

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 373

Representatives Wiggam, Stewart

A BILL

To amend sections 4505.061, 4519.56, and 4519.69 of
the Revised Code to authorize a clerk of court
to conduct the required physical inspection of a
motor vehicle in specified circumstances.

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

Section 1. That sections 4505.061, 4519.56, and 4519.69 of
the Revised Code be amended to read as follows:

Sec. 4505.061. (A) If the application for a certificate of
title refers to a motor vehicle last previously registered in
another state, the application shall be accompanied by a
physical inspection certificate issued by the registrar of motor
vehicles. A physical inspection of a motor vehicle shall consist
of verifying the make, body type, model, and mileage of, and
manufacturer's vehicle identification number from, the motor
vehicle for which the certificate of title is desired.

(B) The physical inspection certificate shall be in such
form as is designated by the registrar. Except as provided for
in division (C) of this section, the physical inspection of the
motor vehicle shall occur at ~~either one~~ of the following:

(1) A deputy registrar's office;

(2) An established place of business of a licensed motor vehicle dealer located in this state; 20
21

(3) A clerk of the court of common pleas' office if the 22
clerk offers such physical inspections. 23

(C) The physical inspection of a salvage vehicle owned by 24
an insurance company may be made at an established place of 25
business of any of the following that is licensed and located in 26
this state: 27

(1) A motor vehicle salvage dealer; 28

(2) A salvage motor vehicle auction; 29

(3) A salvage motor vehicle pool. 30

(D) The deputy registrar, motor vehicle dealer, clerk of 31
the court of common pleas, motor vehicle salvage dealer, salvage 32
motor vehicle auction, or salvage motor vehicle pool may charge 33
a maximum fee equal to the amount established under section 34
4503.038 of the Revised Code for conducting the physical 35
inspection. 36

(E) The clerk of the court of common pleas shall charge a 37
fee of one dollar and fifty cents for the processing of each 38
physical inspection certificate. The clerk shall retain fifty 39
cents of the one dollar and fifty cents so charged and shall pay 40
the remaining one dollar to the registrar by monthly returns, 41
which shall be forwarded to the registrar not later than the 42
fifth day of the month next succeeding that in which the 43
certificate is received by the clerk. The registrar shall pay 44
such remaining sums into the public safety - highway purposes 45
fund established by section 4501.06 of the Revised Code. 46

Sec. 4519.56. (A) An application for a certificate of 47

title shall be sworn to before a notary public or other officer 48
empowered to administer oaths by the lawful owner or purchaser 49
of the off-highway motorcycle or all-purpose vehicle and shall 50
contain at least the following information in a form and 51
together with any other information the registrar of motor 52
vehicles may require: 53

(1) Name, address, and social security number or 54
employer's tax identification number of the applicant; 55

(2) Statement of how the off-highway motorcycle or all- 56
purpose vehicle was acquired; 57

(3) Name and address of the previous owner; 58

(4) A statement of all liens, mortgages, or other 59
encumbrances on the off-highway motorcycle or all-purpose 60
vehicle, and the name and address of each holder thereof; 61

(5) If there are no outstanding liens, mortgages, or other 62
encumbrances, a statement of that fact; 63

(6) A description of the off-highway motorcycle or all- 64
purpose vehicle, including the make, year, series or model, if 65
any, body type, and manufacturer's vehicle identification 66
number. 67

If the off-highway motorcycle or all-purpose vehicle 68
contains a permanent identification number placed thereon by the 69
manufacturer, this number shall be used as the vehicle 70
identification number. Except as provided in division (B) of 71
this section, if the application for a certificate of title 72
refers to an off-highway motorcycle or all-purpose vehicle that 73
contains such a permanent identification number, but for which 74
no certificate of title has been issued previously by this 75
state, the application shall be accompanied by a physical 76

inspection certificate as described in that division. 77

If there is no manufacturer's vehicle identification 78
number or if the manufacturer's vehicle identification number 79
has been removed or obliterated, the registrar, upon receipt of 80
a prescribed application and proof of ownership, but prior to 81
issuance of a certificate of title, shall assign a vehicle 82
identification number for the off-highway motorcycle or all- 83
purpose vehicle. This assigned vehicle identification number 84
shall be permanently affixed to or imprinted upon the off- 85
highway motorcycle or all-purpose vehicle by the state highway 86
patrol. The state highway patrol shall assess a fee of fifty 87
dollars for affixing the number to the off-highway motorcycle or 88
all-purpose vehicle and shall deposit each such fee in the 89
public safety - highway purposes fund established by section 90
4501.06 of the Revised Code. 91

(B) Except in the case of a new off-highway motorcycle or 92
all-purpose vehicle sold by a dealer title to which is evidenced 93
by a manufacturer's or importer's certificate, if the 94
application for a certificate of title refers to an off-highway 95
motorcycle or all-purpose vehicle that contains a permanent 96
identification number placed thereon by the manufacturer, but 97
for which no certificate of title previously has been issued by 98
this state, the application shall be accompanied by a physical 99
inspection certificate issued by the department of public safety 100
verifying the make, year, series or model, if any, body type, 101
and manufacturer's vehicle identification number of the off- 102
highway motorcycle or all-purpose vehicle for which the 103
certificate of title is desired. The physical inspection 104
certificate shall be in such form as is designated by the 105
registrar. The physical inspection shall be made at a deputy 106
registrar's office, a clerk of the common pleas' office if the 107

clerk offers such physical inspections, or at an established 108
place of business operated by a licensed motor vehicle dealer. 109
The deputy registrar, clerk of the court of common pleas, or 110
motor vehicle dealer may charge a maximum fee equal to the 111
amount established under section 4503.038 of the Revised Code 112
for conducting the physical inspection. 113

The clerk of the court of common pleas shall charge a fee 114
of one dollar and fifty cents for the processing of each 115
physical inspection certificate. The clerk shall retain fifty 116
cents of the one dollar and fifty cents so charged and shall pay 117
the remaining one dollar to the registrar by monthly returns, 118
which shall be forwarded to the registrar not later than the 119
fifth day of the month next succeeding that in which the 120
certificate is received by the clerk. The registrar shall pay 121
such remaining sums into the public safety - highway purposes 122
fund established by section 4501.06 of the Revised Code. 123

Sec. 4519.69. If the application for a certificate of 124
title refers to an off-highway motorcycle or all-purpose vehicle 125
last previously registered in another state, the application 126
shall be accompanied by a physical inspection certificate issued 127
by the department of public safety verifying the make, year, 128
series or model, if any, body type, and manufacturer's 129
identification number of the off-highway motorcycle or all- 130
purpose vehicle for which the certificate of title is desired. 131
The physical inspection certificate shall be in such form as is 132
designated by the registrar of motor vehicles. The physical 133
inspection of the off-highway motorcycle or all-purpose vehicle 134
shall be made at a deputy registrar's office, a clerk of the 135
court of common pleas' office if the clerk offers such physical 136
inspections, or at an established place of business operated by 137
a licensed motor vehicle dealer. Additionally, the physical 138

inspection of a salvage off-highway motorcycle or all-purpose 139
vehicle owned by an insurance company may be made at an 140
established place of business operated by a salvage motor 141
vehicle dealer licensed under Chapter 4738. of the Revised Code. 142
The deputy registrar, the clerk of the court of common pleas, 143
the motor vehicle dealer, or the salvage motor vehicle dealer 144
may charge a maximum fee equal to the amount established under 145
section 4503.038 of the Revised Code for conducting the physical 146
inspection. 147

The clerk of the court of common pleas shall charge a fee 148
of one dollar and fifty cents for the processing of each 149
physical inspection certificate. The clerk shall retain fifty 150
cents of the one dollar and fifty cents so charged and shall pay 151
the remaining one dollar to the registrar by monthly returns, 152
which shall be forwarded to the registrar not later than the 153
fifth day of the month next succeeding that in which the 154
certificate is received by the clerk. The registrar shall pay 155
such remaining sums into the state treasury to the credit of the 156
public safety - highway purposes fund established in section 157
4501.06 of the Revised Code. 158

Section 2. That existing sections 4505.061, 4519.56, and 159
4519.69 of the Revised Code are hereby repealed. 160