

**As Passed by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. S. B. No. 162**

**Senator Reineke**

**Cosponsors: Senators Blessing, Cirino, Craig, Hackett, Huffman, S., Lang, Maharath, Manning, Romanchuk, Sykes, Thomas, Wilson, Yuko Representatives Baldrige, McClain, Creech, Ghanbari, Hall, Johnson, Miller, K., Boyd, Carruthers, Click, Crossman, Galonski, Ginter, Holmes, Ingram, Jones, Lightbody, Miller, J., O'Brien, Patton, Richardson, Riedel, Sheehy, Sobecki, Stein, Swearingen, Young, T.**

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**A BILL**

To amend sections 4503.10, 4503.12, 4505.101, 1  
4505.103, 4505.104, 4513.601, 4513.602, 2  
4513.603, 4513.61, 4513.611, 5537.04, 5537.07, 3  
and 5537.16 and to enact sections 5537.041 and 4  
5537.29 of the Revised Code to expand the 5  
authority of the Ohio Turnpike and 6  
Infrastructure Commission regarding evasion of 7  
tolls on the Ohio turnpike and disclosure of 8  
personal information, and to make changes to the 9  
title search conducted after a tow and the 10  
mechanisms of notice sent to a towed vehicle's 11  
owner. 12

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

**Section 1.** That sections 4503.10, 4503.12, 4505.101, 13  
4505.103, 4505.104, 4513.601, 4513.602, 4513.603, 4513.61, 14  
4513.611, 5537.04, 5537.07, and 5537.16 be amended and sections 15

5537.041 and 5537.29 of the Revised Code be enacted to read as 16  
follows: 17

**Sec. 4503.10.** (A) The owner of every snowmobile, off- 18  
highway motorcycle, and all-purpose vehicle required to be 19  
registered under section 4519.02 of the Revised Code shall file 20  
an application for registration under section 4519.03 of the 21  
Revised Code. The owner of a motor vehicle, other than a 22  
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 23  
is not designed and constructed by the manufacturer for 24  
operation on a street or highway may not register it under this 25  
chapter except upon certification of inspection pursuant to 26  
section 4513.02 of the Revised Code by the sheriff, or the chief 27  
of police of the municipal corporation or township, with 28  
jurisdiction over the political subdivision in which the owner 29  
of the motor vehicle resides. Except as provided in section 30  
4503.103 of the Revised Code, every owner of every other motor 31  
vehicle not previously described in this section and every 32  
person mentioned as owner in the last certificate of title of a 33  
motor vehicle that is operated or driven upon the public roads 34  
or highways shall cause to be filed each year, by mail or 35  
otherwise, in the office of the registrar of motor vehicles or a 36  
deputy registrar, a written or electronic application or a 37  
preprinted registration renewal notice issued under section 38  
4503.102 of the Revised Code, the form of which shall be 39  
prescribed by the registrar, for registration for the following 40  
registration year, which shall begin on the first day of January 41  
of every calendar year and end on the thirty-first day of 42  
December in the same year. Applications for registration and 43  
registration renewal notices shall be filed at the times 44  
established by the registrar pursuant to section 4503.101 of the 45  
Revised Code. A motor vehicle owner also may elect to apply for 46

or renew a motor vehicle registration by electronic means using 47  
electronic signature in accordance with rules adopted by the 48  
registrar. Except as provided in division (J) of this section, 49  
applications for registration shall be made on blanks furnished 50  
by the registrar for that purpose, containing the following 51  
information: 52

(1) A brief description of the motor vehicle to be 53  
registered, including the year, make, model, and vehicle 54  
identification number, and, in the case of commercial cars, the 55  
gross weight of the vehicle fully equipped computed in the 56  
manner prescribed in section 4503.08 of the Revised Code; 57

(2) The name and residence address of the owner, and the 58  
township and municipal corporation in which the owner resides; 59

(3) The district of registration, which shall be 60  
determined as follows: 61

(a) In case the motor vehicle to be registered is used for 62  
hire or principally in connection with any established business 63  
or branch business, conducted at a particular place, the 64  
district of registration is the municipal corporation in which 65  
that place is located or, if not located in any municipal 66  
corporation, the county and township in which that place is 67  
located. 68

(b) In case the vehicle is not so used, the district of 69  
registration is the municipal corporation or county in which the 70  
owner resides at the time of making the application. 71

(4) Whether the motor vehicle is a new or used motor 72  
vehicle; 73

(5) The date of purchase of the motor vehicle; 74

(6) Whether the fees required to be paid for the 75  
registration or transfer of the motor vehicle, during the 76  
preceding registration year and during the preceding period of 77  
the current registration year, have been paid. Each application 78  
for registration shall be signed by the owner, either manually 79  
or by electronic signature, or pursuant to obtaining a limited 80  
power of attorney authorized by the registrar for registration, 81  
or other document authorizing such signature. If the owner 82  
elects to apply for or renew the motor vehicle registration with 83  
the registrar by electronic means, the owner's manual signature 84  
is not required. 85

(7) The owner's social security number, driver's license 86  
number, or state identification number, or, where a motor 87  
vehicle to be registered is used for hire or principally in 88  
connection with any established business, the owner's federal 89  
taxpayer identification number. The bureau of motor vehicles 90  
shall retain in its records all social security numbers provided 91  
under this section, but the bureau shall not place social 92  
security numbers on motor vehicle certificates of registration. 93

(B) Except as otherwise provided in this division, each 94  
time an applicant first registers a motor vehicle in the 95  
applicant's name, the applicant shall present for inspection a 96  
physical certificate of title or memorandum certificate showing 97  
title to the motor vehicle to be registered in the name of the 98  
applicant if a physical certificate of title or memorandum 99  
certificate has been issued by a clerk of a court of common 100  
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 101  
Revised Code, a clerk instead has issued an electronic 102  
certificate of title for the applicant's motor vehicle, that 103  
certificate may be presented for inspection at the time of first 104  
registration in a manner prescribed by rules adopted by the 105

registrar. An applicant is not required to present a certificate 106  
of title to an electronic motor vehicle dealer acting as a 107  
limited authority deputy registrar in accordance with rules 108  
adopted by the registrar. When a motor vehicle inspection and 109  
maintenance program is in effect under section 3704.14 of the 110  
Revised Code and rules adopted under it, each application for 111  
registration for a vehicle required to be inspected under that 112  
section and those rules shall be accompanied by an inspection 113  
certificate for the motor vehicle issued in accordance with that 114  
section. The application shall be refused if any of the 115  
following applies: 116

(1) The application is not in proper form. 117

(2) The application is prohibited from being accepted by 118  
division (D) of section 2935.27, division (A) of section 119  
2937.221, division (A) of section 4503.13, division (B) of 120  
section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 121  
division (B) of section 5537.041 of the Revised Code. 122

(3) A certificate of title or memorandum certificate of 123  
title is required but does not accompany the application or, in 124  
the case of an electronic certificate of title, is required but 125  
is not presented in a manner prescribed by the registrar's 126  
rules. 127

(4) All registration and transfer fees for the motor 128  
vehicle, for the preceding year or the preceding period of the 129  
current registration year, have not been paid. 130

(5) The owner or lessee does not have an inspection 131  
certificate for the motor vehicle as provided in section 3704.14 132  
of the Revised Code, and rules adopted under it, if that section 133  
is applicable. 134

This section does not require the payment of license or 135  
registration taxes on a motor vehicle for any preceding year, or 136  
for any preceding period of a year, if the motor vehicle was not 137  
taxable for that preceding year or period under sections 138  
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 139  
of the Revised Code. When a certificate of registration is 140  
issued upon the first registration of a motor vehicle by or on 141  
behalf of the owner, the official issuing the certificate shall 142  
indicate the issuance with a stamp on the certificate of title 143  
or memorandum certificate or, in the case of an electronic 144  
certificate of title, an electronic stamp or other notation as 145  
specified in rules adopted by the registrar, and with a stamp on 146  
the inspection certificate for the motor vehicle, if any. The 147  
official also shall indicate, by a stamp or by other means the 148  
registrar prescribes, on the registration certificate issued 149  
upon the first registration of a motor vehicle by or on behalf 150  
of the owner the odometer reading of the motor vehicle as shown 151  
in the odometer statement included in or attached to the 152  
certificate of title. Upon each subsequent registration of the 153  
motor vehicle by or on behalf of the same owner, the official 154  
also shall so indicate the odometer reading of the motor vehicle 155  
as shown on the immediately preceding certificate of 156  
registration. 157

The registrar shall include in the permanent registration 158  
record of any vehicle required to be inspected under section 159  
3704.14 of the Revised Code the inspection certificate number 160  
from the inspection certificate that is presented at the time of 161  
registration of the vehicle as required under this division. 162

(C) (1) Except as otherwise provided in division (C) (1) of 163  
this section, the registrar and each deputy registrar shall 164  
collect an additional fee of eleven dollars for each application 165

for registration and registration renewal received. For vehicles 166  
specified in divisions (A) (1) to (21) of section 4503.042 of the 167  
Revised Code, the registrar and deputy registrar shall collect 168  
an additional fee of thirty dollars for each application for 169  
registration and registration renewal received. No additional 170  
fee shall be charged for vehicles registered under section 171  
4503.65 of the Revised Code. The additional fee is for the 172  
purpose of defraying the department of public safety's costs 173  
associated with the administration and enforcement of the motor 174  
vehicle and traffic laws of Ohio. Each deputy registrar shall 175  
transmit the fees collected under divisions (C) (1), (3), and (4) 176  
of this section in the time and manner provided in this section. 177  
The registrar shall deposit all moneys received under division 178  
(C) (1) of this section into the public safety - highway purposes 179  
fund established in section 4501.06 of the Revised Code. 180

(2) In addition, a charge of twenty-five cents shall be 181  
made for each reflectorized safety license plate issued, and a 182  
single charge of twenty-five cents shall be made for each county 183  
identification sticker or each set of county identification 184  
stickers issued, as the case may be, to cover the cost of 185  
producing the license plates and stickers, including material, 186  
manufacturing, and administrative costs. Those fees shall be in 187  
addition to the license tax. If the total cost of producing the 188  
plates is less than twenty-five cents per plate, or if the total 189  
cost of producing the stickers is less than twenty-five cents 190  
per sticker or per set issued, any excess moneys accruing from 191  
the fees shall be distributed in the same manner as provided by 192  
section 4501.04 of the Revised Code for the distribution of 193  
license tax moneys. If the total cost of producing the plates 194  
exceeds twenty-five cents per plate, or if the total cost of 195  
producing the stickers exceeds twenty-five cents per sticker or 196

per set issued, the difference shall be paid from the license 197  
tax moneys collected pursuant to section 4503.02 of the Revised 198  
Code. 199

(3) The registrar and each deputy registrar shall collect 200  
an additional fee of two hundred dollars for each application 201  
for registration or registration renewal received for any plug- 202  
in electric motor vehicle. The fee shall be prorated based on 203  
the number of months for which the plug-in electric motor 204  
vehicle is registered. The registrar shall transmit all money 205  
arising from the fee imposed by division (C) (3) of this section 206  
to the treasurer of state for distribution in accordance with 207  
division (E) of section 5735.051 of the Revised Code, subject to 208  
division (D) of section 5735.05 of the Revised Code. 209

(4) The registrar and each deputy registrar shall collect 210  
an additional fee of one hundred dollars for each application 211  
for registration or registration renewal received for any hybrid 212  
motor vehicle. The fee shall be prorated based on the number of 213  
months for which the hybrid motor vehicle is registered. The 214  
registrar shall transmit all money arising from the fee imposed 215  
by division (C) (4) of this section to the treasurer of state for 216  
distribution in accordance with division (E) of section 5735.051 217  
of the Revised Code, subject to division (D) of section 5735.05 218  
of the Revised Code. 219

The fees established under divisions (C) (3) and (4) of 220  
this section shall not be imposed until January 1, 2020. 221

(D) Each deputy registrar shall be allowed a fee equal to 222  
the amount established under section 4503.038 of the Revised 223  
Code for each application for registration and registration 224  
renewal notice the deputy registrar receives, which shall be for 225  
the purpose of compensating the deputy registrar for the deputy 226



registrar's services, and such office and rental expenses, as 227  
may be necessary for the proper discharge of the deputy 228  
registrar's duties in the receiving of applications and renewal 229  
notices and the issuing of registrations. 230

(E) Upon the certification of the registrar, the county 231  
sheriff or local police officials shall recover license plates 232  
erroneously or fraudulently issued. 233

(F) Each deputy registrar, upon receipt of any application 234  
for registration or registration renewal notice, together with 235  
the license fee and any local motor vehicle license tax levied 236  
pursuant to Chapter 4504. of the Revised Code, shall transmit 237  
that fee and tax, if any, in the manner provided in this 238  
section, together with the original and duplicate copy of the 239  
application, to the registrar. The registrar, subject to the 240  
approval of the director of public safety, may deposit the funds 241  
collected by those deputies in a local bank or depository to the 242  
credit of the "state of Ohio, bureau of motor vehicles." Where a 243  
local bank or depository has been designated by the registrar, 244  
each deputy registrar shall deposit all moneys collected by the 245  
deputy registrar into that bank or depository not more than one 246  
business day after their collection and shall make reports to 247  
the registrar of the amounts so deposited, together with any 248  
other information, some of which may be prescribed by the 249  
treasurer of state, as the registrar may require and as 250  
prescribed by the registrar by rule. The registrar, within three 251  
days after receipt of notification of the deposit of funds by a 252  
deputy registrar in a local bank or depository, shall draw on 253  
that account in favor of the treasurer of state. The registrar, 254  
subject to the approval of the director and the treasurer of 255  
state, may make reasonable rules necessary for the prompt 256  
transmittal of fees and for safeguarding the interests of the 257

state and of counties, townships, municipal corporations, and 258  
transportation improvement districts levying local motor vehicle 259  
license taxes. The registrar may pay service charges usually 260  
collected by banks and depositories for such service. If deputy 261  
registrars are located in communities where banking facilities 262  
are not available, they shall transmit the fees forthwith, by 263  
money order or otherwise, as the registrar, by rule approved by 264  
the director and the treasurer of state, may prescribe. The 265  
registrar may pay the usual and customary fees for such service. 266

(G) This section does not prevent any person from making 267  
an application for a motor vehicle license directly to the 268  
registrar by mail, by electronic means, or in person at any of 269  
the registrar's offices, upon payment of a service fee equal to 270  
the amount established under section 4503.038 of the Revised 271  
Code for each application. 272

(H) No person shall make a false statement as to the 273  
district of registration in an application required by division 274  
(A) of this section. Violation of this division is falsification 275  
under section 2921.13 of the Revised Code and punishable as 276  
specified in that section. 277

(I) (1) Where applicable, the requirements of division (B) 278  
of this section relating to the presentation of an inspection 279  
certificate issued under section 3704.14 of the Revised Code and 280  
rules adopted under it for a motor vehicle, the refusal of a 281  
license for failure to present an inspection certificate, and 282  
the stamping of the inspection certificate by the official 283  
issuing the certificate of registration apply to the 284  
registration of and issuance of license plates for a motor 285  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 286  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 287

4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 288  
Code. 289

(2) (a) The registrar shall adopt rules ensuring that each 290  
owner registering a motor vehicle in a county where a motor 291  
vehicle inspection and maintenance program is in effect under 292  
section 3704.14 of the Revised Code and rules adopted under it 293  
receives information about the requirements established in that 294  
section and those rules and about the need in those counties to 295  
present an inspection certificate with an application for 296  
registration or preregistration. 297

(b) Upon request, the registrar shall provide the director 298  
of environmental protection, or any person that has been awarded 299  
a contract under section 3704.14 of the Revised Code, an on-line 300  
computer data link to registration information for all passenger 301  
cars, noncommercial motor vehicles, and commercial cars that are 302  
subject to that section. The registrar also shall provide to the 303  
director of environmental protection a magnetic data tape 304  
containing registration information regarding passenger cars, 305  
noncommercial motor vehicles, and commercial cars for which a 306  
multi-year registration is in effect under section 4503.103 of 307  
the Revised Code or rules adopted under it, including, without 308  
limitation, the date of issuance of the multi-year registration, 309  
the registration deadline established under rules adopted under 310  
section 4503.101 of the Revised Code that was applicable in the 311  
year in which the multi-year registration was issued, and the 312  
registration deadline for renewal of the multi-year 313  
registration. 314

(J) Subject to division (K) of this section, application 315  
for registration under the international registration plan, as 316  
set forth in sections 4503.60 to 4503.66 of the Revised Code, 317

shall be made to the registrar on forms furnished by the 318  
registrar. In accordance with international registration plan 319  
guidelines and pursuant to rules adopted by the registrar, the 320  
forms shall include the following: 321

(1) A uniform mileage schedule; 322

(2) The gross vehicle weight of the vehicle or combined 323  
gross vehicle weight of the combination vehicle as declared by 324  
the registrant; 325

(3) Any other information the registrar requires by rule. 326

(K) The registrar shall determine the feasibility of 327  
implementing an electronic commercial fleet licensing and 328  
management program that will enable the owners of commercial 329  
tractors, commercial trailers, and commercial semitrailers to 330  
conduct electronic transactions by July 1, 2010, or sooner. If 331  
the registrar determines that implementing such a program is 332  
feasible, the registrar shall adopt new rules under this 333  
division or amend existing rules adopted under this division as 334  
necessary in order to respond to advances in technology. 335

If international registration plan guidelines and 336  
provisions allow member jurisdictions to permit applications for 337  
registrations under the international registration plan to be 338  
made via the internet, the rules the registrar adopts under this 339  
division shall permit such action. 340

**Sec. 4503.12.** (A) Upon the transfer of ownership of a 341  
motor vehicle, the registration of the motor vehicle expires, 342  
and the original owner immediately shall remove the license 343  
plates from the motor vehicle, except that: 344

(1) If a statutory merger or consolidation results in the 345  
transfer of ownership of a motor vehicle from a constituent 346

corporation to the surviving corporation, or if the 347  
incorporation of a proprietorship or partnership results in the 348  
transfer of ownership of a motor vehicle from the proprietorship 349  
or partnership to the corporation, the registration shall be 350  
continued upon the filing by the surviving or new corporation, 351  
within thirty days of such transfer, of an application for an 352  
amended certificate of registration. Upon a proper filing, the 353  
registrar of motor vehicles shall issue an amended certificate 354  
of registration in the name of the new owner. 355

(2) If the death of the owner of a motor vehicle results 356  
in the transfer of ownership of the motor vehicle to the 357  
surviving spouse of the owner or if a motor vehicle is owned by 358  
two persons under joint ownership with right of survivorship 359  
established under section 2131.12 of the Revised Code and one of 360  
those persons dies, the registration shall be continued upon the 361  
filing by the survivor of an application for an amended 362  
certificate of registration. In relation to a motor vehicle that 363  
is owned by two persons under joint ownership with right of 364  
survivorship established under section 2131.12 of the Revised 365  
Code, the application shall be accompanied by a copy of the 366  
certificate of title that specifies that the vehicle is owned 367  
under joint ownership with right of survivorship. Upon a proper 368  
filing, the registrar shall issue an amended certificate of 369  
registration in the name of the survivor. 370

(3) If the death of the owner of a motor vehicle results 371  
in the transfer of ownership of the motor vehicle to a transfer- 372  
on-death beneficiary or beneficiaries designated under section 373  
2131.13 of the Revised Code, the registration shall be continued 374  
upon the filing by the transfer-on-death beneficiary or 375  
beneficiaries of an application for an amended certificate of 376  
registration. The application shall be accompanied by a copy of 377

the certificate of title that specifies that the owner of the 378  
motor vehicle has designated the motor vehicle in beneficiary 379  
form under section 2131.13 of the Revised Code. Upon a proper 380  
filing, the registrar shall issue an amended certificate of 381  
registration in the name of the transfer-on-death beneficiary or 382  
beneficiaries. 383

(4) If the original owner of a motor vehicle that has been 384  
transferred makes application for the registration of another 385  
motor vehicle at any time during the remainder of the 386  
registration period for which the transferred motor vehicle was 387  
registered, the owner may file an application for transfer of 388  
the registration and, where applicable, the license plates. The 389  
transfer of the registration and, where applicable, the license 390  
plates from the motor vehicle for which they originally were 391  
issued to a succeeding motor vehicle purchased by the same 392  
person in whose name the original registration and license 393  
plates were issued shall be done within a period not to exceed 394  
thirty days. During that thirty-day period, the license plates 395  
from the motor vehicle for which they originally were issued may 396  
be displayed on the succeeding motor vehicle, and the succeeding 397  
motor vehicle may be operated on the public roads and highways 398  
in this state. 399

At the time of application for transfer, the registrar 400  
shall compute and collect the amount of tax due on the 401  
succeeding motor vehicle, based upon the amount that would be 402  
due on a new registration as of the date on which the transfer 403  
is made less a credit for the unused portion of the original 404  
registration beginning on that date. If the credit exceeds the 405  
amount of tax due on the new registration, no refund shall be 406  
made. In computing the amount of tax due and credits to be 407  
allowed under this division, the provisions of division (B) (1) 408

(a) and (b) of section 4503.11 of the Revised Code shall apply. 409  
As to passenger cars, noncommercial vehicles, motor homes, and 410  
motorcycles, transfers within or between these classes of motor 411  
vehicles only shall be allowed. If the succeeding motor vehicle 412  
is of a different class than the motor vehicle for which the 413  
registration originally was issued, new license plates also 414  
shall be issued upon the surrender of the license plates 415  
originally issued and payment of the fees provided in divisions 416  
(C) and (D) of section 4503.10 of the Revised Code. 417

(5) The owner of a commercial car having a gross vehicle 418  
weight or combined gross vehicle weight of more than ten 419  
thousand pounds may transfer the registration of that commercial 420  
car to another commercial car the owner owns without 421  
transferring ownership of the first commercial car. At any time 422  
during the remainder of the registration period for which the 423  
first commercial car was registered, the owner may file an 424  
application for the transfer of the registration and, where 425  
applicable, the license plates, accompanied by the certificate 426  
of registration of the first commercial car. The amount of any 427  
tax due or credit to be allowed for a transfer of registration 428  
under this division shall be computed in accordance with 429  
division (A) (4) of this section. 430

No commercial car to which a registration is transferred 431  
under this division shall be operated on a public road or 432  
highway in this state until after the transfer of registration 433  
is completed in accordance with this division. 434

(6) Upon application to the registrar or a deputy 435  
registrar, a person who owns or leases a motor vehicle may 436  
transfer special license plates assigned to that vehicle to any 437  
other vehicle that the person owns or leases or that is owned or 438

leased by the person's spouse. As appropriate, the application 439  
also shall be accompanied by a power of attorney for the 440  
registration of a leased vehicle and a written statement 441  
releasing the special plates to the applicant. Upon a proper 442  
filing, the registrar or deputy registrar shall assign the 443  
special license plates to the motor vehicle owned or leased by 444  
the applicant and issue a new certificate of registration for 445  
that motor vehicle. 446

(7) If a corporation transfers the ownership of a motor 447  
vehicle to an affiliated corporation, the affiliated corporation 448  
may apply to the registrar for the transfer of the registration 449  
and any license plates. The registrar may require the applicant 450  
to submit documentation of the corporate relationship and shall 451  
determine whether the application for registration transfer is 452  
made in good faith and not for the purposes of circumventing the 453  
provisions of this chapter. Upon a proper filing, the registrar 454  
shall issue an amended certificate of registration in the name 455  
of the new owner. 456

(B) An application under division (A) of this section 457  
shall be accompanied by a service fee equal to the amount 458  
established under section 4503.038 of the Revised Code, a 459  
transfer fee of one dollar, and the original certificate of 460  
registration, if applicable. 461

(C) Neither the registrar nor a deputy registrar shall 462  
transfer a registration under division (A) of this section if 463  
the registration is prohibited by division (D) of section 464  
2935.27, division (A) of section 2937.221, division (A) of 465  
section 4503.13, division (D) of section 4503.234, division (B) 466  
of section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 467  
division (B) of section 5537.041 of the Revised Code. 468



(D) Whoever violates division (A) of this section is 469  
guilty of a misdemeanor of the fourth degree. 470

(E) As used in division (A) (6) of this section, "special 471  
license plates" means either of the following: 472

(1) Any license plates for which the person to whom the 473  
license plates are issued must pay an additional fee in excess 474  
of the fees prescribed in section 4503.04 of the Revised Code, 475  
Chapter 4504. of the Revised Code, and the service fee 476  
prescribed in division (D) or (G) of section 4503.10 of the 477  
Revised Code; 478

(2) License plates issued under section 4503.44 of the 479  
Revised Code. 480

**Sec. 4505.101.** (A) (1) Any repair garage or place of 481  
storage in which a motor vehicle with a value of less than three 482  
thousand five hundred dollars has been left unclaimed for 483  
fifteen days or more following completion of the requested 484  
repair or the agreed term of storage shall send ~~by certified~~ 485  
~~mail, return receipt requested, a notice to remove the motor~~ 486  
~~vehicle~~ to the last known address of any owner and any 487  
lienholder of the motor vehicle ~~a notice to remove the motor~~ 488  
~~vehicle. The repair garage or place of storage shall send the~~ 489  
~~notice by certified or express mail with return receipt~~ 490  
~~requested, by certified mail with electronic tracking, or by a~~ 491  
~~commercial carrier service utilizing any form of delivery~~ 492  
~~requiring a signed receipt.~~ In order to identify any owner or 493  
lienholder, prior to sending a notice, the repair garage or 494  
place of storage shall cause a search to be made of the records 495  
of ~~the bureau of motor vehicles~~ an applicable entity listed in 496  
division (F) (1) of section 4513.601 of the Revised Code. Any 497  
notice to a lienholder shall state where the motor vehicle is 498

located and the value of the vehicle. If the person who 499  
requested the repair or who agreed to the storage of the motor 500  
vehicle is not the owner or a lienholder of the motor vehicle as 501  
indicated in the title records of the bureau, the repair garage 502  
or place of storage also shall notify the sheriff of the county 503  
or the police department of the municipal corporation, township, 504  
port authority, or township or joint police district in which 505  
the repair garage or place of storage is located that the repair 506  
garage or place of storage is in possession of the vehicle. 507

(2) The repair garage or place of storage may obtain a 508  
certificate of title to the motor vehicle if all of the 509  
following apply: 510

(a) The motor vehicle remains unclaimed by any owner or 511  
lienholder of the vehicle for fifteen days after the ~~mailing~~ 512  
sending of all the required notices~~notice~~. 513

(b) For ~~each the~~ notice, the repair garage or place of 514  
storage has either received the signed receipt ~~from the~~ 515  
~~certified mail~~ or has been notified that the delivery was not 516  
possible. Unless the lienholder claims the motor vehicle within 517  
fifteen days from the mailing sending of the notice, the 518  
lienholder's lien is invalid. 519

(c) An agent of the repair garage or place of storage that 520  
~~mailed sent~~ the notice executes an affidavit, in a form 521  
established by the registrar of motor vehicles by rule, 522  
affirming that all of the requirements of this section necessary 523  
to authorize the issuance of a certificate of title for the 524  
motor vehicle have been met. The affidavit shall set forth an 525  
itemized statement of the value of the motor vehicle; the length 526  
of time that the motor vehicle has remained unclaimed; that a 527  
notice to remove the vehicle has been ~~mailed sent~~ to any titled 528

owner or lienholder ~~by certified mail, return receipt~~ 529  
~~requested~~ in a manner authorized by division (A) (1) of this 530  
section; and that a search of ~~the title records of the bureau of~~ 531  
~~motor vehicles~~ has been made in accordance with division (A) (1) 532  
of this section. 533

(B) A towing service or storage facility that is in 534  
possession of a vehicle may obtain a certificate of title to the 535  
vehicle as provided in division (C) of this section if all of 536  
the following apply: 537

(1) The vehicle was towed under division (B) of section 538  
4513.601 of the Revised Code. 539

(2) The vehicle has a value of less than three thousand 540  
five hundred dollars. 541

(3) The vehicle has been left unclaimed for sixty days 542  
after the date the earliest notice required by division ~~(F) (1)~~ 543  
(F) of section 4513.601 of the Revised Code is received, as 544  
evidenced by a receipt signed by any person, or the towing 545  
service or storage facility has been notified that the delivery 546  
was not possible. 547

(4) An agent of the towing service or storage facility 548  
executes an affidavit, in a form established by the registrar of 549  
motor vehicles by rule, affirming that all of the requirements 550  
of this section necessary to authorize the issuance of a 551  
certificate of title for the motor vehicle have been met. The 552  
affidavit shall set forth an itemized statement of the value of 553  
the motor vehicle; that notices to remove the vehicle have been 554  
~~mailed sent~~ to the owner and any lienholder as required under 555  
division (F) of section 4513.601 of the Revised Code; the length 556  
of time that the motor vehicle has remained unclaimed after the 557

date the earliest notice required under division (F) of section 558  
4513.601 of the Revised Code was received or the towing service 559  
or storage facility was notified that delivery was not possible; 560  
and that a search of the records of the ~~bureau of motor vehicles~~ 561  
applicable entity has been made for outstanding liens on the 562  
motor vehicle. 563

(C) (1) The clerk of courts shall issue a certificate of 564  
title, free and clear of all liens and encumbrances as follows: 565

(a) To a repair garage or place of storage that presents 566  
an affidavit that complies with all of the requirements of 567  
division (A) of this section; 568

(b) To a towing service or storage facility that presents 569  
an affidavit in compliance with division (B) of this section. 570

(2) A repair garage or place of storage may use the 571  
process established under division (A) of this section in order 572  
to take title to a motor vehicle even if the person who 573  
requested the repair or who agreed to the storage of the motor 574  
vehicle is not the owner or a lienholder of the motor vehicle as 575  
indicated in the title records ~~of the bureau of motor vehicles~~. 576

(3) Upon receipt of the certificate of title, a repair 577  
garage or place of storage, or a towing service or storage 578  
facility, shall pay to the clerk of courts the value of the 579  
motor vehicle minus both of the following: 580

(a) If the motor vehicle was towed by the party seeking 581  
title to the motor vehicle under this section, a towing fee; 582

(b) Storage fees for the period of time the vehicle was 583  
stored without payment. 584

The clerk of courts shall deposit any money received under 585

this section into the county general fund. 586

(D) Whoever violates this section shall be fined not more 587  
than two hundred dollars, imprisoned not more than ninety days, 588  
or both. 589

(E) As used in this section: 590

(1) "Repair garage or place of storage" means any business 591  
with which a person entered into an agreement for the repair of 592  
a motor vehicle or any business with which a person entered into 593  
an agreement for the storage of a motor vehicle. 594

(2) "Towing service or storage facility" means any for- 595  
hire motor carrier that removes a motor vehicle under the 596  
authority of section 4513.601 of the Revised Code and any place 597  
to which such a for-hire motor carrier delivers a motor vehicle 598  
towed under that section. 599

(3) "Value" means the wholesale value for that make and 600  
model of motor vehicle at the time an affidavit is submitted 601  
under division (C) of this section, as provided in a vehicle 602  
valuation guide that is generally available and recognized by 603  
the motor vehicle industry, minus both of the following: 604

(a) The estimated cost of repairs to restore the motor 605  
vehicle to the wholesale value for that make and model of motor 606  
vehicle; 607

(b) The cost of any agreed-upon repairs. 608

**Sec. 4505.103.** (A) As used in this section: 609

(1) "Authorized entity" means any business with which a 610  
person entered into an agreement for the repair of a motor 611  
vehicle, any for-hire motor carrier that tows motor vehicles, or 612  
any place to which such a for-hire motor carrier delivers a 613

towed motor vehicle for storage. 614

(2) "Motor vehicle salvage dealer" has the same meaning as 615  
in section 4738.01 of the Revised Code. 616

(3) "Scrap metal processing facility" has the same meaning 617  
as in section 4737.05 of the Revised Code. 618

(4) "Value" means the wholesale value for that make and 619  
model of motor vehicle at the time an affidavit is submitted 620  
under this section, as provided in a vehicle valuation guide 621  
that is generally available and recognized by the motor vehicle 622  
industry, minus all of the following: 623

(a) The estimated cost of repairs to restore the motor 624  
vehicle to the wholesale value for that make and model of motor 625  
vehicle; 626

(b) If the motor vehicle was towed by the party seeking 627  
title to the motor vehicle under this section, a towing fee; 628

(c) Storage fees for the period of time that the vehicle 629  
was stored without payment, up to a maximum of thirty days of 630  
storage fees. 631

(B) (1) An authorized entity may obtain a salvage 632  
certificate of title to a motor vehicle in the possession of the 633  
authorized entity for purposes of disposing of the motor vehicle 634  
through a motor vehicle salvage dealer or a scrap metal 635  
processing facility if all of the following apply to the motor 636  
vehicle: 637

(a) The motor vehicle has a value of less than one 638  
thousand five hundred dollars. 639

(b) The motor vehicle is inoperable. 640

(c) The motor vehicle is impossible to restore for highway 641  
operation. 642

(2) In order to obtain a salvage certificate of title to a 643  
motor vehicle, the authorized entity shall cause a search to be 644  
made of the records of ~~the bureau of motor vehicles~~ an 645  
applicable entity listed in division (F)(1) of section 4513.601 646  
of the Revised Code to ascertain the identity of the owner and 647  
any lienholder of the motor vehicle. ~~The registrar of motor~~ 648  
~~vehicles shall ensure that such information is provided in a~~ 649  
~~timely manner.~~ Within eight business days after ~~the registrar~~ 650  
~~provides~~ receiving the identity of the owner and any lienholder 651  
of the motor vehicle, if the vehicle remains unclaimed, the 652  
authorized entity shall send written notice to any owner and any 653  
lienholder of the vehicle by certified or express mail with 654  
return receipt requested, by certified mail with electronic 655  
tracking, or by a commercial carrier service utilizing any form 656  
of delivery requiring a signed receipt. If the motor vehicle 657  
came into the possession of a towing service or storage facility 658  
as a result of being towed, the notice shall include notice that 659  
if the owner disputes that the motor vehicle was lawfully towed, 660  
the owner may be able to file a civil action under section 661  
4513.611 of the Revised Code. 662

(3) Not sooner than thirty days after the notice has been 663  
received, as evidenced by a receipt signed by any person, or the 664  
authorized entity has been notified that the delivery was not 665  
possible, an agent of the authorized entity may complete and 666  
sign an affidavit, on a form prescribed by the registrar of 667  
motor vehicles, attesting that the motor vehicle qualifies for 668  
disposal under this section and that all of the requirements of 669  
this section have been complied with. The affidavit shall 670  
include the make and model of the motor vehicle; the vehicle 671

identification number if available; an itemized statement of the 672  
value of the motor vehicle; a description of the damage to the 673  
motor vehicle; the length of time that the motor vehicle has 674  
remained unclaimed; that a notice to remove the motor vehicle 675  
has been ~~mailed-sent~~ to any titled owner or lienholder by 676  
certified or express mail with return receipt requested, by 677  
certified mail with electronic tracking, or by a commercial 678  
carrier service utilizing any form of delivery requiring a 679  
signed receipt; and that a search of the title records ~~of the~~ 680  
~~bureau of motor vehicles~~ has been made for outstanding liens on 681  
the motor vehicle. The authorized entity also shall photograph 682  
the motor vehicle to substantiate the determination that the 683  
value of the motor vehicle is less than one thousand five 684  
hundred dollars. 685

(C) An agent of the authorized entity may present the 686  
affidavit along with the photographs, an application for a 687  
salvage certificate of title, and a fee of four dollars to the 688  
clerk of courts. Upon receipt of a properly executed application 689  
and the required fee and documents, the clerk of courts shall 690  
issue a salvage certificate of title to the motor vehicle, on a 691  
form prescribed by the registrar, and shall mark the certificate 692  
of title with the words "FOR DESTRUCTION." The clerk shall 693  
retain a record of the issuance of the salvage certificate of 694  
title and all accompanying documentation in the automated title 695  
processing system for not less than ten years. The clerk shall 696  
deposit the four-dollar fee into the certificate of title 697  
administration fund established under section 325.33 of the 698  
Revised Code. 699

A salvage certificate of title issued under this section 700  
is free and clear of all liens and shall be used solely for 701  
purposes of disposing of the vehicle through a motor vehicle 702



salvage dealer or a scrap metal processing facility. No motor 703  
vehicle for which a certificate of title has been issued under 704  
this section shall be used for anything except parts and scrap 705  
metal. 706

(D) At the time of disposal, the authorized entity shall 707  
deliver the salvage certificate of title to the motor vehicle 708  
salvage dealer or scrap metal processing facility for its 709  
records. Any money arising from the disposal of the motor 710  
vehicle may be retained by the authorized entity. 711

**Sec. 4505.104.** (A) A towing service or storage facility 712  
that is in possession of a motor vehicle may obtain a 713  
certificate of title to the vehicle as provided in division (B) 714  
of this section if all of the following apply: 715

(1) The motor vehicle was towed or stored pursuant to 716  
section 4513.60, 4513.61, or 4513.66 of the Revised Code. 717

(2) A search was made of the records of ~~the bureau of~~ 718  
~~motor vehicles~~ an applicable entity listed in division (F) (1) of 719  
section 4513.601 of the Revised Code to ascertain the identity 720  
of the owner and any lienholder of the motor vehicle. 721

(3) Upon obtaining the identity in division (A) (2) of this 722  
section, notice was sent to the last known address of the owner 723  
and any lienholder, by certified or express mail with return 724  
receipt requested, by certified mail with electronic tracking, 725  
or by a commercial carrier service utilizing any form of 726  
delivery requiring a signed receipt. The notice shall inform the 727  
owner and lienholder that the towing service or storage facility 728  
will obtain title to the motor vehicle if not claimed within 729  
sixty days after the date the notice was received. 730

(4) The motor vehicle has been left unclaimed for sixty 731

days after one of the following: 732

(a) The date the notice sent under division (A) (3) of this 733  
section was received, as evidenced by a receipt signed by any 734  
person; 735

(b) The date the towing service or storage facility 736  
received notification that the delivery of the notice sent under 737  
division (A) (3) of this section was not possible. 738

(5) A sheriff, chief of police, or state highway patrol 739  
trooper, as applicable, has made a determination that the 740  
vehicle or items in the vehicle are not necessary to a criminal 741  
investigation. 742

(6) An agent of the towing service or storage facility 743  
executes an affidavit, in a form established by the registrar of 744  
motor vehicles not later than ninety days after ~~the effective~~ 745  
~~date of this section~~ September 30, 2021, affirming that 746  
conditions in divisions (A) (1) to (5) of this section are met. 747

(B) The clerk of court shall issue a certificate of title, 748  
free and clear of all liens and encumbrances, to the towing 749  
service or storage facility that presents an affidavit that 750  
affirms that the conditions in divisions (A) (1) to (5) of this 751  
section are met. 752

(C) After obtaining title to a motor vehicle under this 753  
section, the towing service or storage facility shall retain any 754  
money arising from the disposal of the vehicle. 755

(D) A towing service or storage facility that obtains 756  
title to a motor vehicle under this section shall notify the 757  
entity that ordered the motor vehicle into storage that the 758  
motor vehicle has been so disposed. The towing service or 759  
storage facility shall provide the notice on the last business 760

day of the month in which the service or facility obtained title 761  
to the motor vehicle. 762

(E) As used in this section, "towing service or storage 763  
facility" means any for-hire motor carrier that removes a motor 764  
vehicle under the authority of section 4513.60, 4513.61, or 765  
4513.66 of the Revised Code and any place to which such a for- 766  
hire motor carrier delivers a motor vehicle towed under those 767  
sections. 768

**Sec. 4513.601.** (A) The owner of a private property may 769  
establish a private tow-away zone, but may do so only if all of 770  
the following conditions are satisfied: 771

(1) The owner of the private property posts on the 772  
property a sign, that is at least eighteen inches by twenty-four 773  
inches in size, that is visible from all entrances to the 774  
property, and that includes all of the following information: 775

(a) A statement that the property is a tow-away zone; 776

(b) A description of persons authorized to park on the 777  
property. If the property is a residential property, the owner 778  
of the private property may include on the sign a statement that 779  
only tenants and guests may park in the private tow-away zone, 780  
subject to the terms of the property owner. If the property is a 781  
commercial property, the owner of the private property may 782  
include on the sign a statement that only customers may park in 783  
the private tow-away zone. In all cases, if it is not apparent 784  
which persons may park in the private tow-away zone, the owner 785  
of the private property shall include on the sign the address of 786  
the property on which the private tow-away zone is located or 787  
the name of the business that is located on the property 788  
designated as a private tow-away zone. 789

(c) If the private tow-away zone is not enforceable at all 790  
times, the times during which the parking restrictions are 791  
enforced; 792

(d) The telephone number and the address of the place from 793  
which a towed vehicle may be recovered at any time during the 794  
day or night; 795

(e) A statement that the failure to recover a towed 796  
vehicle may result in the loss of title to the vehicle as 797  
provided in division (B) of section 4505.101 of the Revised 798  
Code. 799

In order to comply with the requirements of division (A) 800  
(1) of this section, the owner of a private property may modify 801  
an existing sign by affixing to the existing sign stickers or an 802  
addendum in lieu of replacing the sign. 803

(2) A towing service ensures that a vehicle towed under 804  
this section is taken to a location from which it may be 805  
recovered that complies with all of the following: 806

(a) It is located within twenty-five linear miles of the 807  
location of the private tow-away zone, unless it is not 808  
practicable to take the vehicle to a place of storage within 809  
twenty-five linear miles. 810

(b) It is well-lighted. 811

(c) It is on or within a reasonable distance of a 812  
regularly scheduled route of one or more modes of public 813  
transportation, if any public transportation is available in the 814  
municipal corporation or township in which the private tow-away 815  
zone is located. 816

(B) (1) If a vehicle is parked on private property that is 817

established as a private tow-away zone in accordance with 818  
division (A) of this section, without the consent of the owner 819  
of the private property or in violation of any posted parking 820  
condition or regulation, the owner of the private property may 821  
cause the removal of the vehicle by a towing service. The towing 822  
service shall remove the vehicle in accordance with this 823  
section. The vehicle owner and the operator of the vehicle are 824  
considered to have consented to the removal and storage of the 825  
vehicle, to the payment of the applicable fees established by 826  
the public utilities commission in rules adopted under section 827  
4921.25 of the Revised Code, and to the right of a towing 828  
service to obtain title to the vehicle if it remains unclaimed 829  
as provided in section 4505.101 of the Revised Code. The owner 830  
or lienholder of a vehicle that has been removed under this 831  
section, subject to division (C) of this section, may recover 832  
the vehicle in accordance with division (G) of this section. 833

(2) If a municipal corporation requires tow trucks and tow 834  
truck operators to be licensed, no owner of a private property 835  
located within the municipal corporation shall cause the removal 836  
and storage of any vehicle pursuant to division (B) of this 837  
section by an unlicensed tow truck or unlicensed tow truck 838  
operator. 839

(3) No towing service shall remove a vehicle from a 840  
private tow-away zone except pursuant to a written contract for 841  
the removal of vehicles entered into with the owner of the 842  
private property on which the private tow-away zone is located. 843

(C) If the owner or operator of a vehicle that is being 844  
removed under authority of division (B) of this section arrives 845  
after the vehicle has been prepared for removal, but prior to 846  
its actual removal from the property, the towing service shall 847

give the vehicle owner or operator oral or written notification 848  
at the time of such arrival that the vehicle owner or operator 849  
may pay a fee of not more than one-half of the fee for the 850  
removal of the vehicle established by the public utilities 851  
commission in rules adopted under section 4921.25 of the Revised 852  
Code in order to obtain release of the vehicle. That fee may be 853  
paid by use of a major credit card unless the towing service 854  
uses a mobile credit card processor and mobile service is not 855  
available at the time of the transaction. Upon payment of that 856  
fee, the towing service shall give the vehicle owner or operator 857  
a receipt showing both the full amount normally assessed and the 858  
actual amount received and shall release the vehicle to the 859  
owner or operator. Upon its release, the owner or operator 860  
immediately shall move the vehicle so that the vehicle is not 861  
parked on the private property established as a private tow-away 862  
zone without the consent of the owner of the private property or 863  
in violation of any posted parking condition or regulation. 864

(D) (1) Prior to towing a vehicle under division (B) of 865  
this section, a towing service shall make all reasonable efforts 866  
to take as many photographs as necessary to evidence that the 867  
vehicle is clearly parked on private property in violation of a 868  
private tow-away zone established under division (A) of this 869  
section. 870

The towing service shall record the time and date of the 871  
photographs taken under this section. The towing service shall 872  
retain the photographs and the record of the time and date, in 873  
electronic or printed form, for at least thirty days after the 874  
date on which the vehicle is recovered by the owner or 875  
lienholder or at least two years after the date on which the 876  
vehicle was towed, whichever is earlier. 877

(2) A towing service shall deliver a vehicle towed under 878  
division (B) of this section to the location from which it may 879  
be recovered not more than two hours after the time it was 880  
removed from the private tow-away zone, unless the towing 881  
service is unable to deliver the motor vehicle within two hours 882  
due to an uncontrollable force, natural disaster, or other event 883  
that is not within the power of the towing service. 884

(E) (1) If an owner of a private property that is 885  
established as a private tow-away zone in accordance with 886  
division (A) of this section causes the removal of a vehicle 887  
from that property by a towing service under division (B) of 888  
this section, the towing service, within two hours of removing 889  
the vehicle, shall provide notice to the sheriff of the county 890  
or the police department of the municipal corporation, township, 891  
port authority, or township or joint police district in which 892  
the property is located concerning all of the following: 893

- (a) The vehicle's license number, make, model, and color; 894
- (b) The location from which the vehicle was removed; 895
- (c) The date and time the vehicle was removed; 896
- (d) The telephone number of the person from whom the 897  
vehicle may be recovered; 898
- (e) The address of the place from which the vehicle may be 899  
recovered. 900

(2) Each county sheriff and each chief of police of a 901  
municipal corporation, township, port authority, or township or 902  
joint police district shall maintain a record of any vehicle 903  
removed from private property in the sheriff's or chief's 904  
jurisdiction that is established as a private tow-away zone of 905  
which the sheriff or chief has received notice under this 906

section. The record shall include all information submitted by 907  
the towing service. The sheriff or chief shall provide any 908  
information in the record that pertains to a particular vehicle 909  
to a person who, either in person or pursuant to a telephone 910  
call, identifies self as the owner, operator, or lienholder of 911  
the vehicle and requests information pertaining to the vehicle. 912

(F) (1) When a vehicle is removed from private property in 913  
accordance with this section, within three business days of the 914  
removal, the towing service or storage facility from which the 915  
vehicle may be recovered shall cause a search to be made of ~~the~~ 916  
either of the following to ascertain the identity of the owner 917  
and any lienholder of the vehicle: 918

(a) The records of the bureau of motor vehicles to 919  
ascertain the identity of the owner and any lienholder of the 920  
motor vehicle; 921

(b) The records of any vendor or vendors, approved by the 922  
registrar of motor vehicles, that are capable of providing real- 923  
time access to owner and lienholder information. The registrar 924  
of motor vehicles 925

The towing service or storage facility may search the 926  
national motor vehicle title information system in order to 927  
determine the state in which the vehicle is titled. The entity 928  
that provides the record of the owner and any lienholder under 929  
this division shall ensure that such information is provided in 930  
a timely manner. ~~Subject~~ 931

(2) Subject to division ~~(F) (4)~~ (F) (5) of this section, the 932  
towing service or storage facility shall send notice to the 933  
vehicle owner and any known lienholder as follows: 934

(a) Within five business days after the ~~registrar of motor~~ 935



~~vehicles~~ applicable entity provides the identity of the owner 936  
and any lienholder of the motor vehicle, if the vehicle remains 937  
unclaimed, to the owner's and lienholder's last known address by 938  
certified or express mail with return receipt requested, by 939  
certified mail with electronic tracking, or by a commercial 940  
carrier service utilizing any form of delivery requiring a 941  
signed receipt; 942

(b) If the vehicle remains unclaimed thirty days after the 943  
first notice is sent, in the manner required under division ~~(F)~~ 944  
~~(1)(a)~~ (F) (2) (a) of this section. 945

~~(2)~~ (3) Sixty days after any notice sent pursuant to 946  
division ~~(F) (1)~~ (F) (2) of this section is received, as evidenced 947  
by a receipt signed by any person, or the towing service or 948  
storage facility has been notified that delivery was not 949  
possible, the towing service or storage facility, if authorized 950  
under division (B) of section 4505.101 of the Revised Code, may 951  
initiate the process for obtaining a certificate of title to the 952  
motor vehicle as provided in that section. 953

~~(3)~~ (4) A towing service or storage facility that does not 954  
receive a signed receipt of notice, or a notification that 955  
delivery was not possible, shall not obtain, and shall not 956  
attempt to obtain, a certificate of title to the motor vehicle 957  
under division (B) of section 4505.101 of the Revised Code. 958

~~(4)~~ (5) With respect to a vehicle concerning which a 959  
towing service or storage facility is not eligible to obtain 960  
title under section 4505.101 of the Revised Code, the towing 961  
service or storage facility need only comply with the initial 962  
notice required under division ~~(F) (1)(a)~~ (F) (2) (a) of this 963  
section. 964

(G) (1) The owner or lienholder of a vehicle that is 965  
removed under division (B) of this section may reclaim it upon 966  
both of the following: 967

(a) Presentation of proof of ownership, which may be 968  
evidenced by a certificate of title to the vehicle, a 969  
certificate of registration for the motor vehicle, or a lease 970  
agreement; 971

(b) Payment of the following fees: 972

(i) All applicable fees established by the public 973  
utilities commission in rules adopted under section 4921.25 of 974  
the Revised Code, except that the lienholder of a vehicle may 975  
retrieve the vehicle without paying any storage fee for the 976  
period of time that the vehicle was in the possession of the 977  
towing service or storage facility prior to the date the 978  
lienholder received the notice sent under division ~~(F) (1) (a)~~ (F) 979  
(2) (a) of this section; 980

(ii) If notice has been sent to the owner and lienholder 981  
as described in division (F) of this section, a processing fee 982  
of twenty-five dollars. 983

(2) A towing service or storage facility in possession of 984  
a vehicle that is removed under authority of division (B) of 985  
this section shall show the vehicle owner, operator, or 986  
lienholder who contests the removal of the vehicle all 987  
photographs taken under division (D) of this section. Upon 988  
request, the towing service or storage facility shall provide a 989  
copy of all photographs in the medium in which the photographs 990  
are stored, whether paper, electronic, or otherwise. 991

(3) When the owner of a vehicle towed under this section 992  
retrieves the vehicle, the towing service or storage facility in 993

possession of the vehicle shall give the owner written notice 994  
that if the owner disputes that the motor vehicle was lawfully 995  
towed, the owner may be able to file a civil action under 996  
section 4513.611 of the Revised Code. 997

(4) Upon presentation of proof of ownership, which may be 998  
evidenced by a certificate of title to the vehicle, a 999  
certificate of registration for the motor vehicle, or a lease 1000  
agreement, the owner of a vehicle that is removed under 1001  
authority of division (B) of this section may retrieve any 1002  
personal items from the vehicle without retrieving the vehicle 1003  
and without paying any fee. The owner of the vehicle shall not 1004  
retrieve any personal items from a vehicle if it would endanger 1005  
the safety of the owner, unless the owner agrees to sign a 1006  
waiver of liability. For purposes of division (G) (4) of this 1007  
section, "personal items" do not include any items that are 1008  
attached to the vehicle. 1009

(H) No person shall remove, or cause the removal of, any 1010  
vehicle from private property that is established as a private 1011  
tow-away zone under this section or store such a vehicle other 1012  
than in accordance with this section, or otherwise fail to 1013  
comply with any applicable requirement of this section. 1014

(I) This section does not affect or limit the operation of 1015  
section 4513.60 or sections 4513.61 to 4613.65 of the Revised 1016  
Code as they relate to property other than private property that 1017  
is established as a private tow-away zone under division (A) of 1018  
this section. 1019

(J) Whoever violates division (H) of this section is 1020  
guilty of a minor misdemeanor. 1021

(K) As used in this section, "owner of a private property" 1022

or "owner of the private property" includes, with respect to a 1023  
private property, any of the following: 1024

(1) Any person who holds title to the property; 1025

(2) Any person who is a lessee or sublessee with respect 1026  
to a lease or sublease agreement for the property; 1027

(3) A person who is authorized to manage the property; 1028

(4) A duly authorized agent of any person listed in 1029  
divisions (K) (1) to (3) of this section. 1030

**Sec. 4513.602.** (A) As used in this section and section 1031  
4513.603 of the Revised Code: 1032

(1) "Motor vehicle dealer" has the same meaning as in 1033  
section 4517.01 of the Revised Code. 1034

(2) "Repair facility" means any business with which a 1035  
person has entered into an agreement to repair a vehicle. 1036

(3) "Towing service" means any for-hire motor carrier that 1037  
removes a motor vehicle from a motor vehicle dealer or repair 1038  
facility. 1039

(4) "Storage facility" means any place to which a towing 1040  
service delivers a motor vehicle from a motor vehicle dealer or 1041  
repair facility. 1042

(B) A motor vehicle dealer or repair facility that is in 1043  
possession of a motor vehicle may cause the removal of the motor 1044  
vehicle by a towing service if all of the following apply: 1045

(1) A search was made of the records of ~~the bureau of~~ 1046  
~~motor vehicles~~ an applicable entity listed in division (F) (1) of 1047  
section 4513.601 of the Revised Code to ascertain the identity 1048  
of the owner and any lienholder of the motor vehicle. 1049

(2) Upon obtaining the identity under division (B) (1) of 1050  
this section, notice was sent to the owner's and any 1051  
lienholder's last known address by certified or express mail 1052  
with return receipt requested, by certified mail with electronic 1053  
tracking, or by a commercial carrier service utilizing any form 1054  
of delivery requiring a signed receipt, and the notice informs 1055  
the owner and any lienholder of the following: 1056

(a) The address where the motor vehicle is located; 1057

(b) That the motor vehicle dealer or repair facility will 1058  
cause the vehicle to be towed if not claimed within fourteen 1059  
calendar days after either the date the notice was received or 1060  
the date the motor vehicle dealer or repair facility receives 1061  
notification that delivery was not possible; 1062

(c) That a towing service that removes the motor vehicle 1063  
or a storage facility that stores the motor vehicle may obtain 1064  
title to it under section 4513.603 of the Revised Code. 1065

(3) The motor vehicle has been left unclaimed for fourteen 1066  
days after one of the following: 1067

(a) The date the notice sent under division (B) (2) of this 1068  
section was received, as evidenced by a receipt signed by any 1069  
person; 1070

(b) The date the motor vehicle dealer or repair facility 1071  
received notification that the delivery of the notice sent under 1072  
division (B) (2) of this section was not possible. 1073

The procedure described in division (B) of this section 1074  
applies regardless of who leaves the motor vehicle on the motor 1075  
vehicle dealer's property or the repair facility's property. 1076

(C) A motor vehicle owner's or lienholder's failure to 1077

remove the vehicle from the property within the time period 1078  
specified in division (B) (3) of this section constitutes consent 1079  
to all of the following: 1080

(1) The motor vehicle's removal and storage; 1081

(2) The payment of any charges incurred for the removal 1082  
and storage of the motor vehicle; 1083

(3) The right of a towing service that removes the motor 1084  
vehicle or storage facility that stores the motor vehicle to 1085  
obtain title to the motor vehicle under section 4513.603 of the 1086  
Revised Code. 1087

(D) After a motor vehicle has been removed by a towing 1088  
service, a motor vehicle owner or lienholder may reclaim the 1089  
motor vehicle from the towing service or storage facility that 1090  
is in possession of the motor vehicle if all of the following 1091  
apply: 1092

(1) The owner presents proof of ownership evidenced by a 1093  
certificate of title to the motor vehicle, a certificate of 1094  
registration for the motor vehicle, or a lease agreement. 1095

(2) The owner or lienholder makes payment of any charges 1096  
incurred for the removal and storage of the motor vehicle. 1097

(3) Title to the motor vehicle has not been issued to the 1098  
towing service or storage facility under section 4513.603 of the 1099  
Revised Code. 1100

(E) Any towing service that removes a motor vehicle under 1101  
this section shall not charge a fee greater than those 1102  
established by the public utilities commission in rules adopted 1103  
under section 4921.25 of the Revised Code. 1104

(F) (1) Any motor vehicle dealer, repair facility, towing 1105

service, or storage facility that complies with this section is 1106  
not liable for any damage, claim of conversion, or any other 1107  
claim resulting from the removal, towing, or storage of the 1108  
motor vehicle. 1109

(2) A motor vehicle dealer or repair facility does not 1110  
forego, release, or otherwise relinquish any legal recourse or 1111  
right of action against a titled owner or lienholder of a motor 1112  
vehicle by causing the vehicle to be removed under division (B) 1113  
of this section, unless possession of the motor vehicle is 1114  
required for the cause of action. 1115

**Sec. 4513.603.** (A) A towing service or storage facility 1116  
that is in possession of a motor vehicle obtained under section 1117  
4513.602 of the Revised Code may obtain a certificate of title 1118  
to the motor vehicle, regardless of the motor vehicle's value, 1119  
as provided in division (B) of this section if all of the 1120  
following apply: 1121

(1) A search was made by the towing service or storage 1122  
facility of the records of ~~the bureau of motor vehicles~~ an 1123  
applicable entity listed in division (F)(1) of section 4513.601 1124  
of the Revised Code to ascertain the identity of the owner and 1125  
any lienholder of the motor vehicle. 1126

(2) Upon obtaining the identity in division (A)(1) of this 1127  
section, the towing service or storage facility sent notice to 1128  
the owner's and any lienholder's last known address, by 1129  
certified or express mail with return receipt requested, by 1130  
certified mail with electronic tracking, or by a commercial 1131  
carrier service utilizing any form of delivery requiring a 1132  
signed receipt, that informs the owner and any lienholder that 1133  
the towing service or storage facility will obtain title to the 1134  
motor vehicle if not claimed within sixty days after the date 1135

the notice was received. 1136

(3) The motor vehicle has been left unclaimed for sixty 1137  
days after one of the following: 1138

(a) The date the notice sent under division (A) (2) of this 1139  
section was received, as evidenced by a receipt signed by any 1140  
person; 1141

(b) The date the towing service or storage facility 1142  
receives notification that the delivery of the notice sent under 1143  
division (A) (2) of this section was not possible. 1144

(4) An agent of the towing service or storage facility 1145  
executes an affidavit, in a form established by the registrar of 1146  
motor vehicles not later than ninety days after ~~the effective~~ 1147  
~~date of this section~~ September 30, 2021, affirming that 1148  
conditions in divisions (A) (1) to (3) of this section are met. 1149

(B) The clerk of court shall issue a certificate of title, 1150  
free and clear of all liens and encumbrances, to a towing 1151  
service or storage facility that presents an affidavit that 1152  
affirms that the conditions in divisions (A) (1) to (3) of this 1153  
section are met. 1154

(C) After obtaining title to a motor vehicle under this 1155  
section, the towing service or storage facility may retain any 1156  
money arising from the disposal of the vehicle. 1157

**Sec. 4513.61.** (A) The sheriff of a county or chief of 1158  
police of a municipal corporation, township, port authority, or 1159  
township or joint police district, within the sheriff's or 1160  
chief's respective territorial jurisdiction, or a state highway 1161  
patrol trooper, upon notification to the sheriff or chief of 1162  
police of such action and of the location of the place of 1163  
storage, may order into storage any motor vehicle, including an 1164



abandoned junk motor vehicle as defined in section 4513.63 of 1165  
the Revised Code, that: 1166

(1) Has come into the possession of the sheriff, chief of 1167  
police, or state highway patrol trooper as a result of the 1168  
performance of the sheriff's, chief's, or trooper's duties; or 1169

(2) Has been left on a public street or other property 1170  
open to the public for purposes of vehicular travel, or upon or 1171  
within the right-of-way of any road or highway, for forty-eight 1172  
hours or longer without notification to the sheriff or chief of 1173  
police of the reasons for leaving the motor vehicle in such 1174  
place. However, when such a motor vehicle constitutes an 1175  
obstruction to traffic it may be ordered into storage 1176  
immediately unless either of the following applies: 1177

(a) The vehicle was involved in an accident and is subject 1178  
to section 4513.66 of the Revised Code; 1179

(b) The vehicle is a commercial motor vehicle. If the 1180  
vehicle is a commercial motor vehicle, the sheriff, chief of 1181  
police, or state highway patrol trooper shall allow the owner or 1182  
operator of the vehicle the opportunity to arrange for the 1183  
removal of the motor vehicle within a period of time specified 1184  
by the sheriff, chief of police, or state highway patrol 1185  
trooper. If the sheriff, chief of police, or state highway 1186  
patrol trooper determines that the vehicle cannot be removed 1187  
within the specified period of time, the sheriff, chief of 1188  
police, or state highway patrol trooper shall order the removal 1189  
of the vehicle. 1190

Subject to division (C) of this section, the sheriff or 1191  
chief of police shall designate the place of storage of any 1192  
motor vehicle so ordered removed. 1193

(B) If the sheriff, chief of police, or a state highway patrol trooper issues an order under division (A) of this section and arranges for the removal of a motor vehicle by a towing service, the towing service shall deliver the motor vehicle to the location designated by the sheriff or chief of police not more than two hours after the time it is removed.

(C) (1) The sheriff or chief of police shall cause a search to be made of the records of ~~the bureau of motor vehicles~~ an applicable entity listed in division (F) (1) of section 4513.601 of the Revised Code to ascertain the identity of the owner and any lienholder of a motor vehicle ordered into storage by the sheriff or chief of police, or by a state highway patrol trooper within five business days of the removal of the vehicle. Upon obtaining such identity, the sheriff or chief of police shall send or cause to be sent to the owner or lienholder at the owner's or lienholder's last known address by certified or express mail with return receipt requested, ~~notice that informs~~ by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The notice shall inform the owner or lienholder that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of ~~mailing the~~ sending of the notice.

(2) The owner or lienholder of the motor vehicle may reclaim the motor vehicle upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title or memorandum certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. Upon presentation of proof of ownership evidenced as provided above, the owner of the motor vehicle also may retrieve

any personal items from the vehicle without retrieving the 1225  
vehicle and without paying any fee. However, a towing service or 1226  
storage facility may charge an after-hours retrieval fee 1227  
established by the public utilities commission in rules adopted 1228  
under section 4921.25 of the Revised Code if the owner retrieves 1229  
the personal items after hours, unless the towing service or 1230  
storage facility fails to provide the notice required under 1231  
division (B) (3) of section 4513.69 of the Revised Code, if 1232  
applicable. However, the owner shall not do either of the 1233  
following: 1234

(a) Retrieve any personal item that has been determined by 1235  
the sheriff, chief of police, or a state highway patrol trooper, 1236  
as applicable, to be necessary to a criminal investigation; 1237

(b) Retrieve any personal item from a vehicle if it would 1238  
endanger the safety of the owner, unless the owner agrees to 1239  
sign a waiver of liability. 1240

For purposes of division (C) (2) of this section, "personal 1241  
items" do not include any items that are attached to the 1242  
vehicle. 1243

(3) If the owner or lienholder of the motor vehicle 1244  
reclaims it after a search of the applicable records ~~of the~~ 1245  
~~bureau~~ has been conducted and after notice has been sent to the 1246  
owner or lienholder as described in this section, and the search 1247  
was conducted by the place of storage, and the notice was sent 1248  
to the motor vehicle owner by the place of storage, the owner or 1249  
lienholder shall pay to the place of storage a processing fee of 1250  
twenty-five dollars, in addition to any expenses or charges 1251  
incurred in the removal and storage of the vehicle. 1252

(D) If the owner or lienholder makes no claim to the motor 1253

vehicle within ten days of the date of ~~mailing of sending~~ the 1254  
notice, and if the vehicle is to be disposed of at public 1255  
auction as provided in section 4513.62 of the Revised Code, the 1256  
sheriff or chief of police, without charge to any party, shall 1257  
file with the clerk of courts of the county in which the place 1258  
of storage is located an affidavit showing compliance with the 1259  
requirements of this section. Upon presentation of the 1260  
affidavit, the clerk, without charge, shall issue a salvage 1261  
certificate of title, free and clear of all liens and 1262  
encumbrances, to the sheriff or chief of police. If the vehicle 1263  
is to be disposed of to a motor vehicle salvage dealer or other 1264  
facility as provided in section 4513.62 of the Revised Code, the 1265  
sheriff or chief of police shall execute in triplicate an 1266  
affidavit, as prescribed by the registrar of motor vehicles, 1267  
describing the motor vehicle and the manner in which it was 1268  
disposed of, and that all requirements of this section have been 1269  
complied with. The sheriff or chief of police shall retain the 1270  
original of the affidavit for the sheriff's or chief's records, 1271  
and shall furnish two copies to the motor vehicle salvage dealer 1272  
or other facility. Upon presentation of a copy of the affidavit 1273  
by the motor vehicle salvage dealer, the clerk of courts, within 1274  
thirty days of the presentation, shall issue a salvage 1275  
certificate of title, free and clear of all liens and 1276  
encumbrances. 1277

(E) Whenever a motor vehicle salvage dealer or other 1278  
facility receives an affidavit for the disposal of a motor 1279  
vehicle as provided in this section, the dealer or facility 1280  
shall not be required to obtain an Ohio certificate of title to 1281  
the motor vehicle in the dealer's or facility's own name if the 1282  
vehicle is dismantled or destroyed and both copies of the 1283  
affidavit are delivered to the clerk of courts. 1284

(F) No towing service or storage facility shall fail to 1285  
comply with this section. 1286

**Sec. 4513.611.** (A) As used in this section: 1287

(1) "Minor violation" means any of the following: 1288

(a) Failure to deliver a vehicle to the designated 1289  
location within two hours after removal, unless the towing 1290  
service was unable to deliver the motor vehicle within two hours 1291  
due to an uncontrollable force, natural disaster, or other event 1292  
that was not within the power of the towing service, as required 1293  
under division (A) (2) of section 4513.60 or division (D) (2) of 1294  
section 4513.601 of the Revised Code; 1295

(b) Failure to provide a receipt as required under 1296  
division (B) of section 4513.60 or division (C) of section 1297  
4513.601 of the Revised Code; 1298

(c) Failure to take a towed vehicle to a location that 1299  
meets the requirements of division (A) (2) of section 4513.601 of 1300  
the Revised Code as required under that division; 1301

(d) Failure to comply with any photograph-related 1302  
requirement established under division (D) (1) or (G) (2) of 1303  
section 4513.601 of the Revised Code. If a court determines that 1304  
a towing service or storage facility committed more than one 1305  
violation of divisions (D) (1) and (G) (2) of section 4513.601 of 1306  
the Revised Code with regard to the same transaction, the court 1307  
shall find the towing service or storage facility liable for 1308  
only one minor violation under this section. 1309

(e) Failure to send notice to the owner and any lienholder 1310  
as required under division ~~(F) (1) (a)~~ (F) (2) (a) of section 1311  
4513.601 of the Revised Code; 1312

(f) Failure to provide an estimate as required under 1313  
section 4513.68 of the Revised Code, containing the information 1314  
required under that section; 1315

(g) Charging a fee that does not comply with division (C) 1316  
of section 4513.68 of the Revised Code if the towing service fee 1317  
is required to be reduced under that division; 1318

(h) Failure to post a notice pertaining to fee limitations 1319  
as required under division (D) of section 4513.68 of the Revised 1320  
Code. 1321

(2) "Major violation" means any of the following: 1322

(a) Failure to give the owner of a vehicle, who arrives 1323  
after the owner's vehicle has been prepared for removal but 1324  
prior to its actual removal, notification that the owner may pay 1325  
a fee of not more than one-half of the fee for the removal of 1326  
the vehicle for the immediate release of the vehicle as required 1327  
under division (B) of section 4513.60 or division (C) of section 1328  
4513.601 of the Revised Code; 1329

(b) Failure to release a vehicle upon payment of not more 1330  
than one-half of the fee for the removal of the vehicle as 1331  
permitted under division (B) of section 4513.60 or division (C) 1332  
of section 4513.601 of the Revised Code; 1333

(c) Refusal to allow a vehicle owner to reclaim the 1334  
owner's vehicle upon payment of the applicable fees established 1335  
by the public utilities commission and presentation of proof of 1336  
ownership as permitted under division (D)(1) of section 4513.60 1337  
or division (G)(1) of section 4513.601 of the Revised Code; 1338

(d) Refusal to allow a vehicle owner to retrieve personal 1339  
items from the owner's vehicle under circumstances in which the 1340  
owner is permitted to retrieve personal items under division (D) 1341

(2) of section 4513.60 or division (G) (4) of section 4513.601 of 1342  
the Revised Code; 1343

(e) Failure to provide notice to the appropriate law 1344  
enforcement agency within two hours of removing a vehicle as 1345  
required under division (E) (1) of section 4513.601 of the 1346  
Revised Code; 1347

(f) Failure to send notice that a vehicle has been towed 1348  
to the vehicle owner and any known lienholder within thirty days 1349  
of removal of the vehicle from a private tow-away zone under 1350  
section 4513.601 of the Revised Code. If a court determines that 1351  
a towing service or storage facility committed a violation 1352  
specified in division (A) (2) (f) of this section and a violation 1353  
of division (A) (1) (e) of this section with regard to the same 1354  
transaction, the court shall find the towing service or storage 1355  
facility liable for only the major violation; 1356

(g) Failure to visibly display the certificate of public 1357  
convenience and necessity number as required under division (B) 1358  
(1) of section 4513.67 of the Revised Code. 1359

(B) (1) A vehicle owner may bring a civil action in a court 1360  
of competent jurisdiction against a towing service or storage 1361  
facility that commits a major or minor violation. 1362

(2) If a court determines that the towing service or 1363  
storage facility committed a minor violation, the court shall 1364  
award the vehicle owner the following: 1365

(a) If the towing service or storage facility has not 1366  
committed a prior minor violation within one year of the minor 1367  
violation for which the court has determined the towing service 1368  
or storage facility is liable, one hundred fifty dollars. 1369

(b) If the towing service or storage facility has 1370

committed one prior minor violation within one year of the minor 1371  
violation for which the court has determined the towing service 1372  
or storage facility is liable, three hundred fifty dollars. 1373

(c) If the towing service or storage facility has 1374  
committed two prior minor violations within one year of the 1375  
minor violation for which the court has determined the towing 1376  
service or storage facility is liable, the violation constitutes 1377  
a major violation and division (B) (3) of this section applies. 1378

(d) If the towing service or storage facility has 1379  
committed three prior minor violations within one year of the 1380  
minor violation for which the court has determined the towing 1381  
service or storage facility is liable, one thousand five hundred 1382  
dollars. 1383

(e) If the towing service or storage facility has 1384  
committed four prior minor violations within one year of the 1385  
minor violation for which the court has determined the towing 1386  
service or storage facility is liable, two thousand dollars. 1387

(f) If the towing service or storage facility has 1388  
committed five prior minor violations within one year of the 1389  
minor violation for which the court has determined the towing 1390  
service or storage facility is liable, the violation constitutes 1391  
a major violation and division (B) (3) of this section applies. 1392

(g) If the towing service or storage facility has 1393  
committed six or seven prior minor violations within one year of 1394  
the minor violation for which the court has determined the 1395  
towing service or storage facility is liable, two thousand five 1396  
hundred dollars. 1397

(h) If the towing service or storage facility has 1398  
committed eight prior minor violations within one year of the 1399



minor violation for which the court has determined the towing 1400  
service or storage facility is liable, the violation constitutes 1401  
a major violation and division (B) (3) of this section applies. 1402

(3) If a court determines that the towing service or 1403  
storage facility committed a major violation, the court shall 1404  
award the vehicle owner the following: 1405

(a) If the towing service or storage facility has not 1406  
committed any prior major violations within one year of the 1407  
major violation for which the court has determined the towing 1408  
service or storage facility is liable, one thousand dollars; 1409

(b) If the towing service or storage facility has 1410  
committed one prior major violation within one year of the major 1411  
violation for which the court has determined the towing service 1412  
or storage facility is liable, two thousand five hundred 1413  
dollars; 1414

(c) If the towing service or storage facility has 1415  
committed two prior major violations within one year of the 1416  
major violation for which the court has determined the towing 1417  
service or storage facility is liable, three thousand five 1418  
hundred dollars. In addition, the court shall order the public 1419  
utilities commission to revoke the towing service's or storage 1420  
facility's certificate of public convenience and necessity for 1421  
six months. The commission shall comply with the order. 1422

Upon expiration of the six-month revocation under division 1423  
(B) (3) (c) of this section, a court shall not consider any 1424  
violation committed by the towing service or storage facility 1425  
prior to the revocation for purposes of a civil action initiated 1426  
after the expiration of the six-month revocation. 1427

(4) If a vehicle owner brings a civil action against a 1428

towing service or storage facility that alleges multiple minor 1429  
or major violations, the court shall award, with regard to each 1430  
violation for which the towing service or storage facility is 1431  
determined to be liable, a civil penalty as required under 1432  
division (B) (2) or (3) of this section. The court shall consider 1433  
each violation as a separate violation for purposes of 1434  
determining how many violations the towing service or storage 1435  
facility has committed within one year. 1436

(5) In determining if a towing service or storage facility 1437  
has committed prior minor or major violations within the 1438  
applicable one-year period, a court shall consider only 1439  
violations that have been determined by a court of competent 1440  
jurisdiction to have been committed by the towing service or 1441  
storage facility. 1442

(C) In addition to an award made under division (B) of 1443  
this section, if a court determines that a towing service or 1444  
storage facility committed a violation that caused actual 1445  
damages, the court shall award the vehicle owner three times the 1446  
actual damages and reasonable attorney's fees. 1447

(D) A court that issues a judgment under this section 1448  
against a towing service or storage facility shall send a copy 1449  
of that judgment to the public utilities commission. The 1450  
commission shall provide a copy of the judgment upon request. 1451

**Sec. 5537.04.** (A) The Ohio turnpike and infrastructure 1452  
commission may do any of the following: 1453

(1) Adopt bylaws for the regulation of its affairs and the 1454  
conduct of its business; 1455

(2) Adopt an official seal, which shall not be the great 1456  
seal of the state and which need not be in compliance with 1457

section 5.10 of the Revised Code; 1458

(3) Maintain a principal office and suboffices at such 1459  
places within the state as it designates; 1460

(4) With respect to the Ohio turnpike system and turnpike 1461  
projects, sue and be sued in its own name, plead and be 1462  
impleaded, provided any actions against the commission shall be 1463  
brought in the court of common pleas of the county in which the 1464  
principal office of the commission is located, or in the court 1465  
of common pleas of the county in which the cause of action arose 1466  
if that county is located within this state, and all summonses, 1467  
exceptions, and notices of every kind shall be served on the 1468  
commission by leaving a copy thereof at its principal office 1469  
with the secretary-treasurer or executive director of the 1470  
commission; 1471

(5) With respect to infrastructure projects only, sue and 1472  
be sued in its own name, plead and be impleaded, provided any 1473  
actions against the commission shall be brought in the court of 1474  
common pleas of Franklin county, and all summonses, exceptions, 1475  
and notices of every kind shall be served on the commission by 1476  
leaving a copy thereof at its principal office with the 1477  
secretary-treasurer or executive director of the commission. 1478

(6) Construct, maintain, repair, police, and operate the 1479  
turnpike system, and establish rules for the use of any turnpike 1480  
project; 1481

(7) Issue revenue bonds of the state, payable solely from 1482  
pledged revenues, as provided in this chapter, for the purpose 1483  
of paying any part of the cost of constructing any one or more 1484  
turnpike projects or infrastructure projects; 1485

(8) Fix, and revise from time to time, and charge and 1486

collect tolls by any method approved by the commission, 1487  
including, but not limited to, manual methods or through 1488  
electronic technology accepted within the tolling industry; 1489

(9) Acquire, hold, and dispose of property in the exercise 1490  
of its powers and the performance of its duties under this 1491  
chapter; 1492

(10) Designate the locations and establish, limit, and 1493  
control such points of ingress to and egress from each turnpike 1494  
project as are necessary or desirable in the judgment of the 1495  
commission and of the director of transportation to ensure the 1496  
proper operation and maintenance of that turnpike project, and 1497  
prohibit entrance to such a turnpike project from any point not 1498  
so designated; 1499

(11) Make and enter into all contracts and agreements 1500  
necessary or incidental to the performance of its duties and the 1501  
execution of its powers under this chapter, including 1502  
participation in a multi-jurisdiction electronic toll collection 1503  
agreement and collection or remittance of tolls, fees, or other 1504  
charges to or from entities or agencies that participate in such 1505  
an agreement; the commission also may enter into agreements with 1506  
retail locations, including deputy registrars, to allow the 1507  
general public to acquire electronic toll collection devices, 1508  
commonly known as transponders, from the retail locations for 1509  
such reasonable fees as are established by the commission; 1510

(12) Employ or retain or contract for the services of 1511  
consulting engineers, superintendents, managers, and any other 1512  
engineers, construction and accounting experts, financial 1513  
advisers, trustees, marketing, remarketing, and administrative 1514  
agents, attorneys, and other employees, independent contractors, 1515  
or agents that are necessary in its judgment and fix their 1516

compensation, provided all such expenses shall be payable solely 1517  
from the proceeds of bonds or from revenues of the Ohio turnpike 1518  
system; 1519

(13) Receive and accept from any federal agency, subject 1520  
to the approval of the governor, and from any other governmental 1521  
agency grants for or in aid of the construction, reconstruction, 1522  
repair, renovation, maintenance, or operation of any turnpike 1523  
project, and receive and accept aid or contributions from any 1524  
source or person of money, property, labor, or other things of 1525  
value, to be held, used, and applied only for the purposes for 1526  
which such grants and contributions are made; 1527

(14) Provide coverage for its employees under Chapters 1528  
4123. and 4141. of the Revised Code; 1529

(15) Fix and revise by rule, from time to time, such 1530  
permit fees, processing fees, or administrative charges for the 1531  
prepayment, deferred payment, or nonpayment of tolls and use of 1532  
electronic tolling equipment or other commission property; 1533

(16) Adopt rules for ~~the~~ all of the following: 1534

(a) The issuance of citations either by a policing 1535  
authority or, the issuance of citations through administrative 1536  
means, and the issuance of invoices by the commission to 1537  
individuals or corporations any person that evade the payment of 1538  
fails to pay the tolls or fees established for the use of any 1539  
turnpike project; 1540

(b) The issuance of a second invoice to any person who 1541  
fails to remit payment of a toll or fee to the commission for 1542  
more than thirty days after issuance of the first invoice and 1543  
for the imposition of associated late fees; 1544

(c) The implementation of procedures whereby a person may 1545

dispute an invoice with the commission through an administrative 1546  
hearing at the commission's principal office as authorized under 1547  
section 5537.041 of the Revised Code; 1548

(d) The implementation of procedures whereby a person may 1549  
appeal the decision of an administrative hearing in the manner 1550  
described in section 5537.041 of the Revised Code. 1551

(17) Approve funding and authorize agreements with the 1552  
department of transportation for the funding of infrastructure 1553  
projects recommended by the director of transportation pursuant 1554  
to the criteria established by rule under section 5537.18 of the 1555  
Revised Code. 1556

(B) The commission may do all acts necessary or proper to 1557  
carry out the powers expressly granted in this chapter. 1558

(C) As used in this section and section 5537.041 of the 1559  
Revised Code, "person" has the same meaning as in section 1560  
1745.05 of the Revised Code. 1561

**Sec. 5537.041.** (A) (1) A person that receives an invoice 1562  
from the Ohio turnpike and infrastructure commission may request 1563  
an administrative hearing with the commission at the 1564  
commission's principal office to dispute the invoice. The person 1565  
may present evidence at the hearing. 1566

(2) Notwithstanding sections 1901.18, 1901.20, 1907.02, 1567  
and 1907.031 of the Revised Code, the commission has exclusive 1568  
original jurisdiction over a dispute regarding an invoice issued 1569  
by the commission in accordance with the rules adopted under 1570  
section 5537.04 of the Revised Code. 1571

(3) The commission shall grant a hearing to any person 1572  
that requests one under this section. The commission shall send 1573  
reasonable notice in advance to the requestor of the time, date, 1574

and location of the hearing. The commission may appoint a 1575  
hearing officer to administer any requested hearings. 1576

(4) A person forfeits the right to an administrative 1577  
hearing or appeal if either of the following occur: 1578

(a) The person does not respond within sixty days after 1579  
the second invoice is issued in accordance with the rules 1580  
adopted under section 5537.04 of the Revised Code. 1581

(b) The person fails to appear at the requested hearing. 1582

(5) The decision of the commission or its designated 1583  
hearing officer is presumed final unless it is reversed on 1584  
appeal. A person may appeal the decision in accordance with 1585  
Chapter 2506. of the Revised Code. Any such appeal shall be 1586  
commenced in the Cuyahoga county court of common pleas. The 1587  
court's decision is final and there is no further right to 1588  
appeal that decision. 1589

(B) In accordance with the rules adopted under section 1590  
5537.04 of the Revised Code, the commission may notify the 1591  
registrar of motor vehicles if either of the following occur: 1592

(1) A person fails to remit payment of a toll or fee or 1593  
fails to dispute an invoice with the commission within sixty 1594  
days after the provision of the second invoice in accordance 1595  
with the rules adopted under section 5537.04 of the Revised 1596  
Code; 1597

(2) A person fails to pay any remaining balance due after 1598  
appeal to the Cuyahoga county court of common pleas. 1599

(C) If the registrar receives a notice from the commission 1600  
under division (B) of this section, neither the registrar nor 1601  
any deputy registrar shall accept any application for the 1602

registration or transfer of registration of any motor vehicle 1603  
owned or leased by the person named in the notice, until the 1604  
registrar receives notice from the commission that the remaining 1605  
balance for the toll or fee has been paid or dismissed. 1606

**Sec. 5537.07.** (A) When the cost to the Ohio turnpike and 1607  
infrastructure commission under any contract with a person other 1608  
than a governmental agency involves an expenditure of more than 1609  
fifty thousand dollars, the commission shall make a written 1610  
contract with the lowest responsive and responsible bidder, in 1611  
accordance with section 9.312 of the Revised Code, after 1612  
advertisement, in accordance with section 7.16 of the Revised 1613  
Code, for not less than two consecutive weeks in a newspaper of 1614  
general circulation and in such other publications as the 1615  
commission determines. The notice shall state the general 1616  
character of the work and the general character of the materials 1617  
to be furnished, the place where plans and specifications 1618  
therefor may be examined, and the time and place of receiving 1619  
bids. The commission may require that the cost estimate for the 1620  
construction, demolition, alteration, repair, improvement, 1621  
renovation, or reconstruction of roadways and bridges for which 1622  
the commission is required to receive bids be kept confidential 1623  
and remain confidential until after all bids for the public 1624  
improvement have been received or the deadline for receiving 1625  
bids has passed. Thereafter, and before opening the bids 1626  
submitted for the roadways and bridges, the commission shall 1627  
make the cost estimate public knowledge by reading the cost 1628  
estimate in a public place. The commission may reject any and 1629  
all bids. The requirements of this division do not apply to 1630  
contracts for the acquisition of real property or compensation 1631  
for professional or other personal services. 1632

(B) Each bid for a contract for construction, demolition, 1633



alteration, repair, improvement, renovation, or reconstruction 1634  
shall contain the full name of every person interested in it and 1635  
shall meet the requirements of section 153.54 of the Revised 1636  
Code. 1637

(C) Other than for a contract referred to in division (B) 1638  
of this section, each bid for a contract that involves an 1639  
expenditure in excess of five hundred thousand dollars or any 1640  
contract with a service facility operator shall contain the full 1641  
name of every person interested in it and shall be accompanied 1642  
by a sufficient bond or certified check on a solvent bank that 1643  
if the bid is accepted a contract will be entered into and the 1644  
performance of its proposal secured. 1645

(D) Other than a contract referred to in division (B) of 1646  
this section or a contract for licensed professional services, a 1647  
bond with good and sufficient surety, in a form as prescribed 1648  
and approved by the commission, shall be required of every 1649  
contractor awarded a contract that involves an expenditure in 1650  
excess of five hundred thousand dollars or any contract with a 1651  
service facility operator. The bond shall be in an amount equal 1652  
to at least fifty per cent of the contract price and shall be 1653  
conditioned upon the faithful performance of the contract. 1654

(E) (1) Notwithstanding any other provisions of this 1655  
section, the commission may establish a program to expedite 1656  
special turnpike projects by combining the design and 1657  
construction elements of any public improvement project into a 1658  
single contract. The commission shall prepare and distribute a 1659  
scope of work document upon which the bidders shall base their 1660  
bids. At a minimum, bidders shall meet the requirements of 1661  
section 4733.161 of the Revised Code. Except in regard to those 1662  
requirements relating to providing plans, the commission shall 1663

award contracts following the requirements set forth in 1664  
divisions (A), (B), (C), and (D) of this section. 1665

(2) Notwithstanding any other provision of this section or 1666  
any other provision of the Revised Code to the contrary, the 1667  
commission may use a value-based selection process when 1668  
selecting a contractor to perform a project that contains both 1669  
design and construction elements in a single contract under this 1670  
division. 1671

(F) Other than for a contract referred to in division (B) 1672  
or (E) of this section, and notwithstanding any other provision 1673  
of the Revised Code to the contrary, the commission may enter 1674  
into a written contract after submission of competitive 1675  
proposals when the commission determines that competitive 1676  
bidding is not practical or advantageous to the commission. The 1677  
commission may conduct discussions with anyone that submits a 1678  
competitive proposal when that proposal might be selected to 1679  
ensure that the person understands and is responsive to the 1680  
requirements of the project. The commission may award the 1681  
contract to the person that submits the best proposal, as 1682  
determined by the commission. The commission shall consider 1683  
multiple factors in awarding a contract under this division, 1684  
including price and the evaluation criteria set forth in the 1685  
request for competitive proposals. 1686

(G) The commission may contract for the purchase of 1687  
equipment, materials, and services without public advertisement 1688  
in any of the following circumstances: 1689

(1) The construction of a temporary bridge; 1690  
(2) The making of temporary emergency repairs to a highway 1691  
or bridge when necessary because of a storm, flood, landslide, 1692

or other natural disaster; 1693

(3) While responding to circumstances created by an 1694  
extraordinary emergency, as determined by the commission. 1695

**Sec. 5537.16.** (A) The Ohio turnpike and infrastructure 1696  
commission may adopt such bylaws and rules as it considers 1697  
advisable for the control and regulation of traffic on any 1698  
turnpike project, for the protection and preservation of 1699  
property under its jurisdiction and control, for the maintenance 1700  
and preservation of good order within the property under its 1701  
control, and for the purpose of establishing owner or operator 1702  
liability for failure to comply with toll collection rules. The 1703  
rules may require that both the owner or lessee and the operator 1704  
of a motor vehicle be held jointly and strictly liable for the 1705  
payment of tolls, fees, and fines. If the owner or lessee and 1706  
the operator are jointly and strictly liable, the owner or 1707  
lessee may not disclaim liability for a toll, fee, or fine by 1708  
claiming another person was operating the motor vehicle at the 1709  
time the toll, fee, or fine was incurred. The rules of the 1710  
commission with respect to the speed, use of special engine 1711  
brakes, axle loads, vehicle loads, and vehicle dimensions of 1712  
vehicles on turnpike projects, including the issuance of a 1713  
special permit by the commission to allow the operation on any 1714  
turnpike project of a motor vehicle transporting two or fewer 1715  
steel coils, shall apply notwithstanding sections 4511.21 to 1716  
~~4511.24~~4511.25, 4513.34, and Chapter 5577. of the Revised Code. 1717  
Such bylaws and rules shall be published in a newspaper of 1718  
general circulation in Franklin county, and in such other manner 1719  
as the commission prescribes. 1720

(B) Such rules shall provide that public police officers 1721  
shall be afforded ready access, while in the performance of 1722

their official duty, to all property under the jurisdiction of 1723  
the commission and without the payment of tolls. 1724

(C) No person shall violate any such bylaws or rules of 1725  
the commission. 1726

(D) (1) All fines collected for the violation of applicable 1727  
laws of the state and the bylaws and rules of the commission or 1728  
moneys arising from bonds forfeited for such violation shall be 1729  
disposed of in accordance with section 5503.04 of the Revised 1730  
Code. 1731

(2) All fees or charges assessed by the commission against 1732  
an owner, lessee, or operator of a vehicle as a civil violation 1733  
for failure to comply with toll collection or toll evasion rules 1734  
shall be revenues of the commission. 1735

**Sec. 5537.29.** (A) As used in this section: 1736

(1) "Electronic toll account record" means a record kept 1737  
by the Ohio turnpike and infrastructure commission or any other 1738  
tolling agency that contains the information required for the 1739  
commission or other tolling agency to collect the tolls charged 1740  
to the holder of the electronic toll account or the owner of a 1741  
motor vehicle that travels on a tolled road. 1742

(2) "Person" does not include any governmental agency. 1743

(3) "Personal information" means information that 1744  
identifies an individual, including an individual's photograph 1745  
or digital image, social security number, driver or driver's 1746  
license identification number, credit card or financial 1747  
information, name, telephone number, or an individual's address 1748  
other than the five-digit zip code number. "Personal 1749  
information" does not include information pertaining to a 1750  
vehicular accident, driving or traffic violation, or driver's 1751

status. 1752

(B) Except as provided in division (C) of this section, 1753  
the commission, and any employee or contractor of the 1754  
commission, shall not knowingly disclose or otherwise make 1755  
available to any person or entity any personal information about 1756  
an individual that the commission obtained in connection with 1757  
processing a toll, fine, fee, or an electronic toll account 1758  
record. 1759

(C) The commission, or an employee or contractor of the 1760  
commission, may disclose personal information as follows: 1761

(1) For the use of a governmental agency, including a 1762  
court or law enforcement agency, in carrying out its functions, 1763  
or for the use of a private person or entity acting on behalf of 1764  
an agency of this state, another state, the United States, or a 1765  
political subdivision of this state or another state in carrying 1766  
out its functions; 1767

(2) For use in connection with a civil, criminal, 1768  
administrative, or arbitral proceeding in a court or agency of 1769  
this state, another state, the United States, or a political 1770  
subdivision of this state or another state or before a self- 1771  
regulatory body, including use in connection with the service of 1772  
process, investigation in anticipation of litigation, or the 1773  
execution or enforcement of a judgment or order; 1774

(3) Pursuant to an order of a court of this state, another 1775  
state, the United States, or a political subdivision of this 1776  
state or another state; 1777

(4) For use by the financial institutions and credit 1778  
issuing companies directly involved in a credit transaction 1779  
pertaining to the payment of a toll, fine, or fee; 1780

(5) For the collection of an unpaid toll, fine, fee, or 1781  
other administrative charge; 1782

(6) For use in exchanging information between other 1783  
private and public toll transportation facilities; 1784

(7) For any use not otherwise identified in divisions (C) 1785  
(1) to (6) of this section that is in response to a request for 1786  
personal information, if the individual whose personal 1787  
information is requested completes and submits to the commission 1788  
a form prescribed by the commission by rule giving express 1789  
consent to such disclosure; 1790

(8) For use by a person, state, or state agency that 1791  
requests the personal information, if the person, state, or 1792  
state agency demonstrates that it has obtained the written 1793  
consent of the individual to whom the information pertains. 1794

(D) The commission shall establish procedures for denying 1795  
a request for the disclosure of personal information if the 1796  
request does not satisfy the criteria for disclosure under 1797  
division (C) of this section. 1798

(E) The commission shall establish any forms and shall 1799  
adopt rules in accordance with section 111.15 of the Revised 1800  
Code as necessary to administer this section. 1801

**Section 2.** That existing sections 4503.10, 4503.12, 1802  
4505.101, 4505.103, 4505.104, 4513.601, 4513.602, 4513.603, 1803  
4513.61, 4513.611, 5537.04, 5537.07, and 5537.16 of the Revised 1804  
Code are hereby repealed. 1805