

As Reported by the Senate Transportation Committee

135th General Assembly

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Am. H. B. No. 195

Representatives Demetriou, Brennan

Cosponsors: Representatives Baker, Brewer, Ferguson, Galonski, Grim, Hall, Lipps, Miller, A., Miller, J., Roemer, Somani, Upchurch, Williams, Young, T., Forhan, Isaacsohn, Abdullahi, Barhorst, Brown, Carruthers, Claggett, Click, Dell'Aquila, Dobos, Fowler Arthur, Ghanbari, Hillyer, Hoops, John, Johnson, Jones, Kick, Lightbody, Liston, Lorenz, Mathews, McClain, Mohamed, Oelslager, Patton, Pavliga, Peterson, Robb Blasdel, Russo, Skindell, Thomas, C., Weinstein, White

A BILL

To amend sections 4501.01, 4503.44, 4517.01, 1
4517.02, and 4517.03 and to enact section 2
4517.041 of the Revised Code to create an 3
adaptive mobility dealer license. 4

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

Section 1. That sections 4501.01, 4503.44, 4517.01, 5
4517.02, and 4517.03 be amended and section 4517.041 of the 6
Revised Code be enacted to read as follows: 7

Sec. 4501.01. As used in this chapter and Chapters 4503., 8
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of 9
the Revised Code, and in the penal laws, except as otherwise 10
provided: 11

(A) "Vehicles" means everything on wheels or runners, 12
including motorized bicycles, but does not mean electric 13
personal assistive mobility devices, low-speed micromobility 14

devices, vehicles that are operated exclusively on rails or 15
tracks or from overhead electric trolley wires, and vehicles 16
that belong to any police department, municipal fire department, 17
or volunteer fire department, or that are used by such a 18
department in the discharge of its functions. 19

(B) "Motor vehicle" means any vehicle, including mobile 20
homes and recreational vehicles, that is propelled or drawn by 21
power other than muscular power or power collected from overhead 22
electric trolley wires. "Motor vehicle" does not include utility 23
vehicles as defined in division (VV) of this section, under- 24
speed vehicles as defined in division (XX) of this section, 25
mini-trucks as defined in division (BBB) of this section, 26
motorized bicycles, electric bicycles, road rollers, traction 27
engines, power shovels, power cranes, and other equipment used 28
in construction work and not designed for or employed in general 29
highway transportation, well-drilling machinery, ditch-digging 30
machinery, farm machinery, and trailers that are designed and 31
used exclusively to transport a boat between a place of storage 32
and a marina, or in and around a marina, when drawn or towed on 33
a public road or highway for a distance of no more than ten 34
miles and at a speed of twenty-five miles per hour or less. 35

(C) "Agricultural tractor" and "traction engine" mean any 36
self-propelling vehicle that is designed or used for drawing 37
other vehicles or wheeled machinery, but has no provisions for 38
carrying loads independently of such other vehicles, and that is 39
used principally for agricultural purposes. 40

(D) "Commercial tractor," except as defined in division 41
(C) of this section, means any motor vehicle that has motive 42
power and either is designed or used for drawing other motor 43
vehicles, or is designed or used for drawing another motor 44

vehicle while carrying a portion of the other motor vehicle or 45
its load, or both. 46

(E) "Passenger car" means any motor vehicle that is 47
designed and used for carrying not more than nine persons and 48
includes any motor vehicle that is designed and used for 49
carrying not more than fifteen persons in a ridesharing 50
arrangement. 51

(F) "Collector's vehicle" means any motor vehicle or 52
agricultural tractor or traction engine that is of special 53
interest, that has a fair market value of one hundred dollars or 54
more, whether operable or not, and that is owned, operated, 55
collected, preserved, restored, maintained, or used essentially 56
as a collector's item, leisure pursuit, or investment, but not 57
as the owner's principal means of transportation. "Licensed 58
collector's vehicle" means a collector's vehicle, other than an 59
agricultural tractor or traction engine, that displays current, 60
valid license tags issued under section 4503.45 of the Revised 61
Code, or a similar type of motor vehicle that displays current, 62
valid license tags issued under substantially equivalent 63
provisions in the laws of other states. 64

(G) "Historical motor vehicle" means any motor vehicle 65
that is over twenty-five years old and is owned solely as a 66
collector's item and for participation in club activities, 67
exhibitions, tours, parades, and similar uses, but that in no 68
event is used for general transportation. 69

(H) "Noncommercial motor vehicle" means any motor vehicle, 70
including a farm truck as defined in section 4503.04 of the 71
Revised Code, that is designed by the manufacturer to carry a 72
load of no more than one ton and is used exclusively for 73
purposes other than engaging in business for profit. 74

(I) "Bus" means any motor vehicle that has motor power and 75
is designed and used for carrying more than nine passengers, 76
except any motor vehicle that is designed and used for carrying 77
not more than fifteen passengers in a ridesharing arrangement. 78

(J) "Commercial car" or "truck" means any motor vehicle 79
that has motor power and is designed and used for carrying 80
merchandise or freight, or that is used as a commercial tractor. 81

(K) "Bicycle" means every device, other than a device that 82
is designed solely for use as a play vehicle by a child, that is 83
propelled solely by human power upon which a person may ride, 84
and that has two or more wheels, any of which is more than 85
fourteen inches in diameter. 86

(L) "Motorized bicycle" or "moped" means any vehicle that 87
either has two tandem wheels or one wheel in the front and two 88
wheels in the rear, that may be pedaled, and that is equipped 89
with a helper motor of not more than fifty cubic centimeters 90
piston displacement that produces no more than one brake 91
horsepower and is capable of propelling the vehicle at a speed 92
of no greater than twenty miles per hour on a level surface. 93
"Motorized bicycle" or "moped" does not include an electric 94
bicycle. 95

(M) "Trailer" means any vehicle without motive power that 96
is designed or used for carrying property or persons wholly on 97
its own structure and for being drawn by a motor vehicle, and 98
includes any such vehicle that is formed by or operated as a 99
combination of a semitrailer and a vehicle of the dolly type 100
such as that commonly known as a trailer dolly, a vehicle used 101
to transport agricultural produce or agricultural production 102
materials between a local place of storage or supply and the 103
farm when drawn or towed on a public road or highway at a speed 104

greater than twenty-five miles per hour, and a vehicle that is 105
designed and used exclusively to transport a boat between a 106
place of storage and a marina, or in and around a marina, when 107
drawn or towed on a public road or highway for a distance of 108
more than ten miles or at a speed of more than twenty-five miles 109
per hour. "Trailer" does not include a manufactured home or 110
travel trailer. 111

(N) "Noncommercial trailer" means any trailer, except a 112
travel trailer or trailer that is used to transport a boat as 113
described in division (B) of this section, but, where 114
applicable, includes a vehicle that is used to transport a boat 115
as described in division (M) of this section, that has a gross 116
weight of no more than ten thousand pounds, and that is used 117
exclusively for purposes other than engaging in business for a 118
profit, such as the transportation of personal items for 119
personal or recreational purposes. 120

(O) "Mobile home" means a building unit or assembly of 121
closed construction that is fabricated in an off-site facility, 122
is more than thirty-five body feet in length or, when erected on 123
site, is three hundred twenty or more square feet, is built on a 124
permanent chassis, is transportable in one or more sections, and 125
does not qualify as a manufactured home as defined in division 126
(C) (4) of section 3781.06 of the Revised Code or as an 127
industrialized unit as defined in division (C) (3) of section 128
3781.06 of the Revised Code. 129

(P) "Semitrailer" means any vehicle of the trailer type 130
that does not have motive power and is so designed or used with 131
another and separate motor vehicle that in operation a part of 132
its own weight or that of its load, or both, rests upon and is 133
carried by the other vehicle furnishing the motive power for 134

propelling itself and the vehicle referred to in this division, 135
and includes, for the purpose only of registration and taxation 136
under those chapters, any vehicle of the dolly type, such as a 137
trailer dolly, that is designed or used for the conversion of a 138
semitrailer into a trailer. 139

(Q) "Recreational vehicle" means a vehicular portable 140
structure that meets all of the following conditions: 141

(1) It is designed for the sole purpose of recreational 142
travel. 143

(2) It is not used for the purpose of engaging in business 144
for profit. 145

(3) It is not used for the purpose of engaging in 146
intrastate commerce. 147

(4) It is not used for the purpose of commerce as defined 148
in 49 C.F.R. 383.5, as amended. 149

(5) It is not regulated by the public utilities commission 150
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 151

(6) It is classed as one of the following: 152

(a) "Travel trailer" or "house vehicle" means a nonself- 153
propelled recreational vehicle that does not exceed an overall 154
length of forty feet, exclusive of bumper and tongue or 155
coupling. "Travel trailer" includes a tent-type fold-out camping 156
trailer as defined in section 4517.01 of the Revised Code. 157

(b) "Motor home" means a self-propelled recreational 158
vehicle that has no fifth wheel and is constructed with 159
permanently installed facilities for cold storage, cooking and 160
consuming of food, and for sleeping. 161

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

(d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

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

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

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

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

(U) "Farm machinery" means all machines and tools that are used in the production, harvesting, and care of farm products,

and includes trailers that are used to transport agricultural 191
produce or agricultural production materials between a local 192
place of storage or supply and the farm, agricultural tractors, 193
threshing machinery, hay-baling machinery, corn shellers, 194
hammermills, and machinery used in the production of 195
horticultural, agricultural, and vegetable products. 196

(V) "Owner" includes any person or firm, other than a 197
manufacturer or dealer, that has title to a motor vehicle, 198
except that, in sections 4505.01 to 4505.19 of the Revised Code, 199
"owner" includes in addition manufacturers and dealers. 200

(W) "Manufacturer" and "dealer" include all persons and 201
firms that are regularly engaged in the business of 202
manufacturing, selling, displaying, offering for sale, or 203
dealing in motor vehicles, at an established place of business 204
that is used exclusively for the purpose of manufacturing, 205
selling, displaying, offering for sale, or dealing in motor 206
vehicles. A place of business that is used for manufacturing, 207
selling, displaying, offering for sale, or dealing in motor 208
vehicles shall be deemed to be used exclusively for those 209
purposes even though snowmobiles or all-purpose vehicles are 210
sold or displayed for sale thereat, even though farm machinery 211
is sold or displayed for sale thereat, or even though repair, 212
accessory, gasoline and oil, storage, parts, service, or paint 213
departments are maintained thereat, or, in any county having a 214
population of less than seventy-five thousand at the last 215
federal census, even though a department in a place of business 216
is used to dismantle, salvage, or rebuild motor vehicles by 217
means of used parts, if such departments are operated for the 218
purpose of furthering and assisting in the business of 219
manufacturing, selling, displaying, offering for sale, or 220
dealing in motor vehicles. Places of business or departments in 221

a place of business used to dismantle, salvage, or rebuild motor 222
vehicles by means of using used parts are not considered as 223
being maintained for the purpose of assisting or furthering the 224
manufacturing, selling, displaying, and offering for sale or 225
dealing in motor vehicles. 226

(X) "Operator" includes any person who drives or operates 227
a motor vehicle upon the public highways. 228

(Y) "Chauffeur" means any operator who operates a motor 229
vehicle, other than a taxicab, as an employee for hire; or any 230
operator whether or not the owner of a motor vehicle, other than 231
a taxicab, who operates such vehicle for transporting, for gain, 232
compensation, or profit, either persons or property owned by 233
another. Any operator of a motor vehicle who is voluntarily 234
involved in a ridesharing arrangement is not considered an 235
employee for hire or operating such vehicle for gain, 236
compensation, or profit. 237

(Z) "State" includes the territories and federal districts 238
of the United States, and the provinces of Canada. 239

(AA) "Public roads and highways" for vehicles includes all 240
public thoroughfares, bridges, and culverts. 241

(BB) "Manufacturer's number" means the manufacturer's 242
original serial number that is affixed to or imprinted upon the 243
chassis or other part of the motor vehicle. 244

(CC) "Motor number" means the manufacturer's original 245
number that is affixed to or imprinted upon the engine or motor 246
of the vehicle. 247

(DD) "Distributor" means any person who is authorized by a 248
motor vehicle manufacturer to distribute new motor vehicles to 249
licensed motor vehicle dealers at an established place of 250

business that is used exclusively for the purpose of 251
distributing new motor vehicles to licensed motor vehicle 252
dealers, except when the distributor also is a new motor vehicle 253
dealer, in which case the distributor may distribute at the 254
location of the distributor's licensed dealership. 255

(EE) "Ridesharing arrangement" means the transportation of 256
persons in a motor vehicle where the transportation is 257
incidental to another purpose of a volunteer driver and includes 258
ridesharing arrangements known as carpools, vanpools, and 259
buspools. 260

(FF) "Apportionable vehicle" means any vehicle that is 261
used or intended for use in two or more international 262
registration plan member jurisdictions that allocate or 263
proportionally register vehicles, that is used for the 264
transportation of persons for hire or designed, used, or 265
maintained primarily for the transportation of property, and 266
that meets any of the following qualifications: 267

(1) Is a power unit having a gross vehicle weight in 268
excess of twenty-six thousand pounds; 269

(2) Is a power unit having three or more axles, regardless 270
of the gross vehicle weight; 271

(3) Is a combination vehicle with a gross vehicle weight 272
in excess of twenty-six thousand pounds. 273

"Apportionable vehicle" does not include recreational 274
vehicles, vehicles displaying restricted plates, city pick-up 275
and delivery vehicles, or vehicles owned and operated by the 276
United States, this state, or any political subdivisions 277
thereof. 278

(GG) "Chartered party" means a group of persons who 279

contract as a group to acquire the exclusive use of a passenger- 280
carrying motor vehicle at a fixed charge for the vehicle in 281
accordance with the carrier's tariff, lawfully on file with the 282
United States department of transportation, for the purpose of 283
group travel to a specified destination or for a particular 284
itinerary, either agreed upon in advance or modified by the 285
chartered group after having left the place of origin. 286

(HH) "International registration plan" means a reciprocal 287
agreement of member jurisdictions that is endorsed by the 288
American association of motor vehicle administrators, and that 289
promotes and encourages the fullest possible use of the highway 290
system by authorizing apportioned registration of fleets of 291
vehicles and recognizing registration of vehicles apportioned in 292
member jurisdictions. 293

(II) "Restricted plate" means a license plate that has a 294
restriction of time, geographic area, mileage, or commodity, and 295
includes license plates issued to farm trucks under division (J) 296
of section 4503.04 of the Revised Code. 297

(JJ) "Gross vehicle weight," with regard to any commercial 298
car, trailer, semitrailer, or bus that is taxed at the rates 299
established under section 4503.042 or 4503.65 of the Revised 300
Code, means the unladen weight of the vehicle fully equipped 301
plus the maximum weight of the load to be carried on the 302
vehicle. 303

(KK) "Combined gross vehicle weight" with regard to any 304
combination of a commercial car, trailer, and semitrailer, that 305
is taxed at the rates established under section 4503.042 or 306
4503.65 of the Revised Code, means the total unladen weight of 307
the combination of vehicles fully equipped plus the maximum 308
weight of the load to be carried on that combination of 309

vehicles. 310

(LL) "Chauffeured limousine" means a motor vehicle that is 311
designed to carry nine or fewer passengers and is operated for 312
hire pursuant to a prearranged contract for the transportation 313
of passengers on public roads and highways along a route under 314
the control of the person hiring the vehicle and not over a 315
defined and regular route. "Prearranged contract" means an 316
agreement, made in advance of boarding, to provide 317
transportation from a specific location in a chauffeured 318
limousine. "Chauffeured limousine" does not include any vehicle 319
that is used exclusively in the business of funeral directing. 320

(MM) "Manufactured home" has the same meaning as in 321
division (C)(4) of section 3781.06 of the Revised Code. 322

(NN) "Acquired situs," with respect to a manufactured home 323
or a mobile home, means to become located in this state by the 324
placement of the home on real property, but does not include the 325
placement of a manufactured home or a mobile home in the 326
inventory of a new motor vehicle dealer or the inventory of a 327
manufacturer, remanufacturer, or distributor of manufactured or 328
mobile homes. 329

(OO) "Electronic" includes electrical, digital, magnetic, 330
optical, electromagnetic, or any other form of technology that 331
entails capabilities similar to these technologies. 332

(PP) "Electronic record" means a record generated, 333
communicated, received, or stored by electronic means for use in 334
an information system or for transmission from one information 335
system to another. 336

(QQ) "Electronic signature" means a signature in 337
electronic form attached to or logically associated with an 338

electronic record. 339

(RR) "Financial transaction device" has the same meaning 340
as in division (A) of section 113.40 of the Revised Code. 341

(SS) "Electronic motor vehicle dealer" means a motor 342
vehicle dealer licensed under Chapter 4517. of the Revised Code 343
whom the registrar of motor vehicles determines meets the 344
criteria designated in section 4503.035 of the Revised Code for 345
electronic motor vehicle dealers and designates as an electronic 346
motor vehicle dealer under that section. 347

(TT) "Electric personal assistive mobility device" means a 348
self-balancing two non-tandem wheeled device that is designed to 349
transport only one person, has an electric propulsion system of 350
an average of seven hundred fifty watts, and when ridden on a 351
paved level surface by an operator who weighs one hundred 352
seventy pounds has a maximum speed of less than twenty miles per 353
hour. 354

(UU) "Limited driving privileges" means the privilege to 355
operate a motor vehicle that a court grants under section 356
4510.021 of the Revised Code to a person whose driver's or 357
commercial driver's license or permit or nonresident operating 358
privilege has been suspended. 359

(VV) "Utility vehicle" means a self-propelled vehicle 360
designed with a bed, principally for the purpose of transporting 361
material or cargo in connection with construction, agricultural, 362
forestry, grounds maintenance, lawn and garden, materials 363
handling, or similar activities. 364

(WW) "Low-speed vehicle" means a three- or four-wheeled 365
motor vehicle with an attainable speed in one mile on a paved 366
level surface of more than twenty miles per hour but not more 367

than twenty-five miles per hour and with a gross vehicle weight 368
rating less than three thousand pounds. 369

(XX) "Under-speed vehicle" means a three- or four-wheeled 370
vehicle, including a vehicle commonly known as a golf cart, with 371
an attainable speed on a paved level surface of not more than 372
twenty miles per hour and with a gross vehicle weight rating 373
less than three thousand pounds. 374

(YY) "Motor-driven cycle or motor scooter" means any 375
vehicle designed to travel on not more than three wheels in 376
contact with the ground, with a seat for the driver and floor 377
pad for the driver's feet, and is equipped with a motor with a 378
piston displacement between fifty and one hundred cubic 379
centimeters piston displacement that produces not more than five 380
brake horsepower and is capable of propelling the vehicle at a 381
speed greater than twenty miles per hour on a level surface. 382

(ZZ) "Motorcycle" means a motor vehicle with motive power 383
having a seat or saddle for the use of the operator, designed to 384
travel on not more than three wheels in contact with the ground, 385
and having no occupant compartment top or occupant compartment 386
top that can be installed or removed by the user. 387

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 388
motive power having a seat or saddle for the use of the 389
operator, designed to travel on not more than three wheels in 390
contact with the ground, and having an occupant compartment top 391
or an occupant compartment top that is installed. 392

(BBB) "Mini-truck" means a vehicle that has four wheels, 393
is propelled by an electric motor with a rated power of seven 394
thousand five hundred watts or less or an internal combustion 395
engine with a piston displacement capacity of six hundred sixty 396

cubic centimeters or less, has a total dry weight of nine 397
hundred to two thousand two hundred pounds, contains an enclosed 398
cabin and a seat for the vehicle operator, resembles a pickup 399
truck or van with a cargo area or bed located at the rear of the 400
vehicle, and was not originally manufactured to meet federal 401
motor vehicle safety standards. 402

(CCC) "Autocycle" means a three-wheeled motorcycle that is 403
manufactured to comply with federal safety requirements for 404
motorcycles and that is equipped with safety belts, a steering 405
wheel, and seating that does not require the operator to 406
straddle or sit astride to ride the motorcycle. 407

(DDD) "Plug-in hybrid electric motor vehicle" means a 408
passenger car powered in part by a battery cell energy system 409
that can be recharged via an external source of electricity. 410

(EEE) "Hybrid motor vehicle" means a passenger car powered 411
by an internal propulsion system consisting of both of the 412
following: 413

(1) A combustion engine; 414

(2) A battery cell energy system that cannot be recharged 415
via an external source of electricity but can be recharged by 416
other vehicle mechanisms that capture and store electric energy. 417

(FFF) "Low-speed micromobility device" means a device 418
weighing less than one hundred pounds that has handlebars, is 419
propelled by an electric motor or human power, and has an 420
attainable speed on a paved level surface of not more than 421
twenty miles per hour when propelled by the electric motor. 422

(GGG) "Specialty license plate" means a license plate, 423
authorized by the general assembly, that displays a combination 424
of words, markings, logos, or other graphic artwork that is in 425

addition to the words, images, and distinctive numbers and 426
letters required by section 4503.22 of the Revised Code. 427

(HHH) "Battery electric motor vehicle" means a passenger 428
car powered wholly by a battery cell energy system that can be 429
recharged via an external source of electricity. 430

(III) "Adaptive mobility vehicle" means either a new 431
passenger car or bus purchased from a new motor vehicle dealer 432
or a used passenger car or bus, provided that such passenger car 433
or bus is designed, modified, or equipped to enable an 434
individual with a disability to operate or to be transported in 435
the passenger car or bus, in accordance with 49 C.F.R. part 568 436
or 595, and contains at least one of the following: 437

(1) An electronic or mechanical lift that enables a person 438
to enter or exit the motor vehicle while occupying a wheelchair 439
or scooter; 440

(2) An electronic or mechanical wheelchair ramp; 441

(3) A system to secure a wheelchair or scooter in order to 442
allow a person to operate or be transported safely while 443
occupying that wheelchair or scooter. 444

Sec. 4503.44. (A) As used in this section and in section 445
4511.69 of the Revised Code: 446

(1) "Person with a disability that limits or impairs the 447
ability to walk" means any person who, as determined by a health 448
care provider, meets any of the following criteria: 449

(a) Cannot walk two hundred feet without stopping to rest; 450

(b) Cannot walk without the use of, or assistance from, a 451
brace, cane, crutch, another person, prosthetic device, 452
wheelchair, or other assistive device; 453

(c) Is restricted by a lung disease to such an extent that 454
the person's forced (respiratory) expiratory volume for one 455
second, when measured by spirometry, is less than one liter, or 456
the arterial oxygen tension is less than sixty millimeters of 457
mercury on room air at rest; 458

(d) Uses portable oxygen; 459

(e) Has a cardiac condition to the extent that the 460
person's functional limitations are classified in severity as 461
class III or class IV according to standards set by the American 462
heart association; 463

(f) Is severely limited in the ability to walk due to an 464
arthritic, neurological, or orthopedic condition; 465

(g) Is blind, legally blind, or severely visually 466
impaired. 467

(2) "Organization" means any private organization or 468
corporation, or any governmental board, agency, department, 469
division, or office, that, as part of its business or program, 470
transports persons with disabilities that limit or impair the 471
ability to walk on a regular basis in a motor vehicle that has 472
not been altered for the purpose of providing it with accessible 473
equipment for use by persons with disabilities. This definition 474
does not apply to division (I) of this section. 475

(3) "Health care provider" means a physician, physician 476
assistant, advanced practice registered nurse, optometrist, or 477
chiropractor as defined in this section except that an 478
optometrist shall only make determinations as to division (A) (1) 479
(g) of this section. 480

(4) "Physician" means a person licensed to practice 481
medicine or surgery or osteopathic medicine and surgery under 482

Chapter 4731. of the Revised Code. 483

(5) "Chiropractor" means a person licensed to practice 484
chiropractic under Chapter 4734. of the Revised Code. 485

(6) "Advanced practice registered nurse" means a certified 486
nurse practitioner, clinical nurse specialist, certified 487
registered nurse anesthetist, or certified nurse-midwife who 488
holds a certificate of authority issued by the board of nursing 489
under Chapter 4723. of the Revised Code. 490

(7) "Physician assistant" means a person who is licensed 491
as a physician assistant under Chapter 4730. of the Revised 492
Code. 493

(8) "Optometrist" means a person licensed to engage in the 494
practice of optometry under Chapter 4725. of the Revised Code. 495

(B) (1) An organization, or a person with a disability that 496
limits or impairs the ability to walk, may apply for the 497
registration of any motor vehicle the organization or person 498
owns or leases. When ~~a motor~~ an adaptive mobility vehicle has 499
~~been altered for the purpose of providing it with accessible~~ 500
~~equipment for a person with a disability that limits or impairs~~ 501
~~the ability to walk, but~~ is owned or leased by someone other 502
than ~~such a person~~ a person with a disability that limits or impairs the 503
ability to walk, the owner or lessee may apply to the registrar 504
or a deputy registrar for registration under this section. The 505
application for registration of a motor vehicle owned or leased 506
by a person with a disability that limits or impairs the ability 507
to walk shall be accompanied by a signed statement from the 508
applicant's health care provider certifying that the applicant 509
meets at least one of the criteria contained in division (A) (1) 510
of this section and that the disability is expected to continue 511

for more than six consecutive months. The application for 512
registration of ~~a motor~~ an adaptive mobility vehicle that ~~has~~ 513
~~been altered for the purpose of providing it with accessible~~ 514
~~equipment for a person with a disability that limits or impairs~~ 515
~~the ability to walk but~~ is owned by someone other than ~~such a~~ 516
person with a disability that limits or impairs the ability to 517
walk shall be accompanied by such documentary evidence of 518
vehicle specifications or alterations as the registrar may 519
require by rule. 520

(2) When an organization, a person with a disability that 521
limits or impairs the ability to walk, or a person who does not 522
have a disability that limits or impairs the ability to walk but 523
owns a motor vehicle that has been altered for the purpose of 524
providing it with accessible equipment for a person with a 525
disability that limits or impairs the ability to walk first 526
submits an application for registration of a motor vehicle under 527
this section and every fifth year thereafter, the organization 528
or person shall submit a signed statement from the applicant's 529
health care provider, a completed application, and any required 530
documentary evidence of vehicle specifications or alterations as 531
provided in division (B)(1) of this section, and also a power of 532
attorney from the owner of the motor vehicle if the applicant 533
leases the vehicle. Upon submission of these items, the 534
registrar or deputy registrar shall issue to the applicant 535
appropriate vehicle registration and a set of license plates and 536
validation stickers, or validation stickers alone when required 537
by section 4503.191 of the Revised Code. In addition to the 538
letters and numbers ordinarily inscribed thereon, the license 539
plates shall be imprinted with the international symbol of 540
access. The license plates and validation stickers shall be 541
issued upon payment of the regular license fee as prescribed 542

under section 4503.04 of the Revised Code and any motor vehicle 543
tax levied under Chapter 4504. of the Revised Code, and the 544
payment of a service fee equal to the amount specified in 545
division (D) or (G) of section 4503.10 of the Revised Code. 546

(C) (1) A person with a disability that limits or impairs 547
the ability to walk may apply to the registrar of motor vehicles 548
for a removable windshield placard by completing and signing an 549
application provided by the registrar. The person shall include 550
with the application a prescription from the person's health 551
care provider prescribing such a placard for the person based 552
upon a determination that the person meets at least one of the 553
criteria contained in division (A) (1) of this section. The 554
health care provider shall state on the prescription the length 555
of time the health care provider expects the applicant to have 556
the disability that limits or impairs the person's ability to 557
walk. 558

In addition to one placard or one or more sets of license 559
plates, a person with a disability that limits or impairs the 560
ability to walk is entitled to one additional placard, but only 561
if the person applies separately for the additional placard, 562
states the reasons why the additional placard is needed, and the 563
registrar, in the registrar's discretion determines that good 564
and justifiable cause exists to approve the request for the 565
additional placard. 566

(2) An organization may apply to the registrar of motor 567
vehicles for a removable windshield placard by completing and 568
signing an application provided by the registrar. The 569
organization shall comply with any procedures the registrar 570
establishes by rule. The organization shall include with the 571
application documentary evidence that the registrar requires by 572

rule showing that the organization regularly transports persons 573
with disabilities that limit or impair the ability to walk. 574

(3) Upon receipt of a completed and signed application for 575
a removable windshield placard, the accompanying documents 576
required under division (C) (1) or (2) of this section, and 577
payment of a service fee equal to the amount specified in 578
division (D) or (G) of section 4503.10 of the Revised Code, the 579
registrar or deputy registrar shall issue to the applicant a 580
removable windshield placard, which shall bear the date of 581
expiration on both sides of the placard and shall be valid until 582
expired, revoked, or surrendered. Every removable windshield 583
placard expires as described in division (C) (4) of this section, 584
but in no case shall a removable windshield placard be valid for 585
a period of less than sixty days. Removable windshield placards 586
shall be renewable upon application as provided in division (C) 587
(1) or (2) of this section and upon payment of a service fee 588
equal to the amount specified in division (D) or (G) of section 589
4503.10 of the Revised Code for the renewal of a removable 590
windshield placard. The registrar shall provide the application 591
form and shall determine the information to be included thereon. 592
The registrar also shall determine the form and size of the 593
removable windshield placard, the material of which it is to be 594
made, and any other information to be included thereon, and 595
shall adopt rules relating to the issuance, expiration, 596
revocation, surrender, and proper display of such placards. Any 597
placard issued after October 14, 1999, shall be manufactured in 598
a manner that allows the expiration date of the placard to be 599
indicated on it through the punching, drilling, boring, or 600
creation by any other means of holes in the placard. 601

(4) At the time a removable windshield placard is issued 602
to a person with a disability that limits or impairs the ability 603

to walk, the registrar or deputy registrar shall enter into the 604
records of the bureau of motor vehicles the last date on which 605
the person will have that disability, as indicated on the 606
accompanying prescription. Not less than thirty days prior to 607
that date and all removable windshield placard renewal dates, 608
the bureau shall send a renewal notice to that person at the 609
person's last known address as shown in the records of the 610
bureau, informing the person that the person's removable 611
windshield placard will expire on the indicated date not to 612
exceed ten years from the date of issuance, and that the person 613
is required to renew the placard by submitting to the registrar 614
or a deputy registrar another prescription, as described in 615
division (C) (1) or (2) of this section, and by complying with 616
the renewal provisions prescribed in division (C) (3) of this 617
section. If such a prescription is not received by the registrar 618
or a deputy registrar by that date, the placard issued to that 619
person expires and no longer is valid, and this fact shall be 620
recorded in the records of the bureau. 621

(5) At least once every year, on a date determined by the 622
registrar, the bureau shall examine the records of the office of 623
vital statistics, located within the department of health, that 624
pertain to deceased persons, and also the bureau's records of 625
all persons who have been issued removable windshield placards 626
and temporary removable windshield placards. If the records of 627
the office of vital statistics indicate that a person to whom a 628
removable windshield placard or temporary removable windshield 629
placard has been issued is deceased, the bureau shall cancel 630
that placard, and note the cancellation in its records. 631

The office of vital statistics shall make available to the 632
bureau all information necessary to enable the bureau to comply 633
with division (C) (5) of this section. 634

(6) Nothing in this section shall be construed to require 635
a person or organization to apply for a removable windshield 636
placard or accessible license plates if the accessible license 637
plates issued to the person or organization under prior law have 638
not expired or been surrendered or revoked. 639

(D) (1) (a) A person with a disability that limits or 640
impairs the ability to walk may apply to the registrar or a 641
deputy registrar for a temporary removable windshield placard. 642
The application for a temporary removable windshield placard 643
shall be accompanied by a prescription from the applicant's 644
health care provider prescribing such a placard for the 645
applicant, provided that the applicant meets at least one of the 646
criteria contained in division (A) (1) of this section and that 647
the disability is expected to continue for six consecutive 648
months or less. The health care provider shall state on the 649
prescription the length of time the health care provider expects 650
the applicant to have the disability that limits or impairs the 651
applicant's ability to walk, which cannot exceed six months from 652
the date of the prescription. Upon receipt of an application for 653
a temporary removable windshield placard, presentation of the 654
prescription from the applicant's health care provider, and 655
payment of a service fee equal to the amount specified in 656
division (D) or (G) of section 4503.10 of the Revised Code, the 657
registrar or deputy registrar shall issue to the applicant a 658
temporary removable windshield placard. 659

(b) Any active-duty member of the armed forces of the 660
United States, including the reserve components of the armed 661
forces and the national guard, who has an illness or injury that 662
limits or impairs the ability to walk may apply to the registrar 663
or a deputy registrar for a temporary removable windshield 664
placard. With the application, the person shall present evidence 665

of the person's active-duty status and the illness or injury. 666
Evidence of the illness or injury may include a current 667
department of defense convalescent leave statement, any 668
department of defense document indicating that the person 669
currently has an ill or injured casualty status or has limited 670
duties, or a prescription from any health care provider 671
prescribing the placard for the applicant. Upon receipt of the 672
application and the necessary evidence, the registrar or deputy 673
registrar shall issue the applicant the temporary removable 674
windshield placard without the payment of any service fee. 675

(2) The temporary removable windshield placard shall be of 676
the same size and form as the removable windshield placard, 677
shall be printed in white on a red-colored background, and shall 678
bear the word "temporary" in letters of such size as the 679
registrar shall prescribe. A temporary removable windshield 680
placard also shall bear the date of expiration on the front and 681
back of the placard, and shall be valid until expired, 682
surrendered, or revoked, but in no case shall such a placard be 683
valid for a period of less than sixty days. The registrar shall 684
provide the application form and shall determine the information 685
to be included on it, provided that the registrar shall not 686
require a health care provider's prescription or certification 687
for a person applying under division (D)(1)(b) of this section. 688
The registrar also shall determine the material of which the 689
temporary removable windshield placard is to be made and any 690
other information to be included on the placard and shall adopt 691
rules relating to the issuance, expiration, surrender, 692
revocation, and proper display of those placards. Any temporary 693
removable windshield placard issued after October 14, 1999, 694
shall be manufactured in a manner that allows for the expiration 695
date of the placard to be indicated on it through the punching, 696

drilling, boring, or creation by any other means of holes in the 697
placard. 698

(E) If an applicant for a removable windshield placard is 699
a veteran of the armed forces of the United States whose 700
disability, as defined in division (A)(1) of this section, is 701
service-connected, the registrar or deputy registrar, upon 702
receipt of the application, presentation of a signed statement 703
from the applicant's health care provider certifying the 704
applicant's disability, and presentation of such documentary 705
evidence from the department of veterans affairs that the 706
disability of the applicant meets at least one of the criteria 707
identified in division (A)(1) of this section and is service- 708
connected as the registrar may require by rule, but without the 709
payment of any service fee, shall issue the applicant a 710
removable windshield placard that is valid until expired, 711
surrendered, or revoked. 712

(F) Upon a conviction of a violation of division (H) or 713
(I) of this section, the court shall report the conviction, and 714
send the placard, if available, to the registrar, who thereupon 715
shall revoke the privilege of using the placard and send notice 716
in writing to the placardholder at that holder's last known 717
address as shown in the records of the bureau, and the 718
placardholder shall return the placard if not previously 719
surrendered to the court, to the registrar within ten days 720
following mailing of the notice. 721

Whenever a person to whom a removable windshield placard 722
has been issued moves to another state, the person shall 723
surrender the placard to the registrar; and whenever an 724
organization to which a placard has been issued changes its 725
place of operation to another state, the organization shall 726

surrender the placard to the registrar. 727

(G) Subject to division (F) of section 4511.69 of the 728
Revised Code, the operator of a motor vehicle displaying a 729
removable windshield placard, temporary removable windshield 730
placard, or the accessible license plates authorized by this 731
section is entitled to park the motor vehicle in any accessible 732
parking location reserved for persons with disabilities that 733
limit or impair the ability to walk. 734

(H) No person or organization that is not eligible for the 735
issuance of license plates or any placard under this section 736
shall willfully and falsely represent that the person or 737
organization is so eligible. 738

No person or organization shall display license plates 739
issued under this section unless the license plates have been 740
issued for the vehicle on which they are displayed and are 741
valid. 742

(I) No person or organization to which a removable 743
windshield placard or temporary removable windshield placard is 744
issued shall do either of the following: 745

(1) Display or permit the display of the placard on any 746
motor vehicle when having reasonable cause to believe the motor 747
vehicle is being used in connection with an activity that does 748
not include providing transportation for persons with 749
disabilities that limit or impair the ability to walk; 750

(2) Refuse to return or surrender the placard, when 751
required. 752

(J) If a removable windshield placard, temporary removable 753
windshield placard, or parking card is lost, destroyed, or 754
mutilated, the placardholder or cardholder may obtain a 755

duplicate by doing both of the following: 756

(1) Furnishing suitable proof of the loss, destruction, or 757
mutilation to the registrar; 758

(2) Paying a service fee equal to the amount specified in 759
division (D) or (G) of section 4503.10 of the Revised Code. 760

Any placardholder or cardholder who loses a placard or 761
card and, after obtaining a duplicate, finds the original, 762
immediately shall surrender the original placard or card to the 763
registrar. 764

(K) (1) The registrar shall pay all fees received under 765
this section for the issuance of removable windshield placards 766
or temporary removable windshield placards or duplicate 767
removable windshield placards or cards into the state treasury 768
to the credit of the public safety - highway purposes fund 769
created in section 4501.06 of the Revised Code. 770

(2) In addition to the fees collected under this section, 771
the registrar or deputy registrar shall ask each person applying 772
for a removable windshield placard or temporary removable 773
windshield placard or duplicate removable windshield placard or 774
license plate issued under this section, whether the person 775
wishes to make a two-dollar voluntary contribution to support 776
rehabilitation employment services. The registrar shall transmit 777
the contributions received under this division to the treasurer 778
of state for deposit into the rehabilitation employment fund, 779
which is hereby created in the state treasury. A deputy 780
registrar shall transmit the contributions received under this 781
division to the registrar in the time and manner prescribed by 782
the registrar. The contributions in the fund shall be used by 783
the opportunities for Ohioans with disabilities agency to 784

purchase services related to vocational evaluation, work 785
adjustment, personal adjustment, job placement, job coaching, 786
and community-based assessment from accredited community 787
rehabilitation program facilities. 788

(L) For purposes of enforcing this section, every peace 789
officer is deemed to be an agent of the registrar. Any peace 790
officer or any authorized employee of the bureau of motor 791
vehicles who, in the performance of duties authorized by law, 792
becomes aware of a person whose placard or parking card has been 793
revoked pursuant to this section, may confiscate that placard or 794
parking card and return it to the registrar. The registrar shall 795
prescribe any forms used by law enforcement agencies in 796
administering this section. 797

No peace officer, law enforcement agency employing a peace 798
officer, or political subdivision or governmental agency 799
employing a peace officer, and no employee of the bureau is 800
liable in a civil action for damages or loss to persons arising 801
out of the performance of any duty required or authorized by 802
this section. As used in this division, "peace officer" has the 803
same meaning as in division (B) of section 2935.01 of the 804
Revised Code. 805

(M) All applications for registration of motor vehicles, 806
removable windshield placards, and temporary removable 807
windshield placards issued under this section, all renewal 808
notices for such items, and all other publications issued by the 809
bureau that relate to this section shall set forth the criminal 810
penalties that may be imposed upon a person who violates any 811
provision relating to accessible license plates issued under 812
this section, the parking of vehicles displaying such license 813
plates, and the issuance, procurement, use, and display of 814

removable windshield placards and temporary removable windshield
placards issued under this section. 815
816

(N) Whoever violates this section is guilty of a 817
misdemeanor of the fourth degree. 818

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of 819
the Revised Code: 820

(A) "Persons" includes individuals, firms, partnerships, 821
associations, joint stock companies, corporations, and any 822
combinations of individuals. 823

(B) "Motor vehicle" means motor vehicle as defined in 824
section 4501.01 of the Revised Code and also includes "all- 825
purpose vehicle" and "off-highway motorcycle" as those terms are 826
defined in section 4519.01 of the Revised Code. "Motor vehicle" 827
does not include a snowmobile as defined in section 4519.01 of 828
the Revised Code or manufactured and mobile homes. 829

(C) "New motor vehicle" means a motor vehicle, the legal 830
title to which has never been transferred by a manufacturer, 831
remanufacturer, distributor, or dealer to an ultimate purchaser. 832

(D) "Ultimate purchaser" means, with respect to any new 833
motor vehicle, the first person, other than a dealer purchasing 834
in the capacity of a dealer, who in good faith purchases such 835
new motor vehicle for purposes other than resale. 836

(E) "Business" includes any activities engaged in by any 837
person for the object of gain, benefit, or advantage either 838
direct or indirect. 839

(F) "Engaging in business" means commencing, conducting, 840
or continuing in business, or liquidating a business when the 841
liquidator thereof holds self out to be conducting such 842

business; making a casual sale or otherwise making transfers in 843
the ordinary course of business when the transfers are made in 844
connection with the disposition of all or substantially all of 845
the transferor's assets is not engaging in business. 846

(G) "Retail sale" or "sale at retail" means the act or 847
attempted act of selling, bartering, exchanging, or otherwise 848
disposing of a motor vehicle to an ultimate purchaser ~~for use as~~ 849
~~a consumer.~~ 850

(H) "Retail installment contract" includes any contract in 851
the form of a note, chattel mortgage, conditional sales 852
contract, lease, agreement, or other instrument payable in one 853
or more installments over a period of time and arising out of 854
the retail sale of a motor vehicle. 855

(I) "Farm machinery" means all machines and tools used in 856
the production, harvesting, and care of farm products. 857

(J) "Dealer" or "motor vehicle dealer" means any new motor 858
vehicle dealer, any motor vehicle leasing dealer, any adaptive 859
mobility dealer, and any used motor vehicle dealer. 860

(K) "New motor vehicle dealer" means any person engaged in 861
the business of selling at retail, displaying, offering for 862
sale, or dealing in new motor vehicles pursuant to a contract or 863
agreement entered into with the manufacturer, remanufacturer, or 864
distributor of the motor vehicles. 865

(L) "Used motor vehicle dealer" means any person engaged 866
in the business of selling, displaying, offering for sale, or 867
dealing in used motor vehicles, at retail or wholesale, but does 868
not mean any new motor vehicle dealer selling, displaying, 869
offering for sale, or dealing in used motor vehicles 870
incidentally to engaging in the business of selling, displaying, 871

offering for sale, or dealing in new motor vehicles, any person 872
engaged in the business of dismantling, salvaging, or rebuilding 873
motor vehicles by means of using used parts, or any public 874
officer performing official duties. 875

(M) "Motor vehicle leasing dealer" means any person 876
engaged in the business of regularly making available, offering 877
to make available, or arranging for another person to use a 878
motor vehicle pursuant to a bailment, lease, sublease, or other 879
contractual arrangement under which a charge is made for its use 880
at a periodic rate for a term of thirty days or more, and title 881
to the motor vehicle is in and remains in the motor vehicle 882
leasing dealer who originally leases it, irrespective of whether 883
or not the motor vehicle is the subject of a later sublease, and 884
not in the user, but does not mean a manufacturer or its 885
affiliate leasing to its employees or to dealers. 886

(N) "Salesperson" means any person employed by a dealer to 887
sell, display, and offer for sale, or deal in motor vehicles for 888
a commission, compensation, or other valuable consideration, but 889
does not mean any public officer performing official duties. 890

(O) "Casual sale" means any transfer of a motor vehicle by 891
a person other than a new motor vehicle dealer, used motor 892
vehicle dealer, adaptive mobility dealer, motor vehicle salvage 893
dealer, as defined in division (A) of section 4738.01 of the 894
Revised Code, salesperson, motor vehicle auction owner, 895
manufacturer, or distributor acting in the capacity of a dealer, 896
salesperson, auction owner, manufacturer, or distributor, to a 897
person who purchases the motor vehicle for use as a consumer. 898

(P) "Motor vehicle auction owner" means any person who is 899
engaged wholly or in part in the business of auctioning motor 900
vehicles, but does not mean a construction equipment auctioneer 901

or a construction equipment auction licensee. 902

(Q) "Manufacturer" means a person who manufactures, 903
assembles, or imports motor vehicles, including motor homes, but 904
does not mean a person who only assembles or installs a body, 905
special equipment unit, finishing trim, or accessories on a 906
motor vehicle chassis supplied by a manufacturer or distributor. 907

(R) "Tent-type fold-out camping trailer" means any vehicle 908
intended to be used, when stationary, as a temporary shelter 909
with living and sleeping facilities, and that is subject to the 910
following properties and limitations: 911

(1) A minimum of twenty-five per cent of the fold-out 912
portion of the top and sidewalls combined must be constructed of 913
canvas, vinyl, or other fabric, and form an integral part of the 914
shelter. 915

(2) When folded, the unit must not exceed: 916

(a) Fifteen feet in length, exclusive of bumper and 917
tongue; 918

(b) Sixty inches in height from the point of contact with 919
the ground; 920

(c) Eight feet in width; 921

(d) One ton gross weight at time of sale. 922

(S) "Distributor" means any person authorized by a motor 923
vehicle manufacturer to distribute new motor vehicles to 924
licensed new motor vehicle dealers, but does not mean a person 925
who only assembles or installs a body, special equipment unit, 926
finishing trim, or accessories on a motor vehicle chassis 927
supplied by a manufacturer or distributor. 928

(T) "Flea market" means a market place, other than a 929
dealer's location licensed under this chapter, where a space or 930
location is provided for a fee or compensation to a seller to 931
exhibit and offer for sale or trade, motor vehicles to the 932
general public. 933

(U) "Franchise" means any written agreement, contract, or 934
understanding between any motor vehicle manufacturer or 935
remanufacturer engaged in commerce and any new motor vehicle 936
dealer that purports to fix the legal rights and liabilities of 937
the parties to such agreement, contract, or understanding. 938

(V) "Franchisee" means a person who receives new motor 939
vehicles from the franchisor under a franchise agreement and who 940
offers, sells, and provides service for such new motor vehicles 941
to the general public. 942

(W) "Franchisor" means a new motor vehicle manufacturer, 943
remanufacturer, or distributor who supplies new motor vehicles 944
under a franchise agreement to a franchisee. 945

(X) "Dealer organization" means a state or local trade 946
association the membership of which is comprised predominantly 947
of new motor vehicle dealers. 948

(Y) "Factory representative" means a representative 949
employed by a manufacturer, remanufacturer, or by a factory 950
branch primarily for the purpose of promoting the sale of its 951
motor vehicles, parts, or accessories to dealers or for 952
supervising or contacting its dealers or prospective dealers. 953

(Z) "Administrative or executive management" means those 954
individuals who are not subject to federal wage and hour laws. 955

(AA) "Good faith" means honesty in the conduct or 956
transaction concerned and the observance of reasonable 957

commercial standards of fair dealing in the trade as is defined 958
in section 1301.201 of the Revised Code, including, but not 959
limited to, the duty to act in a fair and equitable manner so as 960
to guarantee freedom from coercion, intimidation, or threats of 961
coercion or intimidation; provided however, that recommendation, 962
endorsement, exposition, persuasion, urging, or argument shall 963
not be considered to constitute a lack of good faith. 964

(BB) "Coerce" means to compel or attempt to compel by 965
failing to act in good faith or by threat of economic harm, 966
breach of contract, or other adverse consequences. Coerce does 967
not mean to argue, urge, recommend, or persuade. 968

(CC) "Relevant market area" means any area within a radius 969
of ten miles from the site of a potential new dealership, except 970
that for manufactured home or recreational vehicle dealerships 971
the radius shall be twenty-five miles. The ten-mile radius shall 972
be measured from the dealer's established place of business that 973
is used exclusively for the purpose of selling, displaying, 974
offering for sale, or dealing in motor vehicles. 975

(DD) "Wholesale" or "at wholesale" means the act or 976
attempted act of selling, bartering, exchanging, or otherwise 977
disposing of a motor vehicle to a transferee for the purpose of 978
resale and not for ultimate consumption by that transferee. 979

(EE) "Motor vehicle wholesaler" means any person licensed 980
as a dealer under the laws of another state and engaged in the 981
business of selling, displaying, or offering for sale used motor 982
vehicles, at wholesale, but does not mean any motor vehicle 983
dealer as defined in this section. 984

(FF) (1) "Remanufacturer" means a person who assembles or 985
installs passenger seating, walls, a roof elevation, or a body 986

extension on a conversion van with the motor vehicle chassis 987
supplied by a manufacturer or distributor, a person who modifies 988
a truck chassis supplied by a manufacturer or distributor for 989
use as a public safety or public service vehicle, a person who 990
modifies a motor vehicle chassis supplied by a manufacturer or 991
distributor for use as a limousine or hearse, or a person who 992
modifies an incomplete motor vehicle cab and chassis supplied by 993
a new motor vehicle dealer or distributor for use as a tow 994
truck, but does not mean either of the following: 995

(a) A person who assembles or installs passenger seating, 996
a roof elevation, or a body extension on a recreational vehicle 997
as defined in division (Q) and referred to in division (B) of 998
section 4501.01 of the Revised Code; 999

~~(b) A person who assembles or installs equipment or 1000~~
~~accessories for persons with disabilities, as defined in section 1001~~
~~4503.44 of the Revised Code, upon a motor vehicle chassis 1002~~
~~supplied by a manufacturer or distributor.~~
An adaptive mobility 1003
dealer. 1004

(2) For the purposes of division (FF)(1) of this section, 1005
"public safety vehicle or public service vehicle" means a fire 1006
truck, ambulance, school bus, street sweeper, garbage packing 1007
truck, or cement mixer, or a mobile self-contained facility 1008
vehicle. 1009

(3) For the purposes of division (FF)(1) of this section, 1010
"limousine" means a motor vehicle, designed only for the purpose 1011
of carrying nine or fewer passengers, that a person modifies by 1012
cutting the original chassis, lengthening the wheelbase by forty 1013
inches or more, and reinforcing the chassis in such a way that 1014
all modifications comply with all applicable federal motor 1015
vehicle safety standards. No person shall qualify as or be 1016

deemed to be a remanufacturer who produces limousines unless the 1017
person has a written agreement with the manufacturer of the 1018
chassis the person utilizes to produce the limousines to 1019
complete properly the remanufacture of the chassis into 1020
limousines. 1021

(4) For the purposes of division (FF)(1) of this section, 1022
"hearse" means a motor vehicle, designed only for the purpose of 1023
transporting a single casket, that is equipped with a 1024
compartment designed specifically to carry a single casket that 1025
a person modifies by cutting the original chassis, lengthening 1026
the wheelbase by ten inches or more, and reinforcing the chassis 1027
in such a way that all modifications comply with all applicable 1028
federal motor vehicle safety standards. No person shall qualify 1029
as or be deemed to be a remanufacturer who produces hearses 1030
unless the person has a written agreement with the manufacturer 1031
of the chassis the person utilizes to produce the hearses to 1032
complete properly the remanufacture of the chassis into hearses. 1033

(5) For the purposes of division (FF)(1) of this section, 1034
"mobile self-contained facility vehicle" means a mobile 1035
classroom vehicle, mobile laboratory vehicle, bookmobile, 1036
bloodmobile, testing laboratory, and mobile display vehicle, 1037
each of which is designed for purposes other than for passenger 1038
transportation and other than the transportation or displacement 1039
of cargo, freight, materials, or merchandise. A vehicle is 1040
remanufactured into a mobile self-contained facility vehicle in 1041
part by the addition of insulation to the body shell, and 1042
installation of all of the following: a generator, electrical 1043
wiring, plumbing, holding tanks, doors, windows, cabinets, 1044
shelving, and heating, ventilating, and air conditioning 1045
systems. 1046

(6) For the purposes of division (FF) (1) of this section, 1047
"tow truck" means both of the following: 1048

(a) An incomplete cab and chassis that are purchased by a 1049
remanufacturer from a new motor vehicle dealer or distributor of 1050
the cab and chassis and on which the remanufacturer then 1051
installs in a permanent manner a wrecker body it purchases from 1052
a manufacturer or distributor of wrecker bodies, installs an 1053
emergency flashing light pylon and emergency lights upon the 1054
mast of the wrecker body or rooftop, and installs such other 1055
related accessories and equipment, including push bumpers, front 1056
grille guards with pads and other custom-ordered items such as 1057
painting, special lettering, and safety striping so as to create 1058
a complete motor vehicle capable of lifting and towing another 1059
motor vehicle. 1060

(b) An incomplete cab and chassis that are purchased by a 1061
remanufacturer from a new motor vehicle dealer or distributor of 1062
the cab and chassis and on which the remanufacturer then 1063
installs in a permanent manner a car carrier body it purchases 1064
from a manufacturer or distributor of car carrier bodies, 1065
installs an emergency flashing light pylon and emergency lights 1066
upon the rooftop, and installs such other related accessories 1067
and equipment, including push bumpers, front grille guards with 1068
pads and other custom-ordered items such as painting, special 1069
lettering, and safety striping. 1070

As used in division (FF) (6) (b) of this section, "car 1071
carrier body" means a mechanical or hydraulic apparatus capable 1072
of lifting and holding a motor vehicle on a flat level surface 1073
so that one or more motor vehicles can be transported, once the 1074
car carrier is permanently installed upon an incomplete cab and 1075
chassis. 1076

(GG) "Operating as a new motor vehicle dealership" means 1077
engaging in activities such as displaying, offering for sale, 1078
and selling new motor vehicles at retail, operating a service 1079
facility to perform repairs and maintenance on motor vehicles, 1080
offering for sale and selling motor vehicle parts at retail, and 1081
conducting all other acts that are usual and customary to the 1082
operation of a new motor vehicle dealership. For the purposes of 1083
this chapter only, possession of either a valid new motor 1084
vehicle dealer franchise agreement or a new motor vehicle 1085
dealers license, or both of these items, is not evidence that a 1086
person is operating as a new motor vehicle dealership. 1087

(HH) "Outdoor power equipment" means garden and small 1088
utility tractors, walk-behind and riding mowers, chainsaws, and 1089
tillers. 1090

(II) "Remote service facility" means premises that are 1091
separate from a licensed new motor vehicle dealer's sales 1092
facility by not more than one mile and that are used by the 1093
dealer to perform repairs, warranty work, recall work, and 1094
maintenance on motor vehicles pursuant to a franchise agreement 1095
entered into with a manufacturer of motor vehicles. A remote 1096
service facility shall be deemed to be part of the franchise 1097
agreement and is subject to all the rights, duties, obligations, 1098
and requirements of Chapter 4517. of the Revised Code that 1099
relate to the performance of motor vehicle repairs, warranty 1100
work, recall work, and maintenance work by new motor vehicle 1101
dealers. 1102

(JJ) "Recreational vehicle" has the same meaning as in 1103
section 4501.01 of the Revised Code. 1104

(KK) "Construction equipment auctioneer" means a person 1105
who holds both a valid auction firm license issued under Chapter 1106

4707. of the Revised Code and a valid construction equipment 1107
auction license issued under this chapter. 1108

(LL) "Large construction or transportation equipment" 1109
means vehicles having a gross vehicle weight rating of more than 1110
ten thousand pounds and includes road rollers, traction engines, 1111
power shovels, power cranes, commercial cars and trucks, or farm 1112
trucks, and other similar vehicles obtained primarily from the 1113
construction, mining, transportation or farming industries. 1114

(MM) "Local market conditions" includes, but is not 1115
limited to: 1116

(1) Demographics in the franchisee's area; 1117

(2) Geographical and market characteristics in the 1118
franchisee's area; 1119

(3) Local economic circumstances; 1120

(4) The proximity of other motor vehicle dealers of the 1121
same line-make; 1122

(5) The proximity of motor vehicle manufacturing 1123
facilities; 1124

(6) The buying patterns of motor vehicle purchasers; 1125

(7) Customer drive time and drive distance. 1126

(NN) "Adaptive mobility dealer" means any person engaged 1127
in the business of all of the following: 1128

(1) Selling at retail, displaying, offering for sale, 1129
delivering, and dealing in adaptive mobility vehicles; 1130

(2) Selling and installing adaptive mobility equipment, 1131
related accessories, and other goods and services to meet the 1132
automotive adaptive mobility needs of drivers and passengers 1133

with disabilities; 1134

(3) Providing maintenance and repair services for adaptive 1135
mobility vehicles and adaptive mobility equipment. 1136

(OO) "Adaptive mobility equipment" means the mechanical or 1137
electronic devices or parts that are designed to facilitate the 1138
use of a motor vehicle by a person who is aging or a person with 1139
disabilities, in accordance with 49 C.F.R. part 571, and that 1140
are permanently attached to or incorporated into the motor 1141
vehicle. 1142

Sec. 4517.02. (A) Except as otherwise provided in this 1143
section, no person shall do any of the following: 1144

(1) Engage in the business of displaying or selling at 1145
retail new motor vehicles or assume to engage in that business, 1146
unless the person is licensed as a new motor vehicle dealer 1147
under sections 4517.01 to 4517.45 of the Revised Code, or is a 1148
salesperson licensed under those sections and employed by a 1149
licensed new motor vehicle dealer; 1150

(2) Engage in the business of offering for sale, 1151
displaying for sale, or selling at retail or wholesale used 1152
motor vehicles or assume to engage in that business, unless the 1153
person is licensed as a new motor vehicle dealer, used motor 1154
vehicle dealer, or motor vehicle leasing dealer under sections 1155
4517.01 to 4517.45 of the Revised Code, is a salesperson 1156
licensed under those sections and employed by a licensed used 1157
motor vehicle dealer or licensed new motor vehicle dealer, or 1158
the person holds a construction equipment auction license issued 1159
under section 4517.17 of the Revised Code; 1160

(3) Engage in the business of regularly making available, 1161
offering to make available, or arranging for another person to 1162

use a motor vehicle, in the manner described in division (M) of 1163
section 4517.01 of the Revised Code, unless the person is 1164
licensed as a motor vehicle leasing dealer under sections 1165
4517.01 to 4517.45 of the Revised Code; 1166

(4) Engage in the business of motor vehicle auctioning or 1167
assume to engage in that business, unless the person is licensed 1168
as a motor vehicle auction owner under sections 4517.01 to 1169
4517.45 of the Revised Code and the person uses an auctioneer 1170
who is licensed under Chapter 4707. of the Revised Code to 1171
conduct the motor vehicle auctions or the person holds a 1172
construction equipment auction license issued under section 1173
4517.17 of the Revised Code; 1174

(5) Engage in the business of distributing motor vehicles 1175
or assume to engage in that business, unless the person is 1176
licensed as a distributor under sections 4517.01 to 4517.45 of 1177
the Revised Code; 1178

(6) Make more than five casual sales of motor vehicles in 1179
a twelve-month period, commencing with the day of the month in 1180
which the first such sale is made, nor provide a location or 1181
space for the sale of motor vehicles at a flea market, without 1182
obtaining a license as a dealer under sections 4517.01 to 1183
4517.45 of the Revised Code, provided that nothing in this 1184
section shall be construed to prohibit the disposition without a 1185
license of a motor vehicle originally acquired and held for 1186
purposes other than sale, rental, or lease to an employee, 1187
retiree, officer, or director of the person making the 1188
disposition, to a corporation affiliated with the person making 1189
the disposition, or to a person licensed under sections 4517.01 1190
to 4517.45 of the Revised Code; 1191

(7) Engage in the business of auctioning both large 1192

construction or transportation equipment and also motor vehicles 1193
incident thereto, unless the person is a construction equipment 1194
auctioneer or the person is licensed as a motor vehicle auction 1195
owner and the person uses an auctioneer who is licensed under 1196
Chapter 4707. of the Revised Code to conduct the auction; 1197

(8) Engage in the business of displaying or selling at 1198
retail adaptive mobility vehicles or assume to engage in that 1199
business, unless the person is licensed as an adaptive mobility 1200
dealer under sections 4517.01 to 4517.45 of the Revised Code, or 1201
is a salesperson licensed under those sections and employed by a 1202
licensed adaptive mobility dealer, except that a licensed new 1203
motor vehicle dealer may sell at retail a used adaptive mobility 1204
vehicle. 1205

(B) Nothing in this section shall be construed to require 1206
an auctioneer licensed under sections 4707.01 to 4707.19 of the 1207
Revised Code, to obtain a motor vehicle salesperson's license 1208
under sections 4517.01 to 4517.45 of the Revised Code when 1209
conducting an auction sale for a licensed motor vehicle dealer 1210
on the dealer's premises, or when conducting an auction sale for 1211
a licensed motor vehicle auction owner; nor shall such an 1212
auctioneer be required to obtain a motor vehicle auction owner's 1213
license under sections 4517.01 to 4517.45 of the Revised Code 1214
when engaged in auctioning for a licensed motor vehicle auction 1215
owner. 1216

The establishment of a construction equipment auction 1217
license by Am. Sub. H.B. 114 of the 129th general assembly shall 1218
not in any way modify, limit, or restrict in any manner the 1219
conduct of auctions by persons licensed under Chapter 4707. of 1220
the Revised Code who are acting in compliance with that chapter. 1221

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 1222

apply to any of the following: 1223

(1) Persons engaging in the business of selling commercial 1224
tractors, trailers, or semitrailers incidentally to engaging 1225
primarily in business other than the selling or leasing of motor 1226
vehicles; 1227

(2) Mortgagees selling at retail only those motor vehicles 1228
that have come into their possession by a default in the terms 1229
of a mortgage contract; 1230

(3) The leasing, rental, and interchange of motor vehicles 1231
used directly in the rendition of a public utility service by 1232
regulated motor carriers. 1233

(D) When a partnership licensed under sections 4517.01 to 1234
4517.45 of the Revised Code is dissolved by death, the surviving 1235
partners may operate under the license for a period of sixty 1236
days, and the heirs or representatives of deceased persons and 1237
receivers or trustees in bankruptcy appointed by any competent 1238
authority may operate under the license of the person succeeded 1239
in possession by that heir, representative, receiver, or trustee 1240
in bankruptcy. 1241

(E) No remanufacturer shall engage in the business of 1242
selling at retail any new motor vehicle without having written 1243
authority from the manufacturer or distributor of the vehicle to 1244
sell new motor vehicles and to perform repairs under the terms 1245
of the manufacturer's or distributor's new motor vehicle 1246
warranty, unless, at the time of the sale of the vehicle, each 1247
customer is furnished with a binding agreement ensuring that the 1248
customer has the right to have the vehicle serviced or repaired 1249
by a new motor vehicle dealer who is franchised to sell and 1250
service vehicles of the same line-make as the chassis of the 1251

remanufactured vehicle purchased by the customer and whose 1252
service or repair facility is located within either twenty miles 1253
of the remanufacturer's location and place of business or twenty 1254
miles of the customer's residence or place of business. If there 1255
is no such new motor vehicle dealer located within twenty miles 1256
of the remanufacturer's location and place of business or the 1257
customer's residence or place of business, the binding agreement 1258
furnished to the customer may be with the new motor vehicle 1259
dealer who is franchised to sell and service vehicles of the 1260
same line-make as the chassis of the remanufactured vehicle 1261
purchased by the customer and whose service or repair facility 1262
is located nearest to the remanufacturer's location and place of 1263
business or the customer's residence or place of business. 1264
Additionally, at the time of sale of any vehicle, each customer 1265
of the remanufacturer shall be furnished with a warranty issued 1266
by the remanufacturer for a term of at least one year. 1267

(F) No adaptive mobility dealer shall do any of the 1268
following: 1269

(1) Represent that the dealer is engaged in the business 1270
of selling new motor vehicles; 1271

(2) Sell, transfer, or offer to sell or transfer a new 1272
motor vehicle unless that new motor vehicle is purchased through 1273
a licensed new motor vehicle dealer; 1274

(3) Sell or offer to sell an adaptive mobility vehicle 1275
without written documentation proving that the vehicle was 1276
adapted or modified in accordance with 49 C.F.R. part 568 or 1277
595. 1278

(G) Except as otherwise provided in this division, whoever 1279
violates this section is guilty of a minor misdemeanor and shall 1280

be subject to a mandatory fine of one hundred dollars. If the 1281
offender previously has been convicted of or pleaded guilty to a 1282
violation of this section, whoever violates this section is 1283
guilty of a misdemeanor of the first degree and shall be subject 1284
to a mandatory fine of one thousand dollars. 1285

(H) The offenses established under this section are strict 1286
liability offenses and section 2901.20 of the Revised Code does 1287
not apply. The designation of these offenses as strict liability 1288
offenses shall not be construed to imply that any other offense, 1289
for which there is no specified degree of culpability, is not a 1290
strict liability offense. 1291

Sec. 4517.03. (A) A place of business that is used for 1292
selling, displaying, offering for sale, or dealing in motor 1293
vehicles shall be considered as used exclusively for those 1294
purposes even though snowmobiles, farm machinery, outdoor power 1295
equipment, watercraft and related products, or products 1296
manufactured or distributed by a motor vehicle manufacturer with 1297
which the motor vehicle dealer has a franchise agreement are 1298
sold or displayed there, or if repair, accessory, gasoline and 1299
oil, storage, parts, service, or paint departments are 1300
maintained there, or such products or services are provided 1301
there, if the departments are operated or the products or 1302
services are provided for the business of selling, displaying, 1303
offering for sale, or dealing in motor vehicles. Places of 1304
business or departments in a place of business used to 1305
dismantle, salvage, or rebuild motor vehicles by means of using 1306
used parts, are not considered as being maintained for the 1307
purpose of assisting or furthering the selling, displaying, 1308
offering for sale, or dealing in motor vehicles. A place of 1309
business shall be considered as used exclusively for selling, 1310
displaying, offering for sale, or dealing in motor vehicles even 1311

though a business owned by a motor vehicle leasing dealer or a 1312
motor vehicle renting dealer is located at the place of 1313
business. 1314

(B) (1) (a) No new motor vehicle dealer shall sell, display, 1315
offer for sale, or deal in motor vehicles at any place except an 1316
established place of business that is used exclusively for the 1317
purpose of selling, displaying, offering for sale, or dealing in 1318
motor vehicles. The place of business shall have space, under 1319
roof, for the display of at least one new motor vehicle. The 1320
established place of business or, if the dealer operates a 1321
remote service facility, the dealer's remote service facility 1322
shall have facilities and space for the inspection, servicing, 1323
and repair of at least one motor vehicle. However a new motor 1324
vehicle dealer selling manufactured or mobile homes is exempt 1325
from the requirement that a place of business have space, under 1326
roof, for the display of at least one new motor vehicle and 1327
facilities and space for the inspection, servicing, and repair 1328
of at least one motor vehicle. 1329

(b) A new motor vehicle dealer does not violate division 1330
(B) (1) of this section if a customer of the new motor vehicle 1331
dealer executes purchase or lease documentation at a location 1332
other than the new motor vehicle dealer's established place of 1333
business. 1334

(c) A commercial transaction involving the sale or lease 1335
by a new motor vehicle dealer of a new or used heavy duty 1336
vehicle, as defined in 49 C.F.R. 523.6, is deemed to have taken 1337
place at the new motor vehicle dealer's established place of 1338
business if the sale or lease is negotiated and the documents 1339
are executed at the customer's business location. 1340

(2) A licensed new motor vehicle dealer may operate a 1341

remote service facility with the consent of the manufacturer and 1342
only to perform repairs, warranty work, recall work, and 1343
maintenance on motor vehicles as part of the dealer's franchised 1344
and licensed new motor vehicle dealership. The remote service 1345
facility shall be included on the new motor vehicle dealer's 1346
license and be deemed to be part of the dealer's licensed 1347
location. 1348

(3) No person shall use a remote service facility for 1349
selling, displaying, or offering for sale motor vehicles. 1350

(C) No used motor vehicle dealer shall sell, display, 1351
offer for sale, or deal in motor vehicles at any place except an 1352
established place of business that is used exclusively for the 1353
purpose of selling, displaying, offering for sale, or dealing in 1354
motor vehicles. 1355

A used motor vehicle dealer does not violate division (C) 1356
of this section if a customer of the used motor vehicle dealer 1357
executes purchase or lease documentation at a location other 1358
than the used motor vehicle dealer's established place of 1359
business. 1360

(D) No motor vehicle leasing dealer shall make a motor 1361
vehicle available for use by another, in the manner described in 1362
division (M) of section 4517.01 of the Revised Code, at any 1363
place except an established place of business that is used for 1364
leasing motor vehicles; except that a motor vehicle leasing 1365
dealer who is also a new motor vehicle dealer or used motor 1366
vehicle dealer may lease motor vehicles at the same place of 1367
business at which the dealer sells, offers for sale, or deals in 1368
new or used motor vehicles. 1369

(E) No motor vehicle leasing dealer or motor vehicle 1370

renting dealer shall sell a motor vehicle within ninety days 1371
after a certificate of title to the motor vehicle is issued to 1372
the dealer, except as follows: 1373

(1) A salvage certificate of title may be issued to 1374
replace the original certificate of title. 1375

(2) A motor vehicle leasing dealer may sell a motor 1376
vehicle to another motor vehicle leasing dealer at the end of a 1377
sublease pursuant to that sublease. 1378

(3) A motor vehicle leasing dealer may sell a motor 1379
vehicle previously titled to an ultimate purchaser to another 1380
licensed motor vehicle dealer. 1381

(4) A motor vehicle leasing dealer may sell a motor 1382
vehicle when the motor vehicle has been titled in the dealer's 1383
name or in the name of an entity affiliated with the dealer in 1384
this state or another state for a cumulative period of ninety 1385
days. 1386

(F) No distributor shall distribute new motor vehicles to 1387
new motor vehicle dealers at any place except an established 1388
place of business that is used exclusively for the purpose of 1389
distributing new motor vehicles to new motor vehicle dealers; 1390
except that a distributor who is also a new motor vehicle dealer 1391
may distribute new motor vehicles at the same place of business 1392
at which the distributor sells, displays, offers for sale, or 1393
deals in new motor vehicles. 1394

(G) No person, firm, or corporation that sells, displays, 1395
or offers for sale tent-type fold-out camping trailers is 1396
subject to the requirement that the person's, firm's, or 1397
corporation's place of business be used exclusively for the 1398
purpose of selling, displaying, offering for sale, or dealing in 1399

motor vehicles. No person, firm, or corporation that sells, 1400
displays, or offers for sale tent-type fold-out camping 1401
trailers, trailers, semitrailers, or park trailers is subject to 1402
the requirement that the place of business have space, under 1403
roof, for the display of at least one new motor vehicle and 1404
facilities and space for the inspection, servicing, and repair 1405
of at least one motor vehicle. 1406

(H) No adaptive mobility dealer shall sell, display, offer 1407
for sale, or deal in adaptive mobility vehicles or adaptive 1408
mobility equipment at any place except an established place of 1409
business that is used exclusively for the purpose of selling, 1410
displaying, offering for sale, or dealing in adaptive mobility 1411
vehicles or adaptive mobility equipment. The established place 1412
of business shall have space, under roof, for the display of at 1413
least one adaptive mobility vehicle. The established place of 1414
business also shall have facilities and space for the 1415
inspection, servicing, and repair of at least one adaptive 1416
mobility vehicle and any associated adaptive mobility equipment. 1417
It is not a violation of this section if the adaptive mobility 1418
dealer is also a remanufacturer or a motor vehicle leasing 1419
dealer. 1420

An adaptive mobility dealer does not violate division (H) 1421
of this section if a customer of the adaptive mobility dealer 1422
executes purchase or lease documentation at a location other 1423
than the adaptive mobility dealer's established place of 1424
business. 1425

(I) Nothing in this section shall be construed to prohibit 1426
persons licensed under this chapter from making sales calls. 1427

~~(I)~~ (J) Whoever violates this section is guilty of a 1428
misdemeanor of the fourth degree. 1429

~~(J)~~-(K) As used in this section: 1430

(1) "Motor vehicle leasing dealer" has the same meaning as 1431
in section 4517.01 of the Revised Code. 1432

(2) "Motor vehicle renting dealer" has the same meaning as 1433
in section 4549.65 of the Revised Code. 1434

(3) "Watercraft" has the same meaning as in section 1435
1546.01 of the Revised Code. 1436

Sec. 4517.041. (A) Each person applying for an adaptive 1437
mobility dealer's license shall biennially complete and deliver 1438
to the registrar of motor vehicles, before the first day of 1439
April, a separate license application for each county in which 1440
the business of dealing in adaptive mobility vehicles is to be 1441
conducted. The registrar shall prescribe the form of the 1442
application, which shall include all of the following: 1443

(1) The name of the applicant and location of the 1444
principal place of business; 1445

(2) The name or style under which the business is to be 1446
conducted and, if a corporation, the state of incorporation; 1447

(3) The name and address of each owner or partner and, if 1448
a corporation, the names of the officers and directors; 1449

(4) The county in which the business is to be conducted 1450
and the address of each place of business therein; 1451

(5) A statement of the previous history, record, and 1452
association of the applicant and of each owner, partner, 1453
officer, and director, that shall be sufficient to establish to 1454
the satisfaction of the registrar the applicant's business 1455
reputation; 1456

(6) A statement showing whether the applicant has 1457
previously applied for a motor vehicle dealer's license, motor 1458
vehicle leasing dealer's license, distributor's license, motor 1459
vehicle auction owner's license, or motor vehicle salesperson's 1460
license, and the result of the application, and whether the 1461
applicant has ever been the holder of any such license that was 1462
revoked or suspended; 1463

(7) If the applicant is a corporation or partnership, a 1464
statement showing whether any partner, employee, officer, or 1465
director has been denied a motor vehicle dealer's license, motor 1466
vehicle leasing dealer's license, distributor's license, motor 1467
vehicle auction owner's license, or motor vehicle salesperson's 1468
license, or has been the holder of any such license that was 1469
revoked or suspended; 1470

(8) A statement that each place of business operated by 1471
the applicant will either meet or exceed the accessibility 1472
guidelines of the "Americans with Disabilities Act of 1990," 42 1473
U.S.C. 12101, et seq.; 1474

(9) A statement acknowledging that any new motor vehicle 1475
purchased by an adaptive mobility dealer shall be purchased 1476
through a new motor vehicle dealer. 1477

(10) Any other information required by the registrar. 1478

(B) (1) The applicant shall sign and swear to the 1479
application. 1480

(2) The application shall be accompanied by a photograph, 1481
as prescribed by the registrar, of each place of business 1482
operated, or to be operated, by the applicant. 1483

(C) The statement required by division (A) (5) of this 1484
section shall indicate whether the applicant or, if applicable, 1485

any of the applicant's owners, partners, officers, or directors, 1486
individually, or as owner, partner, officer, or director of a 1487
business entity, has been convicted of, pleaded guilty to, or 1488
pleaded no contest to, in a criminal action, a disqualifying 1489
offense as determined under section 9.79 of the Revised Code, or 1490
had a judgment rendered against the person in a civil action for 1491
a violation of sections 4549.41 to 4549.46 of the Revised Code, 1492
of any substantively comparable provisions of the law of any 1493
other state, or of subchapter IV of the "Motor Vehicle 1494
Information and Cost Savings Act," 86 Stat. 961 (1972), 15 1495
U.S.C. 1981. 1496

Section 2. That existing sections 4501.01, 4503.44, 1497
4517.01, 4517.02, and 4517.03 of the Revised Code are hereby 1498
repealed. 1499

Section 3. Section 4503.44 of the Revised Code is 1500
presented in this act as a composite of the section as amended 1501
by H.B. 23 of the 135th General Assembly and H.B. 281 of the 1502
134th General Assembly. The General Assembly, applying the 1503
principle stated in division (B) of section 1.52 of the Revised 1504
Code that amendments are to be harmonized if reasonably capable 1505
of simultaneous operation, finds that the composite is the 1506
resulting version of the section in effect prior to the 1507
effective date of the section as presented in this act. 1508