



# OHIO LEGISLATIVE SERVICE COMMISSION

## Bill Analysis

Carlen Zhang D'Souza

### H.B. 384

132nd General Assembly  
(As Introduced)

Reps. Gonzales, Becker

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## BILL SUMMARY

- Reduces the number of required notices that the owner of a towing service or storage facility (that tows a vehicle from a private tow-away zone) must send to the vehicle owner before obtaining title to that vehicle from three notices to one notice.

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## CONTENT AND OPERATION

### Background

Under current law, the owner of a towing service or storage facility may obtain title to a motor vehicle if:

- The vehicle was towed from a private tow-away zone;
- The vehicle has a value of less than \$3,500;
- The owner of the towing service or storage facility submits a properly executed affidavit to the clerk of courts; and
- The owner of the towing services complies with certain notice requirements.<sup>1</sup>

Specifically, the notice requirements instruct an owner of a towing service or storage facility to search the records of the Bureau of Motor Vehicles for the vehicle owner's

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\* Corrects the reference to the time frame that applies to the first required notice.

<sup>1</sup> R.C. 4505.101(B).

identity and any lienholder of the vehicle. Once a vehicle owner or lienholder is ascertained, the owner of a towing service or storage facility must do the following:

- (1) Within five business days after the Registrar of Motor Vehicles provides the identity of the owner and any lienholder, send notice (by certified or express mail with return receipt requested or by a commercial carrier service utilizing any form of delivery requiring a signed receipt);
- (2) If the vehicle remains unclaimed 30 days after the first notice is sent, additional notice must be sent as provided in (1) above; and
- (3) If the vehicle remains unclaimed 45 days after the first notice is sent, additional notice must be sent as provided in (1) above.

If the vehicle remains unclaimed for 60 days after the first notice is sent (as evidenced by a receipt signed by any person, or 60 days after the towing company or storage facility has been notified that delivery was not possible), the owner of a towing service or storage facility may initiate the process for obtaining title to the motor vehicle. The phrase "delivery was not possible" is not defined in the Revised Code.<sup>2</sup>

### **Notice under the bill**

The bill eliminates the 30- and 45-day notices. Thus, only one notice, sent within five business days of the provision of the owner and lienholder's identity, is required.<sup>3</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	10-17-17

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<sup>2</sup> R.C. 4513.601(F).

<sup>3</sup> R.C. 4513.601(F).

