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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 231
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Fowler Arthur

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SUMMARY

- Prohibits the Registrar of Motor Vehicles and the Motor Vehicle Dealers Board from adopting rules requiring a specific number of hours of operation or a specific time of operation as a condition of licensure as a used motor vehicle dealer.

DETAILED ANALYSIS

Used motor vehicle dealers

The bill prohibits the Registrar of Motor Vehicles and the Motor Vehicle Dealers Board from adopting rules requiring a specific number of hours of operation or a specific time of operation as a condition of obtaining or maintaining a used motor vehicle dealer license.¹ The bill also specifies that the Registrar cannot require an applicant for a used motor vehicle dealer license to list the hours of operation of the business on the application for the license.²

Under current law, the Registrar has adopted a rule requiring specific hours of operation for used motor vehicle dealers. The rule requires a used motor vehicle dealer to be open at least 25 hours a week with at least ten of those hours occurring between Monday and Friday.³ The Motor Vehicle Dealers Board may suspend or revoke a used motor vehicle dealer's license if the licensee violates the rule.⁴ A violation of the rule is also punishable as a fourth degree misdemeanor.⁵

¹ R.C. 4501.02(A) and 4517.321.

² R.C. 4517.05(A).

³ Ohio Administrative Code 4501:1-3-08(B).

⁴ R.C. 4517.33, not in the bill.

⁵ R.C. 4517.99, not in the bill.

While the bill prohibits the Registrar or Board from adopting a rule requiring specific hours as a condition of licensure, it does not otherwise prohibit the Registrar or Board from adopting a general rule regarding hours of operation for used motor vehicle dealers. If the Registrar or Board did adopt such a rule, it is unclear whether criminal penalties and a subsequent suspension of a license could be imposed if a used motor vehicle dealer violated the general rule.

HISTORY

Action	Date
Introduced	03-24-21
