



# Ohio Legislative Service Commission

## Bill Analysis

Joseph G. Aninao

### H.B. 64

130th General Assembly  
(As Introduced)

**Reps.** Cera, Rogers, Hood

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## BILL SUMMARY

- Allows an owner of a motor vehicle, watercraft, outboard motor, off-highway motorcycle, or all-purpose vehicle (hereinafter, collectively "vehicle") to obtain one physical certificate of title for the vehicle without payment of the \$15 title fee if:
  - All security interests related to the vehicle have been discharged; and
  - The secured party does not convey to the owner a physical certificate of title with the discharge noted on the certificate.
- Provides that the owner thereafter may obtain a duplicate physical certificate of title upon payment of the \$15 duplicate certificate of title fee.

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## CONTENT AND OPERATION

### Overview: certificates of title

Certificates of title are issued for motor vehicles, watercraft, outboard motors, off-highway motorcycles, and all-purpose vehicles (hereinafter, collectively "vehicle"). When such a vehicle is sold or ownership otherwise is transferred, the change in ownership is recorded in the Automated Title Processing System (ATPS). A physical certificate of title may be issued for the transferred vehicle, or an electronic certificate of title may be issued for the vehicle instead of a physical certificate of title. In the case of an electronic title, it exists only within the ATPS, but it is as valid as a physical certificate of title to prove ownership of the vehicle for which it is issued.

If a person purchases a vehicle from a dealer and there is no lien on the vehicle, the purchaser may receive a physical certificate of title for the vehicle free and clear of all liens, or an electronic certificate of title for the vehicle may be issued and no liens

will be associated with that certificate in the ATPS. If a person purchases a vehicle and there is a lien on the vehicle because the person finances the purchase through a lender of some type, a physical certificate of title may or may not be issued for the vehicle. At the time of the vehicle sale, the purchaser must pay a fee of \$15 for the new certificate of title and another \$15 fee for the notation of any lien in the ATPS. If a physical certificate of title has not been issued for a vehicle and all the security interests relating to that vehicle have been discharged, the vehicle owner may obtain a physical certificate of title for the vehicle from the clerk of any court of common pleas upon payment of the usual \$15 certificate of title fee. Payment of this \$15 fee is required even though the vehicle owner paid a \$15 certificate of title fee at the time the vehicle was purchased from the dealer.

### **Receipt of certificate of title without payment of fee**

The bill provides that regardless of whether a physical certificate of title has been issued for a vehicle, the vehicle owner may obtain one physical certificate of title for the vehicle from the clerk of any court of common pleas without payment of the normal certificate of title fee if:

- (1) All the Security interests relating to that vehicle have been discharged; and
- (2) The secured party does not convey to the owner of the motor vehicle a physical certificate of title with the discharge noted on the certificate.

The vehicle owner thereafter may obtain a duplicate physical certificate of title for the vehicle from the clerk of any court of common pleas upon payment of the normal duplicate certificate of title fee.<sup>1</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	02-14-13

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<sup>1</sup> R.C. 1548.20(E), 4505.13(E), and 4519.68(D).

