

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**S. B. No. 315**

**Senator Hoagland  
Cosponsor: Senator Hackett**

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**A BILL**

To amend section 4513.62 and to enact section 1  
4505.104 of the Revised Code to allow the owner 2  
of a towing service or storage facility to 3  
obtain certificates of title to unclaimed motor 4  
vehicles ordered into storage by law 5  
enforcement. 6

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

**Section 1.** That section 4513.62 be amended and section 7  
4505.104 of the Revised Code be enacted to read as follows: 8

**Sec. 4505.104.** (A) The owner of a towing service or 9  
storage facility that is in possession of a motor vehicle may 10  
obtain a certificate of title to the vehicle as provided in 11  
division (B) of this section if all of the following apply: 12

(1) The motor vehicle was towed or stored pursuant to 13  
section 4513.60, 4513.61, or 4513.66 of the Revised Code. 14

(2) A search was made of the records of the bureau of 15  
motor vehicles to ascertain the identity of the owner and any 16  
lienholder of the motor vehicle. 17

(3) Upon obtaining the identity in division (A) (2) of this section, notice was sent to the last known address of the owner and any lienholder, by certified mail with return receipt requested, that informs the owner and lienholder that the towing service or storage facility will obtain title to the motor vehicle if not claimed within sixty days after the date the notice was received. 18  
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(4) The motor vehicle has been left unclaimed for sixty days after the date the notice sent under division (A) (3) of this section was received, as evidenced by a receipt signed by any person, or a notification that the delivery was not possible. 25  
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(5) A sheriff, chief of police, or a state highway patrol trooper, as applicable, has made a determination that the vehicle or items in the vehicle are not necessary to a criminal investigation. 30  
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(6) An agent of the towing service or storage facility executes an affidavit, in a form established by the registrar of motor vehicles not later than ninety days after the effective date of this section, affirming that conditions in divisions (A) (1) to (5) of this section are met. 34  
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(B) The clerk of court shall issue a certificate of title, free and clear of all liens and encumbrances, to the owner of a towing service or storage facility that presents an affidavit that affirms that the conditions in divisions (A) (1) to (5) of this section are met. 39  
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(C) After obtaining title to a motor vehicle under this section, the towing service or storage facility shall retain any money arising from the disposal of the vehicle. 44  
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(D) A towing service or storage facility that obtains title to a motor vehicle under this section shall notify the entity that ordered the motor vehicle into storage that the motor vehicle has been so disposed. The towing service or storage facility shall provide the notice on the last business day of the month in which the service or facility obtained title to the motor vehicle. 47  
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(E) As used in this section, "towing service or storage facility" means any for-hire motor carrier that removes a motor vehicle under the authority of section 4513.60, 4513.61, or 4513.66 of the Revised Code and any place to which such a for-hire motor carrier delivers a motor vehicle towed under those sections. 54  
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**Sec. 4513.62.** ~~Unclaimed~~ An unclaimed motor vehicle ~~ordered~~ into storage pursuant to division (A) (1) of section 4513.60 or section 4513.61 of the Revised Code ~~shall be disposed of at the order of the~~ is subject to one of the following: 60  
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(A) The sheriff of the county or the chief of police of the municipal corporation, township, port authority, or township or joint police district ~~to~~ may dispose of it with a motor vehicle salvage dealer or scrap metal processing facility as defined in section 4737.05 of the Revised Code, or ~~to~~ with any other facility owned by or under contract with the county, municipal corporation, port authority, or township, for the disposal of such motor vehicles, ~~or shall be sold by the.~~ 65  
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(B) The sheriff, chief of police, or a licensed auctioneer may sell the motor vehicle at public auction, after giving notice thereof by advertisement, published once a week for two successive weeks in a newspaper of general circulation in the 73  
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county or as provided in section 7.16 of the Revised Code. ~~Any~~ 77

(C) A towing service or storage facility may obtain title 78

to the motor vehicle in accordance with section 4505.104 of the 79

Revised Code. 80

~~Any moneys accruing from the disposition of an unclaimed~~ 81

~~motor vehicle accrued pursuant to division (A) or (B) of this~~ 82

section that are in excess of the expenses resulting from the 83

removal and storage of the vehicle shall be credited to the 84

general fund of the county, municipal corporation, port 85

authority, township, or joint police district, as the case may 86

be. 87

**Section 2.** That existing section 4513.62 of the Revised 88

Code is hereby repealed. 89