

As Introduced

**127th General Assembly
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S. B. No. 307

Senator Padgett

**Cosponsors: Senators Fedor, Carey, Wilson, Seitz, Mumper, Roberts,
Sawyer**

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A B I L L

To amend sections 325.33, 1548.06, 1548.10, 2303.20, 1
4503.033, 4505.032, 4505.06, 4505.09, 4505.11, 2
4519.55, 4519.59, and 4519.61 of the Revised Code 3
to increase the fees charged by the Clerk of the 4
Court of Common Pleas for services related to 5
certificates of title and taking affidavits, and 6
to make other changes pertaining to the Clerk's 7
titling responsibilities. 8

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

Section 1. That sections 325.33, 1548.06, 1548.10, 2303.20, 9
4503.033, 4505.032, 4505.06, 4505.09, 4505.11, 4519.55, 4519.59, 10
and 4519.61 of the Revised Code be amended to read as follows: 11

Sec. 325.33. Notwithstanding sections 325.27 and 325.31 of 12
the Revised Code, all fees retained by the clerk of courts under 13
Chapters 1548., 4505., and 4519. of the Revised Code and all fees 14
the clerk of courts receives in the capacity of deputy registrar 15
under section 4503.03 of the Revised Code shall be paid into the 16
county treasury to the credit of the certificate of title 17
administration fund, which is hereby created. Except as otherwise 18

provided in this section, fees credited to the fund shall be used 19
only to pay the direct costs incurred by the clerk of courts in 20
processing titles under those chapters and in performing the 21
duties of a deputy registrar if the clerk of courts is appointed a 22
deputy registrar. However, if the board of county commissioners 23
and the clerk of courts agree that the money in the fund exceeds 24
what is needed to pay those direct costs, the excess may be 25
transferred to the county general fund and used for other county 26
purposes. If the board of county commissioners and the clerk of 27
courts are unable to agree on the amount of any such excess, the 28
county budget commission shall determine the amount that will be 29
transferred to the county general fund. 30

Sec. 1548.06. (A)(1) Application for a certificate of title 31
for a watercraft or outboard motor shall be made upon a form 32
prescribed by the chief of the division of watercraft and shall be 33
sworn to before a notary public or other officer empowered to 34
administer oaths. The application shall be filed with the clerk of 35
any court of common pleas. An application for a certificate of 36
title may be filed electronically by any electronic means approved 37
by the chief in any county with the clerk of the court of common 38
pleas of that county. The application shall be accompanied by the 39
fee prescribed in section 1548.10 of the Revised Code. The fee 40
shall be retained by the clerk who issues the certificate of title 41
and shall be distributed in accordance with that section. If a 42
clerk of a court of common pleas, other than the clerk of the 43
court of common pleas of an applicant's county of residence, 44
issues a certificate of title to the applicant, the clerk shall 45
transmit data related to the transaction to the automated title 46
processing system. 47

(2) If a certificate of title previously has been issued for 48
the watercraft or outboard motor, the application for a 49
certificate of title also shall be accompanied by the certificate 50

of title duly assigned unless otherwise provided in this chapter. 51
If a certificate of title previously has not been issued for the 52
watercraft or outboard motor in this state, the application, 53
unless otherwise provided in this chapter, shall be accompanied by 54
a manufacturer's or importer's certificate; by a sworn statement 55
of ownership if the watercraft or outboard motor was purchased by 56
the applicant on or before October 9, 1963, or if the watercraft 57
is less than fourteen feet long with a permanently affixed 58
mechanical means of propulsion and was purchased by the applicant 59
on or before January 1, 2000; or by a certificate of title, bill 60
of sale, or other evidence of ownership required by the law of 61
another state from which the watercraft or outboard motor was 62
brought into this state. Evidence of ownership of a watercraft or 63
outboard motor for which an Ohio certificate of title previously 64
has not been issued and which watercraft or outboard motor does 65
not have permanently affixed to it a manufacturer's serial number 66
shall be accompanied by the certificate of assignment of a hull 67
identification number assigned by the chief as provided in section 68
1548.07 of the Revised Code. 69

(3) The clerk shall retain the evidence of title presented by 70
the applicant and on which the certificate of title is issued, 71
except that, if an application for a certificate of title is filed 72
electronically, by a vendor on behalf of a purchaser of a 73
watercraft or outboard motor, the clerk shall retain the completed 74
electronic record to which the vendor converted the certificate of 75
title application and other required documents. The chief, after 76
consultation with the attorney general, shall adopt rules that 77
govern the location at which, and the manner in which, are stored 78
the actual application and all other documents relating to the 79
sale of a watercraft or outboard motor when a vendor files the 80
application for a certificate of title electronically on behalf of 81
a purchaser. 82

(B) The clerk shall use reasonable diligence in ascertaining 83
whether the facts in the application are true by checking the 84
application and documents accompanying it or the electronic record 85
to which a vendor converted the application and accompanying 86
documents with the records of watercraft and outboard motors in 87
the clerk's office. If the clerk is satisfied that the applicant 88
is the owner of the watercraft or outboard motor and that the 89
application is in the proper form, the clerk shall issue a 90
physical certificate of title over the clerk's signature and 91
sealed with the clerk's seal unless the applicant specifically 92
requests the clerk not to issue a physical certificate of title 93
and instead to issue an electronic certificate of title. However, 94
if the evidence indicates and an investigation shows that one or 95
more Ohio titles already exist for the watercraft or outboard 96
motor, the chief may cause the redundant title or titles to be 97
canceled. 98

(C) In the case of the sale of a watercraft or outboard motor 99
by a vendor to a general purchaser or user, the certificate of 100
title shall be obtained in the name of the purchaser by the vendor 101
upon application signed by the purchaser. In all other cases, the 102
certificate shall be obtained by the purchaser. In all cases of 103
transfer of watercraft or outboard motors, the application for 104
certificate of title shall be filed within thirty days after the 105
later of the date of purchase or assignment of ownership of the 106
watercraft or outboard motor. If the application for certificate 107
of title is not filed within thirty days after the later of the 108
date of purchase or assignment of ownership of the watercraft or 109
outboard motor, the clerk shall charge a late penalty fee of ~~five~~ 110
ten dollars in addition to the fee prescribed by section 1548.10 111
of the Revised Code. The clerk shall retain the entire amount of 112
each late penalty fee. 113

(D) The clerk shall refuse to accept an application for 114

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:

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

(2) 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;

(3) 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 the certificate of title.

(E)(1) 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 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.

(2) 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 146
develop a report from the automated title processing system that 147
informs each clerk of the amount of the poundage fees that the 148
clerk is permitted to retain from those taxes because of 149
certificates of title issued by the clerks of other counties to 150
applicants who reside in the first clerk's county. 151

(F) In the case of casual sales of watercraft or outboard 152
motors that are subject to the tax imposed by Chapter 5739. or 153
5741. of the Revised Code, the purchase price for the purpose of 154
determining the tax shall be the purchase price on an affidavit 155
executed and filed with the clerk by the vendor on a form to be 156
prescribed by the chief, which shall be prima-facie evidence of 157
the price for the determination of the tax. In addition to the 158
information required by section 1548.08 of the Revised Code, each 159
certificate of title shall contain in bold lettering the following 160
notification and statements: "WARNING TO TRANSFEROR AND TRANSFEREE 161
(SELLER AND BUYER). You are required by law to state the true 162
selling price. A false statement is a violation of section 2921.13 163
of the Revised Code and is punishable by six months imprisonment 164
or a fine of up to one thousand dollars, or both. All transfers 165
are audited by the department of taxation. The seller and buyer 166
must provide any information requested by the department of 167
taxation. The buyer may be assessed any additional tax found to be 168
due." 169

(G) Each county clerk of courts shall forward to the 170
treasurer of state all sales and use tax collections resulting 171
from sales of titled watercraft and outboard motors during a 172
calendar week on or before the Friday following the close of that 173
week. If, on any Friday, the offices of the clerk of courts or the 174
state are not open for business, the tax shall be forwarded to the 175
treasurer of state on or before the next day on which the offices 176
are open. Every remittance of tax under this division shall be 177

accompanied by a remittance report in such form as the tax 178
commissioner prescribes. Upon receipt of a tax remittance and 179
remittance report, the treasurer of state shall date stamp the 180
report and forward it to the tax commissioner. If the tax due for 181
any week is not remitted by a clerk of courts as required under 182
this division, the clerk shall forfeit the poundage fees for the 183
sales made during that week. The treasurer of state may require 184
the clerks of courts to transmit tax collections and remittance 185
reports electronically. 186

(H) For purposes of a transfer of a certificate of title, if 187
the clerk is satisfied that a secured party has discharged a lien 188
but has not canceled the lien notation with a clerk, the clerk may 189
cancel the lien notation on the automated title processing system 190
and notify the clerk of the county of origin. 191

(I) Every clerk shall have the capability to transact by 192
electronic means all procedures and transactions relating to the 193
issuance of watercraft or outboard motor certificates of title 194
that are described in the Revised Code as being accomplished by 195
electronic means. 196

Sec. 1548.10. (A) The clerk of the court of common pleas 197
shall charge a ~~fee of five~~ and retain fees as follows: 198

(1) Fifteen dollars for ~~each memorandum certificate of title,~~ 199
~~each non negotiable evidence of ownership, and~~ each duplicate copy 200
of a certificate of title. ~~The fees shall be retained by the clerk~~ 201
shall retain that entire fee. 202

~~In addition to those fees, the clerk shall charge a fee of~~ 203
~~five~~ 204

(2) Fifteen dollars for each certificate of title ~~and for~~ 205
~~each,~~ which shall include any notation or indication of any lien 206
or security interest on a certificate of title and any memorandum 207

certificate of title or non-negotiable evidence of ownership 208
requested at the time the certificate of title is issued. The 209
clerk shall retain ~~two~~ ten dollars and fifty cents of ~~the~~ that fee 210
~~charged for each certificate of title, and three dollars and fifty~~ 211
~~cents of the fee charged for each notation or indication of any~~ 212
~~lien or security interest.~~ 213

(3) Five dollars for each certificate of title with no 214
security interest noted that is issued to a licensed watercraft 215
dealer for resale purposes. The clerk shall retain two dollars of 216
that fee. 217

(4) Five dollars for each memorandum certificate of title or 218
non-negotiable evidence of ownership that is applied for 219
separately. The clerk shall retain that entire fee. 220

(B) The ~~remaining~~ fees charged for a certificate of title and 221
the notation or indication of any lien or security interest on a 222
certificate of title that are not retained by the clerk shall be 223
paid to the chief of the division of watercraft by monthly 224
returns, which shall be forwarded to the chief not later than the 225
fifth day of the month next succeeding that in which the 226
certificate is forwarded, or that in which the chief is notified 227
of a lien or security interest or cancellation of a lien or 228
security interest. 229

The chief shall deposit one dollar of the amount the chief 230
receives for each certificate of title in the automated title 231
processing fund created in section 4505.09 of the Revised Code. 232
Moneys deposited in that fund under this section shall be used for 233
the purpose specified in division (B)(3)(b) of that section. 234

Sec. 2303.20. Under the circumstances described in sections 235
2969.21 to 2969.27 of the Revised Code, the clerk of the court of 236
common pleas shall charge the fees and perform the other duties 237
specified in those sections. In all other cases, the clerk shall 238

charge the following fees and no more:	239
(A) Twenty-five dollars for each cause of action which shall include the following:	240
(1) Docketing in all dockets;	241
(2) Filing necessary documents, noting the filing of the documents, except subpoena, on the dockets;	242
(3) Issuing certificate of deposit in foreign writs;	243
(4) Indexing pending suits and living judgments;	244
(5) Noting on appearance docket all papers mailed;	245
(6) Certificate for attorney's fee;	246
(7) Certificate for stenographer's fee;	247
(8) Preparing cost bill;	248
(9) Entering on indictment any plea;	249
(10) Entering costs on docket and cash book.	250
(B) Two dollars for taking each undertaking, bond, or recognizance;	251
(C) Two dollars for issuing each writ, order, or notice, except subpoena;	252
(D) Two dollars for each name for issuing subpoena, swearing witness, entering attendance, and certifying fees;	253
(E) Twenty-five dollars for calling a jury in each cause;	254
(F) Two dollars for each page, for entering on journal, indexing, and posting on any docket;	255
(G) Three dollars for each execution or transcript of judgment, including indexing;	256
(H) One dollar for each page, for making complete record, including indexing;	257
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(I) Five dollars for certifying a plat recorded in the county recorder's office;	266 267
(J) Five dollars for issuing certificate to receiver or order of reference with oath;	268 269
(K) Five dollars for entering satisfaction or partial satisfaction of each lien on record in the county recorder's office, and the clerk of courts' office;	270 271 272
(L) One dollar for each certificate of fact under seal of the court, to be paid by the party demanding it;	273 274
(M) One dollar <u>and fifty cents</u> for taking each affidavit, including certificate and seal;	275 276
(N) Two dollars for acknowledging all instruments in writing;	277
(O) Five dollars for making certificate of judgment;	278
(P) Ten dollars for filing, docketing, and endorsing a certificate of judgment, including the indexing and noting the return of the certificate;	279 280 281
(Q) Twenty-five dollars for each cause of action for each judgment by confession, including all docketing, indexing, and entries on the journal;	282 283 284
(R) Five dollars for recording commission of mayor or notary public;	285 286
(S) One dollar for issuing any license except the licenses issued pursuant to sections 1533.101, 1533.11, 1533.13, and 1533.32 of the Revised Code;	287 288 289
(T) Fifteen dollars for docketing and indexing each aid in execution or petition to vacate, revive, or modify judgment, including the filing and noting of all necessary documents;	290 291 292
(U) Twenty-five dollars for docketing and indexing each appeal, including the filing and noting of all necessary	293 294

documents;	295
(V) A commission of two per cent on the first ten thousand dollars and one per cent on all exceeding ten thousand dollars for receiving and disbursing money, other than costs and fees, paid to or deposited with the clerk of courts in pursuance of an order of court or on judgments, including moneys invested by order of the court and interest earned on them;	296 297 298 299 300 301
(W) Five dollars for numbering, docketing, indexing, and filing each authenticated or certified copy of the record, or any portion of an authenticated or certified copy of the record, of an extra county action or proceeding;	302 303 304 305
(X) Two dollars for each certificate of divorce, annulment, or dissolution of marriage to the bureau of vital statistics;	306 307
(Y) Two dollars for each electronic transmission of a document, plus one dollar for each page of that document. These fees are to be paid by the party requesting the electronic transmission.	308 309 310 311
(Z) One dollar for each page, for copies of pleadings, process, record, or files, including certificate and seal.	312 313
Sec. 4503.033. (A) Annually, on or before the thirty-first day of January, every deputy registrar <u>who is not a clerk of a court of common pleas or a county auditor</u> shall file with the registrar of motor vehicles on a form prescribed by the registrar, a statement disclosing all of the following:	314 315 316 317 318
(1) The name of the person filing the statement, and, if applicable, of his spouse and of members of his immediate family;	319 320
(2) Any contribution made within the previous calendar year by the person and, if applicable, by his spouse and by members of his immediate family to each of the following:	321 322 323
(a) Any political party;	324

(b) Any candidate for the office of governor, attorney 325
general, secretary of state, treasurer of state, auditor of state, 326
member of the senate or house of representatives of the general 327
assembly, or to the campaign committee of any such candidate. 328

(3) The month, day, and year in which the contribution was 329
made; 330

(4) The full name and address of each person, political 331
party, or campaign committee to which a contribution was made; 332

(5) The value in dollars and cents of the contribution. 333

(B) No person shall knowingly fail to file, on or before the 334
filing deadline under this section, a statement that is required 335
by division (A) of this section. 336

(C) No person shall knowingly make a false statement in a 337
statement that is required to be filed under division (A) of this 338
section. 339

(D) On and after March 2, 1994, the statement required by 340
division (A) of this section shall be accompanied by a filing fee 341
of twenty-five dollars. If the statement required by division (A) 342
of this section is not filed by the date on which it is required 343
to be filed, the registrar of motor vehicles shall assess a late 344
filing fee as prescribed in division (F) of section 102.02 of the 345
Revised Code. The registrar shall deposit all fees he receives 346
under this division into the general revenue fund of the state. 347

(E) Not later than the date a deputy registrar is required to 348
file a statement under division (A) of this section, the deputy 349
registrar shall file a copy of the statement with the office of 350
the secretary of state. The secretary of state shall keep the 351
copies of all statements filed with his office under this division 352
only for the purpose of making them available for public 353
inspection. 354

(F) Whoever violates division (B) of this section shall be 355
fined one thousand dollars. Whoever violates division (C) of this 356
section shall be fined ten thousand dollars. 357

Sec. 4505.032. (A)(1) If a person who is not an electronic 358
motor vehicle dealer owns a motor vehicle for which a physical 359
certificate of title has not been issued by a clerk of a court of 360
common pleas and the person sells the motor vehicle to a motor 361
vehicle dealer licensed under Chapter 4517. of the Revised Code, 362
the person is not required to obtain a physical certificate of 363
title to the motor vehicle in order to transfer ownership to the 364
dealer. The person shall present the dealer, in a manner approved 365
by the registrar of motor vehicles, with sufficient proof of the 366
person's identity and complete and sign a form prescribed by the 367
registrar attesting to the person's identity and assigning the 368
motor vehicle to the dealer. Except as otherwise provided in this 369
section, the motor vehicle dealer shall present the assignment 370
form to any clerk of a court of common pleas together with an 371
application for a certificate of title and payment of the fees 372
prescribed by section 4505.09 of the Revised Code. 373

In a case in which an electronic certificate of title has 374
been issued and either the buyer or seller of the motor vehicle is 375
an electronic motor vehicle dealer, the electronic motor vehicle 376
dealer instead may inform a clerk of a court of common pleas via 377
electronic means of the sale of the motor vehicle and assignment 378
of ownership of the vehicle. The clerk shall enter the information 379
relating to the assignment, including, but not limited to, the 380
odometer disclosure statement required by section 4505.06 of the 381
Revised Code, into the automated title processing system, and 382
ownership of the vehicle passes to the applicant when the clerk 383
enters this information into the system. The dealer is not 384
required to obtain a physical certificate of title to the vehicle 385
in the dealer's name. 386

(2) A (a) Except as provided in division (A)(2)(b) of this section, a clerk shall charge and collect from a dealer a fee of ~~five~~ fifteen dollars for each motor vehicle assignment sent by the dealer to the clerk under division (A)(1) of this section. 387
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(b) A clerk shall charge and collect from the dealer a fee of five dollars for each motor vehicle assignment sent by the dealer to the clerk for resale purposes. 391
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(3) The ~~fee fees~~ shall be distributed in accordance with section 4505.09 of the Revised Code. 394
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(B) 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 a person who is not a motor vehicle dealer licensed under Chapter 4517. of the Revised Code, the person shall obtain a physical certificate of title to the motor vehicle in order to transfer ownership of the vehicle to that person. 396
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Sec. 4505.06. (A)(1) Application for a certificate of title shall be made in 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 any court of common pleas. 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. Any payments required by this chapter shall be considered as accompanying any electronically transmitted application when payment actually is received by the clerk. Payment of any fee or taxes may be made by electronic transfer of funds. 404
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(2) The application for a certificate of title shall be accompanied by the fee prescribed in section 4505.09 of the 416
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Revised Code. The fee shall be retained by the clerk who issues 418
the certificate of title and shall be distributed in accordance 419
with that section. If a clerk of a court of common pleas, other 420
than the clerk of the court of common pleas of an applicant's 421
county of residence, issues a certificate of title to the 422
applicant, the clerk shall transmit data related to the 423
transaction to the automated title processing system. 424

(3) If a certificate of title previously has been issued for 425
a motor vehicle in this state, the application for a certificate 426
of title also shall be accompanied by that certificate of title 427
duly assigned, unless otherwise provided in this chapter. If a 428
certificate of title previously has not been issued for the motor 429
vehicle in this state, the application, unless otherwise provided 430
in this chapter, shall be accompanied by a manufacturer's or 431
importer's certificate or by a certificate of title of another 432
state from which the motor vehicle was brought into this state. If 433
the application refers to a motor vehicle last previously 434
registered in another state, the application also shall be 435
accompanied by the physical inspection certificate required by 436
section 4505.061 of the Revised Code. If the application is made 437
by two persons regarding a motor vehicle in which they wish to 438
establish joint ownership with right of survivorship, they may do 439
so as provided in section 2131.12 of the Revised Code. If the 440
applicant requests a designation of the motor vehicle in 441
beneficiary form so that upon the death of the owner of the motor 442
vehicle, ownership of the motor vehicle will pass to a designated 443
transfer-on-death beneficiary or beneficiaries, the applicant may 444
do so as provided in section 2131.13 of the Revised Code. A person 445
who establishes ownership of a motor vehicle that is transferable 446
on death in accordance with section 2131.13 of the Revised Code 447
may terminate that type of ownership or change the designation of 448
the transfer-on-death beneficiary or beneficiaries by applying for 449
a certificate of title pursuant to this section. The clerk shall 450

retain the evidence of title presented by the applicant and on 451
which the certificate of title is issued, except that, if an 452
application for a certificate of title is filed electronically by 453
an electronic motor vehicle dealer on behalf of the purchaser of a 454
motor vehicle, the clerk shall retain the completed electronic 455
record to which the dealer converted the certificate of title 456
application and other required documents. The registrar, after 457
consultation with the attorney general, shall adopt rules that 458
govern the location at which, and the manner in which, are stored 459
the actual application and all other documents relating to the 460
sale of a motor vehicle when an electronic motor vehicle dealer 461
files the application for a certificate of title electronically on 462
behalf of the purchaser. 463

The clerk shall use reasonable diligence in ascertaining 464
whether or not the facts in the application for a certificate of 465
title are true by checking the application and documents 466
accompanying it or the electronic record to which a dealer 467
converted the application and accompanying documents with the 468
records of motor vehicles in the clerk's office. If the clerk is 469
satisfied that the applicant is the owner of the motor vehicle and 470
that the application is in the proper form, the clerk, within five 471
business days after the application is filed and except as 472
provided in section 4505.021 of the Revised Code, shall issue a 473
physical certificate of title over the clerk's signature and 474
sealed with the clerk's seal, unless the applicant specifically 475
requests the clerk not to issue a physical certificate of title 476
and instead to issue an electronic certificate of title. For 477
purposes of the transfer of a certificate of title, if the clerk 478
is satisfied that the secured party has duly discharged a lien 479
notation but has not canceled the lien notation with a clerk, the 480
clerk may cancel the lien notation on the automated title 481
processing system and notify the clerk of the county of origin. 482

(4) In the case of the sale of a motor vehicle to a general 483
buyer or user by a dealer, by a motor vehicle leasing dealer 484
selling the motor vehicle to the lessee or, in a case in which the 485
leasing dealer subleased the motor vehicle, the sublessee, at the 486
end of the lease agreement or sublease agreement, or by a 487
manufactured home broker, the certificate of title shall be 488
obtained in the name of the buyer by the dealer, leasing dealer, 489
or manufactured home broker, as the case may be, upon application 490
signed by the buyer. The certificate of title shall be issued, or 491
the process of entering the certificate of title application 492
information into the automated title processing system if a 493
physical certificate of title is not to be issued shall be 494
completed, within five business days after the application for 495
title is filed with the clerk. If the buyer of the motor vehicle 496
previously leased the motor vehicle and is buying the motor 497
vehicle at the end of the lease pursuant to that lease, the 498
certificate of title shall be obtained in the name of the buyer by 499
the motor vehicle leasing dealer who previously leased the motor 500
vehicle to the buyer or by the motor vehicle leasing dealer who 501
subleased the motor vehicle to the buyer under a sublease 502
agreement. 503

In all other cases, except as provided in section 4505.032 504
and division (D)(2) of section 4505.11 of the Revised Code, such 505
certificates shall be obtained by the buyer. 506

(5)(a)(i) If the certificate of title is being obtained in 507
the name of the buyer by a motor vehicle dealer or motor vehicle 508
leasing dealer and there is a security interest to be noted on the 509
certificate of title, the dealer or leasing dealer shall submit 510
the application for the certificate of title and payment of the 511
applicable tax to a clerk within seven business days after the 512
later of the delivery of the motor vehicle to the buyer or the 513
date the dealer or leasing dealer obtains the manufacturer's or 514

importer's certificate, or certificate of title issued in the name 515
of the dealer or leasing dealer, for the motor vehicle. Submission 516
of the application for the certificate of title and payment of the 517
applicable tax within the required seven business days may be 518
indicated by postmark or receipt by a clerk within that period. 519

(ii) Upon receipt of the certificate of title with the 520
security interest noted on its face, the dealer or leasing dealer 521
shall forward the certificate of title to the secured party at the 522
location noted in the financing documents or otherwise specified 523
by the secured party. 524

(iii) A motor vehicle dealer or motor vehicle leasing dealer 525
is liable to a secured party for a late fee of ten dollars per day 526
for each certificate of title application and payment of the 527
applicable tax that is submitted to a clerk more than seven 528
business days but less than twenty-one days after the later of the 529
delivery of the motor vehicle to the buyer or the date the dealer 530
or leasing dealer obtains the manufacturer's or importer's 531
certificate, or certificate of title issued in the name of the 532
dealer or leasing dealer, for the motor vehicle and, from then on, 533
twenty-five dollars per day until the application and applicable 534
tax are submitted to a clerk. 535

(b) In all cases of transfer of a motor vehicle, the 536
application for certificate of title shall be filed within thirty 537
days after the assignment or delivery of the motor vehicle. If an 538
application for a certificate of title is not filed within the 539
period specified in division (A)(5)(b) of this section, the clerk 540
shall collect a fee of ~~five~~ ten dollars for the issuance of the 541
certificate, except that no such fee shall be required from a 542
motor vehicle salvage dealer, as defined in division (A) of 543
section 4738.01 of the Revised Code, who immediately surrenders 544
the certificate of title for cancellation. The fee shall be in 545
addition to all other fees established by this chapter, and shall 546

be retained by the clerk. The registrar shall provide, on the 547
certificate of title form prescribed by section 4505.07 of the 548
Revised Code, language necessary to give evidence of the date on 549
which the assignment or delivery of the motor vehicle was made. 550

(6) As used in division (A) of this section, "lease 551
agreement," "lessee," and "sublease agreement" have the same 552
meanings as in section 4505.04 of the Revised Code. 553

(B)(1) The clerk, except as provided in this section, shall 554
refuse to accept for filing any application for a certificate of 555
title and shall refuse to issue a certificate of title unless the 556
dealer or manufactured home broker or the applicant, in cases in 557
which the certificate shall be obtained by the buyer, submits with 558
the application payment of the tax levied by or pursuant to 559
Chapters 5739. and 5741. of the Revised Code based on the 560
purchaser's county of residence. Upon payment of the tax in 561
accordance with division (E) of this section, the clerk shall 562
issue a receipt prescribed by the registrar and agreed upon by the 563
tax commissioner showing payment of the tax or a receipt issued by 564
the commissioner showing the payment of the tax. When submitting 565
payment of the tax to the clerk, a dealer shall retain any 566
discount to which the dealer is entitled under section 5739.12 of 567
the Revised Code. 568

(2) For receiving and disbursing such taxes paid to the clerk 569
by a resident of the clerk's county, the clerk may retain a 570
poundage fee of one and one one-hundredth per cent, and the clerk 571
shall pay the poundage fee into the certificate of title 572
administration fund created by section 325.33 of the Revised Code. 573
The clerk shall not retain a poundage fee from payments of taxes 574
by persons who do not reside in the clerk's county. 575

A clerk, however, may retain from the taxes paid to the clerk 576
an amount equal to the poundage fees associated with certificates 577
of title issued by other clerks of courts of common pleas to 578

applicants who reside in the first clerk's county. The registrar, 579
in consultation with the tax commissioner and the clerks of the 580
courts of common pleas, shall develop a report from the automated 581
title processing system that informs each clerk of the amount of 582
the poundage fees that the clerk is permitted to retain from those 583
taxes because of certificates of title issued by the clerks of 584
other counties to applicants who reside in the first clerk's 585
county. 586

(3) In the case of casual sales of motor vehicles, as defined 587
in section 4517.01 of the Revised Code, the price for the purpose 588
of determining the tax shall be the purchase price on the assigned 589
certificate of title executed by the seller and filed with the 590
clerk by the buyer on a form to be prescribed by the registrar, 591
which shall be prima-facie evidence of the amount for the 592
determination of the tax. 593

(4) Each county clerk shall forward to the treasurer of state 594
all sales and use tax collections resulting from sales of motor 595
vehicles, off-highway motorcycles, and all-purpose vehicles during 596
a calendar week on or before the Friday following the close of 597
that week. If, on any Friday, the offices of the clerk of courts 598
or the state are not open for business, the tax shall be forwarded 599
to the treasurer of state on or before the next day on which the 600
offices are open. Every remittance of tax under division (B)(4) of 601
this section shall be accompanied by a remittance report in such 602
form as the tax commissioner prescribes. Upon receipt of a tax 603
remittance and remittance report, the treasurer of state shall 604
date stamp the report and forward it to the tax commissioner. If 605
the tax due for any week is not remitted by a clerk of courts as 606
required under division (B)(4) of this section, the commissioner 607
may require the clerk to forfeit the poundage fees for the sales 608
made during that week. The treasurer of state may require the 609
clerks of courts to transmit tax collections and remittance 610

reports electronically. 611

(C)(1) If the transferor indicates on the certificate of 612
title that the odometer reflects mileage in excess of the designed 613
mechanical limit of the odometer, the clerk shall enter the phrase 614
"exceeds mechanical limits" following the mileage designation. If 615
the transferor indicates on the certificate of title that the 616
odometer reading is not the actual mileage, the clerk shall enter 617
the phrase "nonactual: warning - odometer discrepancy" following 618
the mileage designation. The clerk shall use reasonable care in 619
transferring the information supplied by the transferor, but is 620
not liable for any errors or omissions of the clerk or those of 621
the clerk's deputies in the performance of the clerk's duties 622
created by this chapter. 623

The registrar shall prescribe an affidavit in which the 624
transferor shall swear to the true selling price and, except as 625
provided in this division, the true odometer reading of the motor 626
vehicle. The registrar may prescribe an affidavit in which the 627
seller and buyer provide information pertaining to the odometer 628
reading of the motor vehicle in addition to that required by this 629
section, as such information may be required by the United States 630
secretary of transportation by rule prescribed under authority of 631
subchapter IV of the "Motor Vehicle Information and Cost Savings 632
Act," 86 Stat. 961 (1972), 15 U.S.C. 1981. 633

(2) Division (C)(1) of this section does not require the 634
giving of information concerning the odometer and odometer reading 635
of a motor vehicle when ownership of a motor vehicle is being 636
transferred as a result of a bequest, under the laws of intestate 637
succession, to a survivor pursuant to section 2106.18, 2131.12, or 638
4505.10 of the Revised Code, to a transfer-on-death beneficiary or 639
beneficiaries pursuant to section 2131.13 of the Revised Code, in 640
connection with the creation of a security interest or for a 641
vehicle with a gross vehicle weight rating of more than sixteen 642

thousand pounds. 643

(D) When the transfer to the applicant was made in some other 644
state or in interstate commerce, the clerk, except as provided in 645
this section, shall refuse to issue any certificate of title 646
unless the tax imposed by or pursuant to Chapter 5741. of the 647
Revised Code based on the purchaser's county of residence has been 648
paid as evidenced by a receipt issued by the tax commissioner, or 649
unless the applicant submits with the application payment of the 650
tax. Upon payment of the tax in accordance with division (E) of 651
this section, the clerk shall issue a receipt prescribed by the 652
registrar and agreed upon by the tax commissioner, showing payment 653
of the tax. 654

For receiving and disbursing such taxes paid to the clerk by 655
a resident of the clerk's county, the clerk may retain a poundage 656
fee of one and one one-hundredth per cent. The clerk shall not 657
retain a poundage fee from payments of taxes by persons who do not 658
reside in the clerk's county. 659

A clerk, however, may retain from the taxes paid to the clerk 660
an amount equal to the poundage fees associated with certificates 661
of title issued by other clerks of courts of common pleas to 662
applicants who reside in the first clerk's county. The registrar, 663
in consultation with the tax commissioner and the clerks of the 664
courts of common pleas, shall develop a report from the automated 665
title processing system that informs each clerk of the amount of 666
the poundage fees that the clerk is permitted to retain from those 667
taxes because of certificates of title issued by the clerks of 668
other counties to applicants who reside in the first clerk's 669
county. 670

When the vendor is not regularly engaged in the business of 671
selling motor vehicles, the vendor shall not be required to 672
purchase a vendor's license or make reports concerning those 673
sales. 674

(E) The clerk shall accept any payment of a tax in cash, or 675
by cashier's check, certified check, draft, money order, or teller 676
check issued by any insured financial institution payable to the 677
clerk and submitted with an application for a certificate of title 678
under division (B) or (D) of this section. The clerk also may 679
accept payment of the tax by corporate, business, or personal 680
check, credit card, electronic transfer or wire transfer, debit 681
card, or any other accepted form of payment made payable to the 682
clerk. The clerk may require bonds, guarantees, or letters of 683
credit to ensure the collection of corporate, business, or 684
personal checks. Any service fee charged by a third party to a 685
clerk for the use of any form of payment may be paid by the clerk 686
from the certificate of title administration fund created in 687
section 325.33 of the Revised Code, or may be assessed by the 688
clerk upon the applicant as an additional fee. Upon collection, 689
the additional fees shall be paid by the clerk into that 690
certificate of title administration fund. 691

The clerk shall make a good faith effort to collect any 692
payment of taxes due but not made because the payment was returned 693
or dishonored, but the clerk is not personally liable for the 694
payment of uncollected taxes or uncollected fees. The clerk shall 695
notify the tax commissioner of any such payment of taxes that is 696
due but not made and shall furnish the information to the 697
commissioner that the commissioner requires. The clerk shall 698
deduct the amount of taxes due but not paid from the clerk's 699
periodic remittance of tax payments, in accordance with procedures 700
agreed upon by the tax commissioner. The commissioner may collect 701
taxes due by assessment in the manner provided in section 5739.13 702
of the Revised Code. 703

Any person who presents payment that is returned or 704
dishonored for any reason is liable to the clerk for payment of a 705
penalty over and above the amount of the taxes due. The clerk 706

shall determine the amount of the penalty, and the penalty shall 707
be no greater than that amount necessary to compensate the clerk 708
for banking charges, legal fees, or other expenses incurred by the 709
clerk in collecting the returned or dishonored payment. The 710
remedies and procedures provided in this section are in addition 711
to any other available civil or criminal remedies. Subsequently 712
collected penalties, poundage fees, and title fees, less any title 713
fee due the state, from returned or dishonored payments collected 714
by the clerk shall be paid into the certificate of title 715
administration fund. Subsequently collected taxes, less poundage 716
fees, shall be sent by the clerk to the treasurer of state at the 717
next scheduled periodic remittance of tax payments, with 718
information as the commissioner may require. The clerk may abate 719
all or any part of any penalty assessed under this division. 720

(F) In the following cases, the clerk shall accept for filing 721
an application and shall issue a certificate of title without 722
requiring payment or evidence of payment of the tax: 723

(1) When the purchaser is this state or any of its political 724
subdivisions, a church, or an organization whose purchases are 725
exempted by section 5739.02 of the Revised Code; 726

(2) When the transaction in this state is not a retail sale 727
as defined by section 5739.01 of the Revised Code; 728

(3) When the purchase is outside this state or in interstate 729
commerce and the purpose of the purchaser is not to use, store, or 730
consume within the meaning of section 5741.01 of the Revised Code; 731

(4) When the purchaser is the federal government; 732

(5) When the motor vehicle was purchased outside this state 733
for use outside this state; 734

(6) When the motor vehicle is purchased by a nonresident 735
under the circumstances described in division (B)(1) of section 736
5739.029 of the Revised Code, and upon presentation of a copy of 737

the affidavit provided by that section, and a copy of the 738
exemption certificate provided by section 5739.03 of the Revised 739
Code. 740

(G) An application, as prescribed by the registrar and agreed 741
to by the tax commissioner, shall be filled out and sworn to by 742
the buyer of a motor vehicle in a casual sale. The application 743
shall contain the following notice in bold lettering: "WARNING TO 744
TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by 745
law to state the true selling price. A false statement is in 746
violation of section 2921.13 of the Revised Code and is punishable 747
by six months' imprisonment or a fine of up to one thousand 748
dollars, or both. All transfers are audited by the department of 749
taxation. The seller and buyer must provide any information 750
requested by the department of taxation. The buyer may be assessed 751
any additional tax found to be due." 752

(H) For sales of manufactured homes or mobile homes occurring 753
on or after January 1, 2000, the clerk shall accept for filing, 754
pursuant to Chapter 5739. of the Revised Code, an application for 755
a certificate of title for a manufactured home or mobile home 756
without requiring payment of any tax pursuant to section 5739.02, 757
5741.021, 5741.022, or 5741.023 of the Revised Code, or a receipt 758
issued by the tax commissioner showing payment of the tax. For 759
sales of manufactured homes or mobile homes occurring on or after 760
January 1, 2000, the applicant shall pay to the clerk an 761
additional fee of ~~five~~ ten dollars for each certificate of title 762
issued by the clerk for a manufactured or mobile home pursuant to 763
division (H) of section 4505.11 of the Revised Code and for each 764
certificate of title issued upon transfer of ownership of the 765
home. The clerk shall credit the fee to the county certificate of 766
title administration fund, and the fee shall be used to pay the 767
expenses of archiving those certificates pursuant to division (A) 768
of section 4505.08 and division (H)(3) of section 4505.11 of the 769

Revised Code. The tax commissioner shall administer any tax on a 770
manufactured or mobile home pursuant to Chapters 5739. and 5741. 771
of the Revised Code. 772

(I) Every clerk shall have the capability to transact by 773
electronic means all procedures and transactions relating to the 774
issuance of motor vehicle certificates of title that are described 775
in the Revised Code as being accomplished by electronic means. 776

Sec. 4505.09. (A)(1) The clerk of a court of common pleas 777
shall charge ~~a fee of five~~ and retain fees as follows: 778

(a) Fifteen dollars for each certificate of title that is not 779
applied for within thirty days after the later of the assignment 780
or delivery of the motor vehicle described in it. The ~~fees~~ entire
fee shall be retained by the clerk. 782

~~In addition to those fees, the clerk shall charge a fee of~~ 783
~~five~~ (b) Fifteen dollars for each certificate of title, or 784
duplicate certificate of title, including the issuance of a 785
memorandum certificate of title, or authorization to print a 786
non-negotiable evidence of ownership described in division (G) of 787
section 4505.08 of the Revised Code, non-negotiable evidence of 788
ownership printed by the clerk under division (H) of that section, 789
and notation of any lien on a certificate of title that is applied 790
for at the same time as the certificate of title. The clerk shall 791
retain ~~two~~ eleven dollars and ~~twenty five~~ fifty cents of ~~the~~ that 792
~~fee charged for each certificate of title, four dollars and~~ 793
~~seventy five cents of the fee charged for each duplicate~~ 794
~~certificate of title, all of the fees charged for each memorandum~~ 795
~~certificate, authorization to print a non negotiable evidence of~~ 796
~~ownership, or non negotiable evidence of ownership printed by the~~ 797
~~clerk, and four dollars and twenty five cents of the fee charged~~ 798
~~for each notation of a lien.~~ 799

(c) Five dollars for each certificate of title with no 800

security interest noted that is issued to a licensed motor vehicle dealer for resale purposes. The clerk shall retain two dollars and twenty-five cents of that fee. 801
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(d) Five dollars for each memorandum certificate of title or non-negotiable evidence of ownership that is applied for separately. The clerk shall retain that entire fee. 804
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~~(2) The remaining two dollars and seventy five cents charged for the certificate of title, the remaining twenty five cents charged for the duplicate certificate of title, and the remaining seventy five cents charged for the notation of any lien on a certificate of title~~ fees that are not retained by the clerk shall be paid to the registrar of motor vehicles by monthly returns, which shall be forwarded to the registrar not later than the fifth day of the month next succeeding that in which the certificate is issued or that in which the registrar is notified of a lien or cancellation of a lien. 807
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(B)(1) The registrar shall pay twenty-five cents of the amount received for each certificate of title ~~and all of the amounts received for each notation of any lien and each duplicate certificate~~ issued to a motor vehicle dealer for resale and one dollar for all other certificates of title issued into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code. 817
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(2) Fifty cents of the amount received for each certificate of title shall be paid by the registrar as follows: 824
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(a) Four cents shall be paid into the state treasury to the credit of the motor vehicle dealers board fund, which is hereby created. All investment earnings of the fund shall be credited to the fund. The moneys in the motor vehicle dealers board fund shall be used by the motor vehicle dealers board created under section 4517.30 of the Revised Code, together with other moneys 826
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appropriated to it, in the exercise of its powers and the 832
performance of its duties under Chapter 4517. of the Revised Code, 833
except that the director of budget and management may transfer 834
excess money from the motor vehicle dealers board fund to the 835
bureau of motor vehicles fund if the registrar determines that the 836
amount of money in the motor vehicle dealers board fund, together 837
with other moneys appropriated to the board, exceeds the amount 838
required for the exercise of its powers and the performance of its 839
duties under Chapter 4517. of the Revised Code and requests the 840
director to make the transfer. 841

(b) Twenty-one cents shall be paid into the highway operating 842
fund. 843

(c) Twenty-five cents shall be paid into the state treasury 844
to the credit of the motor vehicle sales audit fund, which is 845
hereby created. The moneys in the fund shall be used by the tax 846
commissioner together with other funds available to the 847
commissioner to conduct a continuing investigation of sales and 848
use tax returns filed for motor vehicles in order to determine if 849
sales and use tax liability has been satisfied. The commissioner 850
shall refer cases of apparent violations of section 2921.13 of the 851
Revised Code made in connection with the titling or sale of a 852
motor vehicle and cases of any other apparent violations of the 853
sales or use tax law to the appropriate county prosecutor whenever 854
the commissioner considers it advisable. 855

(3) Two dollars of the amount received by the registrar for 856
each certificate of title shall be paid into the state treasury to 857
the credit of the automated title processing fund, which is hereby 858
created and which shall consist of moneys collected under division 859
(B)(3) of this section and under sections 1548.10 and 4519.59 of 860
the Revised Code. All investment earnings of the fund shall be 861
credited to the fund. The moneys in the fund shall be used as 862
follows: 863

(a) Except for moneys collected under section 1548.10 of the Revised Code and as provided in division (B)(3)(c) of this section, moneys collected under division (B)(3) of this section shall be used to implement and maintain an automated title processing system for the issuance of motor vehicle, off-highway motorcycle, and all-purpose vehicle certificates of title in the offices of the clerks of the courts of common pleas.

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

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

(C)(1) The automated title processing board is hereby created consisting of the registrar or the registrar's representative, a person selected by the registrar, the president of the Ohio clerks of court association or the president's representative, and two clerks of courts of common pleas appointed by the governor. The director of budget and management or the director's designee, the chief of the division of watercraft in the department of natural resources or the chief's designee, and the tax commissioner or the commissioner's designee shall be nonvoting members of the board. The purpose of the board is to facilitate the operation and maintenance of an automated title processing system and approve the procurement of automated title processing system equipment. Voting members of the board, excluding the registrar or the registrar's representative, shall serve without compensation, but shall be reimbursed for travel and other necessary expenses incurred in the conduct of their official duties. The registrar or the registrar's representative shall receive neither compensation nor reimbursement as a board member.

(2) The automated title processing board shall determine each 896
of the following: 897

(a) The automated title processing equipment and certificates 898
of title requirements for each county; 899

(b) The payment of expenses that may be incurred by the 900
counties in implementing an automated title processing system; 901

~~(c) The repayment to the counties for existing title 902
processing equipment, including all related maintenance, security, 903
automated communications, and related supplies. 904~~

(3) The registrar shall purchase, lease, or otherwise acquire 905
any automated title processing equipment and certificates of title 906
that the board determines are necessary from moneys in the 907
automated title processing fund established by division (B)(3) of 908
this section. 909

(D) All counties shall conform to the requirements of the 910
registrar regarding the operation of their automated title 911
processing system for motor vehicle titles, certificates of title 912
for off-highway motorcycles and all-purpose vehicles, and 913
certificates of title for watercraft and outboard motors. 914

Sec. 4505.11. (A) Each owner of a motor vehicle and each 915
person mentioned as owner in the last certificate of title, when 916
the motor vehicle is dismantled, destroyed, or changed in such 917
manner that it loses its character as a motor vehicle, or changed 918
in such manner that it is not the motor vehicle described in the 919
certificate of title, shall surrender the certificate of title to 920
that motor vehicle to a clerk of a court of common pleas, and the 921
clerk, with the consent of any holders of any liens noted on the 922
certificate of title, then shall enter a cancellation upon the 923
clerk's records and shall notify the registrar of motor vehicles 924
of the cancellation. 925

Upon the cancellation of a certificate of title in the manner 926
prescribed by this section, any clerk and the registrar of motor 927
vehicles may cancel and destroy all certificates and all 928
memorandum certificates in that chain of title. 929

(B) If an Ohio certificate of title or salvage certificate of 930
title to a motor vehicle is assigned to a salvage dealer, the 931
dealer is not required to obtain an Ohio certificate of title or a 932
salvage certificate of title to the motor vehicle in the dealer's 933
own name if the dealer dismantles or destroys the motor vehicle, 934
indicates the number of the dealer's motor vehicle salvage 935
dealer's license on it, marks "FOR DESTRUCTION" across the face of 936
the certificate of title or salvage certificate of title, and 937
surrenders the certificate of title or salvage certificate of 938
title to a clerk of a court of common pleas as provided in 939
division (A) of this section. If the salvage dealer retains the 940
motor vehicle for resale, the dealer shall make application for a 941
salvage certificate of title to the motor vehicle in the dealer's 942
own name as provided in division (C)(1) of this section. 943

(C)(1) When an insurance company declares it economically 944
impractical to repair such a motor vehicle and has paid an agreed 945
price for the purchase of the motor vehicle to any insured or 946
claimant owner, the insurance company shall receive the 947
certificate of title and the motor vehicle and proceed as follows. 948
Within thirty days, the insurance company shall deliver the 949
certificate of title to a clerk of a court of common pleas and 950
shall make application for a salvage certificate of title. The 951
clerk shall issue the salvage certificate of title on a form, 952
prescribed by the registrar, that shall be easily distinguishable 953
from the original certificate of title and shall bear the same 954
information as the original certificate of title except that it 955
may bear a different number than that of the original certificate 956
of title. Except as provided in division (C)(2) of this section, 957

the salvage certificate of title shall be assigned by the 958
insurance company to a salvage dealer or any other person for use 959
as evidence of ownership upon the sale or other disposition of the 960
motor vehicle, and the salvage certificate of title shall be 961
~~transferrable~~ transferable to any other person. The clerk shall 962
charge a fee of ~~four~~ five dollars for the cost of processing each 963
salvage certificate of title. 964

(2) If an insurance company considers a motor vehicle as 965
described in division (C)(1) of this section to be impossible to 966
restore for highway operation, the insurance company may assign 967
the certificate of title to the motor vehicle to a salvage dealer 968
or scrap metal processing facility and send the assigned 969
certificate of title to the clerk of the court of common pleas of 970
any county. The insurance company shall mark the face of the 971
certificate of title "FOR DESTRUCTION" and shall deliver a 972
photocopy of the certificate of title to the salvage dealer or 973
scrap metal processing facility for its records. 974

(3) If an insurance company declares it economically 975
impractical to repair a motor vehicle, agrees to pay to the 976
insured or claimant owner an amount in settlement of a claim 977
against a policy of motor vehicle insurance covering the motor 978
vehicle, and agrees to permit the insured or claimant owner to 979
retain possession of the motor vehicle, the insurance company 980
shall not pay the insured or claimant owner any amount in 981
settlement of the insurance claim until the owner obtains a 982
salvage certificate of title to the vehicle and furnishes a copy 983
of the salvage certificate of title to the insurance company. 984

(D) When a self-insured organization, rental or leasing 985
company, or secured creditor becomes the owner of a motor vehicle 986
that is burned, damaged, or dismantled and is determined to be 987
economically impractical to repair, the self-insured organization, 988
rental or leasing company, or secured creditor shall do one of the 989

following: 990

(1) Mark the face of the certificate of title to the motor 991
vehicle "FOR DESTRUCTION" and surrender the certificate of title 992
to a clerk of a court of common pleas for cancellation as 993
described in division (A) of this section. The self-insured 994
organization, rental or leasing company, or secured creditor then 995
shall deliver the motor vehicle, together with a photocopy of the 996
certificate of title, to a salvage dealer or scrap metal 997
processing facility and shall cause the motor vehicle to be 998
dismantled, flattened, crushed, or destroyed. 999

(2) Obtain a salvage certificate of title to the motor 1000
vehicle in the name of the self-insured organization, rental or 1001
leasing company, or secured creditor, as provided in division 1002
(C)(1) of this section, and then sell or otherwise dispose of the 1003
motor vehicle. If the motor vehicle is sold, the self-insured 1004
organization, rental or leasing company, or secured creditor shall 1005
obtain a salvage certificate of title to the motor vehicle in the 1006
name of the purchaser from a clerk of a court of common pleas. 1007

(E) If a motor vehicle titled with a salvage certificate of 1008
title is restored for operation upon the highways, application 1009
shall be made to a clerk of a court of common pleas for a 1010
certificate of title. Upon inspection by the state highway patrol, 1011
which shall include establishing proof of ownership and an 1012
inspection of the motor number and vehicle identification number 1013
of the motor vehicle and of documentation or receipts for the 1014
materials used in restoration by the owner of the motor vehicle 1015
being inspected, which documentation or receipts shall be 1016
presented at the time of inspection, the clerk, upon surrender of 1017
the salvage certificate of title, shall issue a certificate of 1018
title for a fee prescribed by the registrar. The certificate of 1019
title shall be in the same form as the original certificate of 1020
title and shall bear the words "REBUILT SALVAGE" in black boldface 1021

letters on its face. Every subsequent certificate of title, 1022
memorandum certificate of title, or duplicate certificate of title 1023
issued for the motor vehicle also shall bear the words "REBUILT 1024
SALVAGE" in black boldface letters on its face. The exact location 1025
on the face of the certificate of title of the words "REBUILT 1026
SALVAGE" shall be determined by the registrar, who shall develop 1027
an automated procedure within the automated title processing 1028
system to comply with this division. The clerk shall use 1029
reasonable care in performing the duties imposed on the clerk by 1030
this division in issuing a certificate of title pursuant to this 1031
division, but the clerk is not liable for any of the clerk's 1032
errors or omissions or those of the clerk's deputies, or the 1033
automated title processing system in the performance of those 1034
duties. A fee of fifty dollars shall be assessed by the state 1035
highway patrol for each inspection made pursuant to this division 1036
and shall be deposited into the state highway safety fund 1037
established by section 4501.06 of the Revised Code. 1038

(F) No person shall operate upon the highways in this state a 1039
motor vehicle, title to which is evidenced by a salvage 1040
certificate of title, except to deliver the motor vehicle pursuant 1041
to an appointment for an inspection under this section. 1042

(G) No motor vehicle the certificate of title to which has 1043
been marked "FOR DESTRUCTION" and surrendered to a clerk of a 1044
court of common pleas shall be used for anything except parts and 1045
scrap metal. 1046

(H)(1) Except as otherwise provided in this division, an 1047
owner of a manufactured or mobile home that will be taxed as real 1048
property pursuant to division (B) of section 4503.06 of the 1049
Revised Code shall surrender the certificate of title to the 1050
auditor of the county containing the taxing district in which the 1051
home is located. An owner whose home qualifies for real property 1052
taxation under divisions (B)(1)(a) and (b) of section 4503.06 of 1053

the Revised Code shall surrender the certificate within fifteen 1054
days after the home meets the conditions specified in those 1055
divisions. The auditor shall deliver the certificate of title to 1056
the clerk of the court of common pleas who issued it. 1057

(2) If the certificate of title for a manufactured or mobile 1058
home that is to be taxed as real property is held by a lienholder, 1059
the lienholder shall surrender the certificate of title to the 1060
auditor of the county containing the taxing district in which the 1061
home is located, and the auditor shall deliver the certificate of 1062
title to the clerk of the court of common pleas who issued it. The 1063
lienholder shall surrender the certificate within thirty days 1064
after both of the following have occurred: 1065

(a) The homeowner has provided written notice to the 1066
lienholder requesting that the certificate of title be surrendered 1067
to the auditor of the county containing the taxing district in 1068
which the home is located. 1069

(b) The homeowner has either paid the lienholder the 1070
remaining balance owed to the lienholder, or, with the 1071
lienholder's consent, executed and delivered to the lienholder a 1072
mortgage on the home and land on which the home is sited in the 1073
amount of the remaining balance owed to the lienholder. 1074

(3) Upon the delivery of a certificate of title by the county 1075
auditor to the clerk, the clerk shall inactivate it and maintain 1076
it in the automated title processing system for a period of thirty 1077
years. 1078

(4) Upon application by the owner of a manufactured or mobile 1079
home that is taxed as real property pursuant to division (B) of 1080
section 4503.06 of the Revised Code and that no longer satisfies 1081
divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and (b) of that 1082
section, the clerk shall reactivate the record of the certificate 1083
of title that was inactivated under division (H)(3) of this 1084

section and shall issue a new certificate of title, but only if 1085
the application contains or has attached to it all of the 1086
following: 1087

(a) An endorsement of the county treasurer that all real 1088
property taxes charged against the home under Title LVII of the 1089
Revised Code and division (B) of section 4503.06 of the Revised 1090
Code for all preceding tax years have been paid; 1091

(b) An endorsement of the county auditor that the home will 1092
be removed from the real property tax list; 1093

(c) Proof that there are no outstanding mortgages or other 1094
liens on the home or, if there are such mortgages or other liens, 1095
that the mortgagee or lienholder has consented to the reactivation 1096
of the certificate of title. 1097

(I)(1) Whoever violates division (F) of this section shall be 1098
fined not more than two thousand dollars, imprisoned not more than 1099
one year, or both. 1100

(2) Whoever violates division (G) of this section shall be 1101
fined not more than one thousand dollars, imprisoned not more than 1102
six months, or both. 1103

Sec. 4519.55. Application for a certificate of title for an 1104
off-highway motorcycle or all-purpose vehicle shall be made upon a 1105
form prescribed by the registrar of motor vehicles and shall be 1106
sworn to before a notary public or other officer empowered to 1107
administer oaths. The application shall be filed with the clerk of 1108
any court of common pleas. An application for a certificate of 1109
title may be filed electronically by any electronic means approved 1110
by the registrar in any county with the clerk of the court of 1111
common pleas of that county. 1112

If an application for a certificate of title is filed 1113
electronically by an electronic dealer on behalf of the purchaser 1114

of an off-highway motorcycle or all-purpose vehicle, the clerk 1115
shall retain the completed electronic record to which the dealer 1116
converted the certificate of title application and other required 1117
documents. The registrar, after consultation with the attorney 1118
general, shall adopt rules that govern the location at which, and 1119
the manner in which, are stored the actual application and all 1120
other documents relating to the sale of an off-highway motorcycle 1121
or all-purpose vehicle when an electronic dealer files the 1122
application for a certificate of title electronically on behalf of 1123
the purchaser. 1124

The application shall be accompanied by the fee prescribed in 1125
section 4519.59 of the Revised Code. The fee shall be retained by 1126
the clerk who issues the certificate of title and shall be 1127
distributed in accordance with that section. If a clerk of a court 1128
of common pleas, other than the clerk of the court of common pleas 1129
of an applicant's county of residence, issues a certificate of 1130
title to the applicant, the clerk shall transmit data related to 1131
the transaction to the automated title processing system. 1132

If a certificate of title previously has been issued for an 1133
off-highway motorcycle or all-purpose vehicle, the application 1134
also shall be accompanied by the certificate of title duly 1135
assigned, unless otherwise provided in this chapter. If a 1136
certificate of title previously has not been issued for the 1137
off-highway motorcycle or all-purpose vehicle, the application, 1138
unless otherwise provided in this chapter, shall be accompanied by 1139
a manufacturer's or importer's certificate; by a sworn statement 1140
of ownership; or by a certificate of title, bill of sale, or other 1141
evidence of ownership required by law of another state from which 1142
the off-highway motorcycle or all-purpose vehicle was brought into 1143
this state. The registrar, in accordance with Chapter 119. of the 1144
Revised Code, shall prescribe the types of additional 1145
documentation sufficient to establish proof of ownership, 1146

including, but not limited to, receipts from the purchase of parts 1147
or components, photographs, and affidavits of other persons. 1148

For purposes of the transfer of a certificate of title, if 1149
the clerk is satisfied that a secured party has duly discharged a 1150
lien notation but has not canceled the lien notation with a clerk, 1151
the clerk may cancel the lien notation on the automated title 1152
processing system and notify the clerk of the county of origin. 1153

In the case of the sale of an off-highway motorcycle or 1154
all-purpose vehicle by a dealer to a general purchaser or user, 1155
the certificate of title shall be obtained in the name of the 1156
purchaser by the dealer upon application signed by the purchaser. 1157
In all other cases, the certificate shall be obtained by the 1158
purchaser. In all cases of transfer of an off-highway motorcycle 1159
or all-purpose vehicle, the application for certificate of title 1160
shall be filed within thirty days after the later of the date of 1161
purchase or assignment of ownership of the off-highway motorcycle 1162
or all-purpose vehicle. If the application for certificate of 1163
title is not filed within thirty days after the later of the date 1164
of purchase or assignment of ownership of the off-highway 1165
motorcycle or all-purpose vehicle, the clerk shall charge a late 1166
filing fee of ~~five~~ ten dollars in addition to the fee prescribed 1167
by section 4519.59 of the Revised Code. The clerk shall retain the 1168
entire amount of each late filing fee. 1169

Except in the case of an off-highway motorcycle or 1170
all-purpose vehicle purchased prior to July 1, 1999, the clerk 1171
shall refuse to accept an application for certificate of title 1172
unless the applicant either tenders with the application payment 1173
of all taxes levied by or pursuant to Chapter 5739. or 5741. of 1174
the Revised Code based on the purchaser's county of residence, or 1175
submits either of the following: 1176

(A) A receipt issued by the tax commissioner or a clerk of 1177
courts showing payment of the tax; 1178

(B) An exemption certificate, in any 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 made in accordance with division (E) of section 4505.06 of the Revised Code and any rules issued by the tax commissioner. When a dealer submits payment of the tax to the clerk, the dealer shall retain any discount to which the dealer is entitled under section 5739.12 of the Revised Code. 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 a certificate of title. If the application for a certificate of title is for an off-highway motorcycle or all-purpose vehicle purchased prior to July 1, 1999, the clerk shall accept the application without payment of the taxes levied by or pursuant to Chapter 5739. or 5741. of the Revised Code or presentation of either of the items listed in division (A) or (B) of this section.

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-hundredth per cent of the taxes collected, 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 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 1211
other counties to applicants who reside in the first clerk's 1212
county. 1213

In the case of casual sales of off-highway motorcycles or 1214
all-purpose vehicles that are subject to the tax imposed by 1215
Chapter 5739. or 5741. of the Revised Code, the purchase price for 1216
the purpose of determining the tax shall be the purchase price on 1217
an affidavit executed and filed with the clerk by the seller on a 1218
form to be prescribed by the registrar, which shall be prima-facie 1219
evidence of the price for the determination of the tax. 1220

In addition to the information required by section 4519.57 of 1221
the Revised Code, each certificate of title shall contain in bold 1222
lettering the following notification and statements: "WARNING TO 1223
TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by 1224
law to state the true selling price. A false statement is in 1225
violation of section 2921.13 of the Revised Code and is punishable 1226
by six months imprisonment or a fine of up to one thousand 1227
dollars, or both. All transfers are audited by the department of 1228
taxation. The seller and buyer must provide any information 1229
requested by the department of taxation. The buyer may be assessed 1230
any additional tax found to be due." 1231

The clerk shall forward all payments of taxes, less poundage 1232
fees, to the treasurer of state in a manner to be prescribed by 1233
the tax commissioner and shall furnish information to the 1234
commissioner as the commissioner may require. 1235

Every clerk shall have the capability to transact by 1236
electronic means all procedures and transactions relating to the 1237
issuance of certificates of title for off-highway motorcycles and 1238
all-purpose vehicles that are described in the Revised Code as 1239
being accomplished by electronic means. 1240

Sec. 4519.59. (A)(1) The clerk of a court of common pleas 1241

shall charge ~~a fee of five~~ and retain fees as follows: 1242

(a) Fifteen dollars for each certificate of title, ~~or~~ 1243
duplicate certificate of title, including the issuance of a 1244
memorandum certificate of title, authorization to print a 1245
non-negotiable evidence of ownership described in division (D) of 1246
section 4519.58 of the Revised Code, non-negotiable evidence of 1247
ownership printed by the clerk under division (E) of that section, 1248
and notation of any lien on a certificate of title that is applied 1249
for at the same time as the certificate of title. The clerk shall 1250
retain ~~two~~ eleven dollars and ~~twenty-five~~ fifty cents of ~~the~~ that 1251
~~fee charged for each certificate of title, four dollars and~~ 1252
~~seventy-five cents of the fee charged for each duplicate~~ 1253
~~certificate of title, all of the fees charged for each memorandum~~ 1254
~~certificate, authorization to print a non negotiable evidence of~~ 1255
~~ownership, or non negotiable evidence of ownership printed by the~~ 1256
~~clerk, and four dollars and twenty five cents of the fee charged~~ 1257
~~for each notation of a lien.~~ 1258

(b) Five dollars for each certificate of title with no 1259
security interest noted that is issued to a licensed motor vehicle 1260
dealer for resale purposes. The clerk shall retain two dollars and 1261
twenty-five cents of that fee. 1262

(c) Five dollars for each memorandum certificate of title or 1263
non-negotiable evidence of ownership that is applied for 1264
separately. The clerk shall retain that entire fee. 1265

(2) The ~~remaining two dollars and seventy-five cents charged~~ 1266
~~for the certificate of title, the remaining twenty five cents~~ 1267
~~charged for the duplicate certificate of title, and the remaining~~ 1268
~~seventy five cents charged for the notation of any lien on a~~ 1269
~~certificate of title~~ fees that are not retained by the clerk shall 1270
be paid to the registrar of motor vehicles by monthly returns, 1271
which shall be forwarded to the registrar not later than the fifth 1272
day of the month next succeeding that in which the certificate is 1273

forwarded or that in which the registrar is notified of a lien or 1274
cancellation of a lien. 1275

(B)(1) The registrar shall pay twenty-five cents of the 1276
amount received for each certificate of title ~~and all of the~~ 1277
~~amounts received for each notation of any lien and each duplicate~~ 1278
~~certificate that is issued to a motor vehicle dealer for resale~~ 1279
and one dollar for all other certificates of title issued into the 1280
state bureau of motor vehicles fund established in section 4501.25 1281
of the Revised Code. 1282

(2) Fifty cents of the amount received for each certificate 1283
of title shall be paid by the registrar as follows: 1284

(a) Four cents shall be paid into the state treasury to the 1285
credit of the motor vehicle dealers board fund created in section 1286
4505.09 of the Revised Code, for use as described in division 1287
(B)(2)(a) of that section. 1288

(b) Twenty-one cents shall be paid into the highway operating 1289
fund. 1290

(c) Twenty-five cents shall be paid into the state treasury 1291
to the credit of the motor vehicle sales audit fund created in 1292
section 4505.09 of the Revised Code, for use as described in 1293
division (B)(2)(c) of that section. 1294

(3) Two dollars of the amount received by the registrar for 1295
each certificate of title shall be paid into the state treasury to 1296
the credit of the automated title processing fund created in 1297
section 4505.09 of the Revised Code, for use as described in 1298
divisions (B)(3)(a) and (c) of that section. 1299

Sec. 4519.61. (A) Each owner of an off-highway motorcycle or 1300
all-purpose vehicle and each person mentioned as owner in the last 1301
certificate of title, when the off-highway motorcycle or 1302
all-purpose vehicle is dismantled, destroyed, or changed in such 1303

manner that it loses its character as an off-highway motorcycle or 1304
all-purpose vehicle, or changed in such manner that it is not the 1305
off-highway motorcycle or all-purpose vehicle described in the 1306
certificate of title, shall surrender the certificate of title to 1307
a clerk of a court of common pleas, and the clerk, with the 1308
consent of the holders of any liens noted on the certificate of 1309
title, then shall enter a cancellation upon the clerk's records 1310
and shall notify the registrar of motor vehicles of the 1311
cancellation. 1312

Upon the cancellation of a certificate of title in the manner 1313
prescribed by this section, any clerk and the registrar may cancel 1314
and destroy all certificates and all memorandum certificates in 1315
that chain of title. 1316

(B) If an Ohio certificate of title or salvage certificate of 1317
title to an off-highway motorcycle or all-purpose vehicle is 1318
assigned to a salvage dealer, the dealer shall not be required to 1319
obtain an Ohio certificate of title or a salvage certificate of 1320
title to the off-highway motorcycle or all-purpose vehicle in the 1321
dealer's own name if the dealer dismantles or destroys the 1322
off-highway motorcycle or all-purpose vehicle, completes the 1323
assignment on the certificate of title or salvage certificate of 1324
title, indicates the number of the dealer's motor vehicle salvage 1325
dealer's license on it, marks "FOR DESTRUCTION" across the face of 1326
the certificate of title or salvage certificate of title, and 1327
surrenders the certificate of title or salvage certificate of 1328
title to a clerk of a court of common pleas as provided in 1329
division (A) of this section. If the salvage dealer retains the 1330
off-highway motorcycle or all-purpose vehicle for resale, the 1331
salvage dealer shall make application for a salvage certificate of 1332
title to the off-highway motorcycle or all-purpose vehicle in the 1333
salvage dealer's own name as provided in division (C)(1) of this 1334
section. 1335

(C)(1) When an insurance company declares it economically impractical to repair the off-highway motorcycle or all-purpose vehicle and has paid an agreed price for the purchase of the off-highway motorcycle or all-purpose vehicle to any insured or claimant owner, the insurance company shall receive the certificate of title and off-highway motorcycle or all-purpose vehicle and proceed as follows. Within thirty days, the insurance company shall deliver the certificate of title to a clerk of a court of common pleas and shall make application for a salvage certificate of title. The clerk shall issue the salvage certificate of title on a form, prescribed by the registrar, that shall be easily distinguishable from the original certificate of title and shall bear the same information as the original certificate of title except that it may bear a different number from that of the original certificate of title. Except as provided in division (C)(2) of this section, the salvage certificate of title shall be assigned by the insurance company to a salvage dealer or any other person for use as evidence of ownership upon the sale or other disposition of the off-highway motorcycle or all-purpose vehicle, and the salvage certificate of title shall be transferable to any other person. The clerk of the court of common pleas shall charge a fee of ~~four~~ five dollars for the cost of processing each salvage certificate of title.

(2) If an insurance company considers an off-highway motorcycle or all-purpose vehicle as described in division (C)(1) of this section to be impossible to restore to normal operation, the insurance company may assign the certificate of title to the off-highway motorcycle or all-purpose vehicle to a salvage dealer or scrap metal processing facility and send the assigned certificate of title to the clerk of the court of common pleas of any county. The insurance company shall mark the face of the certificate of title "FOR DESTRUCTION" and shall deliver a photocopy of the certificate of title to the salvage dealer or

scrap metal processing facility for its records. 1369

(3) If an insurance company declares it economically 1370
impractical to repair an off-highway motorcycle or all-purpose 1371
vehicle, agrees to pay to the insured or claimant owner an amount 1372
in settlement of a claim against a policy of motor vehicle 1373
insurance covering the off-highway motorcycle or all-purpose 1374
vehicle, and agrees to permit the insured or claimant owner to 1375
retain possession of the off-highway motorcycle or all-purpose 1376
vehicle, the insurance company shall not pay the insured or 1377
claimant owner any amount in settlement of the insurance claim 1378
until the owner obtains a salvage certificate of title to the 1379
vehicle and furnishes a copy of the salvage certificate of title 1380
to the insurance company. 1381

(D) When a self-insured organization, rental or leasing 1382
company, or secured creditor becomes the owner of an off-highway 1383
motorcycle or all-purpose vehicle that is burned, damaged, or 1384
dismantled and is determined to be economically impractical to 1385
repair, the self-insured organization, rental or leasing company, 1386
or secured creditor shall do one of the following: 1387

(1) Mark the face of the certificate of title to the 1388
off-highway motorcycle or all-purpose vehicle "FOR DESTRUCTION" 1389
and surrender the certificate of title to a clerk of a court of 1390
common pleas for cancellation as described in division (A) of this 1391
section. The self-insured organization, rental or leasing company, 1392
or secured creditor then shall deliver the off-highway motorcycle 1393
or all-purpose vehicle, together with a photocopy of the 1394
certificate of title, to a salvage dealer or scrap metal 1395
processing facility and shall cause the off-highway motorcycle or 1396
all-purpose vehicle to be dismantled, flattened, crushed, or 1397
destroyed. 1398

(2) Obtain a salvage certificate of title to the off-highway 1399
motorcycle or all-purpose vehicle in the name of the self-insured 1400

organization, rental or leasing company, or secured creditor, as 1401
provided in division (C)(1) of this section, and then sell or 1402
otherwise dispose of the off-highway motorcycle or all-purpose 1403
vehicle. If the off-highway motorcycle or all-purpose vehicle is 1404
sold, the self-insured organization, rental or leasing company, or 1405
secured creditor shall obtain a salvage certificate of title to 1406
the off-highway motorcycle or all-purpose vehicle in the name of 1407
the purchaser from a clerk of a court of common pleas. 1408

(E) If an off-highway motorcycle or all-purpose vehicle 1409
titled with a salvage certificate of title is restored for 1410
operation, application shall be made to a clerk of a court of 1411
common pleas for a certificate of title after inspection by the 1412
state highway patrol. The inspection shall include establishing 1413
proof of ownership and an inspection of the motor number and 1414
vehicle identification number of the off-highway motorcycle or 1415
all-purpose vehicle and of documentation or receipts for the 1416
materials used in restoration by the owner of the off-highway 1417
motorcycle or all-purpose vehicle being inspected, which 1418
documentation or receipts shall be presented at the time of 1419
inspection. Upon successful completion of the inspection, the 1420
state highway patrol shall issue to the owner a completed 1421
inspection form. The clerk, upon submission of the completed 1422
inspection form and surrender of the salvage certificate of title, 1423
shall issue a certificate of title for a fee prescribed by the 1424
registrar. The certificate of title shall be in the same form as 1425
the original certificate of title and shall bear the words 1426
"REBUILT SALVAGE" in black boldface letters on its face. Every 1427
subsequent certificate of title, memorandum certificate of title, 1428
or certified copy of a certificate of title or memorandum 1429
certificate of title issued for the off-highway motorcycle or 1430
all-purpose vehicle also shall bear the words "REBUILT SALVAGE" in 1431
black boldface letters on its face. The exact location on the face 1432
of the certificate of title of the words "REBUILT SALVAGE" shall 1433

be determined by the registrar, who shall develop an automated 1434
procedure within the automated title processing system to comply 1435
with this division. The clerk shall use reasonable care in 1436
performing the duties imposed on the clerk by this division in 1437
issuing a certificate of title pursuant to this division, but the 1438
clerk is not liable for errors or omissions of the clerk of 1439
courts, the clerk's deputies, or the automated title processing 1440
system in the performance of such duties. A fee of fifty dollars 1441
shall be assessed by the state highway patrol for each inspection 1442
made pursuant to this division. 1443

(F) No off-highway motorcycle or all-purpose vehicle the 1444
certificate of title to which has been marked "FOR DESTRUCTION" 1445
and surrendered to a clerk of a court of common pleas shall be 1446
used for anything except parts and scrap metal. 1447

Section 2. That existing sections 325.33, 1548.06, 1548.10, 1448
2303.20, 4503.033, 4505.032, 4505.06, 4505.09, 4505.11, 4519.55, 1449
4519.59, and 4519.61 of the Revised Code are hereby repealed. 1450