

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 242**

**Senator Johnson**

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To amend sections 2913.02, 2913.51, 4737.04,  
4737.045, 4737.99, 4738.03, 4738.07, 4738.12,  
and 4775.09 and to enact sections 4737.046 and  
4737.98 of the Revised Code regarding the sale  
of used catalytic converters, and to make an  
appropriation.

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

**Section 1.** That sections 2913.02, 2913.51, 4737.04,  
4737.045, 4737.99, 4738.03, 4738.07, 4738.12, and 4775.09 be  
amended and sections 4737.046 and 4737.98 of the Revised Code be  
enacted to read as follows:

**Sec. 2913.02.** (A) No person, with purpose to deprive the  
owner of property or services, shall knowingly obtain or exert  
control over either the property or services in any of the  
following ways:

(1) Without the consent of the owner or person authorized  
to give consent;

(2) Beyond the scope of the express or implied consent of  
the owner or person authorized to give consent;

(3) By deception;

(4) By threat; 20

(5) By intimidation. 21

(B) (1) Whoever violates this section is guilty of theft. 22

(2) Except as otherwise provided in this division or 23  
division (B) (3), (4), (5), (6), (7), (8), ~~or (9)~~, or (10) of 24  
this section, a violation of this section is misdemeanor theft, 25  
a misdemeanor of the first degree. If the value of the property 26  
or services stolen is one thousand dollars or more and is less 27  
than seven thousand five hundred dollars or if the property 28  
stolen is any of the property listed in section 2913.71 of the 29  
Revised Code, a violation of this section is theft, a felony of 30  
the fifth degree. If the value of the property or services 31  
stolen is seven thousand five hundred dollars or more and is 32  
less than one hundred fifty thousand dollars, or if the offender 33  
has been convicted of or pleaded guilty to a felony theft 34  
offense within the previous three years, a violation of this 35  
section is grand theft, a felony of the fourth degree. If the 36  
value of the property or services stolen is one hundred fifty 37  
thousand dollars or more and is less than seven hundred fifty 38  
thousand dollars, or if the offender two or more times has been 39  
convicted of or pleaded guilty to a felony theft offense within 40  
the previous three years, a violation of this section is 41  
aggravated theft, a felony of the third degree. If the value of 42  
the property or services is seven hundred fifty thousand dollars 43  
or more and is less than one million five hundred thousand 44  
dollars, a violation of this section is aggravated theft, a 45  
felony of the second degree. If the value of the property or 46  
services stolen is one million five hundred thousand dollars or 47  
more, a violation of this section is aggravated theft of one 48  
million five hundred thousand dollars or more, a felony of the 49

first degree. 50

(3) Except as otherwise provided in division (B) (4), (5), 51  
(6), (7), (8), ~~or (9)~~, or (10) of this section, if the victim of 52  
the offense is an elderly person, disabled adult, active duty 53  
service member, or spouse of an active duty service member, a 54  
violation of this section is theft from a person in a protected 55  
class, and division (B) (3) of this section applies. Except as 56  
otherwise provided in this division, theft from a person in a 57  
protected class is a felony of the fifth degree. If the value of 58  
the property or services stolen is one thousand dollars or more 59  
and is less than seven thousand five hundred dollars, or if the 60  
offender has been convicted of or pleaded guilty to a felony 61  
theft offense within the previous three years, theft from a 62  
person in a protected class is a felony of the fourth degree. If 63  
the value of the property or services stolen is seven thousand 64  
five hundred dollars or more and is less than thirty-seven 65  
thousand five hundred dollars, or if the offender two or more 66  
times has been convicted of or pleaded guilty to a felony theft 67  
offense within the previous three years, theft from a person in 68  
a protected class is a felony of the third degree. If the value 69  
of the property or services stolen is thirty-seven thousand five 70  
hundred dollars or more and is less than one hundred fifty 71  
thousand dollars, theft from a person in a protected class is a 72  
felony of the second degree. If the value of the property or 73  
services stolen is one hundred fifty thousand dollars or more, 74  
theft from a person in a protected class is a felony of the 75  
first degree. If the victim of the offense is an elderly person, 76  
in addition to any other penalty imposed for the offense, the 77  
offender shall be required to pay full restitution to the victim 78  
and to pay a fine of up to fifty thousand dollars. The clerk of 79  
court shall forward all fines collected under division (B) (3) of 80

this section to the county department of job and family services 81  
to be used for the reporting and investigation of elder abuse, 82  
neglect, and exploitation or for the provision or arrangement of 83  
protective services under sections 5101.61 to 5101.71 of the 84  
Revised Code. 85

(4) If the property stolen is a firearm or dangerous 86  
ordnance, a violation of this section is grand theft. Except as 87  
otherwise provided in this division, grand theft when the 88  
property stolen is a firearm or dangerous ordnance is a felony 89  
of the third degree, and there is a presumption in favor of the 90  
court imposing a prison term for the offense. If the firearm or 91  
dangerous ordnance was stolen from a federally licensed firearms 92  
dealer, grand theft when the property stolen is a firearm or 93  
dangerous ordnance is a felony of the first degree. The offender 94  
shall serve a prison term imposed for grand theft when the 95  
property stolen is a firearm or dangerous ordnance consecutively 96  
to any other prison term or mandatory prison term previously or 97  
subsequently imposed upon the offender. 98

(5) If the property stolen is a motor vehicle, a violation 99  
of this section is grand theft of a motor vehicle, a felony of 100  
the fourth degree. 101

(6) If the property stolen is any dangerous drug, a 102  
violation of this section is theft of drugs, a felony of the 103  
fourth degree, or, if the offender previously has been convicted 104  
of a felony drug abuse offense, a felony of the third degree. 105

(7) If the property stolen is a police dog or horse or an 106  
assistance dog and the offender knows or should know that the 107  
property stolen is a police dog or horse or an assistance dog, a 108  
violation of this section is theft of a police dog or horse or 109  
an assistance dog, a felony of the third degree. 110

(8) If the property stolen is anhydrous ammonia, a 111  
violation of this section is theft of anhydrous ammonia, a 112  
felony of the third degree. 113

(9) Except as provided in division (B) (2) of this section 114  
with respect to property with a value of seven thousand five 115  
hundred dollars or more and division (B) (3) of this section with 116  
respect to property with a value of one thousand dollars or 117  
more, if the property stolen is a special ~~purpose-purchase~~ 118  
article as defined in section 4737.04 of the Revised Code or is 119  
a bulk merchandise container as defined in section 4737.012 of 120  
the Revised Code, a violation of this section is theft of a 121  
special ~~purpose-purchase~~ article or articles or theft of a bulk 122  
merchandise container or containers, a felony of the fifth 123  
degree. 124

~~(10)~~ (10) (a) If the property stolen is a catalytic 125  
converter, a violation of this section is theft of a catalytic 126  
converter, a felony of the fifth degree. 127

(b) If the offender has previously been convicted of or 128  
pleaded guilty to a violation of Chapter 2911. or 2913. of the 129  
Revised Code, theft of a catalytic converter is a felony of the 130  
fourth degree. 131

(c) If the property stolen is one or more catalytic 132  
converters and the offender is a business entity, a violation of 133  
this section is enterprise theft of catalytic converters and, 134  
notwithstanding section 2929.31 of the Revised Code, is 135  
punishable by a fine of not less than ten thousand dollars and 136  
not more than fifty thousand dollars per violation, regardless 137  
of the number of items involved in the violation. 138

(d) The clerk of the court shall pay any fine imposed 139

pursuant to division (B) (10) of this section to the county, 140  
township, municipal corporation, park district as created 141  
pursuant to section 511.18 or 1545.04 of the Revised Code, or 142  
state law enforcement agencies in this state that primarily were 143  
responsible for, or involved in, arresting and prosecuting the 144  
offender. 145

(11) In addition to the penalties described in division 146  
(B) (2) of this section, if the offender committed the violation 147  
by causing a motor vehicle to leave the premises of an 148  
establishment at which gasoline is offered for retail sale 149  
without the offender making full payment for gasoline that was 150  
dispensed into the fuel tank of the motor vehicle or into 151  
another container, the court may do one of the following: 152

(a) Unless division ~~(B) (10) (b)~~ (B) (11) (b) of this section 153  
applies, suspend for not more than six months the offender's 154  
driver's license, probationary driver's license, commercial 155  
driver's license, temporary instruction permit, or nonresident 156  
operating privilege; 157

(b) If the offender's driver's license, probationary 158  
driver's license, commercial driver's license, temporary 159  
instruction permit, or nonresident operating privilege has 160  
previously been suspended pursuant to division ~~(B) (10) (a)~~ (B) (11) 161  
(a) of this section, impose a class seven suspension of the 162  
offender's license, permit, or privilege from the range 163  
specified in division (A) (7) of section 4510.02 of the Revised 164  
Code, provided that the suspension shall be for at least six 165  
months; ; 166

(c) The court, in lieu of suspending the offender's 167  
driver's or commercial driver's license, probationary driver's 168  
license, temporary instruction permit, or nonresident operating 169

privilege pursuant to division ~~(B) (10) (a)~~ (B) (11) (a) or (b) of 170  
this section, instead may require the offender to perform 171  
community service for a number of hours determined by the court. 172

~~(11)~~ (12) In addition to the penalties described in 173  
division (B) (2) of this section, if the offender committed the 174  
violation by stealing rented property or rental services, the 175  
court may order that the offender make restitution pursuant to 176  
section 2929.18 or 2929.28 of the Revised Code. Restitution may 177  
include, but is not limited to, the cost of repairing or 178  
replacing the stolen property, or the cost of repairing the 179  
stolen property and any loss of revenue resulting from 180  
deprivation of the property due to theft of rental services that 181  
is less than or equal to the actual value of the property at the 182  
time it was rented. Evidence of intent to commit theft of rented 183  
property or rental services shall be determined pursuant to the 184  
provisions of section 2913.72 of the Revised Code. 185

(C) The sentencing court that suspends an offender's 186  
license, permit, or nonresident operating privilege under 187  
division ~~(B) (10)~~ (B) (11) of this section may grant the offender 188  
limited driving privileges during the period of the suspension 189  
in accordance with Chapter 4510. of the Revised Code. 190

**Sec. 2913.51.** (A) As used in this section: 191

(1) "Bulk merchandise container" has the same meaning as 192  
in section 4737.012 of the Revised Code. 193

(2) "Dangerous drug" has the same meaning as in section 194  
4729.01 of the Revised Code. 195

(3) "Dangerous ordnance" and "firearm" have the same 196  
meanings as in section 2923.11 of the Revised Code. 197

(4) "Motor vehicle" has the same meaning as in section 198

4501.01 of the Revised Code. 199

(B) No person shall receive, retain, or dispose of 200  
property of another knowing or having reasonable cause to 201  
believe that the property has been obtained through commission 202  
of a theft offense. 203

~~(B)~~ (C) It is not a defense to a charge of receiving 204  
stolen property in violation of this section that the property 205  
was obtained by means other than through the commission of a 206  
theft offense if the property was explicitly represented to the 207  
accused person as being obtained through the commission of a 208  
theft offense. 209

~~(C)~~ (D) Whoever violates this section is guilty of 210  
receiving stolen property. Except as otherwise provided in this 211  
division or division ~~(D)~~ (E) or (F) of this section, receiving 212  
stolen property is a misdemeanor of the first degree. If the 213  
value of the property involved is one thousand dollars or more 214  
and is less than seven thousand five hundred dollars, if the 215  
property involved is any of the property listed in section 216  
2913.71 of the Revised Code, receiving stolen property is a 217  
felony of the fifth degree. If the property involved is a motor 218  
vehicle, ~~as defined in section 4501.01 of the Revised Code, if~~ 219  
~~the property involved is a dangerous drug, a firearm, or~~ 220  
~~dangerous ordnance, as defined in section 4729.01 of the Revised~~ 221  
~~Code, or~~ if the value of the property involved is seven thousand 222  
five hundred dollars or more and is less than one hundred fifty 223  
thousand dollars, ~~or if the property involved is a firearm or~~ 224  
~~dangerous ordnance, as defined in section 2923.11 of the Revised~~ 225  
~~Code,~~ receiving stolen property is a felony of the fourth 226  
degree. If the value of the property involved is one hundred 227  
fifty thousand dollars or more, receiving stolen property is a 228



felony of the third degree. 229

~~(D)~~ (E) Except as provided in division ~~(C)~~ (D) of this 230  
section with respect to property involved in a violation of this 231  
section with a value of seven thousand five hundred dollars or 232  
more, if the property involved in violation of this section is a 233  
special purchase article as defined in section 4737.04 of the 234  
Revised Code ~~or Code or a bulk merchandise container as defined~~ 235  
~~in section 4737.012 of the Revised Code,~~ a violation of this 236  
section is receiving a stolen special purchase article or 237  
articles or receiving a stolen bulk merchandise container or 238  
containers, a felony of the fifth degree. 239

(F) (1) Except as otherwise provided in this division, if 240  
the property involved is a catalytic converter, a violation of 241  
this section is receiving a stolen catalytic converter, a felony 242  
of the fifth degree. 243

(2) If the offender has previously been convicted of or 244  
pleaded guilty to a violation of Chapter 2911. or 2913. of the 245  
Revised Code, receiving a stolen catalytic converter is a felony 246  
of the fourth degree. 247

(3) If the property involved is one or more catalytic 248  
converters and the offender is a business entity, a violation of 249  
this section is enterprise receipt of stolen catalytic 250  
converters and, notwithstanding section 2929.31 of the Revised 251  
Code, is punishable by a fine of not less than ten thousand 252  
dollars and not more than fifty thousand dollars per violation, 253  
regardless of the number of items involved in the violation. 254

(4) The clerk of the court shall pay any fine imposed 255  
pursuant to division (F) of this section to the county, 256  
township, municipal corporation, park district, as created 257

pursuant to section 511.18 or 1545.04 of the Revised Code, or 258  
state law enforcement agencies in this state that primarily were 259  
responsible for or involved in arresting and prosecuting the 260  
offender. 261

**Sec. 4737.04.** (A) As used in this section and sections 262  
4737.041, 4737.042, 4737.043, 4737.044, 4737.045, 4737.046, and 263  
4737.99 of the Revised Code: 264

(1) "Scrap metal dealer" means the owner or operator of a 265  
business that purchases or receives scrap metal for the purpose 266  
of sorting, grading, and shipping metals to third parties for 267  
direct or indirect melting into new products. 268

(2) "Special purchase article" means all of the following: 269

(a) Beer kegs; 270

(b) Cable, wire, electrical components, and other 271  
equipment used in providing cable service or any utility 272  
service, including, but not limited to, copper or aluminum 273  
coverings, housings, or enclosures related thereto; 274

(c) Grave markers, sculptures, plaques, and vases made out 275  
of metal, the appearance of which suggests that the articles 276  
have been obtained from a cemetery; 277

(d) Guard rails for bridges, highways, and roads; highway 278  
and street signs; street light poles and fixtures; worker access 279  
hole covers, water meter covers, and other similar types of 280  
utility access covers; traffic directional and control signs and 281  
light signals, metal marked with the name of a political 282  
subdivision of the state, and other metal articles that are 283  
purchased and installed for use upon authorization of the state 284  
or any political subdivision of the state; 285

(e) Historical, commemorative, and memorial markers and plaques made out of metal;	286 287
(f) Four-wheel metal carts, commonly referred to as "grocery carts," that are generally used by individuals to collect and transport consumer goods while shopping;	288 289 290
(g) Four-wheel metal carts, commonly referred to as "metal bossies," that are used to transport or merchandise food products that are stored in crates, shells, or trays;	291 292 293
(h) Railroad material, including journal brasses, rail spikes, rails, tie plates, frogs, and communication wire;	294 295
(i) Metal trays, merchandise containers, or similar transport containers used by a product producer, distributor, retailer, or an agent of a product producer, distributor, or retailer as a means for the bulk transportation, storage, or carrying of retail containers of milk, baked goods, eggs, or bottled beverage products;	296 297 298 299 300 301
(j) "Burnt wire," which is any coated metal wire that has been smelted, burned, or melted thereby removing the manufacturer's or owner's identifying marks.	302 303 304
(3) "Bulk merchandise container" has the same meaning as in section 4737.012 of the Revised Code.	305 306
(4) "Bulk merchandise container dealer" means a dealer who is subject to section 4737.012 of the Revised Code.	307 308
(5) <u>"Catalytic converter" includes a catalytic converter core, diesel particulate filter, and diesel oxidation catalyst.</u>	309 310
(6) <u>"Common recycled matter" means bottles and other containers made out of steel, tin, or aluminum and other consumer goods that are metal that are recycled by individual</u>	311 312 313

consumers and not in the bulk or quantity that could be supplied 314  
or recycled by large business establishments. "Common recycled 315  
matter" does not include a metal tray used by a product 316  
producer, distributor, retailer, or agent of a product producer, 317  
distributor, or retailer as a means for the bulk transportation, 318  
storage, or carrying of retail containers of milk, baked goods, 319  
eggs, or bottled beverage products. 320

~~(6)~~ (7) "Consumer goods" has the same meaning as in 321  
section 1309.102 of the Revised Code. 322

~~(7)~~ (8) "Recyclable materials" means the metal materials 323  
described in division (C) (5) of this section, on the condition 324  
that those metal materials are not special purchase articles. 325

~~(8)~~ (9) "Motor vehicle" has the same meaning as in section 326  
4501.01 of the Revised Code. 327

(B) (1) No person shall engage in the business of scrap 328  
metal dealing or act as a bulk merchandise container dealer 329  
without first registering with the director of public safety in 330  
accordance with section 4737.045 of the Revised Code. 331

(2) No person shall receive, purchase, or sell a special 332  
purchase article or a bulk merchandise container except as in 333  
accordance with sections 4737.012 and 4737.04 to ~~4737.045~~ 334  
4737.046 of the Revised Code. 335

(3) Except as otherwise provided in section 4737.043 of 336  
the Revised Code, no person other than a scrap metal dealer 337  
shall receive, purchase, or sell more than one used catalytic 338  
converter per day. 339

(C) Every scrap metal dealer shall maintain a record book 340  
or electronic file, in which the dealer shall keep an accurate 341  
and complete record of all articles purchased or received by the 342

dealer in the course of the dealer's daily business. The record 343  
shall include a copy of any check issued pursuant to division 344  
(A) (4) of section 4737.041 of the Revised Code. On and after 345  
September 11, 2008, every entry in the record book or electronic 346  
file shall be numbered consecutively and, on or after September 347  
28, 2012, shall be maintained for inspection in numerical order. 348  
Until the registry developed by the director pursuant to section 349  
4737.045 of the Revised Code is operational, a dealer shall 350  
maintain the record for each article purchased or received for a 351  
minimum period of one year after the date the dealer purchased 352  
or received the article, except that the dealer shall maintain 353  
the photograph required under division (I) of this section only 354  
for a period of sixty days after the dealer purchased or 355  
received the article. Beginning on the date the registry is 356  
operational, a dealer shall maintain the record for each article 357  
purchased or received only for a period of sixty days after the 358  
date the dealer purchased or received the article. The director 359  
shall adopt rules for the format and maintenance of the records 360  
required under this division. 361

The records shall contain all of the following: 362

(1) The name and residence of the person from whom the 363  
articles were purchased or received, a copy of that person's 364  
personal identification card, and a photograph of the person 365  
taken pursuant to division (I) of this section; 366

(2) The date and time the scrap metal dealer purchased or 367  
received the articles and the weight of the articles as 368  
determined by a licensed commercial scale; 369

(3) If the seller or provider of the articles arrives at 370  
the dealer's place of business in a motor vehicle, the license 371  
plate number of that motor vehicle along with the state that 372

issued the license plate; 373

(4) For metal articles that are not recyclable materials, 374  
a full and accurate description of each article purchased or 375  
received by the dealer that includes identifying letters or 376  
marks written, inscribed, or otherwise included on the article 377  
and the name and maker of the article if known; 378

(5) For recyclable materials that are not special purchase 379  
articles, the following category codes to identify the 380  
recyclable materials that the dealer receives: 381

(a) "Number one copper," which includes clean copper pipe, 382  
clean copper wire, or other number one copper that does not have 383  
solder, paint, or coating; 384

(b) "Number two copper," which includes unclean copper 385  
pipe, unclean copper wire, or other number two copper; 386

(c) "Sheet copper," which includes copper roofing, copper 387  
gutters, copper downspouts, and other sheet copper; 388

(d) "Insulated copper wire"; 389

(e) "Aluminum or copper radiators," which includes 390  
aluminum radiators, aluminum copper radiators, and copper 391  
radiators; 392

(f) "Red brass," which includes red brass valves and other 393  
red brass; 394

(g) "Yellow brass," which includes yellow brass fixtures, 395  
yellow brass valve and fitting, ornamental brass, and other 396  
yellow brass; 397

(h) "Aluminum sheet"; 398

(i) "Aluminum extrusions," which includes aluminum 399

bleachers, aluminum benches, aluminum frames, aluminum pipe, and	400
other aluminum extrusions;	401
(j) "Cast aluminum," which includes aluminum grills,	402
lawnmower decks made of aluminum, aluminum motor vehicle parts	403
and rims, and other cast aluminum;	404
(k) "Clean aluminum wire";	405
(l) "Unclean aluminum wire";	406
(m) "Aluminum exteriors," which includes aluminum siding,	407
aluminum gutters and downspouts, aluminum shutters, aluminum	408
trim, and other aluminum exterior items;	409
(n) "Contaminated aluminum";	410
(o) "Stainless steel," which includes, sinks, appliance	411
housing, dishes, pots, pans, pipe, and other items made out of	412
stainless steel;	413
(p) "Large appliances," which includes consumer and other	414
appliances;	415
(q) "Steel structural," which includes all structural	416
steel such as I-beams, trusses, channel iron, and similar steel	417
from buildings;	418
(r) "Miscellaneous steel," which includes steel grates,	419
steel farm machinery, steel industrial machinery, steel motor	420
vehicle frames, and other items made out of steel;	421
(s) "Sheet irons," which includes bicycles, motor vehicle	422
body parts made of iron, and other items made using sheet iron;	423
(t) "Motor vehicle nonbody parts," which includes motor	424
vehicle batteries, radiators, and other nonbody motor vehicle	425
parts;	426

(u) "Catalytic converters"; 427

(v) "Lead"; 428

(w) "Electric motors"; 429

(x) "Electronic scrap," which includes any consumer or 430  
commercial electronic equipment such as computers, servers, 431  
routers, video displays, and similar products. 432

(6) For recyclable materials that are special purchase 433  
articles, the relevant category provided in division (A)(2) of 434  
this section. 435

(D) Railroad material, including journal brasses, rail 436  
spikes, rails, tie plates, frogs, and communication wire, other 437  
than purchases and sales under sections 4973.13 to 4973.16 of 438  
the Revised Code, shall be held by a scrap metal dealer for a 439  
period of thirty days after being purchased or acquired. 440

(E)(1) The records required under division (C) of this 441  
section or under section 4737.012 of the Revised Code shall be 442  
open for inspection by the representative of any law enforcement 443  
agency, railroad police officers, and the director of public 444  
safety or the director's designated representative during all 445  
business hours. A scrap metal dealer or bulk merchandise 446  
container dealer shall do both of the following: 447

(a) Provide a copy of those records to any law enforcement 448  
agency or railroad police officer that requests the records or 449  
to the director or director's representative, upon request; 450

(b) Prepare a daily electronic report, the content and 451  
format of which shall be established in rules adopted by the 452  
director, listing all retail transactions that occurred during 453  
the preceding day and containing the information described in 454



division (C) of this section or division (A) of section 4737.012 455  
of the Revised Code, as applicable. The dealer shall 456  
electronically transfer, by twelve noon eastern standard time, 457  
the report to the director of public safety for inclusion in the 458  
registry created pursuant to division (E) of section 4737.045 of 459  
the Revised Code. 460

(2) A law enforcement agency may inspect any photographic 461  
records collected and maintained by a scrap metal dealer of 462  
either yard operations or individual transactions. Records 463  
submitted to any law enforcement agency pursuant to this section 464  
are not public records for purposes of section 149.43 of the 465  
Revised Code. 466

(3) Records submitted to any law enforcement agency, 467  
railroad police officer, or the director of public safety or the 468  
director's designated representative as required by section 469  
4737.012 of the Revised Code and sections 4737.04 to ~~4737.045~~ 470  
4737.046 of the Revised Code shall not be public records for the 471  
purposes of section 149.43 of the Revised Code. 472

(4) Notwithstanding division (E) (3) of this section, the 473  
names and addresses of scrap metal dealers and bulk merchandise 474  
container dealers shall be made available to the public by the 475  
director upon request. 476

(5) A person who claims to own a stolen article that may 477  
be identified in those records, or an agent of that person, who 478  
provides proof of having filed a stolen property report with the 479  
appropriate law enforcement agency, may request those records. 480  
The law enforcement agency shall provide those records upon a 481  
request made by such a person or that person's agent, but the 482  
law enforcement agency shall redact information that reveals the 483  
name of the seller of any article and the price the dealer paid 484

for any article the dealer purchased or the estimated value of 485  
any article the dealer received. The law enforcement agency 486  
shall determine which records to provide, based upon the time 487  
period that the alleged theft is reported to have taken place. A 488  
law enforcement agency may charge or collect a fee for providing 489  
records as required by this section. 490

(6) The director of public safety, following proper notice 491  
and hearing in accordance with Chapter 119. of the Revised Code, 492  
shall impose a civil penalty of five hundred dollars on a person 493  
that violates division (E) (1) (b) of this section. The director 494  
shall impose an additional fine of five hundred dollars for each 495  
day the violation continues. The director shall deposit the fine 496  
into the state treasury to the credit of the infrastructure 497  
protection fund created under section 4737.045 of the Revised 498  
Code. 499

(7) The director shall suspend, in accordance with Chapter 500  
119. of the Revised Code, the registration of a person that 501  
violates division (E) (1) (b) of this section until such time as 502  
the director determines that the person has taken necessary 503  
steps to comply with that division. A person whose registration 504  
is suspended under this division may petition the director for 505  
reinstatement not more than once every ninety days. The 506  
director's determination as to whether to grant such a petition 507  
and reinstate the person's registration is subject to appeal 508  
under section 119.12 of the Revised Code. 509

(F) (1) No scrap metal dealer shall purchase or receive any 510  
metal articles, and no bulk merchandise container dealer shall 511  
purchase or receive any bulk merchandise containers, from a 512  
person who refuses to show the dealer the person's personal 513  
identification card, or who refuses to allow the dealer to take 514

a photograph of the person as required under division (I) of 515  
this section or of the person or container as required under 516  
division (B) of section 4737.012 of the Revised Code. 517

(2) The law enforcement agency that serves the 518  
jurisdiction in which a scrap metal dealer or a bulk merchandise 519  
container dealer is located shall provide to the scrap metal 520  
dealer or bulk merchandise container dealer a searchable, 521  
electronic list prepared in accordance with rules adopted by the 522  
director, as that agency determines appropriate, of the names 523  
and descriptions of persons known to be thieves or receivers of 524  
stolen property. The law enforcement agency may request the 525  
appropriate clerk of courts to provide the list. No scrap metal 526  
dealer or bulk merchandise container dealer shall purchase or 527  
receive articles from any person who is either identified on the 528  
list the dealer receives from the law enforcement agency, or who 529  
appears on the lists made available by the director pursuant to 530  
division (E) of section 4737.045 of the Revised Code. The law 531  
enforcement agency also shall provide the list, in an electronic 532  
format, to the department of public safety, in an electronic 533  
format in accordance with rules adopted by the director, for 534  
inclusion in the registry created in under division (E) of 535  
section 4737.045 of the Revised Code. 536

(3) A law enforcement agency shall submit all records of 537  
any investigation into a scrap metal dealer or bulk merchandise 538  
container dealer to the registry created pursuant to division 539  
(E) of section 4737.045 of the Revised Code. 540

(4) No scrap metal dealer or bulk merchandise container 541  
dealer shall purchase or receive any special purchase articles 542  
or bulk merchandise containers from any person who is under 543  
eighteen years of age. 544

~~(4)~~ (5) No scrap metal dealer shall purchase or receive 545  
any special purchase article without complying with division (C) 546  
and (I) of this section and division (B), (C), or (D) of section 547  
4737.041 of the Revised Code. 548

~~(5)~~ (6) No scrap metal dealer shall purchase or receive 549  
more than one catalytic converter per day from the same person 550  
except from a motor vehicle dealer as defined in section 4517.01 551  
of the Revised Code. 552

~~(6)~~ (7) No scrap metal dealer shall purchase or receive a 553  
beer keg that is marked with a company name or logo except from 554  
a manufacturer of beer as described in section 4303.02 of the 555  
Revised Code or an agent authorized by the manufacturer to 556  
dispose of damaged kegs. 557

~~(7)~~ (8) No scrap metal dealer shall treat a transaction as 558  
exempt from section 4737.04 or 4737.041 of the Revised Code 559  
unless the ~~seller~~ scrap metal dealer provides evidence of 560  
satisfying division (D) (3) of one or more of the exemptions 561  
under section 4737.043 of the Revised Code. 562

~~(G)~~ (G) (1) Every scrap metal dealer and bulk merchandise 563  
container dealer shall post a notice in a conspicuous place on 564  
the dealer's premises notifying persons who may wish to transact 565  
business with the dealer of the penalties applicable to any 566  
person who does any of the following: 567

~~(1)~~ (a) Provides a false personal identification card to 568  
the dealer; 569

~~(2)~~ (b) With purpose to defraud, provides any other false 570  
information to the dealer in connection with the dealer's duty 571  
to maintain the records required under division (C) of this 572  
section or under section 4737.012 of the Revised Code; 573

~~(3)~~—(c) Violates section 2913.02 of the Revised Code. 574

(2) (a) Every scrap metal dealer and bulk merchandise 575  
container dealer shall post a copy of the dealer's registration 576  
in a conspicuous place on the dealer's premises. 577

(b) The director of public safety, following proper notice 578  
and hearing in accordance with Chapter 119. of the Revised Code, 579  
shall impose a civil penalty of five hundred dollars on any 580  
person that violates division (G) (2) (a) of this section and 581  
shall deposit that penalty into the state treasury to the credit 582  
of the infrastructure protection fund created under section 583  
4737.045 of the Revised Code. 584

(H) (1) Except as otherwise provided in division (F) (2) of 585  
this section, a clerk of courts or an employee of a clerk of 586  
courts; a chief of police, marshal, or other chief law 587  
enforcement officer; a sheriff, constable, or chief of police of 588  
a township police department or police district police force; a 589  
deputy, officer, or employee of the law enforcement agency 590  
served by the marshal or the municipal or township chief, the 591  
office of the sheriff, or the constable; and an employee of the 592  
department of public safety is immune from liability in a civil 593  
action, including an action for defamation, libel, or slander, 594  
to recover damages for injury, death, or loss to persons or 595  
property or reputation allegedly caused by an act or omission in 596  
connection with compiling and providing the list required by 597  
division (F) (2) of this section. 598

(2) The immunity described in division (H) (1) of this 599  
section does not apply to a person described in that division 600  
if, in relation to the act or omission in question, any of the 601  
following applies: 602

(a) The act or omission was manifestly outside the scope 603  
of the person's employment or official responsibilities. 604

(b) The act or omission was with malicious purpose, in bad 605  
faith, or in a wanton or reckless manner. 606

(c) Liability for the act or omission is expressly imposed 607  
by a section of the Revised Code. 608

(I) Every scrap metal dealer shall take a photograph, in 609  
accordance with rules adopted by the director, of each person 610  
who sells or otherwise gives the dealer an article for which the 611  
dealer must make record under division (C) of this section. 612

The dealer shall take the required photograph at the time 613  
the dealer purchases or receives the article and shall keep the 614  
photograph as part of the record in accordance with division (C) 615  
of this section. 616

(J) (1) An individual listed as a known thief or receiver 617  
of stolen property on a list prepared pursuant to division (F) 618  
(2) of this section may request that the individual's name be 619  
removed from the list by filing an application with the law 620  
enforcement agency responsible for preparing the list. 621

(2) A law enforcement agency receiving an application in 622  
accordance with division (J) (1) of this section shall remove the 623  
applicant's name from the list of known thieves and receivers of 624  
stolen property if the individual has not been convicted of or 625  
pleaded guilty to either a misdemeanor that is a theft offense, 626  
as defined in section 2913.01 of the Revised Code, within three 627  
years immediately prior to the date of the application or a 628  
felony that is a theft offense within six years immediately 629  
prior to the date of the application. 630

**Sec. 4737.045.** (A) To register as a scrap metal dealer or 631

a bulk merchandise container dealer with the director of public 632  
safety as required by division (B) of section 4737.04 of the 633  
Revised Code, a person shall do all of the following: 634

(1) Provide the name and street address of the dealer's 635  
place of business; 636

(2) Provide the name of the primary owner of the business, 637  
and of the manager of the business, if the manager is not the 638  
primary owner; 639

(3) Provide the electronic mail address of the business; 640

(4) Provide confirmation that the dealer has the 641  
capabilities to electronically connect with the department of 642  
public safety for the purpose of sending and receiving 643  
information; 644

(5) Provide any other information required by the director 645  
in rules the director adopts pursuant to sections 4737.01 to 646  
~~4737.045~~ 4737.046 of the Revised Code; 647

(6) Pay an initial registration fee of two hundred 648  
dollars. 649

(B) A person engaging in the business of a scrap metal 650  
dealer or a bulk merchandise container dealer in this state on 651  
or before September 28, 2012, shall register with the director 652  
not later than January 1, 2013. With respect to a person who 653  
commences engaging in the business of a scrap metal dealer or a 654  
bulk merchandise container dealer after September 28, 2012, the 655  
person shall register with the director pursuant to this section 656  
prior to commencing business as a scrap metal dealer or a bulk 657  
merchandise container dealer. 658

(C) A registration issued to a scrap metal dealer or a 659

bulk merchandise container dealer pursuant to this section is 660  
valid for a period of one year. A dealer shall renew the 661  
registration in accordance with the rules adopted by the 662  
director and pay a renewal fee of one hundred fifty dollars to 663  
cover the costs of operating and maintaining the registry 664  
created pursuant to division (E) of this section. 665

(D) A scrap metal dealer or a bulk merchandise container 666  
dealer registered under this section shall prominently display a 667  
copy of the annual registration certificate received from the 668  
director pursuant to division (E) (2) of this section. 669

(E) The director shall do all of the following: 670

(1) Develop and implement, by January 1, 2014, and 671  
maintain as a registry a secure database for use by law 672  
enforcement agencies that is capable of all of the following: 673

(a) Receiving and securely storing all of the information 674  
required by division (A) of this section and the daily 675  
transaction data that scrap metal dealers and bulk merchandise 676  
dealers are required to send pursuant to division (E) (1) of 677  
section 4737.04 of the Revised Code; 678

(b) Providing secure search capabilities to law 679  
enforcement agencies for enforcement purposes; 680

(c) Creating a link and retransmission capability for 681  
receipt of routine scrap theft alerts published by the ~~institute~~ 682  
~~of scrap recycling industries~~ recycled materials association for 683  
transmission to dealers and law enforcement agencies in the 684  
state; 685

(d) Making the electronic lists prepared pursuant to 686  
division (F) (2) of section 4737.04 of the Revised Code available 687  
through an electronic searchable format for individual law 688



enforcement agencies and for dealers in the state; 689

(e) Providing, without charge, interlink programming 690  
enabling the transfer of information to dealers; 691

(f) Identifying parties submitting reports and inquiries 692  
to the registry. 693

(2) Issue, reissue, or deny registration to dealers; 694

(3) Adopt rules to enforce sections 4737.01 to ~~4737.045~~ 695  
4737.046 of the Revised Code, rules establishing procedures to 696  
renew a registration issued under this section, rules for the 697  
format and maintenance for the records required under division 698  
(A) of section 4737.012 of the Revised Code or division (C) of 699  
section 4737.04 of the Revised Code, and rules regarding the 700  
delivery of the report required by division (E)(1) of section 701  
4737.04 of the Revised Code to the registry, which shall be used 702  
exclusively by law enforcement agencies. 703

(F) A scrap metal dealer or bulk merchandise container 704  
dealer may search, modify, or update only the dealer's own 705  
business data contained within the registry established in 706  
division (E) of this section. 707

(G) All fees received by the director pursuant to this 708  
section and division (F) of section 4737.99 of the Revised Code 709  
shall be used to develop and maintain the registry required 710  
under this section and for the department of public safety's 711  
operating expenses. The fees shall be deposited into the 712  
infrastructure protection fund which is hereby created in the 713  
state treasury. 714

(H) (1) The director of public safety shall not issue a 715  
registration to, or renew the registration of, a person who was 716  
convicted of, or pleaded guilty to, a violation of section 717

4737.041 of the Revised Code, a violation of section 2923.03 of 718  
the Revised Code when division (G) of section 4737.99 of the 719  
Revised Code applies, a violation of section 2913.02 of the 720  
Revised Code when the person is sentenced pursuant to division 721  
(B)(10) of that section, or a violation of section 2913.51 of 722  
the Revised Code when the person is sentenced pursuant to 723  
division (F) of that section. 724

(2) The director of public safety shall revoke the 725  
registration of a person who is convicted of or pleads guilty to 726  
a violation of section 4737.041 of the Revised Code, a violation 727  
of section 2923.03 of the Revised Code when division (G) of 728  
section 4737.99 of the Revised Code applies, a violation of 729  
section 2913.02 of the Revised Code when the person is sentenced 730  
pursuant to division (B)(10) of that section, or a violation of 731  
section 2913.51 of the Revised Code when the person is sentenced 732  
pursuant to division (F) of that section. 733

**Sec. 4737.046.** (A) The director of public safety shall 734  
conduct an investigation under this section upon receiving a 735  
bona fide complaint alleging, or upon reasonable suspicion, that 736  
either of the following apply: 737

(1) That a scrap metal dealer, a bulk merchandise 738  
container dealer, or any employee, officer, or agent of a scrap 739  
metal dealer or bulk merchandise container dealer has violated, 740  
is violating, or will violate any provision of sections 4737.01 741  
to 4737.046 of the Revised Code; 742

(2) That a person who is not registered under section 743  
4737.045 of the Revised Code appears to be acting as a scrap 744  
metal dealer or bulk merchandise container dealer. 745

(B) As part of the investigation, the director or local 746

law enforcement may do any of the following: 747

(1) Search the accused person's premises during the 748  
person's regular work hours or between the hours of eight a.m. 749  
and five p.m., Monday through Friday; 750

(2) Compel witnesses by subpoena to appear and testify in 751  
relation to the investigation; 752

(3) Compel by subpoena duces tecum the production of any 753  
books, papers, documents, or other records pertaining to the 754  
investigation. 755

(C) If a person does not comply with a subpoena or 756  
subpoena duces tecum issued under division (B) of this section, 757  
the director or local law enforcement may apply to the court of 758  
common pleas of Franklin county or of the county in which the 759  
person conducts business for an order compelling the person to 760  
comply with the subpoena or subpoena duces tecum or, for failure 761  
to do so, be held in contempt of court. 762

(D) (1) If as a result of an investigation the director or 763  
local law enforcement finds that a person described in division 764  
(A) (1) of this section violated any provision of sections 765  
4737.01 to 4737.046 of the Revised Code, the director may 766  
suspend the scrap metal dealer's or bulk merchandise container 767  
dealer's registration and shall reinstate the registration only 768  
upon receiving evidence that the scrap metal dealer or bulk 769  
merchandise container dealer has remedied the violation. The 770  
director may revoke a registration if the director finds a 771  
subsequent violation of any provision of sections 4737.01 to 772  
4737.046 of the Revised Code in any subsequent investigation. 773

(2) No person shall undertake any activities that require 774  
registration under section 4737.045 of the Revised Code 775

following a suspension or revocation under division (D) (1) of 776  
this section. 777

(3) Following such a suspension or revocation, the 778  
director or local law enforcement shall conduct a follow-up 779  
investigation to determine whether the person violated division 780  
(D) (2) of this section. If the director or local law enforcement 781  
determines the person violated division (D) (2) of this section, 782  
the director shall seek an injunction from the court of common 783  
pleas of Franklin county or of the county in which the person 784  
conducts business ordering the person to cease the violation. 785

(E) (1) If, as a result of an investigation, the director 786  
or local law enforcement finds that a person acted as a scrap 787  
metal dealer or bulk merchandise container dealer without a 788  
registration, the director shall do both of the following: 789

(a) Seek an injunction from the court of common pleas of 790  
Franklin county or of the county in which the person conducts 791  
business ordering the person to cease the violation; 792

(b) Impose a civil penalty of ten thousand dollars in 793  
accordance with Chapter 119. of the Revised Code. Each day the 794  
violation occurred or continues to occur constitutes a separate 795  
violation and is subject to a separate penalty, except that the 796  
penalty for each consecutive day after the first day shall be 797  
one thousand dollars. 798

(2) The director shall deposit all penalties collected 799  
pursuant to division (E) of this section into the state treasury 800  
to the credit of the infrastructure protection fund created 801  
under section 4737.045 of the Revised Code. Notwithstanding any 802  
contrary provision of the Revised Code, all such penalties shall 803  
be expended only to conduct investigations authorized under this 804

section. 805

(3) If a person fails to pay a civil penalty imposed under 806  
division (E) of this section within the time prescribed by the 807  
director, the director shall certify the amount of the penalty 808  
and the person's name to the attorney general for collection 809  
under section 131.02 of the Revised Code. In addition to the 810  
penalty, the attorney general may assess, and the person shall 811  
pay, a fee covering the costs of collecting the penalty. 812

(F) (1) No person shall do any of the following when 813  
applying for registration or renewal under section 4737.045 of 814  
the Revised Code: 815

(a) Engage in fraud; 816

(b) Knowingly provide false information; 817

(c) Knowingly fail to disclose relevant information that 818  
would result in a denial of or nonrenewal of a registration or 819  
license. 820

(2) The director shall impose a civil penalty of five 821  
hundred dollars on any person who violates division (F) (1) of 822  
this section in accordance with Chapter 119. of the Revised 823  
Code. The director shall deposit all such penalties into the 824  
state treasury to the credit of the infrastructure protection 825  
fund created under section 4737.045 of the Revised Code. 826

(G) Any refusal to renew and any denial, suspension, or 827  
revocation of any registration required under section 4737.045 828  
of the Revised Code is subject to Chapter 119. of the Revised 829  
Code. 830

(H) The director shall record information on all 831  
noninvestigative visits made by the director to a scrap metal 832

dealer or bulk merchandise container dealer. The director shall 833  
report that information to the public on a quarterly basis via 834  
the department of commerce's web site. 835

**Sec. 4737.98.** Notwithstanding any provision of section 836  
121.95 of the Revised Code to the contrary, a regulatory 837  
restriction contained in a rule adopted under this chapter is 838  
not subject to sections 121.95 to 121.953 of the Revised Code. 839

**Sec. 4737.99.** (A) Except as specified in divisions (B), 840  
(C), (D), (E), and (F) of this section, whoever violates 841  
sections 4737.01 to 4737.11 of the Revised Code, shall be fined 842  
not less than twenty-five nor more than one thousand dollars and 843  
the costs of prosecution. 844

(B) Whoever violates division (F) (2) of section 4737.10 of 845  
the Revised Code is guilty of a misdemeanor of the fourth 846  
degree. 847

~~(C) Whoever~~ (C) (1) Except as provided in division (C) (2) 848  
of this section, whoever fails to comply with or violates 849  
section 4737.01, 4737.012, or 4737.041, division (C), (D), (E), 850  
(F), (G), or (I) of section 4737.04, or division (D) of section 851  
4737.045 of the Revised Code is guilty of a misdemeanor of the 852  
first degree. If the offender one time previously has violated 853  
or failed to comply with section 4737.01, 4737.012, or 4737.041, 854  
division (C), (D), (E), (F), (G), or (I) of section 4737.04, or 855  
division (D) of section 4737.045 of the Revised Code, the 856  
violation or failure is a felony of the fifth degree. If the 857  
offender two or more times previously has violated or failed to 858  
comply with section 4737.01, 4737.012, or 4737.041, division 859  
(C), (D), (E), (F), (G), or (I) of section 4737.04, or division 860  
(D) of section 4737.045 of the Revised Code, the violation or 861  
failure is a felony of the fourth degree. For any second or 862

subsequent violation of or failure to comply with section 863  
4737.01, 4737.012, or 4737.041, or division (C), (D), (E), (F), 864  
(G), or (I) of section 4737.04, or division (D) of section 865  
4737.045 of the Revised Code, a court may suspend the 866  
registration issued to the scrap metal dealer or bulk 867  
merchandise container dealer under section 4737.045 of the 868  
Revised Code for a period of ninety days, during which time 869  
period the person shall not engage in the business of a scrap 870  
metal dealer or a bulk merchandise container dealer, as 871  
applicable. 872

(2) Notwithstanding section 2929.31 of the Revised Code, a 873  
business entity that, with respect to the sale, purchase, or 874  
receipt of a catalytic converter, violates section 4737.04 of 875  
the Revised Code shall be fined not less than ten thousand 876  
dollars and not more than fifty thousand dollars per violation. 877

(D) Whoever violates division (B) (1) of section 4737.04 of 878  
the Revised Code is guilty of a felony of the fifth degree. The 879  
court also shall enjoin the person from engaging in the business 880  
of a scrap metal dealer or a bulk merchandise dealer. 881

(E) Whoever violates division (B) (2) of section 4737.04 of 882  
the Revised Code is guilty of a felony of the fifth degree for 883  
the first offense and a felony of the third degree for any 884  
subsequent offense. 885

(F) Any motor vehicle used in the theft or illegal 886  
transportation of metal shall be impounded for at least thirty 887  
days and not more than sixty days. If the same motor vehicle is 888  
used in connection with a second or subsequent theft or illegal 889  
transportation of metal, the motor vehicle shall be impounded 890  
for at least sixty days and not more than one hundred eighty 891  
days. Any motor vehicle used in the theft or illegal 892

transportation of a special purchase article or bulk merchandise 893  
container shall be impounded for at least ninety days and not 894  
more than three hundred sixty days. A motor vehicle impounded 895  
pursuant to this division shall be stored at a municipal 896  
corporation impound lot, if available, or at a lot owned by a 897  
private entity or another governmental unit that the municipal 898  
corporation utilizes for the purpose of impounding a motor 899  
vehicle. An impounded motor vehicle may be recovered from the 900  
impound lot at the end of the impound term upon payment of fees. 901

(G) A person is complicit under section 2923.03 of the 902  
Revised Code if the person sells a catalytic converter to 903  
another person who, in the purchase or receipt of the catalytic 904  
converter, violates division (B) or (F)(1) of section 4737.04 of 905  
the Revised Code. 906

(H) If a transaction involving the purchase or sale of a 907  
used catalytic converter formed the basis of an offense under 908  
division (C) or (E) of this section, the clerk of the court 909  
shall pay any fine imposed to the county, township, municipal 910  
corporation, park district, as created pursuant to section 911  
511.18 or 1545.04 of the Revised Code, or state law enforcement 912  
agencies in this state that primarily were responsible for, or 913  
involved in, arresting and prosecuting, the offender. 914

**Sec. 4738.03.** (A) No person licensed as a motor vehicle 915  
salvage dealer under this chapter shall ~~engage~~ do either of the 916  
following: 917

(1) Engage in the business of selling at retail salvage 918  
motor vehicle parts or salvage motor vehicles, unless the 919  
business is operated primarily for the purpose of selling at 920  
retail salvage motor vehicle parts. Any person operating such a 921  
business primarily for the purpose of selling at retail salvage 922



motor vehicle parts may secondarily sell at retail salvage motor 923  
vehicles or manufacture a product of gradable scrap metal for 924  
sale to scrap metal processors or any other consumer. 925

(2) Purchase or accept individual motor vehicle parts, 926  
such as a catalytic converter as defined in section 4737.04 of 927  
the Revised Code. 928

(B) No person licensed as a salvage motor vehicle auction 929  
under this chapter shall: 930

(1) Knowingly sell a salvage motor vehicle to anyone other 931  
than an authorized purchaser; 932

(2) Sell a salvage motor vehicle when having reasonable 933  
cause to believe it is not offered by the legal owner thereof; 934

(3) Fail to make an Ohio salvage certificate of title 935  
available to the purchaser of a salvage motor vehicle sold by 936  
the salvage motor vehicle auction, before payment for the 937  
salvage motor vehicle is completed; 938

(4) Operate as a motor vehicle salvage dealer at the same 939  
location where any salvage motor vehicle auction is operated. 940

(C) No person licensed as a salvage motor vehicle pool 941  
under this chapter shall: 942

(1) Knowingly sell a salvage motor vehicle to anyone other 943  
than an authorized purchaser; 944

(2) Sell a salvage motor vehicle when having reasonable 945  
cause to believe it is not offered by the legal owner thereof; 946

(3) Fail to make an Ohio salvage certificate of title 947  
available to the purchaser of a salvage motor vehicle sold by 948  
the salvage motor vehicle pool, before payment for the salvage 949

motor vehicle is completed; 950

(4) Operate as a motor vehicle salvage dealer at the same 951  
location where any salvage motor vehicle pool is operated. 952

**Sec. 4738.07.** (A) Except as otherwise provided in division 953  
(B) of this section, the registrar of motor vehicles shall deny 954  
the application of any person for a license under this chapter 955  
and refuse to issue the person a license if the registrar finds 956  
that the applicant: 957

(1) Has made false statement of a material fact in the 958  
individual's application; 959

(2) Has not complied with sections 4738.01 to 4738.15 of 960  
the Revised Code: 961

(3) Has habitually defaulted on financial obligations; 962

(4) Has been convicted of or pleaded guilty to a 963  
disqualifying offense, provided the registrar complies with 964  
section 9.79 of the Revised Code; 965

(5) Has been guilty of a fraudulent act in connection with 966  
dealing in salvage motor vehicles or when operating as a motor 967  
vehicle salvage dealer, salvage motor vehicle auction, or 968  
salvage motor vehicle pool; 969

(6) Is insolvent; 970

(7) Is of insufficient responsibility to assure the prompt 971  
payment of any final judgments which might reasonably be entered 972  
against the individual because of the transaction of the 973  
individual's business during the period of the license applied 974  
for; 975

(8) Has no established place of business; ~~or~~ 976

(9) Has less than twelve months prior to said application, 977  
been denied a license under this chapter; or 978

(10) Was convicted of or pleaded guilty to a violation of 979  
section 2923.03 of the Revised Code when division (G) of section 980  
4737.99 of the Revised Code applies, a violation of section 981  
2913.02 of the Revised Code when the person is sentenced 982  
pursuant to division (B)(10) of that section, or a violation of 983  
section 2913.51 of the Revised Code when the person is sentenced 984  
pursuant to division (F) of that section. 985

~~(B)~~ In (B)(1) Except as provided in division (B)(2) of 986  
this section, in considering a renewal of an individual's 987  
license, the registrar shall not consider any conviction or plea 988  
of guilty prior to the initial licensing. However, the registrar 989  
may consider a conviction or plea of guilty if it occurred after 990  
the individual was initially licensed, or after the most recent 991  
license renewal. 992

(2) The registrar shall not renew an individual's license 993  
if the individual was convicted of or pleaded guilty to a 994  
violation of section 2923.03 of the Revised Code when division 995  
(G) of section 4737.99 of the Revised Code applies, a violation 996  
of section 2913.02 of the Revised Code when the person is 997  
sentenced pursuant to division (B)(10) of that section, or a 998  
violation of section 2913.51 of the Revised Code when the person 999  
is sentenced pursuant to division (F) of that section. 1000

(C) The registrar may grant a person a conditional license 1001  
that lasts for one year. After the one-year period has expired, 1002  
the license is no longer considered conditional, and the person 1003  
shall be considered fully licensed. 1004

(D) If the applicant is a corporation or partnership, the 1005

registrar may refuse to issue a license if any officer, 1006  
director, or partner of the applicant has been guilty of any 1007  
disqualifying offense and the refusal is in accordance with 1008  
section 9.79 of the Revised Code. The registrar's finding may be 1009  
based upon facts contained in the application or upon any other 1010  
information which the registrar may have. Immediately upon 1011  
denying an application for any of the reasons in this section, 1012  
the registrar shall enter a final order together with the 1013  
registrar's findings and certify the same to the motor vehicle 1014  
salvage dealer's licensing board. 1015

(E) If the registrar refuses an application for a license, 1016  
the reasons for such refusal shall be put in writing. An 1017  
applicant who has been refused a license may appeal from the 1018  
action of the registrar to the motor vehicle salvage dealer's 1019  
licensing board in the manner prescribed in section 4738.12 of 1020  
the Revised Code. 1021

(F) The registrar of motor vehicles shall not adopt, 1022  
maintain, renew, or enforce any rule, or otherwise preclude in 1023  
any way, an individual from renewing a license under this 1024  
chapter due to any past criminal activity or interpretation of 1025  
moral character, except as pursuant to division (B) of this 1026  
section. If the registrar denies an individual a license or 1027  
license renewal, the reasons for such denial shall be put in 1028  
writing. 1029

**Sec. 4738.12.** The motor vehicle salvage dealer's licensing 1030  
board shall hear appeals which may be taken from an order of the 1031  
registrar of motor vehicles, refusing to issue a license. All 1032  
appeals from any order of the registrar refusing to issue any 1033  
license upon proper application made must be taken within thirty 1034  
days from the date of the order, or the order is final and 1035

conclusive. All appeals from orders of the registrar must be by 1036  
petition in writing and verified under oath by the applicant 1037  
whose application for license has been denied, and must set 1038  
forth the reason why, in the petitioner's opinion, the order of 1039  
the registrar is not correct. In appeals the board may make 1040  
investigation to determine the correctness and legality of the 1041  
order of the registrar. 1042

The board may make rules governing its actions relative to 1043  
the suspension and revocation of licenses and may, upon its own 1044  
motion, and shall, upon the verified complaint in writing of any 1045  
person, investigate the conduct of any licensee under this 1046  
chapter. The board shall suspend or revoke or notify the 1047  
registrar to refuse to renew any license if any ground existed 1048  
upon which the license would have been refused, or if a ground 1049  
exists which would be cause for refusal to issue a license. 1050

The board may suspend or revoke any license if the 1051  
licensee has in any manner violated the rules issued pursuant to 1052  
sections 4738.01 to 4738.16 of the Revised Code, or has been 1053  
convicted of committing a felony or violating any law which in 1054  
any way relates to the theft of motor vehicles. 1055

The board shall revoke any license if the licensee is 1056  
convicted of or pleads guilty to a violation of section 2923.03 1057  
of the Revised Code when division (G) of section 4737.99 of the 1058  
Revised Code applies, a violation of section 2913.02 of the 1059  
Revised Code when the licensee is sentenced pursuant to division 1060  
(B) (10) of that section, or a violation of section 2913.51 of 1061  
the Revised Code when the licensee is sentenced pursuant to 1062  
division (F) of that section. 1063

**Sec. 4775.09.** (A) (1) In accordance with Chapter 119. of 1064  
the Revised Code, the motor vehicle repair board may refuse to 1065

issue or renew a registration certificate or may determine 1066  
whether to waive a suspension of a registration certificate as 1067  
provided in division (D) of section 4775.07 of the Revised Code. 1068

(2) Within ten days after receipt of an abstract from a 1069  
county court judge, mayor of a mayor's court, or clerk of a 1070  
court of record indicating a violation of division (D) of 1071  
section 4513.241 of the Revised Code, the board shall determine 1072  
whether the person named in the abstract is registered with the 1073  
board and, if the person is so registered, shall further 1074  
determine whether the person previously has been convicted of or 1075  
pleaded guilty to a violation of that section. If the person 1076  
previously has been convicted of or pleaded guilty to a 1077  
violation of that section, the board, in accordance with Chapter 1078  
119. of the Revised Code but without a prior hearing, shall 1079  
suspend the person's registration for a period of not more than 1080  
one hundred eighty days. 1081

(B) The court of common pleas of Franklin county has 1082  
exclusive jurisdiction over any person who conducts, or attempts 1083  
to conduct, business as a motor vehicle repair operator in 1084  
violation of this chapter or any rule adopted under this 1085  
chapter. The court, on application of the board, may issue an 1086  
injunction, a cease and desist order, or other appropriate order 1087  
restraining the person from continuing the violation. This 1088  
section shall operate in addition to and shall not prohibit the 1089  
enforcement of any other law. 1090

(C) Upon the request of the executive director or as a 1091  
result of complaints, the board shall investigate the alleged 1092  
violation. 1093

(D) No person required to be registered under this chapter 1094  
shall have the benefit of any lien for labor or materials unless 1095

the person is registered under this chapter. 1096

(E) No person whose application for registration under 1097  
this chapter is denied shall open or operate a facility for 1098  
business as a motor vehicle collision repair facility or motor 1099  
vehicle window tint installation facility under the name of the 1100  
person designated in the application for a registration 1101  
certificate or under any other name prior to registering as a 1102  
motor vehicle repair operator in accordance with this chapter. 1103

(F) (1) The board shall not issue a registration to or 1104  
renew the registration of a person who was convicted of or 1105  
pleaded guilty to a violation of section 2923.03 of the Revised 1106  
Code when division (G) of section 4737.99 of the Revised Code 1107  
applies, a violation of section 2913.02 of the Revised Code when 1108  
the person is sentenced pursuant to division (B) (10) of that 1109  
section, or a violation of section 2913.51 of the Revised Code 1110  
when the person is sentenced pursuant to division (F) of that 1111  
section. 1112

(2) The board shall revoke the registration of a person 1113  
who is convicted of or pleads guilty to a violation of section 1114  
2923.03 of the Revised Code when division (G) of section 4737.99 1115  
of the Revised Code applies, a violation of section 2913.02 of 1116  
the Revised Code when the person is sentenced pursuant to 1117  
division (B) (10) of that section, or a violation of section 1118  
2913.51 of the Revised Code when the person is sentenced 1119  
pursuant to division (F) of that section. 1120

**Section 2.** That existing sections 2913.02, 2913.51, 1121  
4737.04, 4737.045, 4737.99, 4738.03, 4738.07, 4738.12, and 1122  
4775.09 of the Revised Code are hereby repealed. 1123

**Section 3.** All items in this act are hereby appropriated 1124

as designated out of any moneys in the state treasury to the 1125  
credit of the designated fund. For all operating appropriations 1126  
made in this act, those in the first column are for fiscal year 1127  
2026 and those in the second column are for fiscal year 2027. 1128  
The operating appropriations made in this act are in addition to 1129  
any other operating appropriations made for these fiscal years. 1130

**Section 4.** 1131  
1132

1	2	3	4	5
A		AGO ATTORNEY GENERAL		
B	General Revenue Fund			
C	GRF 055451 Catalytic Converter Theft Task Force		\$1,500,000	\$1,000,000
D	TOTAL GRF General Revenue Fund		\$1,500,000	\$1,000,000
E	TOTAL ALL BUDGET FUND GROUPS		\$1,500,000	\$1,000,000

CATALYTIC CONVERTER THEFT TASK FORCE 1133

The foregoing appropriation item 055451, Catalytic 1134  
Converter Theft Task Force, shall be used by the Organized Crime 1135  
Investigations Commission to support the operations of any 1136  
catalytic converter theft task forces established by the 1137  
Commission pursuant to section 177.02 of the Revised Code. 1138

**Section 5.** Within the limits set forth in this act, the 1139  
Director of Budget and Management shall establish accounts 1140  
indicating the source and amount of funds for each appropriation 1141  
made in this act, and shall determine the manner in which 1142  
appropriation accounts shall be maintained. Expenditures from 1143



operating appropriations contained in this act shall be	1144
accounted for as though made in, and are subject to all	1145
applicable provisions of, H.B. 96 of the 136th General Assembly.	1146