

**As Reported by the Senate Transportation, Commerce and Labor  
Committee**

**131st General Assembly**

**Regular Session  
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**Sub. H. B. No. 341**

**Representatives Young, Sweeney**

**Cosponsors: Representatives Becker, Boose, Hall, Retherford, Terhar, Thompson,  
Amstutz, Barnes, Boyd, Conditt, Dever, Green, Grossman, Hambley, Howse,  
Johnson, G., Rogers**

**Senator LaRose**

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**A BILL**

To amend sections 4505.101, 4505.11, 4513.60, 1  
4513.601, 4513.61, 4513.611, 4513.67, 4513.68, 2  
4513.69, and 4921.25 and to enact sections 3  
4505.103, 4513.612, and 4513.70 of the Revised 4  
Code to require the Public Utilities Commission 5  
to establish towing and storage fees and to 6  
review those fees every five years, to establish 7  
an after-hours fee for the retrieval of personal 8  
items from a motor vehicle that was towed from 9  
private property or otherwise upon the order of 10  
law enforcement, to modify the civil penalties 11  
applicable to violations of the towing law, to 12  
impose criminal penalties for the failure of a 13  
towing service to obtain a certificate of public 14  
convenience and necessity, to allow a repair 15  
garage, towing service, or storage facility to 16  
obtain a salvage certificate of title to a motor 17  
vehicle under specified circumstances, to alter 18  
notice requirements applicable to a salvage 19  
auction or pool that obtains a salvage 20

certificate of title for a motor vehicle, to 21  
establish a new civil action, and to make other 22  
changes to the towing law. 23

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

**Section 1.** That sections 4505.101, 4505.11, 4513.60, 24  
4513.601, 4513.61, 4513.611, 4513.67, 4513.68, 4513.69, and 25  
4921.25 be amended and sections 4505.103, 4513.612, and 4513.70 26  
of the Revised Code be enacted to read as follows: 27

**Sec. 4505.101.** (A) (1) ~~The owner of any~~ Any repair garage 28  
or place of storage in which a motor vehicle with a value of 29  
less than three thousand five hundred dollars has been left 30  
unclaimed for fifteen days or more following completion of the 31  
requested repair or the agreed term of storage shall send by 32  
certified mail, return receipt requested, to the last known 33  
address of any owner and any lienholder of the motor vehicle a 34  
notice to remove the motor vehicle. In order to identify any 35  
owner or lienholder, prior to sending a notice, the repair 36  
garage or place of storage shall cause a search to be made of 37  
the records of the bureau of motor vehicles. Any notice to a 38  
lienholder shall state where the motor vehicle is located and 39  
the value of the vehicle. If the person who requested the repair 40  
or who agreed to the storage of the motor vehicle is not the 41  
owner or a lienholder of the motor vehicle as indicated in the 42  
records of the bureau, the repair garage or place of storage 43  
also shall notify the sheriff of the county or the police 44  
department of the municipal corporation, township, or township 45  
or joint police district in which the repair garage or place of 46  
storage is located that the repair garage or place of storage is 47

in possession of the vehicle. 48

~~If the~~ (2) The repair garage or place of storage may 49  
obtain a certificate of title to the motor vehicle if all of the 50  
following apply: 51

(a) The motor vehicle remains unclaimed by any owner or 52  
lienholder of the vehicle for fifteen days after the mailing of 53  
all required notices, and for . 54

(b) For each notice, the person on whose property the 55  
vehicle has been abandoned either repair garage or place of 56  
storage has either received the signed receipt from the 57  
certified mail or has been notified that the delivery was not 58  
possible, the person may obtain a certificate of title to the 59  
motor vehicle in the person's name in the manner provided in 60  
this section. Unless the lienholder claims the motor vehicle 61  
within fifteen days from the mailing of the notice, the 62  
lienholder's lien is invalid. 63

~~(2) The owner~~ (c) An agent of the repair garage or place 64  
of storage that mailed the notice shall execute executes an 65  
affidavit, in a form established by the registrar of motor 66  
vehicles by rule, affirming that all of the requirements of this 67  
section necessary to authorize the issuance of a certificate of 68  
title for the motor vehicle have been met. The affidavit shall 69  
set forth an itemized statement of the value of the motor 70  
vehicle; the length of time that the motor vehicle has remained 71  
unclaimed; that a notice to remove the vehicle has been mailed 72  
to any titled owner or lienholder by certified mail, return 73  
receipt requested; and that a search of the records of the 74  
bureau of motor vehicles has been made in accordance with 75  
division (A) (1) of this section. 76

(B) ~~The owner of a~~ A towing service or storage facility 77  
that is in possession of a vehicle may obtain a certificate of 78  
title to the vehicle as provided in division (C) of this section 79  
if all of the following apply: 80

(1) The vehicle was towed under division (B) of section 81  
4513.601 of the Revised Code. 82

(2) The vehicle has a value of less than three thousand 83  
five hundred dollars. 84

(3) The vehicle has been left unclaimed for sixty days 85  
after the date the earliest notice required by division (F) (1) 86  
of section 4513.601 of the Revised Code is received, as 87  
evidenced by a receipt signed by any person, or the towing 88  
service or storage facility has been notified that the delivery 89  
was not possible. 90

(4) ~~The owner~~ An agent of the towing service or storage 91  
facility executes an affidavit, in a form established by the 92  
registrar of motor vehicles by rule, affirming that all of the 93  
requirements of this section necessary to authorize the issuance 94  
of a certificate of title for the motor vehicle have been met. 95  
The affidavit shall set forth an itemized statement of the value 96  
of the motor vehicle; that notices to remove the vehicle have 97  
been mailed to the owner and any lienholder as required under 98  
division (F) of section 4513.601 of the Revised Code; the length 99  
of time that the motor vehicle has remained unclaimed after the 100  
date the earliest notice required under division (F) of section 101  
4513.601 of the Revised Code was received or the towing service 102  
or storage facility was notified that delivery was not possible; 103  
and that a search of the records of the bureau of motor vehicles 104  
has been made for outstanding liens on the motor vehicle. 105

(C) (1) The clerk of courts shall issue a certificate of title, free and clear of all liens and encumbrances as follows:

~~(1)~~ (a) To a repair garage or place of storage that presents an affidavit that complies with all of the requirements of division (A) of this section;

~~(2)~~ (b) To a towing service or storage facility that presents an affidavit in compliance with division (B) of this section.

(2) A repair garage or place of storage may use the process established under division (A) of this section in order to take title to a motor vehicle even if the person who requested the repair or who agreed to the storage of the motor vehicle is not the owner or a lienholder of the motor vehicle as indicated in the records of the bureau of motor vehicles.

(3) Upon receipt of the certificate of title, a repair garage or place of storage, or a towing service or storage facility, shall pay to the clerk of courts the value of the motor vehicle ~~for deposit~~ minus both of the following:

(a) If the motor vehicle was towed by the party seeking title to the motor vehicle under this section, a towing fee;

(b) Storage fees for the period of time the vehicle was stored without payment.

The clerk of courts shall deposit any money received under this section into the county general fund.

(D) Whoever violates this section shall be fined not more than two hundred dollars, imprisoned not more than ninety days, or both.

(E) As used in this section:

(1) "Repair garage or place of storage" means any business 134  
with which a person entered into an agreement for the repair of 135  
a motor vehicle or any business with which a person entered into 136  
an agreement for the storage of a motor vehicle. 137

(2) "Towing service or storage facility" means any for- 138  
hire motor carrier that removes a motor vehicle under the 139  
authority of section 4513.601 of the Revised Code and any place 140  
to which such a for-hire motor carrier delivers a motor vehicle 141  
towed under that section. 142

(3) "Value" means the wholesale value for that make and 143  
model of motor vehicle at the time an affidavit is submitted 144  
under division (C) of this section, as provided in a vehicle 145  
valuation guide that is generally available and recognized by 146  
the motor vehicle industry, minus both of the following: 147

(a) The estimated cost of repairs to restore the motor 148  
vehicle to the wholesale value for that make and model of motor 149  
vehicle; 150

(b) The cost of any agreed-upon repairs. 151

**Sec. 4505.103.** (A) As used in this section: 152

(1) "Authorized entity" means any business with which a 153  
person entered into an agreement for the repair of a motor 154  
vehicle, any for-hire motor carrier that tows motor vehicles, or 155  
any place to which such a for-hire motor carrier delivers a 156  
towed motor vehicle for storage. 157

(2) "Motor vehicle salvage dealer" has the same meaning as 158  
in section 4738.01 of the Revised Code. 159

(3) "Scrap metal processing facility" has the same meaning 160  
as in section 4737.05 of the Revised Code. 161

(4) "Value" means the wholesale value for that make and model of motor vehicle at the time an affidavit is submitted under this section, as provided in a vehicle valuation guide that is generally available and recognized by the motor vehicle industry, minus all of the following: 162  
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(a) The estimated cost of repairs to restore the motor vehicle to the wholesale value for that make and model of motor vehicle; 167  
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(b) If the motor vehicle was towed by the party seeking title to the motor vehicle under this section, a towing fee; 170  
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(c) Storage fees for the period of time that the vehicle was stored without payment, up to a maximum of thirty days of storage fees. 172  
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(B) (1) An authorized entity may obtain a salvage certificate of title to a motor vehicle in the possession of the authorized entity for purposes of disposing of the motor vehicle through a motor vehicle salvage dealer or a scrap metal processing facility if all of the following apply to the motor vehicle: 175  
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(a) The motor vehicle has a value of less than one thousand five hundred dollars. 181  
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(b) The motor vehicle is inoperable. 183

(c) The motor vehicle is impossible to restore for highway operation. 184  
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(2) In order to obtain a salvage certificate of title to a motor vehicle, the authorized entity shall cause a search to be made of the records of the bureau of motor vehicles to ascertain the identity of the owner and any lienholder of the motor 186  
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vehicle. The registrar of motor vehicles shall ensure that such 190  
information is provided in a timely manner. Within eight 191  
business days after the registrar provides the identity of the 192  
owner and any lienholder of the motor vehicle, if the vehicle 193  
remains unclaimed, the authorized entity shall send written 194  
notice to any owner and any lienholder of the vehicle by 195  
certified or express mail with return receipt requested or by a 196  
commercial carrier service utilizing any form of delivery 197  
requiring a signed receipt. If the motor vehicle came into the 198  
possession of a towing service or storage facility as a result 199  
of being towed, the notice shall include notice that if the 200  
owner disputes that the motor vehicle was lawfully towed, the 201  
owner may be able to file a civil action under section 4513.611 202  
of the Revised Code. 203

(3) Not sooner than thirty days after the notice has been 204  
received, as evidenced by a receipt signed by any person, or the 205  
authorized entity has been notified that the delivery was not 206  
possible, an agent of the authorized entity may complete and 207  
sign an affidavit, on a form prescribed by the registrar of 208  
motor vehicles, attesting that the motor vehicle qualifies for 209  
disposal under this section and that all of the requirements of 210  
this section have been complied with. The affidavit shall 211  
include the make and model of the motor vehicle; the vehicle 212  
identification number if available; an itemized statement of the 213  
value of the motor vehicle; a description of the damage to the 214  
motor vehicle; the length of time that the motor vehicle has 215  
remained unclaimed; that a notice to remove the motor vehicle 216  
has been mailed to any titled owner or lienholder by certified 217  
or express mail with return receipt requested or by a commercial 218  
carrier service utilizing any form of delivery requiring a 219  
signed receipt; and that a search of the records of the bureau 220



of motor vehicles has been made for outstanding liens on the 221  
motor vehicle. The authorized entity also shall photograph the 222  
motor vehicle to substantiate the determination that the value 223  
of the motor vehicle is less than one thousand five hundred 224  
dollars. 225

(C) An agent of the authorized entity may present the 226  
affidavit along with the photographs, an application for a 227  
salvage certificate of title, and a fee of four dollars to the 228  
clerk of courts. Upon receipt of a properly executed application 229  
and the required fee and documents, the clerk of courts shall 230  
issue a salvage certificate of title to the motor vehicle, on a 231  
form prescribed by the registrar, and shall mark the certificate 232  
of title with the words "FOR DESTRUCTION." The clerk shall 233  
retain a record of the issuance of the salvage certificate of 234  
title and all accompanying documentation in the automated title 235  
processing system for not less than ten years. The clerk shall 236  
deposit the four-dollar fee into the certificate of title 237  
administration fund established under section 325.33 of the 238  
Revised Code. 239

A salvage certificate of title issued under this section 240  
is free and clear of all liens and shall be used solely for 241  
purposes of disposing of the vehicle through a motor vehicle 242  
salvage dealer or a scrap metal processing facility. No motor 243  
vehicle for which a certificate of title has been issued under 244  
this section shall be used for anything except parts and scrap 245  
metal. 246

(D) At the time of disposal, the authorized entity shall 247  
deliver the salvage certificate of title to the motor vehicle 248  
salvage dealer or scrap metal processing facility for its 249  
records. Any money arising from the disposal of the motor 250

vehicle may be retained by the authorized entity. 251

**Sec. 4505.11.** This section shall also apply to all-purpose 252  
vehicles and off-highway motorcycles as defined in section 253  
4519.01 of the Revised Code. 254

(A) Each owner of a motor vehicle and each person 255  
mentioned as owner in the last certificate of title, when the 256  
motor vehicle is dismantled, destroyed, or changed in such 257  
manner that it loses its character as a motor vehicle, or 258  
changed in such manner that it is not the motor vehicle 259  
described in the certificate of title, shall surrender the 260  
certificate of title to that motor vehicle to a clerk of a court 261  
of common pleas, and the clerk, with the consent of any holders 262  
of any liens noted on the certificate of title, then shall enter 263  
a cancellation upon the clerk's records and shall notify the 264  
registrar of motor vehicles of the cancellation. 265

Upon the cancellation of a certificate of title in the 266  
manner prescribed by this section, any clerk and the registrar 267  
of motor vehicles may cancel and destroy all certificates and 268  
all memorandum certificates in that chain of title. 269

(B) (1) If an Ohio certificate of title or salvage 270  
certificate of title to a motor vehicle is assigned to a salvage 271  
dealer, the dealer is not required to obtain an Ohio certificate 272  
of title or a salvage certificate of title to the motor vehicle 273  
in the dealer's own name if the dealer dismantles or destroys 274  
the motor vehicle, indicates the number of the dealer's motor 275  
vehicle salvage dealer's license on it, marks "FOR DESTRUCTION" 276  
across the face of the certificate of title or salvage 277  
certificate of title, and surrenders the certificate of title or 278  
salvage certificate of title to a clerk of a court of common 279  
pleas as provided in division (A) of this section. If the 280

salvage dealer retains the motor vehicle for resale, the dealer 281  
shall make application for a salvage certificate of title to the 282  
motor vehicle in the dealer's own name as provided in division 283  
(C) (1) of this section. 284

(2) At the time any salvage motor vehicle is sold at 285  
auction or through a pool, the salvage motor vehicle auction or 286  
salvage motor vehicle pool shall give a copy of the salvage 287  
certificate of title or a copy of the certificate of title 288  
marked "FOR DESTRUCTION" to the purchaser. 289

(C) (1) When an insurance company declares it economically 290  
impractical to repair such a motor vehicle and has paid an 291  
agreed price for the purchase of the motor vehicle to any 292  
insured or claimant owner, the insurance company shall proceed 293  
as follows: 294

(a) If an insurance company receives the certificate of 295  
title and the motor vehicle, within thirty business days, the 296  
insurance company shall deliver the certificate of title to a 297  
clerk of a court of common pleas and shall make application for 298  
a salvage certificate of title. 299

(b) If an insurance company obtains possession of the 300  
motor vehicle but is unable to obtain the properly endorsed 301  
certificate of title for the motor vehicle within thirty 302  
business days following the vehicle's owner or lienholder's 303  
acceptance of the insurance company's payment for the vehicle, 304  
the insurance company may apply to the clerk of a court of 305  
common pleas for a salvage certificate of title without 306  
delivering the certificate of title for the motor vehicle. The 307  
application shall be accompanied by evidence that the insurance 308  
company has paid a total loss claim on the vehicle, a copy of 309  
the written request for the certificate of title from the 310

insurance company or its designee, and proof that the request 311  
was delivered by a nationally recognized courier service to the 312  
last known address of the owner of the vehicle and any known 313  
lienholder, to obtain the certificate of title. 314

(c) Upon receipt of a properly completed application for a 315  
salvage certificate of title as described in division (C)(1)(a) 316  
or (b) or (C)(2) of this section, the clerk shall issue the 317  
salvage certificate of title on a form, prescribed by the 318  
registrar, that shall be easily distinguishable from the 319  
original certificate of title and shall bear the same 320  
information as the original certificate of title except that it 321  
may bear a different number than that of the original 322  
certificate of title. The salvage certificate of title shall 323  
include the following notice in bold lettering: 324

"SALVAGE MOTOR VEHICLE - PURSUANT TO R.C. 4738.01." 325

Except as provided in division (C)(3) of this section, the 326  
salvage certificate of title shall be assigned by the insurance 327  
company to a salvage dealer or any other person for use as 328  
evidence of ownership upon the sale or other disposition of the 329  
motor vehicle, and the salvage certificate of title shall be 330  
~~transferrable~~transferable to any other person. The clerk shall 331  
charge a fee of four dollars for the cost of processing each 332  
salvage certificate of title. 333

(2) If an insurance company requests that a salvage motor 334  
vehicle auction take possession of a motor vehicle that is the 335  
subject of an insurance claim, and subsequently the insurance 336  
company denies coverage with respect to the motor vehicle or 337  
does not otherwise take ownership of the motor vehicle, the 338  
salvage motor vehicle auction may proceed as follows. After the 339  
salvage motor vehicle auction has possession of the motor 340

vehicle for forty-five days, it may apply to the clerk of a 341  
court of common pleas for a salvage certificate of title without 342  
delivering the certificate of title for the motor vehicle. The 343  
application shall be accompanied by a copy of the written 344  
request that the vehicle be removed from the facility on the 345  
salvage motor vehicle auction's letterhead, and ~~the original~~ 346  
~~certified mail, return receipt notice, addressed~~ proof that the 347  
request was delivered by a nationally recognized courier service 348  
to the last known address of the owner of the vehicle and any 349  
known lienholder, requesting that the vehicle be removed from 350  
the facility of the salvage motor vehicle auction. Upon receipt 351  
of a properly completed application, the clerk shall follow the 352  
process as described in division (C) (1) (c) of this section. The 353  
salvage certificate of title so issued shall be free and clear 354  
of all liens. 355

(3) If an insurance company considers a motor vehicle as 356  
described in division (C) (1) (a) or (b) of this section to be 357  
impossible to restore for highway operation, the insurance 358  
company may assign the certificate of title to the motor vehicle 359  
to a salvage dealer or scrap metal processing facility and send 360  
the assigned certificate of title to the clerk of the court of 361  
common pleas of any county. The insurance company shall mark the 362  
face of the certificate of title "FOR DESTRUCTION" and shall 363  
deliver a photocopy of the certificate of title to the salvage 364  
dealer or scrap metal processing facility for its records. 365

(4) If an insurance company declares it economically 366  
impractical to repair a motor vehicle, agrees to pay to the 367  
insured or claimant owner an amount in settlement of a claim 368  
against a policy of motor vehicle insurance covering the motor 369  
vehicle, and agrees to permit the insured or claimant owner to 370  
retain possession of the motor vehicle, the insurance company 371

shall not pay the insured or claimant owner any amount in 372  
settlement of the insurance claim until the owner obtains a 373  
salvage certificate of title to the vehicle and furnishes a copy 374  
of the salvage certificate of title to the insurance company. 375

(D) When a self-insured organization, rental or leasing 376  
company, or secured creditor becomes the owner of a motor 377  
vehicle that is burned, damaged, or dismantled and is determined 378  
to be economically impractical to repair, the self-insured 379  
organization, rental or leasing company, or secured creditor 380  
shall do one of the following: 381

(1) Mark the face of the certificate of title to the motor 382  
vehicle "FOR DESTRUCTION" and surrender the certificate of title 383  
to a clerk of a court of common pleas for cancellation as 384  
described in division (A) of this section. The self-insured 385  
organization, rental or leasing company, or secured creditor 386  
then shall deliver the motor vehicle, together with a photocopy 387  
of the certificate of title, to a salvage dealer or scrap metal 388  
processing facility and shall cause the motor vehicle to be 389  
dismantled, flattened, crushed, or destroyed. 390

(2) Obtain a salvage certificate of title to the motor 391  
vehicle in the name of the self-insured organization, rental or 392  
leasing company, or secured creditor, as provided in division 393  
(C)(1) of this section, and then sell or otherwise dispose of 394  
the motor vehicle. If the motor vehicle is sold, the self- 395  
insured organization, rental or leasing company, or secured 396  
creditor shall obtain a salvage certificate of title to the 397  
motor vehicle in the name of the purchaser from a clerk of a 398  
court of common pleas. 399

(E) If a motor vehicle titled with a salvage certificate 400  
of title is restored for operation upon the highways, 401

application shall be made to a clerk of a court of common pleas 402  
for a certificate of title. Upon inspection by the state highway 403  
patrol, which shall include establishing proof of ownership and 404  
an inspection of the motor number and vehicle identification 405  
number of the motor vehicle and of documentation or receipts for 406  
the materials used in restoration by the owner of the motor 407  
vehicle being inspected, which documentation or receipts shall 408  
be presented at the time of inspection, the clerk, upon 409  
surrender of the salvage certificate of title, shall issue a 410  
certificate of title for a fee prescribed by the registrar. The 411  
certificate of title shall be in the same form as the original 412  
certificate of title and shall bear the words "REBUILT SALVAGE" 413  
in black boldface letters on its face. Every subsequent 414  
certificate of title, memorandum certificate of title, or 415  
duplicate certificate of title issued for the motor vehicle also 416  
shall bear the words "REBUILT SALVAGE" in black boldface letters 417  
on its face. The exact location on the face of the certificate 418  
of title of the words "REBUILT SALVAGE" shall be determined by 419  
the registrar, who shall develop an automated procedure within 420  
the automated title processing system to comply with this 421  
division. The clerk shall use reasonable care in performing the 422  
duties imposed on the clerk by this division in issuing a 423  
certificate of title pursuant to this division, but the clerk is 424  
not liable for any of the clerk's errors or omissions or those 425  
of the clerk's deputies, or the automated title processing 426  
system in the performance of those duties. A fee of fifty 427  
dollars shall be assessed by the state highway patrol for each 428  
inspection made pursuant to this division and shall be deposited 429  
into the state highway safety fund established by section 430  
4501.06 of the Revised Code. 431

(F) No person shall operate upon the highways in this 432

state a motor vehicle, title to which is evidenced by a salvage 433  
certificate of title, except to deliver the motor vehicle 434  
pursuant to an appointment for an inspection under this section. 435

(G) No motor vehicle the certificate of title to which has 436  
been marked "FOR DESTRUCTION" and surrendered to a clerk of a 437  
court of common pleas shall be used for anything except parts 438  
and scrap metal. 439

(H) (1) Except as otherwise provided in this division, an 440  
owner of a manufactured or mobile home that will be taxed as 441  
real property pursuant to division (B) of section 4503.06 of the 442  
Revised Code shall surrender the certificate of title to the 443  
auditor of the county containing the taxing district in which 444  
the home is located. An owner whose home qualifies for real 445  
property taxation under divisions (B) (1) (a) and (b) of section 446  
4503.06 of the Revised Code shall surrender the certificate 447  
within fifteen days after the home meets the conditions 448  
specified in those divisions. The auditor shall deliver the 449  
certificate of title to the clerk of the court of common pleas 450  
who issued it. 451

(2) If the certificate of title for a manufactured or 452  
mobile home that is to be taxed as real property is held by a 453  
lienholder, the lienholder shall surrender the certificate of 454  
title to the auditor of the county containing the taxing 455  
district in which the home is located, and the auditor shall 456  
deliver the certificate of title to the clerk of the court of 457  
common pleas who issued it. The lienholder shall surrender the 458  
certificate within thirty days after both of the following have 459  
occurred: 460

(a) The homeowner has provided written notice to the 461  
lienholder requesting that the certificate of title be 462



surrendered to the auditor of the county containing the taxing 463  
district in which the home is located. 464

(b) The homeowner has either paid the lienholder the 465  
remaining balance owed to the lienholder, or, with the 466  
lienholder's consent, executed and delivered to the lienholder a 467  
mortgage on the home and land on which the home is sited in the 468  
amount of the remaining balance owed to the lienholder. 469

(3) Upon the delivery of a certificate of title by the 470  
county auditor to the clerk, the clerk shall inactivate it and 471  
maintain it in the automated title processing system for a 472  
period of thirty years. 473

(4) Upon application by the owner of a manufactured or 474  
mobile home that is taxed as real property pursuant to division 475  
(B) of section 4503.06 of the Revised Code and that no longer 476  
satisfies divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and 477  
(b) of that section, the clerk shall reactivate the record of 478  
the certificate of title that was inactivated under division (H) 479  
(3) of this section and shall issue a new certificate of title, 480  
but only if the application contains or has attached to it all 481  
of the following: 482

(a) An endorsement of the county treasurer that all real 483  
property taxes charged against the home under Title LVII of the 484  
Revised Code and division (B) of section 4503.06 of the Revised 485  
Code for all preceding tax years have been paid; 486

(b) An endorsement of the county auditor that the home 487  
will be removed from the real property tax list; 488

(c) Proof that there are no outstanding mortgages or other 489  
liens on the home or, if there are such mortgages or other 490  
liens, that the mortgagee or lienholder has consented to the 491

reactivation of the certificate of title. 492

(I) (1) Whoever violates division (F) of this section shall 493  
be fined not more than two thousand dollars, imprisoned not more 494  
than one year, or both. 495

(2) Whoever violates division (G) of this section shall be 496  
fined not more than one thousand dollars, imprisoned not more 497  
than six months, or both. 498

**Sec. 4513.60.** (A) (1) The sheriff of a county or chief of 499  
police of a municipal corporation, township, or township or 500  
joint police district, within the sheriff's or chief's 501  
respective territorial jurisdiction, upon complaint of any 502  
person adversely affected, may order into storage any motor 503  
vehicle, other than an abandoned junk motor vehicle as defined 504  
in section 4513.63 of the Revised Code, that has been left on 505  
private residential or private agricultural property for at 506  
least four hours without the permission of the person having the 507  
right to the possession of the property. The sheriff or chief of 508  
police, upon complaint of ~~the owner of~~ a repair garage or place 509  
of storage, may order into storage any motor vehicle, other than 510  
an abandoned junk motor vehicle, that has been left at the 511  
garage or place of storage for a longer period than that agreed 512  
upon. When ordering a motor vehicle into storage pursuant to 513  
this division, a sheriff or chief of police may arrange for the 514  
removal of the motor vehicle by a towing service and shall 515  
designate a storage facility. 516

(2) A towing service towing a motor vehicle under division 517  
(A) (1) of this section shall remove the motor vehicle in 518  
accordance with that division. The towing service shall deliver 519  
the motor vehicle to the location designated by the sheriff or 520  
chief of police not more than two hours after the time it is 521

removed from the private property, unless the towing service is 522  
unable to deliver the motor vehicle within two hours due to an 523  
uncontrollable force, natural disaster, or other event that is 524  
not within the power of the towing service. 525

(3) Subject to division (B) of this section, the owner of 526  
a motor vehicle that has been removed pursuant to this division 527  
may recover the vehicle only in accordance with division (D) of 528  
this section. 529

(4) As used in this section, "private residential 530  
property" means private property on which is located one or more 531  
structures that are used as a home, residence, or sleeping place 532  
by one or more persons, if no more than three separate 533  
households are maintained in the structure or structures. 534  
"Private residential property" does not include any private 535  
property on which is located one or more structures that are 536  
used as a home, residence, or sleeping place by two or more 537  
persons, if more than three separate households are maintained 538  
in the structure or structures. 539

(B) If the owner or operator of a motor vehicle that has 540  
been ordered into storage pursuant to division (A)(1) of this 541  
section arrives after the motor vehicle has been prepared for 542  
removal, but prior to its actual removal from the property, the 543  
towing service shall give the owner or operator oral or written 544  
notification at the time of such arrival that the vehicle owner 545  
or operator may pay a fee of not more than one-half of the fee 546  
for the removal of the motor vehicle established by the public 547  
utilities commission in rules adopted under ~~division (D)(1) of~~ 548  
~~this section 4921.25 of the Revised Code,~~ in order to obtain 549  
release of the motor vehicle. Upon ~~However, if the vehicle is~~ 550  
within a municipal corporation and the municipal corporation has 551

established a vehicle removal fee, the towing service shall give 552  
the owner or operator oral or written notification that the 553  
owner or operator may pay not more than one-half of that fee to 554  
obtain release of the motor vehicle. That fee may be paid by use 555  
of a major credit card unless the towing service uses a mobile 556  
credit card processor and mobile service is not available at the 557  
time of the transaction. 558

Upon payment of ~~that~~ the applicable fee, the towing 559  
service shall give the vehicle owner or operator a receipt 560  
showing both the full amount normally assessed and the actual 561  
amount received and shall release the motor vehicle to the owner 562  
or operator. Upon its release, the owner or operator immediately 563  
shall move it so that it is not on the private residential or 564  
private agricultural property without the permission of the 565  
person having the right to possession of the property, or is not 566  
at the garage or place of storage without the permission of the 567  
owner, whichever is applicable. 568

(C) (1) Each county sheriff and each chief of police of a 569  
municipal corporation, township, or township or joint police 570  
district shall maintain a record of motor vehicles that the 571  
sheriff or chief orders into storage pursuant to division (A) (1) 572  
of this section. The record shall include an entry for each such 573  
motor vehicle that identifies the motor vehicle's license 574  
number, make, model, and color, the location from which it was 575  
removed, the date and time of its removal, the telephone number 576  
of the person from whom it may be recovered, and the address of 577  
the place to which it has been taken and from which it may be 578  
recovered. A sheriff or chief of police shall provide any 579  
information in the record that pertains to a particular motor 580  
vehicle to any person who, either in person or pursuant to a 581  
telephone call, identifies self as the owner or operator of the 582

motor vehicle and requests information pertaining to its 583  
location. 584

(2) Any person who registers a complaint that is the basis 585  
of a sheriff's or police chief's order for the removal and 586  
storage of a motor vehicle under division (A) (1) of this section 587  
shall provide the identity of the law enforcement agency with 588  
which the complaint was registered to any person who identifies 589  
self as the owner or operator of the motor vehicle and requests 590  
information pertaining to its location. 591

(D) (1) The owner or lienholder of a motor vehicle that is 592  
ordered into storage pursuant to division (A) (1) of this section 593  
may reclaim it upon both of the following: 594

(a) Payment of ~~the following~~ all applicable fees: 595

~~(i) Not more than ninety dollars for the removal of the 596  
motor vehicle. However, if the motor vehicle has a 597  
manufacturer's gross vehicle weight rating in excess of ten 598  
thousand pounds and is a truck, bus, or a combination of a 599  
commercial tractor and trailer or semitrailer, not more than one 600  
hundred fifty dollars for the removal. 601~~

~~(ii) Not more than twelve dollars per twenty-four-hour 602  
period for the storage of the motor vehicle. However, if the 603  
motor vehicle has a manufacturer's gross vehicle weight rating 604  
in excess of ten thousand pounds and is a truck, bus, or a 605  
combination of a commercial tractor and trailer or semitrailer, 606  
not more than twenty dollars per twenty-four-hour period for 607  
storage established by the public utilities commission in rules 608  
adopted under section 4921.25 of the Revised Code or, if the 609  
vehicle was towed within a municipal corporation that has 610  
established fees for vehicle removal and storage, payment of all 611~~

applicable fees established by the municipal corporation. 612

(b) Presentation of proof of ownership, which may be 613  
evidenced by a certificate of title to the motor vehicle, a 614  
certificate of registration for the motor vehicle, or a lease 615  
agreement. 616

When the owner of a vehicle towed under this section 617  
retrieves the vehicle, the towing service or storage facility in 618  
possession of the vehicle shall give the owner written notice 619  
that if the owner disputes that the motor vehicle was lawfully 620  
towed, the owner may be able to file a civil action under 621  
section 4513.611 of the Revised Code. 622

(2) Upon presentation of proof of ownership as required 623  
under division (D) (1) (b) of this section, the owner of a motor 624  
vehicle that is ordered into storage under division (A) (1) of 625  
this section may retrieve any personal items from the motor 626  
vehicle without retrieving the vehicle and without paying any 627  
fee. However, a towing service or storage facility may charge an 628  
after-hours retrieval fee established by the public utilities 629  
commission in rules adopted under section 4921.25 of the Revised 630  
Code if the owner retrieves the personal items after hours, 631  
unless the towing service or storage facility fails to provide 632  
the notice required under division (B) (3) of section 4513.69 of 633  
the Revised Code, if applicable. However, the ~~The~~ owner may of a 634  
motor vehicle shall not retrieve do either of the following: 635

(a) Retrieve any personal item that has been determined by 636  
the sheriff or chief of police, as applicable, to be necessary 637  
to a criminal investigation; 638

(b) Retrieve any personal item from a vehicle if it would 639  
endanger the safety of the owner, unless the owner agrees to 640

sign a waiver of liability. 641

For purposes of division (D) (2) of this section, "personal 642  
items" do not include any items that are attached to the motor 643  
vehicle. 644

(3) If a motor vehicle that is ordered into storage 645  
pursuant to division (A) (1) of this section remains unclaimed by 646  
the owner for thirty days, the procedures established by 647  
sections 4513.61 and 4513.62 of the Revised Code apply. 648

(E) (1) No person shall remove, or cause the removal of, 649  
any motor vehicle from any private residential or private 650  
agricultural property other than in accordance with division (A) 651  
(1) of this section or sections 4513.61 to 4513.65 of the 652  
Revised Code. 653

(2) No towing service or storage facility shall fail to 654  
comply with the requirements of this section. 655

(F) This section does not apply to any private residential 656  
or private agricultural property that is established as a 657  
private tow-away zone in accordance with section 4513.601 of the 658  
Revised Code. 659

~~(G) The owner of any towing service or storage facility~~ 660  
~~that~~ Whoever violates division (E) of this section is guilty of 661  
a minor misdemeanor. 662

**Sec. 4513.601.** (A) The owner of a private property may 663  
establish a private tow-away zone, but may do so only if all of 664  
the following conditions are satisfied: 665

(1) The owner of the private property posts on the ~~owner's~~ 666  
property a sign, that is at least eighteen inches by twenty-four 667  
inches in size, that is visible from all entrances to the 668

property, and that includes all of the following information: 669

(a) A statement that the property is a tow-away zone; 670

(b) A description of persons authorized to park on the 671  
property. If the property is a residential property, the owner 672  
of the private property may include on the sign a statement that 673  
only tenants and guests may park in the private tow-away zone, 674  
subject to the terms of the property owner. If the property is a 675  
commercial property, the owner of the private property may 676  
include on the sign a statement that only customers may park in 677  
the private tow-away zone. In all cases, if it is not apparent 678  
which persons may park in the private tow-away zone, the owner 679  
of the private property shall include on the sign the address of 680  
the property on which the private tow-away zone is located or 681  
the name of the business that is located on the property 682  
designated as a private tow-away zone. 683

(c) If the private tow-away zone is not enforceable at all 684  
times, the times during which the parking restrictions are 685  
enforced; 686

(d) The telephone number and the address of the place from 687  
which a towed vehicle may be recovered at any time during the 688  
day or night; 689

(e) A statement that the failure to recover a towed 690  
vehicle may result in the loss of title to the vehicle as 691  
provided in division (B) of section 4505.101 of the Revised 692  
Code. 693

~~Any owner of property that has been established as a 694  
private tow-away zone under section 4513.60 of the Revised Code 695  
as that section existed prior to March 23, 2015, who does not 696  
have a contract with a towing service for the removal of 697~~



~~vehicles from the property may retain existing private tow-away zone signs that comply with that section for up to six months after March 23, 2015. At any time, in~~ In order to comply with the requirements of division ~~(B)~~ (A) (1) of this section, ~~such a property~~ the owner of a private property may modify ~~the an~~ existing sign by affixing to the existing sign stickers or an addendum in lieu of replacing the sign.

(2) A towing service ensures that a vehicle towed under this section is taken to a location from which it may be recovered that complies with all of the following:

(a) It is located within ~~twenty~~ twenty-five linear miles of the location of the private tow-away zone, unless it is not practicable to take the vehicle to a place of storage within ~~twenty~~ twenty-five linear miles.

(b) It is well-lighted.

(c) It is on or within a reasonable distance of a regularly scheduled route of one or more modes of public transportation, if any public transportation is available in the municipal corporation or township in which the private tow-away zone is located.

(B) (1) If a vehicle is parked on private property that is established as a private tow-away zone in accordance with division (A) of this section, without the consent of the owner of the private property or in violation of any posted parking condition or regulation, the owner of the private property may cause the removal of the vehicle by a towing service. The towing service shall remove the vehicle in accordance with this section. The vehicle owner and the operator of the vehicle are considered to have consented to the removal and storage of the

vehicle, to the payment of the applicable fees established ~~under~~ 727  
~~division (G) of this~~ by the public utilities commission in rules 728  
adopted under section 4921.25 of the Revised Code, and to the 729  
right of a towing service to obtain title to the vehicle if it 730  
remains unclaimed as provided in section 4505.101 of the Revised 731  
Code. The owner or lienholder of a vehicle that has been removed 732  
under this section, subject to division (C) of this section, may 733  
recover the vehicle in accordance with division (G) of this 734  
section. 735

(2) If a municipal corporation requires tow trucks and tow 736  
truck operators to be licensed, no owner of a private property 737  
located within the municipal corporation shall cause the removal 738  
and storage of any vehicle pursuant to division (B) of this 739  
section by an unlicensed tow truck or unlicensed tow truck 740  
operator. 741

(3) No towing service shall remove a vehicle from a 742  
private tow-away zone except pursuant to a written contract for 743  
the removal of vehicles entered into with the owner of the 744  
private property on which the private tow-away zone is located. 745

(C) If the owner or operator of a vehicle that is being 746  
removed under authority of division (B) of this section arrives 747  
after the vehicle has been prepared for removal, but prior to 748  
its actual removal from the property, the towing service shall 749  
give the vehicle owner or operator oral or written notification 750  
at the time of such arrival that the vehicle owner or operator 751  
may pay a fee of not more than one-half of the fee for the 752  
removal of the vehicle established by the public utilities 753  
commission in rules adopted under ~~division (G) of this~~ section 754  
4921.25 of the Revised Code in order to obtain release of the 755  
vehicle. That fee may be paid by use of a major credit card 756

unless the towing service uses a mobile credit card processor 757  
and mobile service is not available at the time of the 758  
transaction. Upon payment of that fee, the towing service shall 759  
give the vehicle owner or operator a receipt showing both the 760  
full amount normally assessed and the actual amount received and 761  
shall release the vehicle to the owner or operator. Upon its 762  
release, the owner or operator immediately shall move the 763  
vehicle so that the vehicle is not parked on the private 764  
property established as a private tow-away zone without the 765  
consent of the owner of the private property or in violation of 766  
any posted parking condition or regulation. 767

(D) (1) Prior to towing a vehicle under division (B) of 768  
this section, a towing service shall make all reasonable efforts 769  
to take as many photographs as necessary to evidence that the 770  
vehicle is clearly parked on private property in violation of a 771  
private tow-away zone established under division (A) of this 772  
section. 773

The towing service shall record the time and date of the 774  
photographs taken under this section. The towing service shall 775  
retain the photographs and the record of the time and date, in 776  
electronic or printed form, for at least thirty days after the 777  
date on which the vehicle is recovered by the owner or 778  
lienholder or at least two years after the date on which the 779  
vehicle was towed, whichever is earlier. 780

(2) A towing service shall deliver a vehicle towed under 781  
division (B) of this section to the location from which it may 782  
be recovered not more than two hours after the time it was 783  
removed from the private tow-away zone, unless the towing 784  
service is unable to deliver the motor vehicle within two hours 785  
due to an uncontrollable force, natural disaster, or other event 786

that is not within the power of the towing service. 787

(E) (1) If an owner of a private property that is 788  
established as a private tow-away zone in accordance with 789  
division (A) of this section causes the removal of a vehicle 790  
from that property by a towing service under division (B) of 791  
this section, the towing service, within two hours of removing 792  
the vehicle, shall provide notice to the sheriff of the county 793  
or the police department of the municipal corporation, township, 794  
or township or joint police district in which the property is 795  
located concerning all of the following: 796

(a) The vehicle's license number, make, model, and color; 797

(b) The location from which the vehicle was removed; 798

(c) The date and time the vehicle was removed; 799

(d) The telephone number of the person from whom the 800  
vehicle may be recovered; 801

(e) The address of the place from which the vehicle may be 802  
recovered. 803

(2) Each county sheriff and each chief of police of a 804  
municipal corporation, township, or township or joint police 805  
district shall maintain a record of any vehicle removed from 806  
private property in the sheriff's or chief's jurisdiction that 807  
is established as a private tow-away zone of which the sheriff 808  
or chief has received notice under this section. The record 809  
shall include all information submitted by the towing service. 810  
The sheriff or chief shall provide any information in the record 811  
that pertains to a particular vehicle to a person who, either in 812  
person or pursuant to a telephone call, identifies self as the 813  
owner, operator, or lienholder of the vehicle and requests 814  
information pertaining to the vehicle. 815

(F) (1) When a vehicle is removed from private property in 816  
accordance with this section, ~~the owner of~~ within three business 817  
days of the removal, the towing service or storage facility from 818  
which the vehicle may be recovered shall ~~immediately~~ cause a 819  
search to be made of the records of the bureau of motor vehicles 820  
to ascertain the identity of the owner and any lienholder of the 821  
motor vehicle. The registrar of motor vehicles shall ensure that 822  
such information is provided in a timely manner. Subject to 823  
division (F) (4) of this section, ~~the owner of~~ the towing service 824  
or storage facility shall send notice to the vehicle owner and 825  
any known lienholder as follows: 826

(a) ~~Within five business days of removal of the vehicle~~ 827  
~~from the private tow-away zone after the registrar of motor~~ 828  
~~vehicles provides the identity of the owner and any lienholder~~ 829  
~~of the motor vehicle,~~ if the vehicle ~~has not yet been recovered~~ 830  
~~remains unclaimed,~~ to the owner's and lienholder's last known 831  
address by certified or express mail with return receipt 832  
requested or by a commercial carrier service utilizing any form 833  
of delivery requiring a signed receipt; 834

(b) If the vehicle remains unclaimed thirty days after the 835  
first notice is sent, in the manner ~~authorized in~~ required under 836  
division (F) (1) (a) of this section; 837

(c) If the vehicle remains unclaimed forty-five days after 838  
the first notice is sent, in the manner ~~authorized in~~ required 839  
under division (F) (1) (a) of this section. 840

(2) Sixty days after any notice sent pursuant to division 841  
(F) (1) of this section is received, as evidenced by a receipt 842  
signed by any person, or the towing service or storage facility 843  
has been notified that delivery was not possible, ~~the owner of a~~ 844  
towing service or storage facility, if authorized under division 845

(B) of section 4505.101 of the Revised Code, may initiate the 846  
process for obtaining a certificate of title to the motor 847  
vehicle as provided in that section. 848

(3) A towing service or storage facility that does not 849  
receive a signed receipt of notice, or a notification that 850  
delivery was not possible, shall not obtain, and shall not 851  
attempt to obtain, a certificate of title to the motor vehicle 852  
under division (B) of section 4505.101 of the Revised Code. 853

(4) With respect to a vehicle concerning which a towing 854  
service or storage facility is not eligible to obtain title 855  
under section 4505.101 of the Revised Code, the towing service 856  
or storage facility need only comply with the initial notice 857  
required under division (F) (1) (a) of this section. 858

(G) (1) The owner or lienholder of a vehicle that is 859  
removed under division (B) of this section may reclaim it upon 860  
~~all both~~ of the following: 861

(a) Presentation of proof of ownership, which may be 862  
evidenced by a certificate of title to the vehicle, a 863  
certificate of registration for the motor vehicle, or a lease 864  
agreement; 865

(b) Payment of the following fees: 866

~~(i) Not more than ninety dollars for the removal of the 867  
vehicle. However, if the vehicle has a manufacturer's gross 868  
vehicle weight rating in excess of ten thousand pounds and is a 869  
truck, bus, or a combination of a commercial tractor and trailer 870  
or semitrailer, not more than one hundred fifty dollars for the 871  
removal. 872~~

~~(ii) Not more than twelve dollars per twenty-four-hour 873  
period for the storage of the vehicle. However, if the vehicle 874~~

~~has a manufacturer's gross vehicle weight rating in excess of 875  
ten thousand pounds and is a truck, bus, or a combination of a 876  
commercial tractor and trailer or semitrailer, not more than 877  
twenty dollars per twenty-four-hour period for storage. 878~~

(iii) All applicable fees established by the public 879  
utilities commission in rules adopted under section 4921.25 of 880  
the Revised Code, except that the lienholder of a vehicle may 881  
retrieve the vehicle without paying any storage fee for the 882  
period of time that the vehicle was in the possession of the 883  
towing service or storage facility prior to the date the 884  
lienholder received the notice sent under division (F)(1)(a) of 885  
this section; 886

(ii) If notice has been sent to the owner and lienholder 887  
as described in division (F) of this section, a processing fee 888  
of twenty-five dollars. 889

(2) A towing service or storage facility in possession of 890  
a vehicle that is removed under authority of division (B) of 891  
this section shall show the vehicle owner, operator, or 892  
lienholder who contests the removal of the vehicle all 893  
photographs taken under division (D) of this section. Upon 894  
request, the towing service or storage facility shall provide 895  
~~copies~~ a copy of all photographs in the medium in which the 896  
photographs are stored, whether paper, electronic, or otherwise. 897

(3) When the owner of a vehicle towed under this section 898  
retrieves the vehicle, the towing service or storage facility in 899  
possession of the vehicle shall give the owner written notice 900  
that if the owner disputes that the motor vehicle was lawfully 901  
towed, the owner may be able to file a civil action under 902  
section 4513.611 of the Revised Code. 903

(4) Upon presentation of proof of ownership, which may be 904  
evidenced by a certificate of title to the vehicle, a 905  
certificate of registration for the motor vehicle, or a lease 906  
agreement, the owner of a vehicle that is removed under 907  
authority of division (B) of this section may retrieve any 908  
personal items from the vehicle without retrieving the vehicle 909  
and without paying any fee. The owner of the vehicle shall not 910  
retrieve any personal items from a vehicle if it would endanger 911  
the safety of the owner, unless the owner agrees to sign a 912  
waiver of liability. For purposes of division (G) ~~(3)~~ (4) of this 913  
section, "personal items" do not include any items that are 914  
attached to the vehicle. 915

(H) No ~~towing service or storage facility person~~ shall 916  
remove, or cause the removal of, any vehicle from private 917  
property that is established as a private tow-away zone under 918  
this section ~~or~~ or store such a vehicle other than in accordance 919  
with this section, or otherwise fail to comply with any 920  
applicable requirement of this section. 921

(I) This section does not affect or limit the operation of 922  
section 4513.60 or sections 4513.61 to 4613.65 of the Revised 923  
Code as they relate to property other than private property that 924  
is established as a private tow-away zone under division (A) of 925  
this section. 926

~~(J) The owner of any towing service or storage facility or~~ 927  
~~property owner that~~ Whoever violates division (H) of this 928  
section is guilty of a minor misdemeanor. 929

(K) As used in this section, "owner of a private property" 930  
or "owner of the private property" includes, with respect to a 931  
private property, any of the following: 932



<u>(1) Any person who holds title to the property;</u>	933
<u>(2) Any person who is a lessee or sublessee with respect to a lease or sublease agreement for the property;</u>	934
<u>(3) A person who is authorized to manage the property;</u>	935
<u>(4) A duly authorized agent of any person listed in divisions (K) (1) to (3) of this section.</u>	936
<b>Sec. 4513.61.</b> (A) The sheriff of a county or chief of police of a municipal corporation, township, or township or joint police district, within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action and of the location of the place of storage, may order into storage any motor vehicle, including an abandoned junk motor vehicle as defined in section 4513.63 of the Revised Code, that:	937
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(1) Has come into the possession of the sheriff, chief of police, or state highway patrol trooper as a result of the performance of the sheriff's, chief's, or trooper's duties; or	948
	949
	950
(2) Has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the sheriff or chief of police of the reasons for leaving the motor vehicle in such place. However, when such a motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately unless either of the following applies:	951
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	958
(a) The vehicle was involved in an accident and is subject to section 4513.66 of the Revised Code;	959
	960

(b) The vehicle is a commercial motor vehicle. If the 961  
vehicle is a commercial motor vehicle, the sheriff, chief of 962  
police, or state highway patrol trooper shall allow the owner or 963  
operator of the vehicle the opportunity to arrange for the 964  
removal of the motor vehicle within a period of time specified 965  
by the sheriff, chief of police, or state highway patrol 966  
trooper. If the sheriff, chief of police, or state highway 967  
patrol trooper determines that the vehicle cannot be removed 968  
within the specified period of time, the sheriff, chief of 969  
police, or state highway patrol trooper shall order the removal 970  
of the vehicle. 971

Subject to division (C) of this section, the sheriff or 972  
chief of police shall designate the place of storage of any 973  
motor vehicle so ordered removed. 974

(B) If the sheriff, chief of police, or a state highway 975  
patrol trooper issues an order under division (A) of this 976  
section and arranges for the removal of a motor vehicle by a 977  
towing service, the towing service shall deliver the motor 978  
vehicle to the location designated by the sheriff or chief of 979  
police not more than two hours after the time it is removed. 980

(C) (1) The sheriff or chief of police ~~immediately~~ shall 981  
cause a search to be made of the records of the bureau of motor 982  
vehicles to ascertain the identity of the owner and any 983  
lienholder of a motor vehicle ordered into storage by the 984  
sheriff or chief of police, or by a state highway patrol trooper 985  
within five business days of the removal of the vehicle. Upon 986  
obtaining such identity, the sheriff or chief of police shall 987  
send or cause to be sent to the owner or lienholder at the 988  
owner's or lienholder's last known address by certified mail 989  
with return receipt requested, notice that informs the owner or 990

lienholder that the motor vehicle will be declared a nuisance 991  
and disposed of if not claimed within ten days of the date of 992  
mailing of the notice. 993

(2) The owner or lienholder of the motor vehicle may 994  
reclaim the motor vehicle upon payment of any expenses or 995  
charges incurred in its removal and storage, and presentation of 996  
proof of ownership, which may be evidenced by a certificate of 997  
title or memorandum certificate of title to the motor vehicle, a 998  
certificate of registration for the motor vehicle, or a lease 999  
agreement. Upon presentation of proof of ownership evidenced as 1000  
provided above, the owner of the motor vehicle also may retrieve 1001  
any personal items from the vehicle without retrieving the 1002  
vehicle and without paying any fee. However, a towing service or 1003  
storage facility may charge an after-hours retrieval fee 1004  
established by the public utilities commission in rules adopted 1005  
under section 4921.25 of the Revised Code if the owner retrieves 1006  
the personal items after hours, unless the towing service or 1007  
storage facility fails to provide the notice required under 1008  
division (B) (3) of section 4513.69 of the Revised Code, if 1009  
applicable. However, the owner may shall not retrieve do either 1010  
of the following: 1011

(a) Retrieve any personal item that has been determined by 1012  
the sheriff, chief of police, or a state highway patrol trooper, 1013  
as applicable, to be necessary to a criminal investigation; 1014

(b) Retrieve any personal item from a vehicle if it would 1015  
endanger the safety of the owner, unless the owner agrees to 1016  
sign a waiver of liability. 1017

For purposes of division (C) (2) of this section, "personal 1018  
items" do not include any items that are attached to the 1019  
vehicle. 1020

(3) If the owner or lienholder of the motor vehicle 1021  
reclaims it after a search of the records of the bureau has been 1022  
conducted and after notice has been sent to the owner or 1023  
lienholder as described in this section, and the search was 1024  
conducted by ~~the owner of the place of storage or the owner's~~ 1025  
~~employee~~, and the notice was sent to the motor vehicle owner by 1026  
~~the owner of the place of storage or the owner's employee~~, the 1027  
owner or lienholder shall pay to the place of storage a 1028  
processing fee of twenty-five dollars, in addition to any 1029  
expenses or charges incurred in the removal and storage of the 1030  
vehicle. 1031

(D) If the owner or lienholder makes no claim to the motor 1032  
vehicle within ten days of the date of mailing of the notice, 1033  
and if the vehicle is to be disposed of at public auction as 1034  
provided in section 4513.62 of the Revised Code, the sheriff or 1035  
chief of police, without charge to any party, shall file with 1036  
the clerk of courts of the county in which the place of storage 1037  
is located an affidavit showing compliance with the requirements 1038  
of this section. Upon presentation of the affidavit, the clerk, 1039  
without charge, shall issue a salvage certificate of title, free 1040  
and clear of all liens and encumbrances, to the sheriff or chief 1041  
of police. If the vehicle is to be disposed of to a motor 1042  
vehicle salvage dealer or other facility as provided in section 1043  
4513.62 of the Revised Code, the sheriff or chief of police 1044  
shall execute in triplicate an affidavit, as prescribed by the 1045  
registrar of motor vehicles, describing the motor vehicle and 1046  
the manner in which it was disposed of, and that all 1047  
requirements of this section have been complied with. The 1048  
sheriff or chief of police shall retain the original of the 1049  
affidavit for the sheriff's or chief's records, and shall 1050  
furnish two copies to the motor vehicle salvage dealer or other 1051

facility. Upon presentation of a copy of the affidavit by the 1052  
motor vehicle salvage dealer, the clerk of courts, within thirty 1053  
days of the presentation, shall issue ~~to such owner~~ a salvage 1054  
certificate of title, free and clear of all liens and 1055  
encumbrances. 1056

(E) Whenever a motor vehicle salvage dealer or other 1057  
facility receives an affidavit for the disposal of a motor 1058  
vehicle as provided in this section, the dealer or facility 1059  
shall not be required to obtain an Ohio certificate of title to 1060  
the motor vehicle in the dealer's or facility's own name if the 1061  
vehicle is dismantled or destroyed and both copies of the 1062  
affidavit are delivered to the clerk of courts. 1063

(F) No towing service or storage facility shall fail to 1064  
comply with this section. 1065

**Sec. 4513.611.** (A) As used in this section: 1066

(1) "Minor violation" means any of the following: 1067

(a) Failure to deliver a vehicle to the designated 1068  
location within two hours after removal, unless the towing 1069  
service was unable to deliver the motor vehicle within two hours 1070  
due to an uncontrollable force, natural disaster, or other event 1071  
that was not within the power of the towing service, as required 1072  
under division (A) (2) of section 4513.60 or division (D) (2) of 1073  
section 4513.601 of the Revised Code; 1074

(b) Failure to provide a receipt as required under 1075  
division (B) of section 4513.60 or division (C) of section 1076  
4513.601 of the Revised Code; 1077

(c) Failure to take a towed vehicle to a location that 1078  
meets the requirements of division (A) (2) of section 4513.601 of 1079  
the Revised Code as required under that division; 1080

(d) Failure to comply with any photograph-related requirement established under division (D) (1) or (G) (2) of section 4513.601 of the Revised Code. If a court determines that a towing service or storage facility committed more than one violation of divisions (D) (1) and (G) (2) of section 4513.601 of the Revised Code with regard to the same transaction, the court shall find the towing service or storage facility liable for only one minor violation under this section. 1081  
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(e) Failure to send notice to the owner and any lienholder as required under division (F) (1) (a) of section 4513.601 of the Revised Code; 1089  
1090  
1091

(f) Failure to provide an estimate as required under section 4513.68 of the Revised Code, containing the information required under that section; 1092  
1093  
1094

(g) Charging a fee that does not comply with division (C) of section 4513.68 of the Revised Code if the towing service fee is required to be reduced under that division; 1095  
1096  
1097

(h) Failure to post a notice pertaining to fee limitations as required under division (D) of section 4513.68 of the Revised Code. 1098  
1099  
1100

(2) "Major violation" means any of the following: 1101

(a) Failure to give the owner of a vehicle, who arrives after the owner's vehicle has been prepared for removal but prior to its actual removal, notification that the owner may pay a fee of not more than one-half of the fee for the removal of the vehicle for the immediate release of the vehicle as required under division (B) of section 4513.60 or division (C) of section 4513.601 of the Revised Code; 1102  
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1104  
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(b) Failure to release a vehicle upon payment of not more 1109

than one-half of the fee for the removal of the vehicle as 1110  
permitted under division (B) of section 4513.60 or division (C) 1111  
of section 4513.601 of the Revised Code; 1112

(c) Refusal to allow a vehicle owner to reclaim the 1113  
owner's vehicle upon payment of the applicable fees established 1114  
by the public utilities commission and presentation of proof of 1115  
ownership as permitted under division (D) (1) of section 4513.60 1116  
or division (G) (1) of section 4513.601 of the Revised Code; 1117

(d) Refusal to allow a vehicle owner to retrieve personal 1118  
items from the owner's vehicle under circumstances in which the 1119  
owner is permitted to retrieve personal items under division (D) 1120  
(2) of section 4513.60 or division (G) (4) of section 4513.601 of 1121  
the Revised Code; 1122

(e) Failure to provide notice to the appropriate law 1123  
enforcement agency within two hours of removing a vehicle as 1124  
required under division (E) (1) of section 4513.601 of the 1125  
Revised Code; 1126

(f) Failure to send notice that a vehicle has been towed 1127  
to the vehicle owner and any known lienholder within thirty days 1128  
of removal of the vehicle from a private tow-away zone under 1129  
section 4513.601 of the Revised Code. If a court determines that 1130  
a towing service or storage facility committed a violation 1131  
specified in division (A) (2) (f) of this section and a violation 1132  
of division (A) (1) (e) of this section with regard to the same 1133  
transaction, the court shall find the towing service or storage 1134  
facility liable for only the major violation; 1135

(g) Failure to visibly display the certificate of public 1136  
convenience and necessity number as required under division (B) 1137  
(1) of section 4513.67 of the Revised Code. 1138

(B) (1) A vehicle owner may bring a civil action in a court 1139  
of competent jurisdiction against a towing service or storage 1140  
facility that violates section 4513.60, 4513.601, or 4513.68 of 1141  
the Revised Code commits a major or minor violation. 1142

(2) If a court determines that the towing service or 1143  
storage facility committed the a minor violation, the court 1144  
shall award the vehicle owner the following: 1145

(1) (a) If the towing service or storage facility has not 1146  
committed a prior minor violation within one year of the minor 1147  
violation for which the court has determined the towing service 1148  
or storage facility is liable, one hundred fifty dollars. 1149

(b) If the towing service or storage facility has 1150  
committed one prior minor violation within one year of the minor 1151  
violation for which the court has determined the towing service 1152  
or storage facility is liable, three hundred fifty dollars. 1153

(c) If the towing service or storage facility has 1154  
committed two prior minor violations within one year of the 1155  
minor violation for which the court has determined the towing 1156  
service or storage facility is liable, the violation constitutes 1157  
a major violation and division (B) (3) of this section applies. 1158

(d) If the towing service or storage facility has 1159  
committed three prior minor violations within one year of the 1160  
minor violation for which the court has determined the towing 1161  
service or storage facility is liable, one thousand five hundred 1162  
dollars. 1163

(e) If the towing service or storage facility has 1164  
committed four prior minor violations within one year of the 1165  
minor violation for which the court has determined the towing 1166  
service or storage facility is liable, two thousand dollars. 1167



(f) If the towing service or storage facility has 1168  
committed five prior minor violations within one year of the 1169  
minor violation for which the court has determined the towing 1170  
service or storage facility is liable, the violation constitutes 1171  
a major violation and division (B) (3) of this section applies. 1172

(g) If the towing service or storage facility has 1173  
committed six or seven prior minor violations within one year of 1174  
the minor violation for which the court has determined the 1175  
towing service or storage facility is liable, two thousand five 1176  
hundred dollars. 1177

(h) If the towing service or storage facility has 1178  
committed eight prior minor violations within one year of the 1179  
minor violation for which the court has determined the towing 1180  
service or storage facility is liable, the violation constitutes 1181  
a major violation and division (B) (3) of this section applies. 1182

(3) If a court determines that the towing service or 1183  
storage facility committed a major violation, the court shall 1184  
award the vehicle owner the following: 1185

(a) If the towing service or storage facility has not 1186  
committed any prior major violations within one year of the 1187  
major violation for which the court has determined the towing 1188  
service or storage facility is liable, one thousand dollars; 1189

~~(2)~~ (b) If the towing service or storage facility has 1190  
committed one prior major violation within one year of the major 1191  
violation for which the court has determined the towing service 1192  
or storage facility is liable, two thousand five hundred 1193  
dollars; 1194

~~(3)~~ (c) If the towing service or storage facility has 1195  
committed two prior major violations within one year of the 1196

major violation for which the court has determined the towing 1197  
service or storage facility is liable, ~~two~~ three thousand five 1198  
hundred dollars. In addition, the court shall order the public 1199  
utilities commission to revoke the towing service's or storage 1200  
facility's certificate of public convenience and necessity for 1201  
six months. The commission shall comply with the order. 1202

~~(B)~~ Upon expiration of the six-month revocation under 1203  
division ~~(A)~~ (B) ~~(3)~~ (c) of this section, a court shall not 1204  
consider any violation committed by the towing service or 1205  
storage facility prior to the revocation for purposes of a civil 1206  
action initiated after the expiration of the six-month 1207  
revocation. 1208

(4) If a vehicle owner brings a civil action against a 1209  
towing service or storage facility that alleges multiple minor 1210  
or major violations, the court shall award, with regard to each 1211  
violation for which the towing service or storage facility is 1212  
determined to be liable, a civil penalty as required under 1213  
division (B) (2) or (3) of this section. The court shall consider 1214  
each violation as a separate violation for purposes of 1215  
determining how many violations the towing service or storage 1216  
facility has committed within one year. 1217

(5) In determining if a towing service or storage facility 1218  
has committed prior minor or major violations within the 1219  
applicable one-year period, a court shall consider only 1220  
violations that have been determined by a court of competent 1221  
jurisdiction to have been committed by the towing service or 1222  
storage facility. 1223

(C) In addition to an award made under division ~~(A)~~ (B) of 1224  
this section, if a court determines that a towing service or 1225  
storage facility committed a violation that caused actual 1226

damages, the court shall award the vehicle owner three times the 1227  
actual damages and reasonable attorney's fees. 1228

(D) A court that issues a judgment under this section 1229  
against a towing service or storage facility shall send a copy 1230  
of that judgment to the public utilities commission. The 1231  
commission shall provide a copy of the judgment upon request. 1232

**Sec. 4513.612.** (A) (1) No towing service shall knowingly 1233  
offer or provide monetary compensation in exchange for the 1234  
authorization to tow motor vehicles from a specified location or 1235  
on behalf of the person to whom the towing service offered or 1236  
provided the compensation. 1237

(2) Division (A) (1) of this section does not prohibit a 1238  
towing service from negotiating or reducing towing and storage 1239  
fees. 1240

(B) Whoever violates division (A) of this section is 1241  
guilty of a minor misdemeanor. 1242

**Sec. 4513.67.** (A) As used in this section, "towing 1243  
service" means any for-hire motor carrier that is engaged on an 1244  
intrastate basis anywhere in this state in the business of 1245  
towing a motor vehicle over any public highway in this state. 1246

~~(B) No person shall operate a towing vehicle for a towing 1247~~  
~~service and no person who owns a towing vehicle used by a towing 1248~~  
~~service or has supervisory responsibility over a towing vehicle 1249~~  
~~used by a towing service, shall permit the operation of a towing 1250~~  
vehicle used by a on behalf of the towing service, unless both 1251  
of the following apply: 1252

(1) The towing service holds a valid certificate of public 1253  
convenience and necessity as required by Chapter 4921. of the 1254  
Revised Code; and 1255

(2) The certificate number and business telephone number 1256  
is visibly displayed on both the left and right sides of the 1257  
towing vehicle. 1258

(C) (1) No towing service shall do either of the following: 1259

(a) Fail to make its current certificate of public 1260  
convenience and necessity available for public inspection during 1261  
normal business hours; 1262

(b) Fail to include its certificate number on all written 1263  
estimates, contracts, invoices, and, subject to division (C) (2) 1264  
of this section, advertising. 1265

(2) The public utilities commission, by rule, may exempt 1266  
from the requirements of division (C) (1) of this section any 1267  
type of advertising where the size or nature of the 1268  
advertisement makes it unreasonable to add a certificate number. 1269

(D) (1) Except as provided in division (D) (2) of this 1270  
section, whoever violates division (B) (1) of this section is 1271  
guilty of a minor misdemeanor. A towing service that is issued a 1272  
citation for a violation of division (B) (1) of this section is 1273  
not permitted to enter a written plea of guilty and waive the 1274  
right to contest the citation in a trial but instead must 1275  
designate an agent to appear in person in the proper court to 1276  
answer the charge. If the towing service is convicted of or 1277  
pleads guilty to the offense, the court shall notify the towing 1278  
service that a subsequent offense will result in the seizure and 1279  
impoundment of any tow truck that is used to tow vehicles on 1280  
behalf of the towing service until the towing service obtains a 1281  
certificate of public convenience and necessity. 1282

(2) If a towing service previously has been convicted of 1283  
or pleaded guilty to a violation of division (B) (1) of this 1284

section, a violation of division (B)(1) of this section is a 1285  
misdemeanor and, notwithstanding sections 2929.24 to 2929.28 of 1286  
the Revised Code, the court shall impose upon the towing service 1287  
a fine of five hundred dollars. The court shall require the 1288  
towing service to disclose the license plate number of every 1289  
vehicle used to tow vehicles on behalf of the towing service and 1290  
the court shall order an appropriate law enforcement agency to 1291  
seize and impound all such vehicles. Upon presentation of a 1292  
certificate of public convenience and necessity for the towing 1293  
service, the court shall terminate the order and the law 1294  
enforcement agency in possession of the vehicles shall release 1295  
the vehicles. 1296

(3) The offense established under division (B)(1) of this 1297  
section is a strict liability offense and strict liability is a 1298  
culpable mental state for purposes of section 2901.20 of the 1299  
Revised Code. The designation of this offense as a strict 1300  
liability offense shall not be construed to imply that any other 1301  
offense, for which there is no specified degree of culpability, 1302  
is not a strict liability offense. 1303

**Sec. 4513.68.** (A) If a towing service is removing a motor 1304  
vehicle, and the removal was not authorized under section 1305  
4513.60, 4513.601, 4513.61, or 4513.66 of the Revised Code, 1306  
prior to removing the motor vehicle, the towing service shall 1307  
provide a written estimate of the price for the removal to the 1308  
operator of the motor vehicle ~~unless the operator is~~ 1309  
~~incapacitated, seriously injured, or otherwise unavailable to~~ 1310  
~~accept the estimate. The towing service shall not submit such an~~ 1311  
~~estimate to any repair facility or storage facility to which the~~ 1312  
~~motor vehicle is transported unless the operator of the motor~~ 1313  
~~vehicle meets one of the conditions specified above, if~~ 1314  
requested. 1315

(B) The towing service shall ensure that any estimate 1316  
provided under division (A) of this section includes the fees, 1317  
services to be rendered, and destination of the vehicle. 1318

(C) If a towing service fails to provide a written 1319  
estimate as required by this section, the towing service shall 1320  
not charge fees for the towing and storage of the motor vehicle 1321  
that exceed twenty-five per cent of ~~the~~ any applicable fees 1322  
authorized established by the public utilities commission in 1323  
rules adopted under division (G) (1) (b) of section 4513.601 1324  
division (B) (4) of section 4921.25 of the Revised Code for a 1325  
motor vehicle removed from a private tow-away zone or, if the 1326  
vehicle was towed within a municipal corporation that has 1327  
established vehicle removal and storage fees, twenty-five per 1328  
cent of the fees established by the municipal corporation. 1329

(D) Any storage facility that accepts towed vehicles shall 1330  
conspicuously post a notice at the entrance to the storage 1331  
facility that states the limitation on fees established under 1332  
division (C) of this section. 1333

**Sec. 4513.69.** (A) ~~The owner of a~~ A storage facility shall 1334  
ensure that the facility remains open during both of the 1335  
following periods of time to allow a vehicle owner or lienholder 1336  
to retrieve a vehicle in the possession of the storage facility: 1337

(1) Any time during which a towing service is towing a 1338  
vehicle pursuant to section ~~4513.60, 4513.601, or 4513.61~~ of the 1339  
Revised Code and the vehicle will be held by the storage 1340  
facility; 1341

(2) Between nine o'clock in the morning and noon on the 1342  
day after any day during which the storage facility accepted for 1343  
storage a vehicle towed under section 4513.60, 4513.601, or 1344

4513.61 of the Revised Code. 1345

(B) (1) ~~The owner of a~~ A storage facility that accepts for 1346  
storage vehicles towed under section 4513.60, 4513.601, or 1347  
4513.61 of the Revised Code shall ensure that a notice is 1348  
conspicuously posted at the entrance to the storage facility 1349  
that states the telephone number at which the owner or 1350  
lienholder of a vehicle may contact the owner or a 1351  
representative of the storage facility for the purpose of 1352  
~~retrieving~~ determining whether the person may retrieve a vehicle 1353  
or personal items when the storage facility is closed. The ~~owner~~ 1354  
~~of the~~ storage facility also shall provide that telephone number 1355  
to the sheriff of a county or chief of police of a municipal 1356  
corporation, township, or township or joint police district. The 1357  
~~owner of the~~ storage facility shall ensure that a process is in 1358  
place for purposes of answering calls at all times day or night. 1359

(2) After receiving a call from the owner or lienholder of 1360  
a vehicle who seeks to recover ~~the~~ a vehicle that was towed 1361  
pursuant to section 4513.601 of the Revised Code, the ~~owner of~~ 1362  
~~the~~ storage facility shall ensure that, within three hours of 1363  
receiving the phone call, a representative of the storage 1364  
facility is available to release the vehicle upon being 1365  
presented with proof of ownership of the vehicle, which may be 1366  
evidenced by a certificate of title to the vehicle, a 1367  
certificate of registration for the motor vehicle, or a lease 1368  
agreement, and payment of an after-hours vehicle retrieval fee 1369  
established under section 4921.25 of the Revised Code ~~and along~~ 1370  
with all other applicable fees. 1371

(3) If a storage facility receives a call from a person 1372  
who seeks to recover personal items from a vehicle that was 1373  
towed pursuant to section 4513.60 or 4513.61 of the Revised Code 1374

and the storage facility is not open to the public, the storage 1375  
facility shall notify the person that an after-hours retrieval 1376  
fee applies and shall state the amount of the fee as established 1377  
by the public utilities commission in rules adopted under 1378  
section 4921.25 of the Revised Code. The storage facility shall 1379  
allow the person to retrieve personal items in accordance with 1380  
division (D) (2) of section 4513.60 or division (C) (2) of section 1381  
4513.61 of the Revised Code, but shall not charge an after-hours 1382  
retrieval fee unless notice is provided in accordance with this 1383  
division. 1384

(C) No ~~owner of a~~ storage facility shall fail to comply 1385  
with division (A) or (B) of this section. 1386

**Sec. 4513.70.** (A) (1) An insurance company may commence a 1387  
civil action against a towing service on its own behalf, on 1388  
behalf of the holder of a policy of automobile insurance, or on 1389  
behalf of a motor vehicle owner seeking the recovery of a motor 1390  
vehicle that has been towed and for which a claim has been filed 1391  
with the insurance company, objecting to the amount billed by 1392  
the towing service, or both. The insurance company shall file 1393  
the action in the municipal or county court with territorial 1394  
jurisdiction over the location from which the vehicle was towed 1395  
within thirty days of receipt of the bill for towing services 1396  
from the towing service. If the insurance company objects to the 1397  
amount billed by the towing service, the complaint shall include 1398  
the amount of the bill that is undisputed and the reasons the 1399  
insurance company objects to the remainder of the bill. The 1400  
insurance company shall file, along with the complaint, a copy 1401  
of the bill and any evidence supporting the assertion that the 1402  
billed amount is unreasonable. If the insurance company seeks 1403  
the recovery of the vehicle, the insurance company shall pay to 1404  
the towing service the undisputed amount of the bill. 1405



(2) Upon receipt of payment of the undisputed amount of 1406  
the bill and not later than two business days after receiving 1407  
service of a complaint filed under division (A)(1) of this 1408  
section, the towing service shall release the vehicle that is 1409  
the subject of the complaint to the owner of the vehicle or to a 1410  
representative of the insurance company that filed the 1411  
complaint. If the towing service fails to release the vehicle as 1412  
required under division (A)(2) of this section, the court may 1413  
issue an order that imposes a penalty of up to one hundred 1414  
dollars per day against a towing company for each day the towing 1415  
company violates that division. The towing service shall pay any 1416  
finest assessed under this section to the clerk of courts. 1417

(3) The court shall make a determination as to whether the 1418  
amount charged by the towing service is unreasonable. If the 1419  
court determines that the amount is reasonable, the court shall 1420  
order the insurance company to pay the amount billed minus the 1421  
undisputed amount that the insurance company paid to the towing 1422  
service under division (A)(2) of this section if a payment was 1423  
made under that division. If the court determines that the 1424  
amount charged was unreasonable, the court shall determine a 1425  
reasonable amount and order the insurance company to pay that 1426  
amount minus the undisputed amount that the insurance company 1427  
paid to the towing service under division (A)(2) of this section 1428  
if a payment was made under that division. The court also may 1429  
require either party to pay any additional amount and may impose 1430  
any monetary penalties the court determines to be appropriate. 1431

**Sec. 4921.25.** (A) Any person, firm, copartnership, 1432  
voluntary association, joint-stock association, company, or 1433  
corporation, wherever organized or incorporated, that is engaged 1434  
in the towing of motor vehicles is subject to regulation by the 1435  
public utilities commission as a for-hire motor carrier under 1436

this chapter. 1437

(B) The commission shall adopt rules under Chapter ~~111.~~ 1438  
119. of the Revised Code that do all of the following: 1439

(1) Establish the acceptable scope of public safety 1440  
regulations applicable to a for-hire motor carrier engaged in 1441  
the towing of motor vehicles under section 4513.60, 4513.601, or 1442  
4513.61 of the Revised Code that a county or township may adopt 1443  
pursuant to a resolution; 1444

(2) Establish safety standards for the type of equipment 1445  
necessary to safely remove and tow vehicles based on the type of 1446  
vehicle being removed or towed; 1447

(3) Establish standards for the removal of a vehicle from 1448  
a private tow-away zone by a for-hire motor carrier engaged in 1449  
the towing of motor vehicles in addition to standards and 1450  
requirements established under section 4513.601 of the Revised 1451  
Code. The standards may vary based on whether the private tow- 1452  
away zone is located on residential, retail, or other commercial 1453  
property. 1454

~~(4) Establish an~~ Within one year of the effective date of 1455  
this amendment, establish maximum fees that may be charged by a 1456  
for-hire motor carrier engaged in the towing of motor vehicles 1457  
or a storage facility that accepts such vehicles under sections 1458  
4513.60 and 4513.601 of the Revised Code. 1459

With respect to vehicles removed under section 4513.60 of 1460  
the Revised Code, the fees established under division (B)(4) of 1461  
this section do not apply to a vehicle that is removed or stored 1462  
within a municipal corporation that has established fees for 1463  
vehicle removal and storage. 1464

(5) Establish a process for reviewing the fees established 1465

under division (B) (4) of this section every five years, 1466  
beginning on the five-year anniversary of the date the initial 1467  
rules are adopted, to determine whether the fees are just, 1468  
reasonable, and compensatory. If the commission determines that 1469  
any existing fee is not just, reasonable, or compensatory, the 1470  
commission shall, by rule, adjust the fee so that it is equal to 1471  
an amount that the commission determines to be appropriate. 1472

(6) Establish an after-hours retrieval fee that may be 1473  
charged for purposes of retrieving a vehicle under section 1474  
4513.69 of the Revised Code. 1475

~~(5) or retrieving personal items under section 4513.60 or~~ 1476  
~~4513.61 of the Revised Code. The rules shall permit an after-~~ 1477  
~~hours retrieval fee to be charged only if the entity in~~ 1478  
~~possession of a vehicle is not open to the public and is not~~ 1479  
~~required to be open under division (A) of section 4513.69 of the~~ 1480  
~~Revised Code.~~ 1481

(7) Adopt any other rules necessary to carry out the 1482  
purposes of this section. 1483

**Section 2.** That existing sections 4505.101, 4505.11, 1484  
4513.60, 4513.601, 4513.61, 4513.611, 4513.67, 4513.68, 4513.69, 1485  
and 4921.25 of the Revised Code are hereby repealed. 1486

**Section 3.** (A) Commencing on the effective date of this 1487  
act, and until the public utilities commission adopts rules 1488  
under division (B) (4) of section 4921.25 of the Revised Code, a 1489  
towing service shall charge not more than the following for the 1490  
removal and storage of a vehicle under section 4513.60 or 1491  
4513.601 of the Revised Code: 1492

(1) A maximum fee for the removal of a vehicle equal to 1493  
ninety dollars; or for a vehicle that has a manufacturer's gross 1494

vehicle weight rating in excess of ten thousand pounds that is a 1495  
truck, bus, or a combination of commercial tractor and trailer 1496  
or semitrailer, a maximum fee equal to one hundred fifty 1497  
dollars; 1498

(2) A maximum storage fee equal to twelve dollars per 1499  
twenty-four-hour period; or for a vehicle that has a 1500  
manufacturer's gross vehicle weight rating in excess of ten 1501  
thousand pounds that is a truck, bus, or a combination of 1502  
commercial tractor and trailer or semitrailer, a maximum storage 1503  
fee equal to twenty dollars per twenty-four-hour period. 1504

(B) Notwithstanding division (A) of this section, with 1505  
regard to a vehicle that is removed under section 4513.60 of the 1506  
Revised Code within a municipal corporation that has established 1507  
fees for vehicle removal and storage, a towing service may 1508  
charge those fees, if applicable. 1509

**Section 4.** Section 4505.11 of the Revised Code is 1510  
presented in this act as a composite of the section as amended 1511  
by both Sub. H.B. 468 and Am. Sub. S.B. 274 of the 130th General 1512  
Assembly. The General Assembly, applying the principle stated in 1513  
division (B) of section 1.52 of the Revised Code that amendments 1514  
are to be harmonized if reasonably capable of simultaneous 1515  
operation, finds that the composite is the resulting version of 1516  
the section in effect prior to the effective date of the section 1517  
as presented in this act. 1518