, or 4505.10 of the Revised Code, or in connection with the
2012 creation of a security interest.

2013 (D) When the transfer to the applicant was made in some other
2014 state or in interstate commerce, the clerk, except as provided in
2015 this section, shall refuse to issue any certificate of title
2016 unless the tax imposed by or pursuant to Chapter 5741. of the
2017 Revised Code based on the purchaser's county of residence has been
2018 paid as evidenced by a receipt issued by the tax commissioner, or
2019 unless the applicant submits with the application payment of the
2020 tax. Upon payment of the tax in accordance with division (E) of
2021 this section, the clerk shall issue a receipt prescribed by the
2022 registrar and agreed upon by the tax commissioner, showing payment
2023 of the tax. ~~For~~

2024 For receiving and disbursing such taxes paid to the clerk by
2025 a resident of the clerk's county, the clerk may retain a poundage
2026 fee of one and one one-hundredth per cent. ~~When~~ The clerk shall
2027 not retain a poundage fee from payments of taxes by persons who do
2028 not reside in the clerk's county.

2029 A clerk, however, may retain from the taxes paid to the clerk
2030 an amount equal to the poundage fees associated with certificates
2031 of title issued by other clerks of courts of common pleas to

applicants who reside in the first clerk's county. The registrar,
in consultation with the tax commissioner and the clerks of the
courts of common pleas, shall develop a report from the automated
title processing system that informs each clerk of the amount of
the poundage fees that the clerk is permitted to retain from those
taxes because of certificates of title issued by the clerks of
other counties to applicants who reside in the first clerk's
county.

When the vendor is not regularly engaged in the business of
selling motor vehicles, the vendor shall not be required to
purchase a vendor's license or make reports concerning ~~such~~ those
sales.

(E) The clerk shall accept any payment of a tax in cash, or
by cashier's check, certified check, draft, ~~or~~ money order, or
teller check issued by any insured financial institution payable
to the clerk and submitted with an application for a certificate
of title under division (B) or (D) of this section. The clerk also
may accept payment of the tax by corporate, business, or personal
check, credit card, electronic transfer or wire transfer, debit
card, or any other accepted form of payment made payable to the
clerk. The clerk may require bonds, guarantees, or letters of
credit to ensure the collection of corporate, business, or
personal checks. Any service fee charged by a third party to a
clerk for the use of any form of payment may be paid by the clerk
from the certificate of title administration fund created in
section 325.33 of the Revised Code, or may be assessed by the
clerk upon the applicant as an additional fee. Upon collection,
the additional fees shall be paid by the clerk into that
certificate of title administration fund.

The clerk shall make a good faith effort to collect any
payment of taxes due but not made because the payment was returned
or dishonored, but the clerk is not personally liable for the

payment of uncollected taxes or uncollected fees. The clerk shall
notify the tax commissioner of any such payment of taxes that is
due but not made and shall furnish such information to the
commissioner as the commissioner requires. The clerk shall deduct
the amount of taxes due but not paid from the clerk's periodic
remittance of tax payments, in accordance with procedures agreed
upon by the tax commissioner. The commissioner may collect taxes
due by assessment in the manner provided in section 5739.13 of the
Revised Code.

Any person who presents payment that is returned or
dishonored for any reason is liable to the clerk for payment of a
penalty over and above the amount of the taxes due. The clerk
shall determine the amount of the penalty, which shall be no
greater than that amount necessary to compensate the clerk for
banking charges, legal fees, or other expenses incurred by the
clerk in collecting the returned or dishonored payment. The
remedies and procedures provided in this section are in addition
to any other available civil or criminal remedies. Subsequently
collected penalties, poundage fees, and title fees, less any title
fee due the state, from returned or dishonored payments collected
by the clerk shall be paid into the certificate of title
administration fund. Subsequently collected taxes, less poundage
fees, shall be sent by the clerk to the treasurer of state at the
next scheduled periodic remittance of tax payments, with ~~such~~
information as the commissioner may require. The clerk may abate
all or any part of any penalty assessed under this division.

(F) In the following cases, the clerk shall accept for filing
~~such~~ an application and shall issue a certificate of title without
requiring payment or evidence of payment of the tax:

(1) When the purchaser is this state or any of its political
subdivisions, a church, or an organization whose purchases are

exempted by section 5739.02 of the Revised Code; 2096

(2) When the transaction in this state is not a retail sale 2097
as defined by section 5739.01 of the Revised Code; 2098

(3) When the purchase is outside this state or in interstate 2099
commerce and the purpose of the purchaser is not to use, store, or 2100
consume within the meaning of section 5741.01 of the Revised Code; 2101
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(4) When the purchaser is the federal government; 2103

(5) When the motor vehicle was purchased outside this state 2104
for use outside this state; 2105

(6) When the motor vehicle is purchased by a nonresident of 2106
this state for immediate removal from this state, and will be 2107
permanently titled and registered in another state, as provided by 2108
division (B)(23) of section 5739.02 of the Revised Code, and upon 2109
presentation of a copy of the affidavit provided by that section, 2110
and a copy of the exemption certificate provided by section 2111
5739.03 of the Revised Code. 2112

The clerk shall forward all payments of taxes, less poundage 2113
~~fee fees~~, to the treasurer of state in a manner to be prescribed 2114
by the tax commissioner and shall furnish ~~such~~ information to the 2115
commissioner as the commissioner requires. 2116

(G) An application, as prescribed by the registrar and agreed 2117
to by the tax commissioner, shall be filled out and sworn to by 2118
the buyer of a motor vehicle in a casual sale. The application 2119
shall contain the following notice in bold lettering: "WARNING TO 2120
TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by 2121
law to state the true selling price. A false statement is in 2122
violation of section 2921.13 of the Revised Code and is punishable 2123
by six months' imprisonment or a fine of up to one thousand 2124
dollars, or both. All transfers are audited by the department of 2125
taxation. The seller and buyer must provide any information 2126

requested by the department of taxation. The buyer may be assessed 2127
any additional tax found to be due." 2128

(H) For sales of manufactured homes or mobile homes occurring 2129
on or after January 1, 2000, the clerk shall accept for filing, 2130
pursuant to Chapter 5739. of the Revised Code, an application for 2131
a certificate of title for a manufactured home or mobile home 2132
without requiring payment of any tax pursuant to section 5739.02, 2133
5741.021, 5741.022, or 5741.023 of the Revised Code, or a receipt 2134
issued by the tax commissioner showing payment of the tax. For 2135
sales of manufactured homes or mobile homes occurring on or after 2136
January 1, 2000, the applicant shall pay to the clerk an 2137
additional fee of five dollars for each certificate of title 2138
issued by the clerk for a manufactured or mobile home pursuant to 2139
division (H) of section 4505.11 of the Revised Code and for each 2140
certificate of title issued upon transfer of ownership of the 2141
home. The clerk shall credit the fee to the county certificate of 2142
title administration fund, and the fee shall be used to pay the 2143
expenses of archiving such certificates pursuant to division (A) 2144
of section 4505.08 and division (H)(3) of section 4505.11 of the 2145
Revised Code. The tax commissioner shall administer any tax on a 2146
manufactured or mobile home pursuant to Chapters 5739. and 5741. 2147
of the Revised Code. 2148

(I) Every clerk shall have the capability to transact by 2149
electronic means all procedures and transactions relating to the 2150
issuance of motor vehicle certificates of title that are described 2151
in the Revised Code as being accomplished by electronic means. 2152

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Sec. 4505.08. (A) ~~The~~ When the clerk of ~~the~~ a court of common 2155
pleas issues a physical certificate of title, the clerk shall 2156
~~issue certificates~~ the certificate of title in duplicate. One copy 2157

shall be retained and filed by the clerk in the clerk's office. 2158
The clerk shall sign and affix the clerk's seal to the original 2159
certificate of title and, if there are no liens on the motor 2160
vehicle, shall deliver the certificate to the applicant or the 2161
selling dealer. If there are one or more liens on the motor 2162
vehicle, the certificate of title shall be delivered to the holder 2163
of the first lien or the selling dealer, who shall deliver the 2164
certificate of title to the holder of the first lien. 2165
2166

The registrar of motor vehicles shall prescribe a uniform 2167
method of numbering certificates of title, and such numbering 2168
shall be in such manner that the county of issuance is indicated. 2169
The clerk shall assign numbers to certificates of title in the 2170
manner prescribed by the registrar. The clerk shall file all 2171
certificates of title according to ~~regulations~~ rules to be 2172
prescribed by the registrar, and the clerk shall maintain in the 2173
clerk's office indexes for the certificates of title. 2174

The clerk need not retain on file any current certificates of 2175
title, current duplicate certificates of title, current memorandum 2176
certificates of title, or current salvage certificates of title, 2177
or supporting evidence ~~thereof of them, including the electronic~~ 2178
record described in division (A) of section 4505.06 of the Revised 2179
Code, covering any motor vehicle or manufactured or mobile home 2180
for a period longer than seven years after the date of its filing; 2181
thereafter, the ~~same~~ documents and supporting evidence may be 2182
destroyed. The clerk need not retain on file any inactive records, 2183
including certificates of title, duplicate certificates of title, 2184
or memorandum certificates of title, or supporting evidence 2185
~~thereof of them, including the electronic record described in~~ 2186
division (A) of section 4505.06 of the Revised Code, covering any 2187
motor vehicle or manufactured or mobile home for a period longer 2188
than five years after the date of its filing; thereafter, the ~~same~~ 2189

documents and supporting evidence may be destroyed. The clerk 2190
shall retain the active index and all active records in the data 2191
base of the computer in the clerk's office, and shall retain in 2192
the data base a record and index of all inactive titles for ten 2193
years, and a record and index of all inactive titles for 2194
manufactured and mobile homes for thirty years. If the clerk 2195
provides a written copy of any information contained in the data 2196
base, the copy shall be considered the original for purposes of 2197
the clerk certifying the record of such information for use in any 2198
legal proceeding. 2199

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(B)(1) If the clerk issues a certificate of title for a motor 2201
vehicle that was last previously registered in another state, the 2202
clerk shall record verbatim, where practicable, in the space on 2203
the title described in division (B)(19) of section 4505.07 of the 2204
Revised Code, the words that appear as a notation to the vehicle 2205
on the title issued by the previous state. These notations may 2206
include, but are not limited to, words to the effect that the 2207
vehicle was considered or was categorized by the state in which it 2208
was last previously registered to be a law enforcement vehicle, or 2209
a taxicab, or was once in a flood. 2210

(2) If the clerk, while issuing a certificate of title for a 2211
motor vehicle that was last previously registered in another 2212
state, receives information from the automated title processing 2213
system indicating that a title to the vehicle previously was 2214
issued by this state and that the previous title contained 2215
notations that appeared in the space described in division (B)(19) 2216
or (20) of section 4505.07 of the Revised Code, the clerk shall 2217
enter the notations that appeared on the previous certificate of 2218
title issued by this state on the new certificate of title in the 2219
space described in division (B)(19) or (20) of section 4505.07 of 2220
the Revised Code, irrespective of whether the notations appear on 2221

the certificate of title issued by the state in which the vehicle
was last previously registered.

(3) If the clerk, while issuing a certificate of title for a
motor vehicle that was last previously registered in another
state, receives information from the automated title processing
system indicating that the vehicle was previously issued a title
by this state and that the previous title bore the notation
"REBUILT SALVAGE" as required by division (E) of section 4505.11
of the Revised Code, or the previous title to the vehicle issued
by this state was a salvage certificate of title, the clerk shall
cause the certificate of title the clerk issues to bear the
notation "REBUILT SALVAGE" in the location prescribed by the
registrar pursuant to that division.

(C) When the clerk issues a certificate of title for a motor
vehicle that was last previously registered in this state and was
a law enforcement vehicle, or a taxicab, or was once in a flood,
the clerk shall record that information in the space on the title
described in division (B)(20) of section 4505.07 of the Revised
Code. The registrar, by rule, may prescribe any additional uses of
or happenings to a motor vehicle that the registrar has reason to
believe should be noted on the certificate of title as provided in
this division.

(D) The clerk shall use reasonable care in recording or
entering onto titles the clerk issues any notation and information
the clerk is required by divisions (B) and (C) of this section to
record or enter and in causing the titles the clerk issues to bear
any notation required by those divisions, but the clerk is not
liable for any of the clerk's errors or omissions or those of the
clerk's deputies, or the automated title processing system, in the
performance of the duties imposed on the clerk by this section.

(E) The clerk may issue a duplicate title, when duly applied

for, of any title that has been destroyed as herein provided.

(F) The clerk shall issue a physical certificate of title to an applicant unless the applicant specifically requests the clerk not to issue a physical certificate of title and instead to issue an electronic certificate of title. The fact that a physical certificate of title is not issued for a motor vehicle does not affect ownership of the vehicle. In that case, when the clerk completes the process of entering certificate of title application information into the automated title processing system, the effect of the completion of the process is the same as if the clerk actually issued a physical certificate of title for the motor vehicle.

(G) An electronic motor vehicle dealer who applies for a certificate of title on behalf of a customer who purchases a motor vehicle from the dealer may print a non-negotiable evidence of ownership for the customer if the customer so requests. The authorization to print the non-negotiable evidence of ownership shall come from the clerk with whom the dealer makes application for the certificate of title for the customer, but the printing by the dealer does not create an agency relationship of any kind between the dealer and the clerk.

Sec. 4505.09. (A) The clerk of ~~the~~ a court of common pleas shall charge a fee of five dollars for each certificate of title that is not applied for within thirty days after the assignment or delivery of the motor vehicle described ~~therein~~ in it. The fees shall be retained by the clerk.

In addition to those fees, the clerk shall charge a fee of five dollars for each certificate of title, duplicate certificate of title, memorandum certificate of title, authorization to print a non-negotiable evidence of ownership described in division (G)

of section 4505.08 of the Revised Code, and notation of any lien 2285
on a certificate of title. The clerk shall retain two dollars and 2286
twenty-five cents of the fee charged for each certificate of 2287
title, four dollars and seventy-five cents of the fee charged for 2288
each duplicate certificate of title, all of the fees charged for 2289
each memorandum certificate or authorization to print a 2290
non-negotiable evidence of ownership, and four dollars and 2291
twenty-five cents of the fee charged for each notation of a lien. 2292

The remaining two dollars and seventy-five cents charged for 2293
the certificate of title, the remaining twenty-five cents charged 2294
for the duplicate certificate of title, and the remaining 2295
seventy-five cents charged for the notation of any lien on a 2296
certificate of title shall be paid to the registrar of motor 2297
vehicles by monthly returns, which shall be forwarded to the 2298
registrar not later than the fifth day of the month next 2299
succeeding that in which the certificate is issued or that in 2300
which the registrar is notified of a lien or cancellation ~~thereof~~ 2301
of a lien. 2302

(B)(1) The registrar shall pay twenty-five cents of the 2303
amount received for each certificate of title and all of the 2304
amounts received for each notation of any lien and each duplicate 2305
certificate of title into the state bureau of motor vehicles fund 2306
established in section 4501.25 of the Revised Code. 2307

(2) Fifty cents of the amount received for each certificate 2308
of title shall be paid by the registrar as follows: 2309

(a) Four cents shall be paid into the state treasury to the 2310
credit of the motor vehicle dealers board fund, which is hereby 2311
created. All investment earnings of the fund shall be credited to 2312
the fund. The moneys in the motor vehicle dealers board fund shall 2313
be used by the motor vehicle dealers board created under section 2314
4517.30 of the Revised Code, together with other moneys 2315
appropriated to it, in the exercise of its powers and the 2316

performance of its duties under Chapter 4517. of the Revised Code, 2317
except that the director of budget and management may transfer 2318
excess money from the motor vehicle dealers board fund to the 2319
bureau of motor vehicles fund if the registrar determines that the 2320
amount of money in the motor vehicle dealers board fund, together 2321
with other moneys appropriated to the board, exceeds the amount 2322
required for the exercise of its powers and the performance of its 2323
duties under Chapter 4517. of the Revised Code and requests the 2324
director to make the transfer. 2325

(b) Twenty-one cents shall be paid into the general revenue 2326
fund. 2327

(c) Twenty-five cents shall be paid into the state treasury 2328
to the credit of the motor vehicle sales audit fund, which is 2329
hereby created. The moneys in the fund shall be used by the tax 2330
commissioner together with other funds available to the 2331
commissioner to conduct a continuing investigation of sales and 2332
use tax returns filed for motor vehicles in order to determine if 2333
sales and use tax liability has been satisfied. The commissioner 2334
shall refer cases of apparent violations of section 2921.13 of the 2335
Revised Code made in connection with the titling or sale of a 2336
motor vehicle and cases of any other apparent violations of the 2337
sales or use tax law to the appropriate county prosecutor whenever 2338
the commissioner considers it advisable. 2339

(3) Two dollars of the amount received by the registrar for 2340
each certificate of title shall be paid into the state treasury to 2341
the credit of the automated title processing fund, which is hereby 2342
created and which shall consist of moneys collected under division 2343
(B)(3) of this section and under sections 1548.10 and 4519.59 of 2344
the Revised Code. All investment earnings of the fund shall be 2345
credited to the fund. The moneys in the fund shall be used as 2346
follows: 2347

(a) Except for moneys collected under section 1548.10 of the 2348

Revised Code and as provided in division (B)(3)(c) of this 2349
section, moneys collected under division (B)(3) of this section 2350
shall be used to implement and maintain an automated title 2351
processing system for the issuance of motor vehicle, off-highway 2352
motorcycle, and all-purpose vehicle certificates of title in the 2353
offices of the clerks of the courts of common pleas~~+~~. 2354

(b) Moneys collected under section 1548.10 of the Revised 2355
Code shall be used to issue marine certificates of title in the 2356
offices of the clerks of the courts of common pleas as provided in 2357
Chapter 1548. of the Revised Code. 2358

(c) Moneys collected under division (B)(3) of this section 2359
shall be used in accordance with section 4505.25 of the Revised 2360
Code to implement Sub. S.B. 59 of the 124th general assembly. 2361

(C)(1) The automated title processing board is hereby created 2363
consisting of the registrar or the registrar's representative, a 2364
person selected by the registrar, the president of the Ohio clerks 2365
of court association or the president's representative, and two 2366
clerks of courts of common pleas appointed by the governor. The 2367
director of budget and management or the director's designee, the 2368
chief of the division of watercraft in the department of natural 2369
resources or the chief's designee, and the tax commissioner or the 2370
commissioner's designee shall be nonvoting members of the board. 2371

(2) The automated title processing board shall determine each 2373
of the following: 2374

(a) The automated title processing equipment and certificates 2375
of title requirements for each county; 2376

(b) The payment of expenses that may be incurred by the 2377
counties in implementing an automated title processing system; 2378

(c) The repayment to the counties for existing title 2379

processing equipment.

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(3) The registrar shall purchase, lease, or otherwise acquire any automated title processing equipment and certificates of title that the board determines are necessary from moneys in the automated title processing fund established by division (B)(3) of this section. Each county issuing more than one hundred thousand certificates of title annually, with the approval of the registrar and in accordance with the registrar's requirements, may purchase and maintain an automated title processing system for the issuance of motor vehicle titles, certificates of title for off-highway motorcycles and all-purpose vehicles, and certificates of title for watercraft and outboard motors with the cost of the system paid for from the automated processing title fund.

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(D) All counties shall conform to the requirements of the registrar regarding the operation of their automated title processing system for motor vehicle titles, certificates of title for off-highway motorcycles and all-purpose vehicles, and certificates of title for watercraft and outboard motors.

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Sec. 4505.10. (A) In the event of the transfer of ownership of a motor vehicle by operation of law, as upon inheritance, devise ~~or~~, bequest, order in bankruptcy, insolvency, replevin, or execution sale, a motor vehicle is sold to satisfy storage or repair charges, or repossession is had upon default in performance of the terms of a security agreement as provided in Chapter 1309. of the Revised Code and the secured party has complied with the repossession requirements of section 1309.46 of the Revised Code and all of the requirements of section 1309.47 of the Revised Code, including the notice requirements, ~~the a~~ clerk of ~~the a~~ court of common pleas ~~of the county in which the last certificate of title to the motor vehicle was issued,~~ upon the surrender of

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the prior certificate of title or the manufacturer's or importer's 2411
certificate, or, when that is not possible, upon presentation of 2412
satisfactory proof to the clerk of ownership and rights of 2413
possession to the motor vehicle, and upon payment of the fee 2414
prescribed in section 4505.09 of the Revised Code and presentation 2415
of an application for certificate of title, may issue to the 2416
applicant a certificate of title to the motor vehicle. Only an 2417
affidavit by the person or agent of the person to whom possession 2418
of the motor vehicle has passed, setting forth the facts entitling 2419
the person to the possession and ownership, together with a copy 2420
of the journal entry, court order, or instrument upon which the 2421
claim of possession and ownership is founded, is satisfactory 2422
proof of ownership and right of possession. If the applicant 2423
cannot produce that proof of ownership, the applicant may apply 2424
directly to the registrar of motor vehicles and submit the 2425
evidence the applicant has, and the registrar, if the registrar 2426
finds the evidence sufficient, then may authorize ~~the~~ a clerk to 2427
issue a certificate of title. If, from the records in the office 2428
of the clerk involved, there appears to be any lien on the motor 2429
vehicle, the certificate of title shall contain a statement of the 2430
lien unless the application is accompanied by proper evidence of 2431
its extinction. 2432

(B) ~~The~~ A clerk shall transfer a decedent's interest in one 2433
or two automobiles to the surviving spouse of the decedent, as 2434
provided in section 2106.18 of the Revised Code, upon receipt of 2435
the title or titles. An affidavit executed by the surviving spouse 2436
shall be submitted to the clerk with the title or titles. The 2437
affidavit shall give the date of death of the decedent, shall 2438
state that each automobile for which the decedent's interest is to 2439
be so transferred is not disposed of by testamentary disposition, 2440
and shall provide an approximate value for each automobile 2441
selected to be transferred by the surviving spouse. The affidavit 2442
shall also contain a description for each automobile for which the 2443

decedent's interest is to be so transferred. The transfer does not 2444
affect any liens upon any automobile for which the decedent's 2445
interest is so transferred. 2446

(C) Upon the death of one of the persons who have established 2447
joint ownership with right of survivorship under section 2106.17 2448
of the Revised Code in a motor vehicle, and upon presentation to 2449
~~the~~ a clerk of the title and the certificate of death of the 2450
decedent, the clerk shall transfer title to the motor vehicle to 2451
the survivor. The transfer does not affect any liens upon any 2452
motor vehicle so transferred. 2453

Sec. 4505.102. (A) If a pawnbroker licensed under Chapter 2454
4727. of the Revised Code makes a loan that is secured by a motor 2455
vehicle, watercraft, or outboard motor and has taken possession of 2456
the motor vehicle, watercraft, or outboard motor and the 2457
certificate of title to the motor vehicle, watercraft, or outboard 2458
motor, and the owner of the motor vehicle, watercraft, or outboard 2459
motor fails to redeem or pay interest on the loan for which the 2460
motor vehicle, watercraft, or outboard motor was pledged within 2461
two months from the date of the loan or the date on which the last 2462
interest payment is due, and the pawnbroker notifies the owner by 2463
mail, with proof of mailing, as required by division (A) of 2464
section 4727.11 of the Revised Code, of the possible forfeiture of 2465
the motor vehicle, watercraft, or outboard motor, and the owner 2466
fails to redeem the motor vehicle, watercraft, or outboard motor 2467
within the thirty-day period required by that division to be 2468
specified in the notice, the pawnbroker shall proceed to obtain a 2469
certificate of title to the motor vehicle, watercraft, or outboard 2470
motor in the pawnbroker's name in the manner provided in this 2471
section. 2472

(B) The pawnbroker shall execute an affidavit stating all of 2473
the following: 2474

(1) That the pawnbroker is a pawnbroker licensed under 2475
Chapter 4727. of the Revised Code; 2476

(2) That the pawnbroker has made a loan to the owner of a 2477
motor vehicle, watercraft, or outboard motor, and the security for 2478
the loan is the motor vehicle, watercraft, or outboard motor; 2479
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(3) That both the motor vehicle, watercraft, or outboard 2481
motor and the certificate of title to the motor vehicle, 2482
watercraft, or outboard motor are in the possession of the 2483
pawnbroker; 2484

(4) That the owner of the motor vehicle, watercraft, or 2485
outboard motor has failed to redeem the pledged motor vehicle, 2486
watercraft, or outboard motor or pay interest on the loan for 2487
which the motor vehicle, watercraft, or outboard motor was pledged 2488
within two months from the date of the loan or the date on which 2489
the last interest payment was due; 2490

(5) That the pawnbroker has notified the owner of the motor 2491
vehicle, watercraft, or outboard motor by mail, with proof of 2492
mailing, as required by division (A) of section 4727.11 of the 2493
Revised Code, and the owner has failed to redeem the motor 2494
vehicle, watercraft, or outboard motor within the thirty-day 2495
period required by that division to be specified in the notice. 2496

Upon presentation by the pawnbroker of a copy of the 2497
affidavit, a copy of the pawn form, a copy of the proof of 2498
mailing, and the certificate of title to the motor vehicle, 2499
watercraft, or outboard motor, ~~the a clerk of the a court of~~ 2500
~~common pleas of the county in which the last certificate of title~~ 2501
~~to the motor vehicle, watercraft, or outboard motor was issued~~ 2502
shall issue, if the record shows no lien or encumbrances exist, a 2503
certificate of title, free and clear of all liens and 2504
encumbrances, to the pawnbroker. 2505

(C) No person shall execute or present the affidavit required 2506
by this section, knowing any entry on the affidavit to be false. 2507
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Sec. 4505.11. (A) Each owner of a motor vehicle and each 2509
person mentioned as owner in the last certificate of title, when 2510
the motor vehicle is dismantled, destroyed, or changed in such 2511
manner that it loses its character as a motor vehicle, or changed 2512
in such manner that it is not the motor vehicle described in the 2513
certificate of title, shall surrender the certificate of title to 2514
that motor vehicle to ~~the~~ a clerk of ~~the~~ a court of common pleas 2515
~~who issued it~~, and ~~thereupon~~ the clerk, with the consent of any 2516
holders of any liens noted ~~thereon~~ on the certificate of title, 2517
then shall enter a cancellation upon the clerk's records and shall 2518
notify the registrar of motor vehicles of the cancellation. 2519

Upon the cancellation of a certificate of title in the manner 2520
prescribed by this section, ~~the~~ any clerk and the registrar of 2521
motor vehicles may cancel and destroy all certificates and all 2522
memorandum certificates in that chain of title. 2523
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(B) ~~Where~~ If an Ohio certificate of title or salvage 2525
certificate of title to a motor vehicle is assigned to a salvage 2526
dealer, the dealer is not required to obtain an Ohio certificate 2527
of title or a salvage certificate of title to the motor vehicle in 2528
the dealer's own name if the dealer dismantles or destroys the 2529
motor vehicle, indicates the number of the dealer's motor vehicle 2530
salvage dealer's license ~~thereon~~ on it, marks "FOR DESTRUCTION" 2531
across the face of the certificate of title or salvage certificate 2532
of title, and surrenders the certificate of title or salvage 2533
certificate of title to ~~the~~ a clerk of ~~the~~ a court of common pleas 2534
as provided in division (A) of this section. If the salvage dealer 2535
retains the motor vehicle for resale, the dealer shall make 2536

application for a salvage certificate of title to the motor 2537
vehicle in the dealer's own name as provided in division (C)(1) of 2538
this section. 2539

(C)(1) When an insurance company declares it economically 2540
impractical to repair such a motor vehicle and has paid an agreed 2541
price for the purchase of the motor vehicle to any insured or 2542
claimant owner, the insurance company shall receive the 2543
certificate of title and the motor vehicle and proceed as follows. 2544
Within thirty days, the insurance company shall deliver the 2545
certificate of title to ~~the~~ a clerk of ~~the~~ a court of common pleas 2546
and shall make application for a salvage certificate of title. The 2547
clerk shall issue the salvage certificate of title on a form, 2548
prescribed by the registrar, that shall be easily distinguishable 2549
from the original certificate of title and shall bear the same 2550
number and information as the original certificate of title. 2551
Except as provided in division (C)(2) of this section, the salvage 2552
certificate of title shall be assigned by the insurance company to 2553
a salvage dealer or any other person for use as evidence of 2554
ownership upon the sale or other disposition of the motor vehicle, 2555
and the salvage certificate of title shall be transferrable to any 2556
other person. The clerk shall charge a fee of four dollars for the 2557
cost of processing each salvage certificate of title. 2558

(2) If an insurance company considers a motor vehicle as 2560
described in division (C)(1) of this section to be impossible to 2561
restore for highway operation, the insurance company may assign 2562
the certificate of title to the motor vehicle to a salvage dealer 2563
or scrap metal processing facility and send the assigned 2564
certificate of title to the clerk of the court of common pleas of 2565
the county in which the salvage dealer or scrap metal processing 2566
facility is located. The insurance company shall mark the face of 2567
the certificate of title "FOR DESTRUCTION" and shall deliver a 2568

photocopy of the certificate of title to the salvage dealer or 2569
scrap metal processing facility for its records. 2570

(3) If an insurance company declares it economically 2571
impractical to repair a motor vehicle, agrees to pay to the 2572
insured or claimant owner an amount in settlement of a claim 2573
against a policy of motor vehicle insurance covering the motor 2574
vehicle, and agrees to permit the insured or claimant owner to 2575
retain possession of the motor vehicle, the insurance company 2576
shall not pay the insured or claimant owner any amount in 2577
settlement of the insurance claim until the owner obtains a 2578
salvage certificate of title to the vehicle and furnishes a copy 2579
of the salvage certificate of title to the insurance company. 2580

(D) When a self-insured organization, rental or leasing 2581
company, or secured creditor becomes the owner of a motor vehicle 2582
that is burned, damaged, or dismantled and is determined to be 2583
economically impractical to repair, the self-insured organization, 2584
rental or leasing company, or secured creditor shall do one of the 2585
following: 2586

(1) Mark the face of the certificate of title to the motor 2587
vehicle "FOR DESTRUCTION" and surrender the certificate of title 2588
to ~~the~~ a clerk of ~~the~~ a court of common pleas for cancellation as 2589
described in division (A) of this section. The self-insured 2590
organization, rental or leasing company, or secured creditor 2591
~~thereupon~~ then shall deliver the motor vehicle, together with a 2592
photocopy of the certificate of title, to a salvage dealer or 2593
scrap metal processing facility and shall cause the motor vehicle 2594
to be dismantled, flattened, crushed, or destroyed. 2595

(2) Obtain a salvage certificate of title to the motor 2596
vehicle in the name of the self-insured organization, rental or 2597
leasing company, or secured creditor, as provided in division 2598
(C)(1) of this section, and then sell or otherwise dispose of the 2599
motor vehicle. If the motor vehicle is sold, the self-insured 2600

organization, rental or leasing company, or secured creditor shall
obtain a salvage certificate of title to the motor vehicle in the
name of the purchaser from ~~the~~ a clerk of ~~the~~ a court of common
pleas ~~of the county in which the purchaser resides.~~

(E) If a motor vehicle titled with a salvage certificate of
title is restored for operation upon the highways, application
shall be made to ~~the~~ a clerk of ~~the~~ a court of common pleas for a
certificate of title. Upon inspection by the state highway patrol,
which shall include establishing proof of ownership and an
inspection of the motor number and vehicle identification number
of the motor vehicle and of documentation or receipts for the
materials used in restoration by the owner of the motor vehicle
being inspected, which documentation or receipts shall be
presented at the time of inspection, the clerk, upon surrender of
the salvage certificate of title, shall issue a certificate of
title for a fee prescribed by the registrar. The certificate of
title shall be in the same form as the original certificate of
title, shall bear the same number as the salvage certificate of
title and the original certificate of title, and shall bear the
words "REBUILT SALVAGE" in black boldface letters on its face.
Every subsequent certificate of title, memorandum certificate of
title, or duplicate certificate of title issued for the motor
vehicle also shall bear the words "REBUILT SALVAGE" in black
boldface letters on its face. The exact location on the face of
the certificate of title of the words "REBUILT SALVAGE" shall be
determined by the registrar, who shall develop an automated
procedure within the automated title processing system to comply
with this division. The clerk shall use reasonable care in
performing the duties imposed on the clerk by this division in
issuing a certificate of title pursuant to this division, but the
clerk is not liable for any of the clerk's errors or omissions or
those of the clerk's deputies, or the automated title processing

system in the performance of those duties. A fee of ~~forty dollars~~ 2633
~~in fiscal year 1998 and fifty dollars in fiscal year 1999 and~~ 2634
~~thereafter~~ shall be assessed by the state highway patrol for each 2635
inspection made pursuant to this division and shall be deposited 2636
into the state highway safety fund established by section 4501.06 2637
of the Revised Code. 2638

(F) No person shall operate upon the highways in this state a 2639
motor vehicle, title to which is evidenced by a salvage 2640
certificate of title, except to deliver the motor vehicle pursuant 2641
to an appointment for an inspection under this section. 2642

(G) No motor vehicle the certificate of title to which has 2643
been marked "FOR DESTRUCTION" and surrendered to ~~the~~ a clerk of 2644
~~the~~ a court of common pleas shall be used for anything except 2645
parts and scrap metal. 2646

(H)(1) Except as otherwise provided in this division, an 2647
owner of a manufactured or mobile home that will be taxed as real 2648
property pursuant to division (B) of section 4503.06 of the 2649
Revised Code shall surrender the certificate of title to the 2650
auditor of the county containing the taxing district in which the 2651
home is located. An owner whose home qualifies for real property 2652
taxation under divisions (B)(1)(a) and (b) of section 4503.06 of 2653
the Revised Code shall surrender the certificate within fifteen 2654
days after the home meets the conditions specified in those 2655
divisions. The auditor shall deliver the certificate of title to 2656
the clerk of the court of common pleas who issued it. 2657

(2) If the certificate of title for a manufactured or mobile 2658
home that is to be taxed as real property is held by a lienholder, 2659
the lienholder shall surrender the certificate of title to the 2660
auditor of the county containing the taxing district in which the 2661
home is located, and the auditor shall deliver the certificate of 2662
title to the clerk of the court of common pleas who issued it. The 2663
lienholder shall surrender the certificate within thirty days 2664

after both of the following have occurred: 2665

(a) The homeowner has provided written notice to the 2666
lienholder requesting that the certificate of title be surrendered 2667
to the auditor of the county containing the taxing district in 2668
which the home is located~~+~~. 2669

(b) The homeowner has either paid the lienholder the 2670
remaining balance owed to the lienholder, or, with the 2671
lienholder's consent, executed and delivered to the lienholder a 2672
mortgage on the home and land on which the home is sited in the 2673
amount of the remaining balance owed to the lienholder. 2674

(3) Upon the delivery of a certificate of title by the county 2675
auditor to the clerk ~~of the court~~, the clerk ~~of the court~~ shall 2676
inactivate it and retain it for a period of thirty years. 2677

(4) Upon application by the owner of a manufactured or mobile 2678
home that is taxed as real property pursuant to division (B) of 2679
section 4503.06 of the Revised Code and that no longer satisfies 2680
divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and (b) of that 2681
section, the clerk ~~of court~~ shall reactivate the record of the 2682
certificate of title that was inactivated under division (H)(3) of 2683
this section and shall issue a new certificate of title, but only 2684
if the application contains or has attached to it all of the 2685
following: 2686

(a) An endorsement of the county treasurer that all real 2687
property taxes charged against the home under Title LVII of the 2688
Revised Code and division (B) of section 4503.06 of the Revised 2689
Code for all preceding tax years have been paid; 2690

(b) An endorsement of the county auditor that the home will 2691
be removed from the real property tax list; 2692

(c) Proof that there are no outstanding mortgages or other 2693
liens on the home or, if there are such mortgages or other liens, 2694
that the mortgagee or lienholder has consented to the reactivation 2695

of the certificate of title.

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Sec. 4505.12. In the event of a lost or destroyed certificate
of title, application shall be made to ~~the~~ a clerk of ~~the~~ a court
of common pleas ~~of the county where the certificate of title was~~
~~issued,~~ by the owner of the motor vehicle, or the holder of a lien
~~thereon,~~ on it for a duplicate certificate of title upon a form
and accompanied by the fee prescribed by section 4505.09 of the
Revised Code. The application shall be signed ~~and sworn to~~ by the
person making the application. ~~Thereupon the~~ The clerk then shall
issue a duplicate certificate of title to the person entitled to
receive it under this chapter. The duplicate copy shall be plainly
marked across its face with the word "duplicate," and any
subsequent purchaser of the motor vehicle in the chain of title
originating through the duplicate certificate of title acquires
only such rights in the motor vehicle as the original holder of
the duplicate certificate of title had. Any purchaser of the motor
vehicle, at the time of purchase, may require the seller to
indemnify the purchaser and all subsequent purchasers of the motor
vehicle against any loss ~~which~~ that the purchaser or they may
suffer by reason of any claim presented upon the original
certificate. In the event of the recovery of the original
certificate of title by the owner, the owner immediately shall
surrender ~~the original certificate of title~~ it to the clerk for
cancellation.

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The holder of a certificate of title for a motor vehicle upon
which is noted an existing lien, encumbrance, or mortgage at any
time may make application to ~~the~~ a clerk ~~who issued the~~
~~certificate of title~~ for a memorandum certificate, which
application shall be made in the form prescribed by the registrar
of motor vehicles and signed ~~and sworn to~~ by the applicant. Upon
receipt of the application, if it appears to be complete and in
order, together with the fee prescribed by section 4505.09 of the

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Revised Code, the clerk shall issue to the applicant a memorandum 2728
certificate for the motor vehicle. ~~In the event~~ If the memorandum 2729
certificate is lost or destroyed, the holder ~~thereof of it~~ may 2730
obtain another memorandum certificate upon the filing of an 2731
application with ~~the~~ a clerk on a form ~~and~~ prescribed by the 2732
registrar, accompanied by the fee prescribed in section 4505.09 of 2733
the Revised Code. The memorandum certificate shall be effective 2734
only for the purpose of obtaining a certificate of registration, 2735
is not assignable, and constitutes no evidence of title or of 2736
right to transfer or encumber the motor vehicle described ~~therein~~ 2737
in it. 2738

Sec. 4505.13. (A)(1) ~~Sections 1309.01 to 1309.50 Chapter~~ 2739
1309. and section 1701.66 of the Revised Code do not permit or 2740
require the deposit, filing, or other record of a security 2741
interest covering a motor vehicle, except as provided in division 2742
(A)(2) of this section. 2743

(2) ~~Sections 1309.01 to 1309.50 Chapter 1309.~~ of the Revised 2744
Code ~~apply~~ applies to a security interest in a motor vehicle held 2745
as inventory, ~~as defined in division (D) of section 1309.07 of the~~ 2746
~~Revised Code,~~ for sale by a dealer, ~~as defined in division (J) of~~ 2747
~~section 4517.01 of the Revised Code.~~ The security interest has 2748
priority over creditors of the dealer as provided in ~~sections~~ 2749
~~1309.01 to 1309.50 Chapter 1309.~~ of the Revised Code without 2750
notation of the security interest on a certificate of title, 2751
without entry of a notation of the security interest into the 2752
automated title processing system if a physical certificate of 2753
title for the motor vehicle has not been issued, or without the 2754
retention of a manufacturer's or importer's certificate. 2755

(B) Subject to division (A) of this section, any security 2756
agreement covering a security interest in a motor vehicle, if a 2757
notation of the agreement has been made by ~~the~~ a clerk of ~~the~~ a 2758
court of common pleas on the face of the certificate of title or 2759

the clerk has entered a notation of the agreement into the 2760
automated title processing system and a physical certificate of 2761
title for the motor vehicle has not been issued, is valid as 2762
against the creditors of the debtor, whether armed with process or 2763
not, and against subsequent purchasers, secured parties, and other 2764
lienholders or claimants. All security interests, liens, 2765
mortgages, and encumbrances ~~noted upon~~ entered into the automated 2766
title processing system in relation to a particular certificate of 2767
title, regardless of whether a physical certificate of title is 2768
issued, take priority according to the order of time in which they 2769
are ~~noted on~~ entered into the certificate automated title 2770
processing system by the clerk. Exposure for sale of any motor 2771
vehicle by its owner, with the knowledge or with the knowledge and 2772
consent of the holder of any security interest, lien, mortgage, or 2773
encumbrance on it, does not render that security interest, lien, 2774
mortgage, or encumbrance ineffective as against the creditors of 2775
that owner, or against holders of subsequent security interests, 2776
liens, mortgages, or encumbrances upon that motor vehicle. 2777

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The secured party, upon presentation of ~~the~~ evidence of a 2779
security ~~agreement interest~~ to the a clerk of ~~the county in which~~ 2780
~~the certificate of title was issued~~ a court of common pleas, 2781
together with the certificate of title if a physical certificate 2782
of title for the motor vehicle exists, and the fee prescribed by 2783
section 4505.09 of the Revised Code, may have a notation of the 2784
security interest made. ~~The~~ Unless the secured party specifically 2785
requests the clerk not to issue a physical certificate of title 2786
and instead to issue an electronic certificate of title, the clerk 2787
shall issue, over the clerk's signature and seal of office, a new 2788
original certificate of title from the automated title processing 2789
records that indicates the security interest and the date of the 2790
security interest. 2791

~~When the~~ If a security interest is fully discharged as a 2792
result of its holder's receipt of good funds in the correct amount 2793
and if the holder holds a physical certificate of title, the 2794
~~holder of it~~ shall note its the discharge of the security interest 2795
on the face of the certificate of title over the holder's 2796
signature, or over the holder's signature on a form prescribed by 2797
the registrar of motor vehicles when there is no space for the 2798
discharge on the face of the certificate of title. Prior Except as 2799
otherwise provided in this section, prior to delivering the 2800
certificate of title to the owner, the holder or the holder's 2801
~~agent shall present it~~ convey the certificate of title or a 2802
separate sworn statement of the discharge of the security interest 2803
~~to the a clerk for the purpose of having the clerk . The~~ 2804
conveyance shall occur not more than seven business days after the 2805
date the holder deposits the good funds received in the correct 2806
amount to fully discharge the security interest into an account of 2807
the holder, provided the holder has accurate information 2808
concerning the motor vehicle. Conveyance of the certificate of 2809
title or separate sworn statement of the discharge within the 2810
required seven business days may be indicated by postmark or 2811
receipt by a clerk within that period. If the discharge of the 2812
security interest appears to be genuine, the clerk shall note the 2813
cancellation of the security interest on the face of the 2814
certificate of title, if it was so conveyed, and note it in the 2815
automated title processing system and upon the records of the 2816
~~clerk. The clerk, if that cancellation appears to be genuine,~~ 2817
~~shall note the cancellation on the certificate of title and also~~ 2818
~~on the clerk's records.~~ 2819

(C)(1) In all cases, a secured party may choose to present a 2820
clerk with evidence of a security interest via electronic means, 2821
and the clerk shall enter the security interest into the automated 2822
title processing system. A secured party also may choose to notify 2823

a clerk of the discharge of its security interest via electronic 2824
means, and the clerk shall enter the cancellation into the 2825
automated title processing system. 2826

(2) In the case of a security interest that is being 2827
satisfied by a dealer to whom a certificate of title is being 2828
transferred, the cancellation of the security interest shall occur 2829
during the course of the transfer. The dealer shall submit a 2830
discharge request to the secured party. A discharge request shall 2831
include good funds in the correct amount to fully discharge the 2832
security interest and accurate information concerning the motor 2833
vehicle. 2834

(3)(a) Upon receiving a discharge request that complies with 2835
division (C)(2) of this section, except as otherwise provided in 2836
this division, a secured party shall convey the certificate of 2837
title, with the discharge of the security interest noted on its 2838
face, to the dealer within seven business days after the date the 2839
secured party deposits the good funds received in the correct 2840
amount to fully discharge the security interest into an account of 2841
the secured party. 2842

If a secured party is unable to convey to the dealer a 2843
certificate of title within the required seven business days, the 2844
secured party instead shall convey to the dealer an affidavit 2845
stating that the security interest has been discharged, together 2846
with payment for a duplicate certificate of title, within that 2847
period. 2848

(b) A certificate of title, or affidavit and required 2849
payment, is conveyed from a secured party to a dealer under the 2850
circumstances described in division (C)(3)(a) of this section 2851
within the required seven business days if it is postmarked within 2852
that period. 2853

(4) A secured party is liable to a dealer for a late fee of 2854
ten dollars per day for each certificate of title, or affidavit 2855

and required payment, conveyed to the dealer more than seven
business days but less than twenty-one days after the date
specified in division (C)(3)(a) of this section and, from then on,
twenty-five dollars per day until the certificate of title, or
affidavit and required payment, are conveyed to the dealer.

(D) Notwithstanding any provision of ~~sections 1310.01 to~~
~~1310.78~~ Chapter 1310. of the Revised Code or of any other law, the
lease of a motor vehicle or trailer does not constitute a
conditional sale or create a security interest merely because the
lease agreement permits or requires the lessor, at the end of the
lease term, to adjust the rental price to either a higher or a
lower amount by reference to the amount the lessor realizes upon
the sale or other disposition of the motor vehicle or trailer.

(E) If a physical certificate of title has not been issued
for a motor vehicle and all the security interests relating to
that motor vehicle have been discharged, the owner of the motor
vehicle may obtain a physical certificate of title from the clerk
of any court of common pleas upon payment of the fee specified in
section 4509.09 of the Revised Code.

(F) If a clerk of a court of common pleas, other than the
clerk of the court of common pleas of the county in which the
owner of a motor vehicle resides, enters a notation of the
existence of, or the cancellation of, a security interest relating
to the motor vehicle, the clerk shall transmit the data relating
to the notation to the database of the automated data processing
system in the office of the clerk of the court of common pleas of
the county of the owner's residence.

(G) The registrar of motor vehicles, in accordance with
Chapter 119. of the Revised Code, shall adopt rules governing the
electronic transmission of security interest and other information
under this section. In adopting the rules, the registrar shall
confer with the clerks of the courts of common pleas.

(H) As used in this section: 2888

(1) "Accurate information" means the make and model of the 2889
motor vehicle, its vehicle identification number, and the name and 2890
address of its owner as they appear on the certificate of title 2891
that is to be conveyed. 2892

(2) "Dealer" has the same meaning as in section 4517.01 of 2893
the Revised Code. 2894

(3) "Good funds" includes cash, or a wire transfer, cashier's 2895
check, certified check, draft, money order, or teller's check 2896
issued by an insured financial institution, or a dealer's check 2897
for which the secured party has received funds that are available 2898
for withdrawal pursuant to "Availability of Funds and Collection 2899
of Checks (Regulation CC)," 12 C.F.R. 229. 2900

(4) "Inventory" has the same meaning as in section 1309.07 of 2901
the Revised Code. 2902

Sec. 4505.141. The registrar of motor vehicles shall enable 2903
the public to access motor vehicle title information via 2904
electronic means. No fee shall be charged for this access. The 2905
title information that must be so accessible is only the title 2906
information that is in an electronic format at the time a person 2907
requests this access. 2908

The registrar, in accordance with Chapter 119. of the Revised 2909
Code, shall adopt rules governing this access. In adopting the 2910
rules, the registrar shall confer with the clerks of the courts of 2911
common pleas. 2912

Access by the public to motor vehicle title information under 2913
this section shall comply with all restrictions contained in the 2914
Revised Code and federal law that govern the disclosure of that 2915
information. 2916

Sec. 4505.18. (A) No person shall do any of the following: 2917

(A)(1) Operate in this state a motor vehicle for which a 2918
certificate of title is required without having ~~such that~~ 2919
certificate in accordance with ~~sections 4505.01 to 4505.21 of the~~ 2920
~~Revised Code, this chapter or upon which the,~~ if a physical 2921
certificate of title has not been canceled issued for a motor 2922
vehicle, operate the motor vehicle in this state knowing that the 2923
ownership information relating to the vehicle has not been entered 2924
into the automated title processing system by a clerk of a court 2925
of common pleas; 2926

(B)(2) Display or display for sale or sell as a dealer or 2927
acting on behalf of a dealer, a motor vehicle without having 2928
obtained a manufacturer's or importer's certificate ~~or,~~ a 2929
certificate of title ~~therefor, or an assignment of a certificate~~ 2930
~~of title for it as provided in sections 4505.01 to 4505.21 of the~~ 2931
~~Revised Code this chapter;~~ 2932

(C)(3) Fail to surrender any certificate of title or any 2933
certificate of registration or license plates upon cancellation of 2934
the same by the registrar of motor vehicles and notice ~~thereof of~~ 2935
~~the cancellation~~ as prescribed in ~~sections 4505.01 to 4505.21 of~~ 2936
~~the Revised Code this chapter;~~ 2937

(D)(4) Fail to surrender the certificate of title to ~~the a~~ 2938
clerk of ~~the a~~ court of common pleas as provided in ~~sections~~ 2939
~~4505.01 to 4505.21 of the Revised Code, this chapter~~ in case of 2940
the destruction or dismantling or change of a motor vehicle in 2941
such respect that it is not the motor vehicle described in the 2942
certificate of title; 2943

(E)(5) Violate any rules ~~promulgated~~ adopted pursuant to 2944
~~sections 4505.01 to 4505.21 of the Revised Code. this chapter;~~ 2945

(F)(6) Except as otherwise provided in this chapter and 2946

Chapter 4517. of the Revised Code, sell at wholesale a motor 2947
vehicle the ownership of which is not evidenced by an Ohio 2948
certificate of title, or the current certificate of title issued 2949
for the motor vehicle, or the manufacturer's certificate of 2950
origin, and all title assignments that evidence the seller's 2951
ownership of the motor vehicle, and an odometer disclosure 2952
statement that complies with section 4505.06 of the Revised Code 2953
and subchapter IV of the "Motor Vehicle Information and Cost 2954
Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981; 2955

(7) Operate in this state a motor vehicle knowing that the 2956
certificate of title to the vehicle or ownership of the vehicle as 2957
otherwise reflected in the automated title processing system has 2958
been canceled. 2959

(B) This section does not apply to persons engaged in the 2960
business of warehousing or transporting motor vehicles for the 2961
purpose of salvage disposition. 2962

Sec. 4505.181. (A) Notwithstanding divisions ~~(B)~~, ~~(E)~~ (A)(2), 2963
(5), and ~~(F)~~ (6) of section 4505.18 of the Revised Code, a motor 2964
vehicle dealer or person acting on behalf of a motor vehicle 2965
dealer may display, offer for sale, or sell a used motor vehicle 2966
without having first obtained a certificate of title for the 2967
vehicle in the name of the dealer as required by this chapter if 2968
the dealer or person acting on behalf of the dealer complies with 2969
divisions (A)(1)(a) and ~~(A)~~(2) of this section, or divisions 2970
(A)(1)(b) and ~~(A)~~(2) of this section, as follows: 2971

(1)(a) If the dealer has been licensed as a motor vehicle 2973
dealer for less than the three-year period prior to the date on 2974
which the dealer or person acting on behalf of the dealer 2975
displays, offers for sale, or sells the used motor vehicle for 2976
which the dealer has not obtained a certificate of title in the 2977

name of the dealer, or if the attorney general has paid a retail
purchaser of the dealer under division (C) of this section within
three years prior to such date, the dealer posts with the attorney
general's office in favor of this state a bond of a surety company
authorized to do business in this state, in an amount of not less
than twenty-five thousand dollars, to be used solely for the
purpose of compensating retail purchasers of motor vehicles who
suffer damages due to failure of the dealer or person acting on
behalf of the dealer to comply with this section. The dealer's
surety shall notify the registrar and attorney general when a bond
is canceled. Such notification of cancellation shall include the
effective date of and reason for cancellation.

(b) If the dealer has been licensed as a motor vehicle dealer
for longer than the three-year period prior to the date on which
the dealer or person acting on behalf of the dealer displays,
offers for sale, or sells the used motor vehicle for which the
dealer has not obtained a certificate of title in the name of the
dealer and the attorney general has not paid a retail purchaser of
the dealer under division (C) of this section within three years
prior to such date, the dealer pays one hundred fifty dollars to
the attorney general for deposit into the title defect recision
fund created by section 1345.52 of the Revised Code.

(2) ~~Possesses~~ The dealer or person acting on behalf of the
dealer possesses a bill of sale for each motor vehicle proposed to
be displayed, offered for sale, or sold under this section and a
properly executed power of attorney or other related documents
from the prior owner of the motor vehicle giving the dealer or
person acting on behalf of the dealer authority to have a
certificate of title to the motor vehicle issued in the name of
the dealer, and retains copies of all such documents in the

dealer's or person's files until such time as a certificate of 3010
title in the dealer's name is issued for each such motor vehicle 3011
by the clerk of the court of common pleas. Such documents shall be 3012
available for inspection by the bureau of motor vehicles during 3013
normal business hours. 3014

(B) If a retail purchaser purchases a motor vehicle for which 3015
the dealer, pursuant to and in accordance with division (A) of 3016
this section, does not have a certificate of title issued in the 3017
name of the dealer at the time of the sale, the retail purchaser 3018
has an unconditional right to rescind the transaction and the 3019
dealer has an obligation to refund to the retail purchaser the 3020
full purchase price of the vehicle, if one of the following 3021
applies: 3022

(1) The dealer fails, on or before the fortieth day following 3023
the date of the sale, to obtain a title in the name of the retail 3024
purchaser~~+~~. 3025

(2) The title for the vehicle indicates that it is a rebuilt 3026
salvage vehicle, and the fact that it is a rebuilt salvage vehicle 3027
was not disclosed to the retail purchaser in writing prior to the 3028
execution of the purchase agreement~~+~~. 3029

(3) The title for the vehicle indicates that the dealer has 3030
made an inaccurate odometer disclosure to the retail purchaser. 3031

If any of the circumstances described in divisions (B)(1) to 3032
(3) of this section applies, a retail purchaser or the retail 3033
purchaser's representative shall notify the dealer and afford the 3034
dealer the opportunity to comply with the dealer's obligation to 3035
refund the full purchase price of the motor vehicle. Nothing in 3036
this division shall be construed as prohibiting the dealer and the 3037
retail purchaser or their representatives from negotiating a 3038
compromise resolution that is satisfactory to both parties. 3039

(C) If a retail purchaser notifies a dealer of one or more of 3040

the circumstances listed in division (B) of this section and the
dealer fails to refund to the retail purchaser the full purchase
price of the vehicle or reach a satisfactory compromise with the
retail purchaser within three business days of presentation of the
retail purchaser's recision claim, the retail purchaser may apply
to the attorney general for payment from the fund of the full
purchase price to the retail purchaser.

(D) Upon application by a retail purchaser for payment from
the fund, if the attorney general is satisfied that one or more of
the circumstances contained in divisions (B)(1) to (3) of this
section exist, the attorney general shall cause the full purchase
price of the vehicle to be paid to the retail purchaser from the
fund after delivery of the vehicle to the attorney general. The
attorney general may sell or otherwise dispose of any vehicle that
is delivered to the attorney general under this section, and may
collect the proceeds of any bond posted under division (A) of this
section by a dealer who has failed to comply with division (C) of
this section. The proceeds from all such sales and collections
shall be deposited into the title defect recision fund for use as
specified in section 1345.52 of the Revised Code.

(E) Failure by a dealer to comply with division (A) or (B) of
this section constitutes a deceptive act or practice in connection
with a consumer transaction, and is a violation of section 1345.02
of the Revised Code.

(F) The remedy provided in this section to retail purchasers
is in addition to any remedies otherwise available to the retail
purchaser for the same conduct of the dealer or person acting on
behalf of the dealer under federal law or the laws of this state
or a political subdivision of this state.

(G) All motor vehicle dealers licensed under Chapter 4517. of
the Revised Code shall pay to the attorney general for deposit

into the title defect recision fund the amount described in
division (A)(1)(b) of this section beginning with the calendar
year during which this section becomes effective and each year
subsequent to that year until the balance in the fund is not less
than three hundred thousand dollars. All such dealers also shall
pay to the attorney general for deposit into the fund that amount
during any year and subsequent years during which the balance in
the fund is less than three hundred thousand dollars until the
balance in the fund reaches three hundred thousand dollars.

If a motor vehicle dealer fails to comply with this division,
the attorney general may bring a civil action in a court of
competent jurisdiction to collect the amount the dealer failed to
pay to the attorney general for deposit into the fund.

Sec. 4505.19. No person shall do any of the following:

(A) Procure or attempt to procure a certificate of title or a
salvage certificate of title to a motor vehicle, or pass or
attempt to pass a certificate of title, a salvage certificate of
title, or any assignment ~~thereof~~ of a certificate of title or
salvage certificate of title to a motor vehicle, or in any other
manner gain or attempt to gain ownership to a motor vehicle,
knowing or having reason to believe that ~~such the~~ motor vehicle or
any part of the motor vehicle has been acquired through commission
of a theft offense as defined in section 2913.01 of the Revised
Code;

(B) Purport to sell or transfer a motor vehicle without
delivering to the purchaser or transferee ~~thereof~~ of it a
certificate of title, a salvage certificate of title, or a
manufacturer's or importer's certificate ~~thereto~~ to it, assigned
to ~~such the~~ purchaser as provided for in this chapter, except as
otherwise provided in this chapter;

(C) With intent to defraud, possess, sell, offer to sell, 3104
counterfeit, or supply a blank, forged, fictitious, counterfeit, 3105
stolen, or fraudulently or unlawfully obtained certificate of 3106
title, registration, bill of sale, or other instruments of 3107
ownership of a motor vehicle, or conspire to do any of the 3108
foregoing; 3109

(D) Knowingly obtain goods, services, credit, or money by 3110
means of an invalid, fictitious, forged, counterfeit, stolen, or 3111
unlawfully obtained original or duplicate certificate of title, 3112
registration, bill of sale, or other instrument of ownership of a 3113
motor vehicle; 3114

(E) Knowingly obtain goods, services, credit, or money by 3115
means of a certificate of title to a motor vehicle, which is 3116
required to be surrendered to the registrar of motor vehicles or 3117
the clerk of the court of common pleas as provided in this 3118
chapter. 3119

Sec. 4505.20. (A) Notwithstanding division ~~(B)~~(A)(2) of 3120
section 4505.18 of the Revised Code or any other provision of 3121
~~Chapter 4505. this chapter~~ or Chapter 4517. of the Revised Code, a 3122
secured party may designate any dealer to display, display for 3123
sale, or sell a manufactured or mobile home if the home has come 3124
into the possession of that secured party by a default in the 3125
terms of a security instrument and the certificate of title 3126
remains in the name and possession of the secured party. 3127

(B) Notwithstanding division ~~(B)~~(A)(2) of section 4505.18 of 3128
the Revised Code or any other provision of ~~Chapter 4505. this~~ 3129
chapter or Chapter 4517. of the Revised Code, the owner of a 3130
recreational vehicle or a secured party of a recreational vehicle 3131
who has come into possession of the vehicle by a default in the 3132
terms of a security instrument, may designate any dealer to 3133
display, display for sale, or sell the vehicle while the 3134

certificate of title remains in the possession of the owner or 3135
secured party. No dealer may display or offer for sale more than 3136
five recreational vehicles at any time under this division. No 3137
dealer may display or offer for sale a recreational vehicle under 3138
this division unless the dealer maintains insurance or the bond of 3139
a surety company authorized to transact business within this state 3140
in an amount sufficient to satisfy the fair market value of the 3141
vehicle. 3142

(C) The registrar of motor vehicles may adopt rules in 3143
accordance with Chapter 119. of the Revised Code prescribing the 3144
maximum number of manufactured or mobile homes that have come into 3145
the possession of a secured party by a default in the terms of a 3146
security instrument that any dealer may display or offer for sale 3147
at any time. The registrar may adopt other reasonable rules 3148
regarding the resale of such manufactured homes, mobile homes, and 3149
recreational vehicles that the registrar considers necessary. 3150
3151

(D) The secured party or owner shall provide the dealer with 3152
written authorization to display, display for sale, or sell the 3153
manufactured home, mobile home, or recreational vehicle. The 3154
dealer shall show and explain the written authorization to any 3155
prospective purchaser. The written authorization shall contain the 3156
vehicle identification number, make, model, year of manufacture, 3157
and physical description of the manufactured home, mobile home, or 3158
recreational vehicle that is provided to the dealer. 3159
3160

(E) As used in this section, "dealer" means a new motor 3161
vehicle dealer that is licensed under Chapter 4517. of the Revised 3162
Code. 3163

Sec. 4505.25. The registrar of motor vehicles may use money 3164
from the automated title processing fund created in section 3165

4505.09 of the Revised Code, in accordance with appropriations 3166
made by the general assembly, to pay expenses related to 3167
implementing Sub. S.B. 59 of the 124th general assembly. 3168

3169

Sec. 4519.01. As used in this chapter: 3170

(A) "Snowmobile" means any self-propelled vehicle designed 3171
primarily for use on snow or ice, and steered by skis, runners, or 3172
caterpillar treads. 3173

(B) "All-purpose vehicle" means any self-propelled vehicle 3174
designed primarily for cross-country travel on land and water, or 3175
on more than one type of terrain, and steered by wheels or 3176
caterpillar treads, or any combination thereof, including vehicles 3177
that operate on a cushion of air, vehicles commonly known as 3178
all-terrain vehicles, all-season vehicles, mini-bikes, and trail 3179
bikes, but excluding any self-propelled vehicle not principally 3180
used for purposes of personal transportation, any vehicle 3181
principally used in playing golf, any motor vehicle or aircraft 3182
required to be registered under Chapter 4503. or 4561. of the 3183
Revised Code, and any vehicle excepted from definition as a motor 3184
vehicle by division (B) of section 4501.01 of the Revised Code. 3185

3186

(C) "Owner" means any person, or firm, ~~or corporation,~~ other 3187
than a lienholder or dealer, having title to a snowmobile, 3188
off-highway motorcycle, or all-purpose vehicle, or other right to 3189
the possession thereof. 3190

(D) "Operator" means any person who operates or is in actual 3191
physical control of a snowmobile, off-highway motorcycle, or 3192
all-purpose vehicle. 3193

(E) "Dealer" means any person, or firm, ~~or corporation~~ 3194
engaged in the business of manufacturing or selling snowmobiles, 3195

off-highway motorcycles, or all-purpose vehicles at wholesale or 3196
retail, or who rents, leases, or otherwise furnishes snowmobiles, 3197
off-highway motorcycles, or all-purpose vehicles for hire. 3198

(F) "Street or highway" has the same meaning as ~~given that~~ 3199
~~term~~ in section 4511.01 of the Revised Code. 3200

(G) "Limited access highway" and "freeway" have the same 3201
~~meaning meanings~~ as ~~given those terms~~ in section 5511.02 of the 3202
Revised Code. 3203

(H) "Interstate highway" means any part of the interstate 3204
system of highways as defined in subsection (e), 90 Stat. 431 3205
(1976), 23 U.S.C.A. 103, ~~and amendments thereof~~ as amended. 3206

(I) "Off-highway motorcycle" means every motorcycle, as 3207
defined in section 4511.01 of the Revised Code, that is designed 3208
to be operated primarily on lands other than a street or highway. 3209

(J) "Electronic" and "electronic record" have the same 3210
meanings as in section 4501.01 of the Revised Code. 3211

(K) "Electronic dealer" means a dealer whom the registrar of 3212
motor vehicles designates under section 4519.511 of the Revised 3213
Code. 3214

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 3215
motorcycle, and all-purpose vehicle required to be registered 3216
under section 4519.02 of the Revised Code shall file an 3217
application for registration with the registrar of motor vehicles 3218
or a deputy registrar, on blanks furnished by the registrar for 3219
that purpose and containing all of the following information: 3220

(1) A brief description of the snowmobile, off-highway 3221
motorcycle, or all-purpose vehicle, including the name of the 3222
manufacturer, the factory or model number, and the vehicle 3223
identification number; 3224

(2) The name, residence, and business address of the owner; 3225

(3) A statement that the snowmobile, off-highway motorcycle, 3226
or all-purpose vehicle is equipped as required by section 4519.20 3227
of the Revised Code, and any rule adopted ~~thereunder~~ under that 3228
section. The statement shall include a check list of the required 3229
equipment items in ~~such the~~ form as the registrar shall prescribe. 3230

The application shall be signed by the owner of the 3231
snowmobile, off-highway motorcycle, or all-purpose vehicle and 3232
shall be accompanied by a fee as provided in division (C) of 3233
section 4519.04 of the Revised Code. 3234

If the application is not in proper form, or if the vehicle 3235
for which registration is sought does not appear to be equipped as 3236
required by section 4519.20 of the Revised Code or any rule 3237
adopted ~~thereunder~~ under that section, the registration shall be 3238
refused and no registration sticker shall be issued. 3239

(B) On and after ~~the effective date of this amendment July 1,~~ 3240
1999, no certificate of registration or renewal of ~~such~~ a 3241
certificate of registration shall be issued for an off-highway 3242
motorcycle or all-purpose vehicle required to be registered under 3243
section 4519.02 of the Revised Code, and no certificate of 3244
registration issued under this chapter for an off-highway 3245
motorcycle or all-purpose vehicle that is sold or otherwise 3246
transferred shall be transferred to the new owner of the 3247
off-highway motorcycle or all-purpose vehicle as permitted by 3248
division (B) of section 4519.05 of the Revised Code, unless a 3249
certificate of title has been issued under this chapter for the 3250
motorcycle or vehicle, and the owner or new owner, as the case may 3251
be, presents ~~the~~ a physical certificate of title or a memorandum 3252
certificate of title for inspection at the time the owner or new 3253
owner first submits a registration application, registration 3254
renewal application, or registration transfer application for the 3255
motorcycle or vehicle on or after ~~the effective date of this~~ 3256
amendment July 1, 1999, if a physical certificate of title or 3257

memorandum certificate has been issued by a clerk of a court of 3258
common pleas. If, under sections 4519.512 and 4519.58 of the 3259
Revised Code, a clerk instead has issued an electronic certificate 3260
of title for the applicant's off-highway motorcycle or all-purpose 3261
vehicle, that certificate may be presented for inspection at the 3262
time of first registration in a manner prescribed by rules adopted 3263
by the registrar. 3264

(C) When the owner of an off-highway motorcycle or 3265
all-purpose vehicle first registers it in the owner's name, and a 3266
certificate of title has been issued for the motorcycle or 3267
vehicle, the owner shall present for inspection a physical 3268
certificate of title or memorandum certificate of title showing 3269
title to the off-highway motorcycle or all-purpose vehicle in the 3270
name of the owner if a physical certificate of title or memorandum 3271
certificate has been issued by a clerk of a court of common pleas. 3272
If, under sections 4519.512 and 4519.58 of the Revised Code, a 3273
clerk instead has issued an electronic certificate of title for 3274
the applicant's off-highway motorcycle or all-purpose vehicle, 3275
that certificate may be presented for inspection at the time of 3276
first registration in a manner prescribed by rules adopted by the 3277
registrar. If, when the owner of such ~~a~~ an off-highway motorcycle 3278
or all-purpose vehicle first makes application to register it in 3279
the owner's name, the application is not in proper form or if the 3280
certificate of title or memorandum certificate of title does not 3281
accompany the registration or, in the case of an electronic 3282
certificate of title, is not presented in a manner prescribed by 3283
the registrar, the registration shall be refused, and neither a 3284
certificate of registration nor a registration sticker shall be 3285
issued. When a certificate of registration and registration 3286
sticker are issued upon the first registration of an off-highway 3287
motorcycle or all-purpose vehicle by or on behalf of the owner, 3288
the official issuing them shall indicate the issuance with a stamp 3289
on the certificate of title or memorandum certificate of title or, 3290

in the case of an electronic certificate of title, an electronic 3291
stamp or other notation as specified in rules adopted by the 3292
registrar. 3293

(D) Each deputy registrar shall be allowed a fee of two 3294
dollars and twenty-five cents for each application or renewal 3295
application received by the deputy registrar, which shall be for 3296
the purpose of compensating the deputy registrar for services, and 3297
office and rental expense, as may be necessary for the proper 3298
discharge of the deputy registrar's duties in the receiving of 3299
applications and the issuing of certificates of registration. 3300

Each deputy registrar, upon receipt of any application for 3301
registration, together with the registration fee, shall transmit 3302
the fee, together with the original and duplicate copy of the 3303
application, to the registrar in ~~such~~ the manner and at ~~such~~ the 3304
times ~~as~~ the registrar, subject to the approval of the director of 3305
public safety and the treasurer of state, shall prescribe by rule. 3306

Sec. 4519.51. The registrar of motor vehicles shall adopt 3307
~~such~~ rules ~~as~~ the registrar considers necessary to ensure uniform 3308
and orderly operation of sections 4519.51 to 4519.70 of the 3309
Revised Code, and the clerks of the courts of common pleas shall 3310
conform ~~thereto~~ to those rules. The registrar shall receive and 3311
file in the registrar's office all information forwarded to the 3312
registrar by the clerks under those sections, and the clerks shall 3313
maintain in their offices indexes for the certificates of title. 3314
3315

The registrar shall check with the registrar's records all 3316
certificates of title received in the registrar's office from the 3317
clerks. If 3318

If it appears that ~~a~~ any certificate of title has been issued 3319
improperly, the registrar shall cancel the certificate. Upon the 3320
cancellation of any certificate of title, the registrar shall 3321

notify the clerk who issued it, and the clerk shall enter the 3322
cancellation in the clerk's records. The registrar also shall 3323
notify the person to whom the certificate of title was issued, as 3324
well as any lienholders appearing ~~thereon~~ on it, of the 3325
cancellation and, if it is a physical certificate of title, shall 3326
demand surrender of the certificate of title, but the cancellation 3327
shall not affect the validity of any lien noted ~~thereon~~ on it. The 3328
holder of ~~the~~ a physical certificate of title shall return it 3329
immediately to the registrar. ~~The~~ 3330

The clerks shall keep on hand a sufficient supply of blank 3331
forms, which, except for the certificate of title and memorandum 3332
certificate forms, shall be furnished and distributed without 3333
charge to registered manufacturers or dealers, or other persons 3334
residing within the county. 3335

Sec. 4519.511. The registrar of motor vehicles shall 3336
designate as an electronic dealer a dealer who meets both of the 3337
following criteria: 3338

(A) The dealer has the capability, via electronic means, to 3339
send title and registration information relating to off-highway 3340
motorcycles and all-purpose vehicles, as specified by the 3341
registrar, to the registrar and the clerks of the courts of common 3342
pleas. 3343

(B) The dealer meets other criteria for electronic dealers 3344
that the registrar may establish by rule adopted under Chapter 3345
119. of the Revised Code. 3346

Sec. 4519.512. The owner of an off-highway motorcycle or 3347
all-purpose vehicle shall apply for a certificate of title for the 3348
motorcycle or vehicle when required by this chapter, but, except 3349
as otherwise specifically required in this chapter, the owner may 3350
elect whether or not to have the clerk of the court of common 3351

pleas to whom the certificate of title application is submitted 3352
issue a physical certificate of title for the motorcycle or 3353
vehicle, as provided in section 4519.58 of the Revised Code. 3354

3355

Except as otherwise specifically provided in this chapter, 3356
any provision of this chapter relating to the cancellation, 3357
issuance, or surrender of a certificate of title, including, but 3358
not limited to, provisions that contain a phrase such as "when a 3359
certificate of title is issued," "the clerk shall issue a 3360
certificate of title," or "the person shall obtain a certificate 3361
of title to the off-highway motorcycle or all-purpose vehicle," or 3362
another phrase of similar import, shall include those 3363
circumstances when a clerk enters certificate of title information 3364
into the automated title processing system, but does not take any 3365
further action relating to a physical certificate of title for the 3366
motorcycle or vehicle. 3367

Sec. 4519.52. (A) Except as provided in ~~section~~ sections 3368
4519.521 and 4519.54 of the Revised Code, ~~on and after the~~ 3369
~~effective date of this section,~~ no dealer engaged in the business 3370
of selling new or used off-highway motorcycles or all-purpose 3371
vehicles shall sell or otherwise transfer a new or used 3372
off-highway motorcycle or all-purpose vehicle without obtaining a 3373
certificate of title to the new or used motorcycle or vehicle, in 3374
accordance with this chapter, and delivering the certificate of 3375
title or memorandum certificate of title to the purchaser or 3376
transferee. 3377

(B)(1) A person who is not a dealer engaged in the business 3378
of selling new or used off-highway motorcycles or all-purpose 3379
vehicles and who, ~~on and after the effective date of this section,~~ 3380
owns an off-highway motorcycle or all-purpose vehicle, may choose 3381
to obtain a certificate of title to the motorcycle or vehicle. The 3382

person shall comply with this chapter in order to obtain the 3383
certificate of title. 3384

(2) If a person who is not a dealer engaged in the business 3385
of selling new or used off-highway motorcycles or all-purpose 3386
vehicles and who owns an off-highway motorcycle or all-purpose 3387
vehicle obtains a certificate of title to the motorcycle or 3388
vehicle, that person, except as otherwise provided in section 3389
4519.521 of the Revised Code, shall not sell or otherwise transfer 3390
the motorcycle or vehicle without delivering to the purchaser or 3391
transferee a certificate of title with ~~such an~~ assignment ~~thereon~~ 3392
on it as is necessary to show title in the purchaser or 3393
transferee, and no person shall subsequently purchase or otherwise 3394
acquire the motorcycle or vehicle without obtaining a certificate 3395
of title to the motorcycle or vehicle in the person's own name. 3396
3397

Sec. 4519.521. (A)(1) If a person who is not an electronic 3398
dealer owns an off-highway motorcycle or all-purpose vehicle for 3399
which a physical certificate of title has not been issued by a 3400
clerk of a court of common pleas and the person sells the 3401
motorcycle or vehicle to an electronic dealer, the person is not 3402
required to obtain a physical certificate of title to the 3403
motorcycle or vehicle in order to transfer ownership to the 3404
dealer. The person shall present the dealer, in a manner approved 3405
by the registrar of motor vehicles, with sufficient proof of the 3406
person's identity and complete and sign a form prescribed by the 3407
registrar attesting to the person's identity and assigning the 3408
motorcycle or vehicle to the dealer. The electronic dealer then 3409
shall inform a clerk of a court of common pleas via electronic 3410
means of the sale of the motorcycle or vehicle and assignment of 3411
ownership of the motorcycle or vehicle to the dealer. The clerk 3412
shall enter the information relating to the assignment into the 3413
automated title processing system, and ownership of the motorcycle 3414

or vehicle passes to the dealer when the clerk enters this 3415
information into the system. The dealer is not required to obtain 3416
a certificate of title to the motorcycle or vehicle in the 3417
dealer's name. 3418

(2) A clerk shall charge and collect from a dealer a fee of 3419
five dollars for each motorcycle or vehicle assigned to the dealer 3420
under division (A)(1) of this section. The fee shall be 3421
distributed in accordance with section 4519.59 of the Revised 3422
Code. 3423

(B) If a person who is not an electronic dealer owns an 3424
off-highway motorcycle or all-purpose vehicle for which a physical 3425
certificate of title has not been issued by a clerk of a court of 3426
common pleas and the person sells the motorcycle or vehicle to a 3427
person who is not an electronic dealer, the person shall obtain a 3428
physical certificate of title to the motorcycle or vehicle in 3429
order to transfer ownership of the vehicle to the person who is 3430
not an electronic dealer. 3431

Sec. 4519.53. No person who acquires an off-highway 3432
motorcycle or all-purpose vehicle from the owner ~~thereof~~ of it, if 3433
whether the owner is a manufacturer, importer, ~~or~~ dealer, or any 3434
other person, acquires any right, title, claim, or interest in or 3435
to the off-highway motorcycle or all-purpose vehicle until the 3436
person has been issued a certificate of title to the off-highway 3437
motorcycle or all-purpose vehicle, or there is delivered to the 3438
person a manufacturer's or importer's certificate for it, or a 3439
certificate of title to it is assigned as authorized by section 3440
4519.521 of the Revised Code. No waiver or estoppel operates in 3441
favor of ~~such~~ that person against a person having possession of 3442
~~such~~ the certificate of title to, or manufacturer's or importer's 3443
certificate for, the off-highway motorcycle or all-purpose 3444
vehicle, for a valuable consideration. 3445

No court in any case at law or in equity shall recognize the right, title, claim, or interest of any person in or to any off-highway motorcycle or all-purpose vehicle sold or disposed of, or mortgaged or encumbered, unless evidenced by one of the following:

(A) A certificate of title or a manufacturer's or importer's certificate issued in accordance with this chapter, or an assignment of a certificate of title made under section 4519.521 of the Revised Code;

(B) Admission in the pleadings or stipulation of the parties.

Sec. 4519.55. Application for a certificate of title for an off-highway motorcycle or all-purpose vehicle shall be made upon a form prescribed by the registrar of motor vehicles ~~and shall be sworn to before a notary public or other officer empowered to administer oaths.~~ The application shall be filed with the clerk of the any court of common pleas ~~of the county in which the applicant resides if the applicant is a resident of this state or, if not a resident, in the county in which the transaction is consummated.~~ The. An application for a certificate of title may be filed electronically by any electronic means approved by the registrar in any county with the clerk of the court of common pleas of that county.

If an application for a certificate of title is filed electronically by an electronic dealer on behalf of the purchaser of an off-highway motorcycle or all-purpose vehicle, the clerk shall retain the completed electronic record to which the dealer converted the certificate of title application and other required documents. The electronic dealer shall forward the actual application and all other documents relating to the sale of the off-highway motorcycle or all-purpose vehicle to any clerk within

thirty days after the certificate of title is issued. The registrar, after consultation with the attorney general, shall adopt rules that govern the location at which, and the manner in which, are stored the actual application and all other documents relating to the sale of an off-highway motorcycle or all-purpose vehicle when an electronic dealer files the application for a certificate of title electronically on behalf of the purchaser.

The application shall be accompanied by the fee prescribed in section 4519.59 of the Revised Code and, if. The fee shall be retained by the clerk who issues the certificate of title and shall be distributed in accordance with that section. If a clerk of a court of common pleas, other than the clerk of the court of common pleas of an applicant's county of residence, issues a certificate of title to the applicant, the clerk shall transmit data related to the transaction to the database of the automated data processing system in the office of the clerk of the court of common pleas of the applicant's county of residence.

If a certificate of title previously has been issued for the an off-highway motorcycle or all-purpose vehicle, the application also shall be accompanied by the certificate of title duly assigned, unless otherwise provided in this chapter. If a certificate of title previously has not been issued for the off-highway motorcycle or all-purpose vehicle, the application, unless otherwise provided in this chapter, shall be accompanied by a manufacturer's or importer's certificate; by a sworn statement of ownership; or by a certificate of title, bill of sale, or other evidence of ownership required by law of another state from which the off-highway motorcycle or all-purpose vehicle was brought into this state. The registrar, in accordance with Chapter 119. of the Revised Code, shall prescribe the types of additional documentation sufficient to establish proof of ownership,

including, but not limited to, receipts from the purchase of parts 3509
or components, photographs, and affidavits of other persons. For 3510
3511

For purposes of the transfer of a certificate of title, if 3512
the clerk is satisfied that a secured party has duly discharged a 3513
lien notation, but has not canceled the lien notation with the a 3514
clerk of the county of origin, the clerk may cancel the lien 3515
notation of on the automated title processing system and notify 3516
the clerk of the county of origin. 3517

In the case of the sale of an off-highway motorcycle or 3518
all-purpose vehicle by a dealer to a general purchaser or user, 3519
the certificate of title shall be obtained in the name of the 3520
purchaser by the dealer upon application signed by the purchaser. 3521
In all other cases, the certificate shall be obtained by the 3522
purchaser. In all cases of transfer of an off-highway motorcycle 3523
or all-purpose vehicle, the application for certificate of title 3524
shall be filed within thirty days after the later of the date of 3525
purchase or assignment of ownership of the off-highway motorcycle 3526
or all-purpose vehicle. If the application for certificate of 3527
title is not filed within thirty days after the later of the date 3528
of purchase or assignment of ownership of the off-highway 3529
motorcycle or all-purpose vehicle, the clerk shall charge a late 3530
filing fee of five dollars in addition to the fee prescribed by 3531
section 4519.59 of the Revised Code. The clerk shall retain the 3532
entire amount of each late filing fee. 3533

Except in the case of an off-highway motorcycle or 3534
all-purpose vehicle purchased prior to the effective date of this 3535
section July 1, 1999, the clerk shall refuse to accept an 3536
application for certificate of title unless the applicant either 3537
tenders with the application payment of all taxes levied by or 3538
pursuant to Chapter 5739. or 5741. of the Revised Code based on 3539
the purchaser's county of residence, or submits either of the 3540

following: 3541

(A) A receipt issued by the tax commissioner or a clerk of 3542
courts showing payment of the tax; 3543

(B) An exemption certificate, in any form prescribed by the 3544
tax commissioner, that specifies why the purchase is not subject 3545
to the tax imposed by Chapter 5739. or 5741. of the Revised Code. 3546

Payment of the tax shall be made in accordance with division 3547
(E) of section 4505.06 of the Revised Code and any rules issued by 3548
the tax commissioner. When a dealer submits payment of the tax to 3549
the clerk, the dealer shall retain any discount to which the 3550
dealer is entitled under section 5739.12 of the Revised Code. The 3551
clerk shall issue a receipt in the form prescribed by the tax 3552
commissioner to any applicant who tenders payment of the tax with 3553
the application for a certificate of title. If the application for 3554
a certificate of title is for an off-highway motorcycle or 3555
all-purpose vehicle purchased prior to ~~the effective date of this~~ 3556
~~section~~ July 1, 1999, the clerk shall accept the application 3557
without payment of the taxes levied by or pursuant to Chapter 3558
5739. or 5741. of the Revised Code or presentation of either of 3559
the items listed in division (A) or (B) of this section. 3560

3561
For receiving and disbursing such taxes paid to the clerk by 3562
a resident of the clerk's county, the clerk may retain a poundage 3563
fee of one and one-hundredth per cent of the taxes collected, 3564
which shall be paid into the certificate of title administration 3565
fund created by section 325.33 of the Revised Code. ~~In~~ The clerk 3566
shall not retain a poundage fee from payments of taxes by persons 3567
who do not reside in the clerk's county. 3568

A clerk, however, may retain from the taxes paid to the clerk 3569
an amount equal to the poundage fees associated with certificates 3570
of title issued by other clerks of courts of common pleas to 3571
applicants who reside in the first clerk's county. The registrar, 3572

in consultation with the tax commissioner and the clerks of the 3573
courts of common pleas, shall develop a report from the automated 3574
title processing system that informs each clerk of the amount of 3575
the poundage fees that the clerk is permitted to retain from those 3576
taxes because of certificates of title issued by the clerks of 3577
other counties to applicants who reside in the first clerk's 3578
county. 3579

In the case of casual sales of off-highway motorcycles or 3580
all-purpose vehicles that are subject to the tax imposed by 3581
Chapter 5739. or 5741. of the Revised Code, the purchase price for 3582
the purpose of determining the tax shall be the purchase price on 3583
an affidavit executed and filed with the clerk by the seller on a 3584
form to be prescribed by the registrar, which shall be prima-facie 3585
evidence of the price for the determination of the tax. ~~in~~ 3586
3587

In addition to the information required by section 4519.57 of 3588
the Revised Code, each certificate of title shall contain in bold 3589
lettering the following notification and statements: "WARNING TO 3590
TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by 3591
law to state the true selling price. A false statement is in 3592
violation of section 2921.13 of the Revised Code and is punishable 3593
by six months imprisonment or a fine of up to one thousand 3594
dollars, or both. All transfers are audited by the department of 3595
taxation. The seller and buyer must provide any information 3596
requested by the department of taxation. The buyer may be assessed 3597
any additional tax found to be due." 3598

The clerk shall forward all payments of taxes, less poundage 3599
fees, to the treasurer of state in a manner to be prescribed by 3600
the tax commissioner and shall furnish ~~such~~ information to the 3601
commissioner as the commissioner may require. 3602

Every clerk shall have the capability to transact by 3603
electronic means all procedures and transactions relating to the 3604

issuance of certificates of title for off-highway motorcycles and
all-purpose vehicles that are described in the Revised Code as
being accomplished by electronic means.

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Sec. 4519.56. (A) An application for a certificate of title
~~shall be sworn to before a notary public or other officer~~
~~empowered to administer oaths by the lawful owner or purchaser of~~
~~the off-highway motorcycle or all-purpose vehicle and shall~~
contain at least the following information in a form and together
with any other information the registrar of motor vehicles may
require:

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(1) Name, address, and social security number or employer's
tax identification number of the applicant;

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(2) Statement of how the off-highway motorcycle or
all-purpose vehicle was acquired;

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(3) Name and address of the previous owner;

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(4) A statement of all liens, mortgages, or other
encumbrances on the off-highway motorcycle or all-purpose vehicle,
and the name and address of each holder thereof;

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(5) If there are no outstanding liens, mortgages, or other
encumbrances, a statement of that fact;

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(6) A description of the off-highway motorcycle or
all-purpose vehicle, including the make, year, series or model, if
any, body type, and manufacturer's vehicle identification number.

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If the off-highway motorcycle or all-purpose vehicle contains
a permanent identification number placed ~~thereon~~ on it by the
manufacturer, this number shall be used as the vehicle
identification number. Except as provided in division (B) of this
section, if the application for a certificate of title refers to
an off-highway motorcycle or all-purpose vehicle that contains
such a permanent identification number, but for which no

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certificate of title has been issued previously by this state, the 3635
application shall be accompanied by a physical inspection 3636
certificate as described in that division. 3637

If there is no manufacturer's vehicle identification number 3638
or if the manufacturer's vehicle identification number has been 3639
removed or obliterated, the registrar, upon receipt of a 3640
prescribed application and proof of ownership, but prior to 3641
issuance of a certificate of title, shall assign a vehicle 3642
identification number for the off-highway motorcycle or 3643
all-purpose vehicle. This assigned vehicle identification number 3644
shall be permanently affixed to or imprinted upon the off-highway 3645
motorcycle or all-purpose vehicle by the state highway patrol. The 3646
state highway patrol shall assess a fee of fifty dollars for 3647
affixing the number to the off-highway motorcycle or all-purpose 3648
vehicle and shall deposit each such fee in the state highway 3649
safety fund established by section 4501.06 of the Revised Code. 3650

(B) Except in the case of a new off-highway motorcycle or 3651
all-purpose vehicle sold by a dealer licensed under Chapter 4517. 3652
of the Revised Code title to which is evidenced by a 3653
manufacturer's or importer's certificate, if the application for a 3654
certificate of title refers to an off-highway motorcycle or 3655
all-purpose vehicle that contains a permanent identification 3656
number placed ~~thereon~~ on it by the manufacturer, but for which no 3657
certificate of title previously has been issued by this state, the 3658
application shall be accompanied by a physical inspection 3659
certificate issued by the department of public safety verifying 3660
the make, year, series or model, if any, body type, and 3661
manufacturer's vehicle identification number of the off-highway 3662
motorcycle or all-purpose vehicle for which the certificate of 3663
title is desired. The physical inspection certificate shall be in 3664
~~such the~~ the form ~~as is~~ designated by the registrar. The physical 3665
inspection shall be made at a deputy registrar's office or at an 3666

established place of business operated by a licensed motor vehicle 3667
dealer. The deputy registrar or motor vehicle dealer may charge a 3668
maximum fee of one dollar and fifty cents for conducting the 3669
physical inspection. 3670

The clerk of the court of common pleas shall charge a fee of 3671
one dollar and fifty cents for the processing of each physical 3672
inspection certificate. The clerk shall retain fifty cents of the 3673
one dollar and fifty cents so charged and shall pay the remaining 3674
one dollar to the registrar by monthly returns, which shall be 3675
forwarded to the registrar not later than the fifth day of the 3676
month next succeeding that in which the certificate is received by 3677
the clerk. The registrar shall pay such remaining sums into the 3678
state bureau of motor vehicles fund established by section 4501.25 3679
of the Revised Code. 3680

Sec. 4519.57. ~~The~~ When the clerk of ~~the~~ a court of common 3681
pleas issues a physical certificate of title for an off-highway 3682
motorcycle or all-purpose vehicle, the clerk shall issue 3683
~~certificates of title for off-highway motorcycles and all-purpose~~ 3684
~~vehicles~~ it over the clerk's official seal. The front side of each 3685
physical certificate of title shall contain the information 3686
required in the application ~~therefor~~ for it as prescribed by 3687
section 4519.56 of the Revised Code, spaces for the dates of 3688
notation and cancellation of two liens, mortgages, or 3689
encumbrances, and any other pertinent information as may be 3690
required by the registrar of motor vehicles, but shall contain 3691
neither the social security number nor taxpayer identification 3692
number of the applicant. The reverse side of each physical 3693
certificate of title shall contain all of the information 3694
specified in division (F) of section 4505.07 of the Revised Code. 3695
An assignment of certificate of title ~~before a notary public or~~ 3696
~~other officer empowered to administer oaths~~ shall appear on the 3697
reverse side of each physical certificate of title in the form to 3698

be prescribed by the registrar ~~of motor vehicles~~. The assignment 3699
form shall include a warranty that the signer is the owner of the 3700
off-highway motorcycle or all-purpose vehicle and that there are 3701
no mortgages, liens, or encumbrances on the off-highway motorcycle 3702
or all-purpose vehicle except as are noted on the face of the 3703
certificate of title. 3704

~~Certificates~~ Physical certificates of title also shall bear a 3705
statement that liens applicable to the off-highway motorcycle or 3706
all-purpose vehicle other than the two for which there are spaces 3707
on the ~~titles~~ certificates may exist and, if so, are entered into 3708
the automated title processing system ~~for motor vehicle titles~~. 3709

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Sec. 4519.58. ~~The~~ When the clerk of ~~the~~ a court of common 3711
pleas issues a physical certificate of title, the clerk shall 3712
issue ~~certificates~~ the certificate of title in duplicate. One copy 3713
shall be retained and filed by the clerk in the clerk's office, 3714
and the information contained in it shall be transmitted to the 3715
registrar of motor vehicles on the day it is issued. The clerk 3716
shall sign and affix the clerk's seal to the original certificate 3717
of title and, if there are no liens on the off-highway motorcycle 3718
or all-purpose vehicle, shall deliver the certificate to the 3719
applicant or the selling dealer. Except as otherwise provided in 3720
this section, if there are one or more liens on the off-highway 3721
motorcycle or all-purpose vehicle, the certificate of title shall 3722
be delivered to the holder of the first lien. If the certificate 3723
of title is obtained by a dealer on behalf of the applicant and 3724
there are one or more liens on the off-highway motorcycle or 3725
all-purpose vehicle, the clerk shall issue a certificate of title 3726
and may issue a memorandum certificate of title. The certificate 3727
of title and memorandum certificate of title, if issued, shall be 3728
delivered to the holder of the first lien or the selling dealer, 3729

who shall deliver the certificate of title to the holder of the 3730
first lien and the memorandum certificate of title to the 3731
applicant. The selling dealer also may make arrangements with the 3732
clerk to have the clerk deliver the memorandum certificate of 3733
title to the applicant. 3734

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The registrar shall prescribe a uniform method of numbering 3736
certificates of title. The numbering shall be in such manner that 3737
the county of issuance is indicated. Numbers shall be assigned to 3738
certificates of title in the manner prescribed by the registrar. 3739
The clerk shall file all certificates of title according to the 3740
rules to be prescribed by the registrar, and the clerk shall 3741
maintain in the clerk's office indexes for the certificates of 3742
title. 3743

The clerk need not retain on file any current certificates of 3744
title, current duplicate certificates of title, current memorandum 3745
certificates of title, or current salvage certificates of title, 3746
or supporting evidence ~~thereof of them, including the electronic~~ 3747
record described in section 4519.55 of the Revised Code, covering 3748
any off-highway motorcycle or all-purpose vehicle for a period 3749
longer than seven years after the date of their filing; 3750
thereafter, ~~the same documents and supporting evidence~~ may be 3751
destroyed. The clerk need not retain on file any inactive records, 3752
including certificates of title, duplicate certificates of title, 3753
or memorandum certificates of title, or supporting evidence 3754
thereof of them, including the electronic record described in 3755
section 4519.55 of the Revised Code, covering any off-highway 3756
motorcycle or all-purpose vehicle for a period longer than five 3757
years after the date of their filing; thereafter, ~~the same~~ 3758
documents and supporting evidence may be destroyed. The clerk 3759
shall retain the active index and all active records in the data 3760
base of the computer in the clerk's office, and shall retain in 3761

the data base a record and index of all inactive titles for ten 3762
years. If the clerk provides a written copy of any information 3763
contained in the data base, the copy shall be considered the 3764
original for purposes of the clerk certifying the record of the 3765
information for use in any legal proceeding. 3766
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The clerk shall issue a physical certificate of title to an 3768
applicant unless the applicant specifically requests the clerk not 3769
to issue a physical certificate of title and instead to issue an 3770
electronic certificate of title. The fact that a physical 3771
certificate of title is not issued for an off-highway motorcycle 3772
or all-purpose vehicle does not affect ownership of the motorcycle 3773
or vehicle. In that case, when the clerk completes the process of 3774
entering certificate of title application information into the 3775
automated title processing system, the effect of the completion of 3776
the process is the same as if the clerk actually issued a physical 3777
certificate of title for the motorcycle or vehicle. 3778
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An electronic dealer who applies for a certificate of title 3780
on behalf of a customer who purchases an off-highway motorcycle or 3781
all-purpose vehicle from the dealer may print a non-negotiable 3782
evidence of ownership for the customer if the customer so 3783
requests. The authorization to print the non-negotiable evidence 3784
of ownership shall come from the clerk with whom the dealer makes 3785
application for the certificate of title for the customer, but the 3786
printing by the dealer does not create an agency relationship of 3787
any kind between the dealer and the clerk. 3788
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Sec. 4519.59. (A) The clerk of ~~the~~ a court of common pleas 3790
shall charge a fee of five dollars for each certificate of title, 3791
duplicate certificate of title, memorandum certificate of title, 3792
authorization to print a non-negotiable evidence of ownership 3793

described in section 4519.58 of the Revised Code, and notation of 3794
any lien on a certificate of title. The clerk shall retain two 3795
dollars and twenty-five cents of the fee charged for each 3796
certificate of title, four dollars and seventy-five cents of the 3797
fee charged for each duplicate certificate of title, all of the 3798
fees charged for each memorandum certificate or authorization to 3799
print a non-negotiable evidence of ownership, and four dollars and 3800
twenty-five cents of the fee charged for each notation of a lien. 3801
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The remaining two dollars and seventy-five cents charged for 3803
the certificate of title, the remaining twenty-five cents charged 3804
for the duplicate certificate of title, and the remaining 3805
seventy-five cents charged for the notation of any lien on a 3806
certificate of title shall be paid to the registrar of motor 3807
vehicles by monthly returns, which shall be forwarded to the 3808
registrar not later than the fifth day of the month next 3809
succeeding that in which the certificate is forwarded or that in 3810
which the registrar is notified of a lien or cancellation ~~thereof~~ 3811
of a lien. 3812

(B)(1) The registrar shall pay twenty-five cents of the 3813
amount received for each certificate of title and all of the 3814
amounts received for each notation of any lien and each duplicate 3815
certificate of title into the state bureau of motor vehicles fund 3816
established in section 4501.25 of the Revised Code. 3817

(2) Fifty cents of the amount received for each certificate 3818
of title shall be paid by the registrar as follows: 3819

(a) Four cents shall be paid into the state treasury to the 3820
credit of the motor vehicle dealers board fund created in section 3821
4505.09 of the Revised Code, for use as described in division 3822
(B)(2)(a) of that section. 3823

(b) Twenty-one cents shall be paid into the general revenue 3824

fund.

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(c) Twenty-five cents shall be paid into the state treasury
to the credit of the motor vehicle sales audit fund created in
section 4505.09 of the Revised Code, for use as described in
division (B)(2)(c) of that section.

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(3) Two dollars of the amount received by the registrar for
each certificate of title shall be paid into the state treasury to
the credit of the automated title processing fund created in
section 4505.09 of the Revised Code, for use as described in
~~division~~ divisions (B)(3)(a) and (c) of that section.

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Sec. 4519.60. In the event of the transfer of ownership of an
off-highway motorcycle or all-purpose vehicle by operation of law,
as upon inheritance, devise ~~or~~, bequest, order in bankruptcy,
insolvency, replevin, or execution of sale, or when repossession
is had upon default in performance of the terms of a security
agreement as provided in Chapter 1309. of the Revised Code, ~~the a~~
clerk of ~~the a~~ court of common pleas ~~of the county in which the~~
~~last certificate of title to the off-highway motorcycle or~~
~~all-purpose vehicle was issued~~, upon the surrender of the prior
certificate of title or the manufacturer's or importer's
certificate, or, when that is not possible, upon presentation to
the clerk of satisfactory proof of ownership and rights of
possession to ~~such~~ the off-highway motorcycle or all-purpose
vehicle, and upon payment of the fee prescribed in section 4519.59
of the Revised Code, and presentation of an application for
certificate of title, may issue to the applicant a certificate of
title to the off-highway motorcycle or all-purpose vehicle. Only
an affidavit by the person or agent of the person to whom
possession of the off-highway motorcycle or all-purpose vehicle
has passed, setting forth the facts entitling the person to ~~such~~
the possession and ownership, together with a copy of the journal

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entry, court order, or instrument upon which the claim of 3856
possession and ownership is founded, is satisfactory proof of 3857
ownership and right of possession. If the applicant cannot produce 3858
~~such~~ that proof of ownership, the applicant may apply directly to 3859
the registrar of motor vehicles and submit the evidence the 3860
applicant has, and the registrar, upon finding the evidence 3861
sufficient, may authorize the clerk to issue a certificate of 3862
title. If, from the records in the office of the clerk, there 3863
appears to be any lien on the off-highway motorcycle or 3864
all-purpose vehicle, the certificate of title shall contain a 3865
statement of the lien unless the application is accompanied by 3866
proper evidence of its extinction. 3867
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Sec. 4519.61. (A) Each owner of an off-highway motorcycle or 3869
all-purpose vehicle and each person mentioned as owner in the last 3870
certificate of title, when the off-highway motorcycle or 3871
all-purpose vehicle is dismantled, destroyed, or changed in such 3872
manner that it loses its character as an off-highway motorcycle or 3873
all-purpose vehicle, or changed in such manner that it is not the 3874
off-highway motorcycle or all-purpose vehicle described in the 3875
certificate of title, shall surrender the certificate of title to 3876
~~the a~~ clerk of ~~the a~~ court of common pleas ~~who issued it~~, and 3877
~~thereupon~~ the clerk, with the consent of the holders of any liens 3878
~~noted thereon~~, on the certificate of title, then shall enter a 3879
cancellation upon the clerk's records and shall notify the 3880
registrar of motor vehicles of the cancellation. 3881

Upon the cancellation of a certificate of title in the manner 3882
prescribed by this section, ~~the~~ any clerk and the registrar may 3883
cancel and destroy all certificates and all memorandum 3884
certificates in that chain of title. 3885

(B) ~~Where~~ If an Ohio certificate of title or salvage 3886

certificate of title to an off-highway motorcycle or all-purpose 3887
vehicle is assigned to a salvage dealer, the dealer shall not be 3888
required to obtain an Ohio certificate of title or a salvage 3889
certificate of title to the off-highway motorcycle or all-purpose 3890
vehicle in the dealer's own name if the dealer dismantles or 3891
destroys the off-highway motorcycle or all-purpose vehicle, 3892
completes the assignment on the certificate of title or salvage 3893
certificate of title, indicates the number of the dealer's motor 3894
vehicle salvage dealer's license ~~thereon~~ on it, marks "FOR 3895
DESTRUCTION" across the face of the certificate of title or 3896
salvage certificate of title, and surrenders the certificate of 3897
title or salvage certificate of title to ~~the~~ a clerk of ~~the~~ a 3898
court of common pleas as provided in division (A) of this section. 3899
If the salvage dealer retains the off-highway motorcycle or 3900
all-purpose vehicle for resale, the salvage dealer shall make 3901
application for a salvage certificate of title to the off-highway 3902
motorcycle or all-purpose vehicle in the salvage dealer's own name 3903
as provided in division (C)(1) of this section. 3904

(C)(1) When an insurance company declares it economically 3906
impractical to repair the off-highway motorcycle or all-purpose 3907
vehicle and has paid an agreed price for the purchase of the 3908
off-highway motorcycle or all-purpose vehicle to any insured or 3909
claimant owner, the insurance company shall receive the 3910
certificate of title and off-highway motorcycle or all-purpose 3911
vehicle and proceed as follows. Within thirty days, the insurance 3912
company shall deliver the certificate of title to ~~the~~ a clerk of 3913
~~the~~ a court of common pleas and shall make application for a 3914
salvage certificate of title. The clerk shall issue the salvage 3915
certificate of title on a form, prescribed by the registrar, that 3916
shall be easily distinguishable from the original certificate of 3917
title and shall bear the same number and information as the 3918
original certificate of title. Except as provided in division 3919

(C)(2) of this section, the salvage certificate of title shall be 3920
assigned by the insurance company to a salvage dealer or any other 3921
person for use as evidence of ownership upon the sale or other 3922
disposition of the off-highway motorcycle or all-purpose vehicle, 3923
and the salvage certificate of title shall be transferable to any 3924
other person. The clerk of the court of common pleas shall charge 3925
a fee of four dollars for the cost of processing each salvage 3926
certificate of title. 3927

(2) If an insurance company considers an off-highway 3928
motorcycle or all-purpose vehicle as described in division (C)(1) 3929
of this section to be impossible to restore to normal operation, 3930
the insurance company may assign the certificate of title to the 3931
off-highway motorcycle or all-purpose vehicle to a salvage dealer 3932
or scrap metal processing facility and send the assigned 3933
certificate of title to the clerk of the court of common pleas of 3934
the county in which the salvage dealer or scrap metal processing 3935
facility is located. The insurance company shall mark the face of 3936
the certificate of title "FOR DESTRUCTION" and shall deliver a 3937
photocopy of the certificate of title to the salvage dealer or 3938
scrap metal processing facility for its records. 3939

(3) If an insurance company declares it economically 3940
impractical to repair an off-highway motorcycle ~~of~~ or all-purpose 3941
vehicle, agrees to pay to the insured or claimant owner an amount 3942
in settlement of a claim against a policy of motor vehicle 3943
insurance covering the off-highway motorcycle or all-purpose 3944
vehicle, and agrees to permit the insured or claimant owner to 3945
retain possession of the off-highway motorcycle or all-purpose 3946
vehicle, the insurance company shall not pay the insured or 3947
claimant owner any amount in settlement of the insurance claim 3948
until the owner obtains a salvage certificate of title to the 3949
vehicle and furnishes a copy of the salvage certificate of title 3950
to the insurance company. 3951

(D) When a self-insured organization, rental or leasing company, or secured creditor becomes the owner of an off-highway motorcycle or all-purpose vehicle that is burned, damaged, or dismantled and is determined to be economically impractical to repair, the self-insured organization, rental or leasing company, or secured creditor shall do one of the following:

(1) Mark the face of the certificate of title to the off-highway motorcycle or all-purpose vehicle "FOR DESTRUCTION" and surrender the certificate of title to ~~the~~ a clerk of ~~the~~ a court of common pleas for cancellation as described in division (A) of this section. The self-insured organization, rental or leasing company, or secured creditor ~~thereupon~~ then shall deliver the off-highway motorcycle or all-purpose vehicle, together with a photocopy of the certificate of title, to a salvage dealer or scrap metal processing facility and shall cause the off-highway motorcycle or all-purpose vehicle to be dismantled, flattened, crushed, or destroyed.

(2) Obtain a salvage certificate of title to the off-highway motorcycle or all-purpose vehicle in the name of the self-insured organization, rental or leasing company, or secured creditor, as provided in division (C)(1) of this section, and then sell or otherwise dispose of the off-highway motorcycle or all-purpose vehicle. If the off-highway motorcycle or all-purpose vehicle is sold, the self-insured organization, rental or leasing company, or secured creditor shall obtain a salvage certificate of title to the off-highway motorcycle or all-purpose vehicle in the name of the purchaser from ~~the~~ a clerk of ~~the~~ a court of common pleas ~~of the county in which the purchaser resides.~~

(E) If an off-highway motorcycle or all-purpose vehicle titled with a salvage certificate of title is restored for operation, application shall be made to ~~the~~ a clerk of ~~the~~ a court

of common pleas for a certificate of title after inspection by the 3984
state highway patrol. The inspection shall include establishing 3985
proof of ownership and an inspection of the motor number and 3986
vehicle identification number of the off-highway motorcycle or 3987
all-purpose vehicle and of documentation or receipts for the 3988
materials used in restoration by the owner of the off-highway 3989
motorcycle or all-purpose vehicle being inspected, which 3990
documentation or receipts shall be presented at the time of 3991
inspection. Upon successful completion of the inspection, the 3992
state highway patrol shall issue to the owner a completed 3993
inspection form. The clerk, upon submission of the completed 3994
inspection form and surrender of the salvage certificate of title, 3995
shall issue a certificate of title for a fee prescribed by the 3996
registrar. The certificate of title shall be in the same form as 3997
the original certificate of title, shall bear the same number as 3998
the salvage certificate of title and the original certificate of 3999
title, and shall bear the words "REBUILT SALVAGE" in black 4000
boldface letters on its face. Every subsequent certificate of 4001
title, memorandum certificate of title, or certified copy of a 4002
certificate of title or memorandum certificate of title issued for 4003
the off-highway motorcycle or all-purpose vehicle also shall bear 4004
the words "REBUILT SALVAGE" in black boldface letters on its face. 4005
The exact location on the face of the certificate of title of the 4006
words "REBUILT SALVAGE" shall be determined by the registrar, who 4007
shall develop an automated procedure within the automated title 4008
processing system to comply with this division. The clerk shall 4009
use reasonable care in performing the duties imposed on the clerk 4010
by this division in issuing a certificate of title pursuant to 4011
this division, but the clerk is not liable for errors or omissions 4012
of the clerk of courts, the clerk's deputies, or the automated 4013
title processing system in the performance of such duties. A fee 4014
of fifty dollars shall be assessed by the state highway patrol for 4015
each inspection made pursuant to this division. 4016

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(F) No off-highway motorcycle or all-purpose vehicle the certificate of title to which has been marked "FOR DESTRUCTION" and surrendered to ~~the~~ a clerk of ~~the~~ a court of common pleas shall be used for anything except parts and scrap metal.

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Sec. 4519.62. In the event of a lost or destroyed certificate of title, application shall be made to ~~the~~ a clerk of ~~the~~ a court of common pleas ~~of the county where the certificate of title was issued~~, by the owner of the off-highway motorcycle or all-purpose vehicle, or the holder of a lien ~~thereon~~ on it, for a certified copy of the certificate, upon a form prescribed by the registrar of motor vehicles and accompanied by the fee prescribed by section 4519.59 of the Revised Code. The application shall be signed ~~and sworn to~~ by the person making the application, and the clerk shall issue a certified copy of the certificate of title to the person entitled to receive it under this chapter. The certified copy shall be plainly marked across its face with the word "duplicate," and any subsequent purchaser of the off-highway motorcycle or all-purpose vehicle in the chain of title originating through the certified copy acquires only such rights in the off-highway motorcycle or all-purpose vehicle as the original holder of the certified copy had. Any purchaser of the off-highway motorcycle or all-purpose vehicle, at the time of purchase, may require the seller of the same to indemnify the purchaser and all subsequent purchasers of the off-highway motorcycle or all-purpose vehicle against any loss that the purchaser or subsequent purchasers may suffer by reason of any claim presented upon the original certificate. In the event of the recovery of the original certificate of title by ~~said~~ the owner, the owner shall surrender ~~forthwith the original certificate of title~~ it immediately to the clerk for cancellation.

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4050 The holder of a certificate of title for an off-highway
4051 motorcycle or all-purpose vehicle upon which is noted an existing
4052 lien, encumbrance, or mortgage, may make application at any time
4053 to ~~the a clerk who issued the certificate of title~~ for a
4054 memorandum certificate, which application shall be made in the
4055 form prescribed by the registrar and signed ~~and sworn to~~ by the
4056 applicant. Upon receipt of the application, if it appears to be
4057 correct, together with the fee prescribed by section 4519.59 of
4058 the Revised Code, the clerk shall issue to the applicant a
4059 memorandum certificate for the off-highway motorcycle or
4060 all-purpose vehicle. ~~In the event~~ If the memorandum certificate is
4061 lost or destroyed, the holder ~~thereof of it~~ may obtain a certified
4062 copy of ~~the same it upon the filing of an application with the~~
4063 clerk on a form prescribed by the registrar ~~and~~, accompanied by
4064 the fee prescribed in section 4519.59 of the Revised Code. The
4065 memorandum certificate is not assignable and constitutes no
4066 evidence of title or of right to transfer or encumber the
4067 off-highway motorcycle or all-purpose vehicle described ~~therein in~~
4068 it.

4069 Sec. 4519.631. The registrar of motor vehicles shall enable
4070 the public to access off-highway motorcycle and all-purpose
4071 vehicle title information via electronic means. No fee shall be
4072 charged for this access. The title information that must be so
4073 accessible is only the title information that is in an electronic
4074 format at the time a person requests this access.

4075 The registrar, in accordance with Chapter 119. of the Revised
4076 Code, shall adopt rules governing this access. In adopting the
4077 rules, the registrar shall confer with the clerks of the courts of
4078 common pleas.

4079 Access by the public to off-highway motorcycle and

all-purpose vehicle title information under this section shall
comply with all restrictions contained in the Revised Code and
federal law that govern the disclosure of that information.

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Sec. 4519.66. No person shall do any of the following:

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(A) Operate in this state an off-highway motorcycle or
all-purpose vehicle without having a certificate of title for the
off-highway motorcycle or all-purpose vehicle, if such a
certificate is required by this chapter to be issued for the
off-highway motorcycle or all-purpose vehicle, or, if a physical
certificate of title has not been issued for it, operate an
off-highway motorcycle or all-purpose vehicle knowing that the
ownership information relating to the motorcycle or vehicle has
not been entered into the automated title processing system by a
clerk of a court of common pleas;

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(B) Operate in this state an off-highway motorcycle or
all-purpose vehicle if a certificate of title to the off-highway
motorcycle or all-purpose vehicle has been issued and then has
been canceled;

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(C) Fail to surrender any certificate of title upon
cancellation of ~~the same~~ it by the registrar of motor vehicles and
notice ~~thereof~~ of the cancellation as prescribed in this chapter;

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(D) Fail to surrender the certificate of title to ~~the~~ a clerk
of ~~the~~ a court of common pleas as provided in this chapter, in
case of the destruction or dismantling of, or change in, the
off-highway motorcycle or all-purpose vehicle described in the
certificate of title;

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(E) Violate any provision of sections 4519.51 to 4519.70 of
the Revised Code for which no penalty is otherwise provided or any
lawful rules ~~promulgated~~ adopted pursuant to those sections;

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(F) Operate in this state an off-highway motorcycle or 4111
all-purpose vehicle knowing that the certificate of title to or 4112
ownership of the motorcycle or vehicle as otherwise reflected in 4113
the automated title processing system has been canceled. 4114

Sec. 4519.67. No person shall do any of the following: 4115

(A) Procure or attempt to procure a certificate of title to 4116
an off-highway motorcycle or all-purpose vehicle, or pass or 4117
attempt to pass a certificate of title or any assignment ~~thereof~~ 4118
of a certificate of title to an off-highway motorcycle or 4119
all-purpose vehicle, or in any other manner gain or attempt to 4120
gain ownership to an off-highway motorcycle or all-purpose 4121
vehicle, knowing or having reason to believe that the off-highway 4122
motorcycle or all-purpose vehicle has been stolen; 4123

(B) Sell or offer for sale in this state an off-highway 4124
motorcycle or all-purpose vehicle on which the manufacturer's or 4125
assigned vehicle identification number has been destroyed, 4126
removed, covered, altered, or defaced with knowledge of the 4127
destruction, removal, covering, alteration, or defacement of the 4128
manufacturer's or assigned vehicle identification number; 4129

(C) ~~Sell~~ Except as otherwise provided in this chapter, sell 4130
or transfer an off-highway motorcycle or all-purpose vehicle 4131
without delivering to the purchaser or transferee ~~thereof~~ of it a 4132
certificate of title, or a manufacturer's or importer's 4133
certificate ~~thereto~~ to it, assigned to the purchaser as provided 4134
for in this chapter. 4135

Sec. 4519.68. (A)(1) Chapter 1309. of the Revised Code does 4136
not permit or require the deposit, filing, or other record of a 4137
security interest covering an off-highway motorcycle or 4138
all-purpose vehicle, except as provided in division (A)(2) of this 4139

section. 4140

(2) ~~Sections 1309.01 to 1309.50 Chapter 1309.~~ of the Revised 4141
Code ~~apply~~ applies to a security interest in an off-highway 4142
motorcycle or all-purpose vehicle held as inventory, as defined in 4143
division (D) of section 1309.07 of the Revised Code, for sale by a 4144
dealer. The security interest has priority over creditors of the 4145
dealer as provided in ~~sections 1309.01 to 1309.50 Chapter 1309.~~ of 4146
the Revised Code without notation of the security interest on a 4147
certificate of title, without entry of a notation of the security 4148
interest into the automated title processing system if a physical 4149
certificate of title has not been issued, or without the retention 4150
of a manufacturer's or importer's certificate. 4151

(B) Subject to division (A) of this section, any security 4153
agreement covering a security interest in an off-highway 4154
motorcycle or all-purpose vehicle, if a notation of the agreement 4155
has been made by ~~the~~ a clerk of ~~the~~ a court of common pleas on the 4156
face of the certificate of title or if the clerk has entered a 4157
notation of the agreement into the automated title processing 4158
system if a physical certificate of title has not been issued, is 4159
valid as against the creditors of the debtor, whether armed with 4160
process or not, and against subsequent purchasers, secured 4161
parties, and other lienholders or claimants. All security 4162
interests, liens, mortgages, and encumbrances ~~noted upon~~ entered 4163
into the automated title processing system in relation to a 4164
particular certificate of title, regardless of whether a physical 4165
certificate of title is issued, take priority according to the 4166
order of time in which they are ~~noted thereon~~ entered into the 4167
automated title processing system by the clerk. Exposure for sale 4168
of any off-highway motorcycle or all-purpose vehicle by its owner, 4169
with the knowledge or with the knowledge and consent of the holder 4170
of any security interest, lien, mortgage, or encumbrance ~~thereon~~ 4171

on it, does not render the security interest, lien, mortgage, or 4172
encumbrance ineffective as against the creditors of the owner, or 4173
against holders of subsequent security interests, liens, 4174
mortgages, or encumbrances upon the off-highway motorcycle or 4175
all-purpose vehicle. 4176
4177

The secured party, upon presentation of ~~the evidence of a~~ 4178
security ~~agreement~~ interest to ~~the~~ a clerk of ~~the~~ a court of 4179
common pleas ~~of the county in which the certificate of title was~~ 4180
~~issued~~, together with the certificate of title if a physical 4181
certificate of title for the off-highway motorcycle or all-purpose 4182
vehicle exists, and the fee prescribed by section 4519.59 of the 4183
Revised Code, may have a notation of the security interest made on 4184
the face of the certificate of title, and, if such a notation is 4185
made, another notation of the ~~lien~~ security interest shall be 4186
entered into the automated title processing system ~~for motor~~ 4187
~~vehicle titles~~. ~~The~~ Unless the secured party specifically requests 4188
the clerk not to issue a physical certificate of title and instead 4189
to issue an electronic certificate of title, the clerk, over the 4190
clerk's signature and seal of office, shall issue a new original 4191
certificate of title from the automated title processing system 4192
that indicates the security interest and the date of the security 4193
interest. 4194

~~When the~~ If a security interest is discharged and the holder 4195
of the security interest holds a physical certificate of title, 4196
the holder ~~thereof~~ of the security interest shall note ~~the~~ its 4197
discharge over the holder's signature on the face of the 4198
certificate of title or over the holder's signature on a form 4199
prescribed by the registrar of motor vehicles when there is no 4200
space for the discharge on the face of the certificate of title. 4201
Prior to delivering the certificate of title to the owner, the 4202
holder or the holder's agent shall present it and any additional 4203

information ~~the~~ a clerk requires to ~~the~~ a clerk to have the clerk 4204
note the cancellation of the security interest on the face of the 4205
certificate of title and upon the records of the clerk. If the 4206
~~cancellation~~ discharge appears to be genuine, the clerk shall note 4207
the cancellation on the certificate of title and also shall note 4208
the cancellation on the clerk's records and notify the registrar, 4209
who shall note the cancellation. If a security interest that is 4210
discharged does not appear on the face of the certificate of 4211
title, but instead was entered into the automated title processing 4212
system ~~for motor vehicles~~, the clerk shall enter the cancellation 4213
into the automated title processing system and also shall note the 4214
cancellation on a form prescribed by the registrar. 4215

4216
(C) If a physical certificate of title has not been issued 4217
for an off-highway motorcycle or all-purpose vehicle and all the 4218
security interests relating to that motorcycle or vehicle have 4219
been discharged, the owner of the motorcycle or vehicle may obtain 4220
a physical certificate of title from the clerk of any court of 4221
common pleas upon payment of the fee specified in section 4519.59 4222
of the Revised Code. 4223

(D) If a clerk of a court of common pleas, other than the 4224
clerk of the court of common pleas of the county in which the 4225
owner of an off-highway motorcycle or all-purpose vehicle resides, 4226
enters a notation of the existence of, or the cancellation of, a 4227
security interest relating to the off-highway motorcycle or 4228
all-purpose vehicle, the clerk shall transmit the data relating to 4229
the notation to the database of the automated data processing 4230
system in the office of the clerk of the court of common pleas of 4231
the county of the owner's residence. 4232

Section 2. That existing sections 325.33, 1548.01, 1548.02, 4233
1548.03, 1548.06, 1548.07, 1548.08, 1548.09, 1548.11, 1548.12, 4234
1548.13, 1548.16, 1548.17, 1548.18, 1548.19, 1548.20, 4501.01, 4235

4503.03, 4503.10, 4503.182, 4505.03, 4505.04, 4505.06, 4505.08, 4236
4505.09, 4505.10, 4505.102, 4505.11, 4505.12, 4505.13, 4505.18, 4237
4505.181, 4505.19, 4505.20, 4519.01, 4519.03, 4519.51, 4519.52, 4238
4519.53, 4519.55, 4519.56, 4519.57, 4519.58, 4519.59, 4519.60, 4239
4519.61, 4519.62, 4519.66, 4519.67, and 4519.68 of the Revised 4240
Code are hereby repealed. 4241

Section 3. (A) The Registrar of Motor Vehicles shall adopt 4242
rules that establish a pilot program to appoint limited authority 4243
deputy registrars. Notwithstanding any contrary provision of 4244
section 4503.03 of the Revised Code, the Registrar may appoint the 4245
clerk of a court of common pleas as a limited authority deputy 4246
registrar under the program. Each limited authority deputy 4247
registrar appointed under the program shall conduct only initial 4248
and transfer motor vehicle registration transactions via 4249
electronic means, and VIN inspections, in a manner approved in the 4250
rules that the Registrar adopts, is entitled to collect and retain 4251
a fee of two dollars and twenty-five cents for each transaction or 4252
a fee of one dollar and fifty cents for each physical inspection 4253
that the limited authority deputy registrar conducts, and shall 4254
collect all fees and taxes that are required by law and related to 4255
the transactions or inspections in a manner approved by the 4256
Registrar. A limited authority deputy registrar appointed under 4257
the program is not subject to the contribution limitations 4258
contained in division (B) of section 4503.03 of the Revised Code 4259
or to the filing requirement contained in division (A) of section 4260
4503.033 of the Revised Code. 4261

(B) The Registrar shall adopt the rules required by division 4262
(A) of this section not later than 30 days after the effective 4263
date of this section. 4264

(C) The Registrar shall make recommendations, not later than 4265
twenty-four months after the effective date of this section, to 4266

the Governor, Speaker of the House of Representatives, and 4267
President of the Senate regarding the success of the pilot program 4268
established under division (A) of this section and the feasibility 4269
of establishing a permanent system of limited authority deputy 4270
registrars. 4271

Section 4. (A) The Legislative Service Commission shall 4272
conduct a study, based upon the period beginning six months from 4273
the effective date of this section to eighteen months from that 4274
date, of both of the following: 4275

(1) The effect of this act on customer service in the 4276
issuance of certificates of title; 4277

(2) The fiscal impact of this act, including, but not limited 4278
to, its impact on the collection of state and local permissive 4279
sales and use taxes and on balances in county certificate of title 4280
administration funds. 4281

(B) The Commission, in conducting the study, may seek the 4282
assistance of state agencies, political subdivisions, and 4283
organizations such as the County Commissioners Association of 4284
Ohio, the Ohio Clerk of Courts Association, and the Ohio 4285
Automobile Dealers Association. 4286

(C) The Commission shall complete the study not later than 4287
two years from the effective date of this section. 4288

Section 5. In accordance with a schedule and on a form 4289
adopted by the Registrar of Motor Vehicles, a clerk of a court of 4290
common pleas may certify to the Registrar any net revenue loss 4291
that the clerk incurs during the first two years following the 4292
effective date of this section and that is attributable to the 4293
implementation of this act. The clerk shall certify net revenue 4294
loss based upon a comparison of the revenue the clerk received 4295
during a period of time, as determined by the Registrar, preceding 4296

the effective date of this section, with the revenue the clerk 4297
receives during comparable periods of time during the first two 4298
years following the effective date of this section. 4299

From the automated title processing fund created by section 4300
4505.09 of the Revised Code, the Registrar shall make on a 4301
quarterly basis during those two years payments to any clerk who 4302
certifies a net revenue loss for an applicable reporting period. 4303
During the first year of quarterly payments, the payments shall 4304
equal one hundred per cent of the certified net revenue loss for 4305
an applicable reporting period. During the second year of 4306
quarterly payments, the payments shall equal seventy-five per cent 4307
of the certified net revenue loss for an applicable reporting 4308
period. 4309

The Registrar shall adopt rules as necessary to implement 4310
this section. 4311

Section 6. The Registrar of Motor Vehicles shall implement to 4312
the maximum extent practicable all provisions of sections 4501.01, 4313
4503.03, 4503.034, 4503.10, 4503.182, 4505.021, 4505.03, 4505.032, 4314
4505.04, 4505.06, 4505.08, 4505.09, 4505.10, 4505.102, 4505.11, 4315
4505.12, 4505.13, 4505.141, 4505.18, 4505.181, 4505.19, 4505.20, 4316
4505.25, 4519.01, 4519.03, 4519.51, 4519.511, 4519.512, 4519.52, 4317
4519.521, 4519.53, 4519.55, 4519.56, 4519.57, 4519.58, 4519.59, 4318
4519.60, 4519.62, 4519.631, 4519.66, 4519.67, and 4519.68 of the 4319
Revised Code as amended or enacted by this act, and the provisions 4320
of Section 3 of this act, by no later than six months after the 4321
effective date of this act. 4322

The Chief of the Division of Watercraft in the Division of 4323
Natural Resources shall implement to the maximum extent 4324
practicable all provisions of sections 1548.02, 1548.021, 1548.03, 4325
1548.06, 1548.07, 1548.08, 1548.09, 1548.11, 1548.12, 1548.13, 4326
1548.141, 1548.16, 1548.17, 1548.18, 1548.19, and 1548.20 of the 4327

Revised Code as amended or enacted by this act by no later than 4328
six months after the effective date of this act. 4329

Section 7. Section 1548.07 of the Revised Code is presented 4330
in this act as a composite of the section as amended by both Sub. 4331
H.B. 458 and Am. Sub. S.B. 182 of the 120th General Assembly. The 4332
General Assembly, applying the principle stated in division (B) of 4333
section 1.52 of the Revised Code that amendments are to be 4334
harmonized if reasonably capable of simultaneous operation, finds 4335
that the composite is the resulting version of the section in 4336
effect prior to the effective date of the section as presented in 4337
this act. 4338