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Sub. S. B. No. 162

Senator Reineke

Cosponsors: Senators Blessing, Cirino, Craig, Hackett, Huffman, S., Lang, Maharath, Manning, Romanchuk, Sykes, Thomas, Wilson, Yuko Representatives Baldrige, McClain, Creech, Ghanbari, Hall, Johnson, Miller, K., Boyd, Carruthers, Click, Crossman, Galonski, Ginter, Holmes, Ingram, Jones, Lightbody, Miller, J., O'Brien, Patton, Richardson, Riedel, Sheehy, Sobecki, Stein, Swearingen, Young, T.

A BILL

To amend sections 4503.10, 4503.12, 4505.101, 1
4505.103, 4505.104, 4513.601, 4513.602, 2
4513.603, 4513.61, 4513.611, 5537.04, 5537.07, 3
and 5537.16 and to enact sections 5537.041 and 4
5537.29 of the Revised Code to expand the 5
authority of the Ohio Turnpike and 6
Infrastructure Commission regarding evasion of 7
tolls on the Ohio turnpike and disclosure of 8
personal information, and to make changes to the 9
title search conducted after a tow and the 10
mechanisms of notice sent to a towed vehicle's 11
owner. 12

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

Section 1. That sections 4503.10, 4503.12, 4505.101, 13
4505.103, 4505.104, 4513.601, 4513.602, 4513.603, 4513.61, 14
4513.611, 5537.04, 5537.07, and 5537.16 be amended and sections 15

5537.041 and 5537.29 of the Revised Code be enacted to read as 16
follows: 17

Sec. 4503.10. (A) The owner of every snowmobile, off- 18
highway motorcycle, and all-purpose vehicle required to be 19
registered under section 4519.02 of the Revised Code shall file 20
an application for registration under section 4519.03 of the 21
Revised Code. The owner of a motor vehicle, other than a 22
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 23
is not designed and constructed by the manufacturer for 24
operation on a street or highway may not register it under this 25
chapter except upon certification of inspection pursuant to 26
section 4513.02 of the Revised Code by the sheriff, or the chief 27
of police of the municipal corporation or township, with 28
jurisdiction over the political subdivision in which the owner 29
of the motor vehicle resides. Except as provided in section 30
4503.103 of the Revised Code, every owner of every other motor 31
vehicle not previously described in this section and every 32
person mentioned as owner in the last certificate of title of a 33
motor vehicle that is operated or driven upon the public roads 34
or highways shall cause to be filed each year, by mail or 35
otherwise, in the office of the registrar of motor vehicles or a 36
deputy registrar, a written or electronic application or a 37
preprinted registration renewal notice issued under section 38
4503.102 of the Revised Code, the form of which shall be 39
prescribed by the registrar, for registration for the following 40
registration year, which shall begin on the first day of January 41
of every calendar year and end on the thirty-first day of 42
December in the same year. Applications for registration and 43
registration renewal notices shall be filed at the times 44
established by the registrar pursuant to section 4503.101 of the 45
Revised Code. A motor vehicle owner also may elect to apply for 46

or renew a motor vehicle registration by electronic means using 47
electronic signature in accordance with rules adopted by the 48
registrar. Except as provided in division (J) of this section, 49
applications for registration shall be made on blanks furnished 50
by the registrar for that purpose, containing the following 51
information: 52

(1) A brief description of the motor vehicle to be 53
registered, including the year, make, model, and vehicle 54
identification number, and, in the case of commercial cars, the 55
gross weight of the vehicle fully equipped computed in the 56
manner prescribed in section 4503.08 of the Revised Code; 57

(2) The name and residence address of the owner, and the 58
township and municipal corporation in which the owner resides; 59

(3) The district of registration, which shall be 60
determined as follows: 61

(a) In case the motor vehicle to be registered is used for 62
hire or principally in connection with any established business 63
or branch business, conducted at a particular place, the 64
district of registration is the municipal corporation in which 65
that place is located or, if not located in any municipal 66
corporation, the county and township in which that place is 67
located. 68

(b) In case the vehicle is not so used, the district of 69
registration is the municipal corporation or county in which the 70
owner resides at the time of making the application. 71

(4) Whether the motor vehicle is a new or used motor 72
vehicle; 73

(5) The date of purchase of the motor vehicle; 74

(6) Whether the fees required to be paid for the 75
registration or transfer of the motor vehicle, during the 76
preceding registration year and during the preceding period of 77
the current registration year, have been paid. Each application 78
for registration shall be signed by the owner, either manually 79
or by electronic signature, or pursuant to obtaining a limited 80
power of attorney authorized by the registrar for registration, 81
or other document authorizing such signature. If the owner 82
elects to apply for or renew the motor vehicle registration with 83
the registrar by electronic means, the owner's manual signature 84
is not required. 85

(7) The owner's social security number, driver's license 86
number, or state identification number, or, where a motor 87
vehicle to be registered is used for hire or principally in 88
connection with any established business, the owner's federal 89
taxpayer identification number. The bureau of motor vehicles 90
shall retain in its records all social security numbers provided 91
under this section, but the bureau shall not place social 92
security numbers on motor vehicle certificates of registration. 93

(B) Except as otherwise provided in this division, each 94
time an applicant first registers a motor vehicle in the 95
applicant's name, the applicant shall present for inspection a 96
physical certificate of title or memorandum certificate showing 97
title to the motor vehicle to be registered in the name of the 98
applicant if a physical certificate of title or memorandum 99
certificate has been issued by a clerk of a court of common 100
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 101
Revised Code, a clerk instead has issued an electronic 102
certificate of title for the applicant's motor vehicle, that 103
certificate may be presented for inspection at the time of first 104
registration in a manner prescribed by rules adopted by the 105

registrar. An applicant is not required to present a certificate 106
of title to an electronic motor vehicle dealer acting as a 107
limited authority deputy registrar in accordance with rules 108
adopted by the registrar. When a motor vehicle inspection and 109
maintenance program is in effect under section 3704.14 of the 110
Revised Code and rules adopted under it, each application for 111
registration for a vehicle required to be inspected under that 112
section and those rules shall be accompanied by an inspection 113
certificate for the motor vehicle issued in accordance with that 114
section. The application shall be refused if any of the 115
following applies: 116

(1) The application is not in proper form. 117

(2) The application is prohibited from being accepted by 118
division (D) of section 2935.27, division (A) of section 119
2937.221, division (A) of section 4503.13, division (B) of 120
section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 121
division (B) of section 5537.041 of the Revised Code. 122

(3) A certificate of title or memorandum certificate of 123
title is required but does not accompany the application or, in 124
the case of an electronic certificate of title, is required but 125
is not presented in a manner prescribed by the registrar's 126
rules. 127

(4) All registration and transfer fees for the motor 128
vehicle, for the preceding year or the preceding period of the 129
current registration year, have not been paid. 130

(5) The owner or lessee does not have an inspection 131
certificate for the motor vehicle as provided in section 3704.14 132
of the Revised Code, and rules adopted under it, if that section 133
is applicable. 134

This section does not require the payment of license or 135
registration taxes on a motor vehicle for any preceding year, or 136
for any preceding period of a year, if the motor vehicle was not 137
taxable for that preceding year or period under sections 138
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 139
of the Revised Code. When a certificate of registration is 140
issued upon the first registration of a motor vehicle by or on 141
behalf of the owner, the official issuing the certificate shall 142
indicate the issuance with a stamp on the certificate of title 143
or memorandum certificate or, in the case of an electronic 144
certificate of title, an electronic stamp or other notation as 145
specified in rules adopted by the registrar, and with a stamp on 146
the inspection certificate for the motor vehicle, if any. The 147
official also shall indicate, by a stamp or by other means the 148
registrar prescribes, on the registration certificate issued 149
upon the first registration of a motor vehicle by or on behalf 150
of the owner the odometer reading of the motor vehicle as shown 151
in the odometer statement included in or attached to the 152
certificate of title. Upon each subsequent registration of the 153
motor vehicle by or on behalf of the same owner, the official 154
also shall so indicate the odometer reading of the motor vehicle 155
as shown on the immediately preceding certificate of 156
registration. 157

The registrar shall include in the permanent registration 158
record of any vehicle required to be inspected under section 159
3704.14 of the Revised Code the inspection certificate number 160
from the inspection certificate that is presented at the time of 161
registration of the vehicle as required under this division. 162

(C) (1) Except as otherwise provided in division (C) (1) of 163
this section, the registrar and each deputy registrar shall 164
collect an additional fee of eleven dollars for each application 165

for registration and registration renewal received. For vehicles 166
specified in divisions (A) (1) to (21) of section 4503.042 of the 167
Revised Code, the registrar and deputy registrar shall collect 168
an additional fee of thirty dollars for each application for 169
registration and registration renewal received. No additional 170
fee shall be charged for vehicles registered under section 171
4503.65 of the Revised Code. The additional fee is for the 172
purpose of defraying the department of public safety's costs 173
associated with the administration and enforcement of the motor 174
vehicle and traffic laws of Ohio. Each deputy registrar shall 175
transmit the fees collected under divisions (C) (1), (3), and (4) 176
of this section in the time and manner provided in this section. 177
The registrar shall deposit all moneys received under division 178
(C) (1) of this section into the public safety - highway purposes 179
fund established in section 4501.06 of the Revised Code. 180

(2) In addition, a charge of twenty-five cents shall be 181
made for each reflectorized safety license plate issued, and a 182
single charge of twenty-five cents shall be made for each county 183
identification sticker or each set of county identification 184
stickers issued, as the case may be, to cover the cost of 185
producing the license plates and stickers, including material, 186
manufacturing, and administrative costs. Those fees shall be in 187
addition to the license tax. If the total cost of producing the 188
plates is less than twenty-five cents per plate, or if the total 189
cost of producing the stickers is less than twenty-five cents 190
per sticker or per set issued, any excess moneys accruing from 191
the fees shall be distributed in the same manner as provided by 192
section 4501.04 of the Revised Code for the distribution of 193
license tax moneys. If the total cost of producing the plates 194
exceeds twenty-five cents per plate, or if the total cost of 195
producing the stickers exceeds twenty-five cents per sticker or 196

per set issued, the difference shall be paid from the license 197
tax moneys collected pursuant to section 4503.02 of the Revised 198
Code. 199

(3) The registrar and each deputy registrar shall collect 200
an additional fee of two hundred dollars for each application 201
for registration or registration renewal received for any plug- 202
in electric motor vehicle. The fee shall be prorated based on 203
the number of months for which the plug-in electric motor 204
vehicle is registered. The registrar shall transmit all money 205
arising from the fee imposed by division (C) (3) of this section 206
to the treasurer of state for distribution in accordance with 207
division (E) of section 5735.051 of the Revised Code, subject to 208
division (D) of section 5735.05 of the Revised Code. 209

(4) The registrar and each deputy registrar shall collect 210
an additional fee of one hundred dollars for each application 211
for registration or registration renewal received for any hybrid 212
motor vehicle. The fee shall be prorated based on the number of 213
months for which the hybrid motor vehicle is registered. The 214
registrar shall transmit all money arising from the fee imposed 215
by division (C) (4) of this section to the treasurer of state for 216
distribution in accordance with division (E) of section 5735.051 217
of the Revised Code, subject to division (D) of section 5735.05 218
of the Revised Code. 219

The fees established under divisions (C) (3) and (4) of 220
this section shall not be imposed until January 1, 2020. 221

(D) Each deputy registrar shall be allowed a fee equal to 222
the amount established under section 4503.038 of the Revised 223
Code for each application for registration and registration 224
renewal notice the deputy registrar receives, which shall be for 225
the purpose of compensating the deputy registrar for the deputy 226

registrar's services, and such office and rental expenses, as 227
may be necessary for the proper discharge of the deputy 228
registrar's duties in the receiving of applications and renewal 229
notices and the issuing of registrations. 230

(E) Upon the certification of the registrar, the county 231
sheriff or local police officials shall recover license plates 232
erroneously or fraudulently issued. 233

(F) Each deputy registrar, upon receipt of any application 234
for registration or registration renewal notice, together with 235
the license fee and any local motor vehicle license tax levied 236
pursuant to Chapter 4504. of the Revised Code, shall transmit 237
that fee and tax, if any, in the manner provided in this 238
section, together with the original and duplicate copy of the 239
application, to the registrar. The registrar, subject to the 240
approval of the director of public safety, may deposit the funds 241
collected by those deputies in a local bank or depository to the 242
credit of the "state of Ohio, bureau of motor vehicles." Where a 243
local bank or depository has been designated by the registrar, 244
each deputy registrar shall deposit all moneys collected by the 245
deputy registrar into that bank or depository not more than one 246
business day after their collection and shall make reports to 247
the registrar of the amounts so deposited, together with any 248
other information, some of which may be prescribed by the 249
treasurer of state, as the registrar may require and as 250
prescribed by the registrar by rule. The registrar, within three 251
days after receipt of notification of the deposit of funds by a 252
deputy registrar in a local bank or depository, shall draw on 253
that account in favor of the treasurer of state. The registrar, 254
subject to the approval of the director and the treasurer of 255
state, may make reasonable rules necessary for the prompt 256
transmittal of fees and for safeguarding the interests of the 257

state and of counties, townships, municipal corporations, and 258
transportation improvement districts levying local motor vehicle 259
license taxes. The registrar may pay service charges usually 260
collected by banks and depositories for such service. If deputy 261
registrars are located in communities where banking facilities 262
are not available, they shall transmit the fees forthwith, by 263
money order or otherwise, as the registrar, by rule approved by 264
the director and the treasurer of state, may prescribe. The 265
registrar may pay the usual and customary fees for such service. 266

(G) This section does not prevent any person from making 267
an application for a motor vehicle license directly to the 268
registrar by mail, by electronic means, or in person at any of 269
the registrar's offices, upon payment of a service fee equal to 270
the amount established under section 4503.038 of the Revised 271
Code for each application. 272

(H) No person shall make a false statement as to the 273
district of registration in an application required by division 274
(A) of this section. Violation of this division is falsification 275
under section 2921.13 of the Revised Code and punishable as 276
specified in that section. 277

(I) (1) Where applicable, the requirements of division (B) 278
of this section relating to the presentation of an inspection 279
certificate issued under section 3704.14 of the Revised Code and 280
rules adopted under it for a motor vehicle, the refusal of a 281
license for failure to present an inspection certificate, and 282
the stamping of the inspection certificate by the official 283
issuing the certificate of registration apply to the 284
registration of and issuance of license plates for a motor 285
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 286
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 287

4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised Code.	288
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(2) (a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate with an application for registration or preregistration.	290
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(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.	298
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(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code,	315
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shall be made to the registrar on forms furnished by the 318
registrar. In accordance with international registration plan 319
guidelines and pursuant to rules adopted by the registrar, the 320
forms shall include the following: 321

(1) A uniform mileage schedule; 322

(2) The gross vehicle weight of the vehicle or combined 323
gross vehicle weight of the combination vehicle as declared by 324
the registrant; 325

(3) Any other information the registrar requires by rule. 326

(K) The registrar shall determine the feasibility of 327
implementing an electronic commercial fleet licensing and 328
management program that will enable the owners of commercial 329
tractors, commercial trailers, and commercial semitrailers to 330
conduct electronic transactions by July 1, 2010, or sooner. If 331
the registrar determines that implementing such a program is 332
feasible, the registrar shall adopt new rules under this 333
division or amend existing rules adopted under this division as 334
necessary in order to respond to advances in technology. 335

If international registration plan guidelines and 336
provisions allow member jurisdictions to permit applications for 337
registrations under the international registration plan to be 338
made via the internet, the rules the registrar adopts under this 339
division shall permit such action. 340

Sec. 4503.12. (A) Upon the transfer of ownership of a 341
motor vehicle, the registration of the motor vehicle expires, 342
and the original owner immediately shall remove the license 343
plates from the motor vehicle, except that: 344

(1) If a statutory merger or consolidation results in the 345
transfer of ownership of a motor vehicle from a constituent 346

corporation to the surviving corporation, or if the 347
incorporation of a proprietorship or partnership results in the 348
transfer of ownership of a motor vehicle from the proprietorship 349
or partnership to the corporation, the registration shall be 350
continued upon the filing by the surviving or new corporation, 351
within thirty days of such transfer, of an application for an 352
amended certificate of registration. Upon a proper filing, the 353
registrar of motor vehicles shall issue an amended certificate 354
of registration in the name of the new owner. 355

(2) If the death of the owner of a motor vehicle results 356
in the transfer of ownership of the motor vehicle to the 357
surviving spouse of the owner or if a motor vehicle is owned by 358
two persons under joint ownership with right of survivorship 359
established under section 2131.12 of the Revised Code and one of 360
those persons dies, the registration shall be continued upon the 361
filing by the survivor of an application for an amended 362
certificate of registration. In relation to a motor vehicle that 363
is owned by two persons under joint ownership with right of 364
survivorship established under section 2131.12 of the Revised 365
Code, the application shall be accompanied by a copy of the 366
certificate of title that specifies that the vehicle is owned 367
under joint ownership with right of survivorship. Upon a proper 368
filing, the registrar shall issue an amended certificate of 369
registration in the name of the survivor. 370

(3) If the death of the owner of a motor vehicle results 371
in the transfer of ownership of the motor vehicle to a transfer- 372
on-death beneficiary or beneficiaries designated under section 373
2131.13 of the Revised Code, the registration shall be continued 374
upon the filing by the transfer-on-death beneficiary or 375
beneficiaries of an application for an amended certificate of 376
registration. The application shall be accompanied by a copy of 377

the certificate of title that specifies that the owner of the 378
motor vehicle has designated the motor vehicle in beneficiary 379
form under section 2131.13 of the Revised Code. Upon a proper 380
filing, the registrar shall issue an amended certificate of 381
registration in the name of the transfer-on-death beneficiary or 382
beneficiaries. 383

(4) If the original owner of a motor vehicle that has been 384
transferred makes application for the registration of another 385
motor vehicle at any time during the remainder of the 386
registration period for which the transferred motor vehicle was 387
registered, the owner may file an application for transfer of 388
the registration and, where applicable, the license plates. The 389
transfer of the registration and, where applicable, the license 390
plates from the motor vehicle for which they originally were 391
issued to a succeeding motor vehicle purchased by the same 392
person in whose name the original registration and license 393
plates were issued shall be done within a period not to exceed 394
thirty days. During that thirty-day period, the license plates 395
from the motor vehicle for which they originally were issued may 396
be displayed on the succeeding motor vehicle, and the succeeding 397
motor vehicle may be operated on the public roads and highways 398
in this state. 399

At the time of application for transfer, the registrar 400
shall compute and collect the amount of tax due on the 401
succeeding motor vehicle, based upon the amount that would be 402
due on a new registration as of the date on which the transfer 403
is made less a credit for the unused portion of the original 404
registration beginning on that date. If the credit exceeds the 405
amount of tax due on the new registration, no refund shall be 406
made. In computing the amount of tax due and credits to be 407
allowed under this division, the provisions of division (B) (1) 408

(a) and (b) of section 4503.11 of the Revised Code shall apply. 409
As to passenger cars, noncommercial vehicles, motor homes, and 410
motorcycles, transfers within or between these classes of motor 411
vehicles only shall be allowed. If the succeeding motor vehicle 412
is of a different class than the motor vehicle for which the 413
registration originally was issued, new license plates also 414
shall be issued upon the surrender of the license plates 415
originally issued and payment of the fees provided in divisions 416
(C) and (D) of section 4503.10 of the Revised Code. 417

(5) The owner of a commercial car having a gross vehicle 418
weight or combined gross vehicle weight of more than ten 419
thousand pounds may transfer the registration of that commercial 420
car to another commercial car the owner owns without 421
transferring ownership of the first commercial car. At any time 422
during the remainder of the registration period for which the 423
first commercial car was registered, the owner may file an 424
application for the transfer of the registration and, where 425
applicable, the license plates, accompanied by the certificate 426
of registration of the first commercial car. The amount of any 427
tax due or credit to be allowed for a transfer of registration 428
under this division shall be computed in accordance with 429
division (A) (4) of this section. 430

No commercial car to which a registration is transferred 431
under this division shall be operated on a public road or 432
highway in this state until after the transfer of registration 433
is completed in accordance with this division. 434

(6) Upon application to the registrar or a deputy 435
registrar, a person who owns or leases a motor vehicle may 436
transfer special license plates assigned to that vehicle to any 437
other vehicle that the person owns or leases or that is owned or 438

leased by the person's spouse. As appropriate, the application 439
also shall be accompanied by a power of attorney for the 440
registration of a leased vehicle and a written statement 441
releasing the special plates to the applicant. Upon a proper 442
filing, the registrar or deputy registrar shall assign the 443
special license plates to the motor vehicle owned or leased by 444
the applicant and issue a new certificate of registration for 445
that motor vehicle. 446

(7) If a corporation transfers the ownership of a motor 447
vehicle to an affiliated corporation, the affiliated corporation 448
may apply to the registrar for the transfer of the registration 449
and any license plates. The registrar may require the applicant 450
to submit documentation of the corporate relationship and shall 451
determine whether the application for registration transfer is 452
made in good faith and not for the purposes of circumventing the 453
provisions of this chapter. Upon a proper filing, the registrar 454
shall issue an amended certificate of registration in the name 455
of the new owner. 456

(B) An application under division (A) of this section 457
shall be accompanied by a service fee equal to the amount 458
established under section 4503.038 of the Revised Code, a 459
transfer fee of one dollar, and the original certificate of 460
registration, if applicable. 461

(C) Neither the registrar nor a deputy registrar shall 462
transfer a registration under division (A) of this section if 463
the registration is prohibited by division (D) of section 464
2935.27, division (A) of section 2937.221, division (A) of 465
section 4503.13, division (D) of section 4503.234, division (B) 466
of section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 467
division (B) of section 5537.041 of the Revised Code. 468

(D) Whoever violates division (A) of this section is 469
guilty of a misdemeanor of the fourth degree. 470

(E) As used in division (A) (6) of this section, "special 471
license plates" means either of the following: 472

(1) Any license plates for which the person to whom the 473
license plates are issued must pay an additional fee in excess 474
of the fees prescribed in section 4503.04 of the Revised Code, 475
Chapter 4504. of the Revised Code, and the service fee 476
prescribed in division (D) or (G) of section 4503.10 of the 477
Revised Code; 478

(2) License plates issued under section 4503.44 of the 479
Revised Code. 480

Sec. 4505.101. (A) (1) Any repair garage or place of 481
storage in which a motor vehicle with a value of less than three 482
thousand five hundred dollars has been left unclaimed for 483
fifteen days or more following completion of the requested 484
repair or the agreed term of storage shall send ~~by certified~~ 485
~~mail, return receipt requested, a notice to remove the motor~~ 486
vehicle to the last known address of any owner and any 487
lienholder of the motor vehicle ~~a notice to remove the motor~~ 488
vehicle. The repair garage or place of storage shall send the 489
notice by certified or express mail with return receipt 490
requested, by certified mail with electronic tracking, or by a 491
commercial carrier service utilizing any form of delivery 492
requiring a signed receipt. In order to identify any owner or 493
lienholder, prior to sending a notice, the repair garage or 494
place of storage shall cause a search to be made of the records 495
of ~~the bureau of motor vehicles~~ an applicable entity listed in 496
division (F) (1) of section 4513.601 of the Revised Code. Any 497
notice to a lienholder shall state where the motor vehicle is 498

located and the value of the vehicle. If the person who 499
requested the repair or who agreed to the storage of the motor 500
vehicle is not the owner or a lienholder of the motor vehicle as 501
indicated in the title records of the bureau, the repair garage 502
or place of storage also shall notify the sheriff of the county 503
or the police department of the municipal corporation, township, 504
port authority, or township or joint police district in which 505
the repair garage or place of storage is located that the repair 506
garage or place of storage is in possession of the vehicle. 507

(2) The repair garage or place of storage may obtain a 508
certificate of title to the motor vehicle if all of the 509
following apply: 510

(a) The motor vehicle remains unclaimed by any owner or 511
lienholder of the vehicle for fifteen days after the ~~mailing~~ 512
sending of all the required notices~~notice~~. 513

(b) For ~~each the~~ notice, the repair garage or place of 514
storage has either received the signed receipt ~~from the~~ 515
~~certified mail~~ or has been notified that the delivery was not 516
possible. Unless the lienholder claims the motor vehicle within 517
fifteen days from the mailing sending of the notice, the 518
lienholder's lien is invalid. 519

(c) An agent of the repair garage or place of storage that 520
~~mailed sent~~ the notice executes an affidavit, in a form 521
established by the registrar of motor vehicles by rule, 522
affirming that all of the requirements of this section necessary 523
to authorize the issuance of a certificate of title for the 524
motor vehicle have been met. The affidavit shall set forth an 525
itemized statement of the value of the motor vehicle; the length 526
of time that the motor vehicle has remained unclaimed; that a 527
notice to remove the vehicle has been mailed sent to any titled 528

owner or lienholder ~~by certified mail, return receipt~~ 529
~~requested~~ in a manner authorized by division (A) (1) of this 530
section; and that a search of ~~the title records of the bureau of~~ 531
~~motor vehicles~~ has been made in accordance with division (A) (1) 532
of this section. 533

(B) A towing service or storage facility that is in 534
possession of a vehicle may obtain a certificate of title to the 535
vehicle as provided in division (C) of this section if all of 536
the following apply: 537

(1) The vehicle was towed under division (B) of section 538
4513.601 of the Revised Code. 539

(2) The vehicle has a value of less than three thousand 540
five hundred dollars. 541

(3) The vehicle has been left unclaimed for sixty days 542
after the date the earliest notice required by division ~~(F) (1)~~ 543
(F) of section 4513.601 of the Revised Code is received, as 544
evidenced by a receipt signed by any person, or the towing 545
service or storage facility has been notified that the delivery 546
was not possible. 547

(4) An agent of the towing service or storage facility 548
executes an affidavit, in a form established by the registrar of 549
motor vehicles by rule, affirming that all of the requirements 550
of this section necessary to authorize the issuance of a 551
certificate of title for the motor vehicle have been met. The 552
affidavit shall set forth an itemized statement of the value of 553
the motor vehicle; that notices to remove the vehicle have been 554
~~mailed sent~~ to the owner and any lienholder as required under 555
division (F) of section 4513.601 of the Revised Code; the length 556
of time that the motor vehicle has remained unclaimed after the 557

date the earliest notice required under division (F) of section 558
4513.601 of the Revised Code was received or the towing service 559
or storage facility was notified that delivery was not possible; 560
and that a search of the records of the ~~bureau of motor vehicles~~ 561
applicable entity has been made for outstanding liens on the 562
motor vehicle. 563

(C) (1) The clerk of courts shall issue a certificate of 564
title, free and clear of all liens and encumbrances as follows: 565

(a) To a repair garage or place of storage that presents 566
an affidavit that complies with all of the requirements of 567
division (A) of this section; 568

(b) To a towing service or storage facility that presents 569
an affidavit in compliance with division (B) of this section. 570

(2) A repair garage or place of storage may use the 571
process established under division (A) of this section in order 572
to take title to a motor vehicle even if the person who 573
requested the repair or who agreed to the storage of the motor 574
vehicle is not the owner or a lienholder of the motor vehicle as 575
indicated in the title records ~~of the bureau of motor vehicles~~. 576

(3) Upon receipt of the certificate of title, a repair 577
garage or place of storage, or a towing service or storage 578
facility, shall pay to the clerk of courts the value of the 579
motor vehicle minus both of the following: 580

(a) If the motor vehicle was towed by the party seeking 581
title to the motor vehicle under this section, a towing fee; 582

(b) Storage fees for the period of time the vehicle was 583
stored without payment. 584

The clerk of courts shall deposit any money received under 585

this section into the county general fund. 586

(D) Whoever violates this section shall be fined not more 587
than two hundred dollars, imprisoned not more than ninety days, 588
or both. 589

(E) As used in this section: 590

(1) "Repair garage or place of storage" means any business 591
with which a person entered into an agreement for the repair of 592
a motor vehicle or any business with which a person entered into 593
an agreement for the storage of a motor vehicle. 594

(2) "Towing service or storage facility" means any for- 595
hire motor carrier that removes a motor vehicle under the 596
authority of section 4513.601 of the Revised Code and any place 597
to which such a for-hire motor carrier delivers a motor vehicle 598
towed under that section. 599

(3) "Value" means the wholesale value for that make and 600
model of motor vehicle at the time an affidavit is submitted 601
under division (C) of this section, as provided in a vehicle 602
valuation guide that is generally available and recognized by 603
the motor vehicle industry, minus both of the following: 604

(a) The estimated cost of repairs to restore the motor 605
vehicle to the wholesale value for that make and model of motor 606
vehicle; 607

(b) The cost of any agreed-upon repairs. 608

Sec. 4505.103. (A) As used in this section: 609

(1) "Authorized entity" means any business with which a 610
person entered into an agreement for the repair of a motor 611
vehicle, any for-hire motor carrier that tows motor vehicles, or 612
any place to which such a for-hire motor carrier delivers a 613

towed motor vehicle for storage. 614

(2) "Motor vehicle salvage dealer" has the same meaning as 615
in section 4738.01 of the Revised Code. 616

(3) "Scrap metal processing facility" has the same meaning 617
as in section 4737.05 of the Revised Code. 618

(4) "Value" means the wholesale value for that make and 619
model of motor vehicle at the time an affidavit is submitted 620
under this section, as provided in a vehicle valuation guide 621
that is generally available and recognized by the motor vehicle 622
industry, minus all of the following: 623

(a) The estimated cost of repairs to restore the motor 624
vehicle to the wholesale value for that make and model of motor 625
vehicle; 626

(b) If the motor vehicle was towed by the party seeking 627
title to the motor vehicle under this section, a towing fee; 628

(c) Storage fees for the period of time that the vehicle 629
was stored without payment, up to a maximum of thirty days of 630
storage fees. 631

(B) (1) An authorized entity may obtain a salvage 632
certificate of title to a motor vehicle in the possession of the 633
authorized entity for purposes of disposing of the motor vehicle 634
through a motor vehicle salvage dealer or a scrap metal 635
processing facility if all of the following apply to the motor 636
vehicle: 637

(a) The motor vehicle has a value of less than one 638
thousand five hundred dollars. 639

(b) The motor vehicle is inoperable. 640

(c) The motor vehicle is impossible to restore for highway operation. 641
642

(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~~ an applicable entity listed in division (F) (1) of section 4513.601 of the Revised Code to ascertain the identity of the owner and any lienholder of the motor vehicle. ~~The registrar of motor vehicles shall ensure that such information is provided in a timely manner.~~ Within eight business days after ~~the registrar provides~~ receiving the identity of the owner and any lienholder of the motor vehicle, if the vehicle remains unclaimed, the authorized entity shall send written notice to any owner and any lienholder of the vehicle by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. If the motor vehicle came into the possession of a towing service or storage facility as a result of being towed, the notice shall include notice that if the owner disputes that the motor vehicle was lawfully towed, the owner may be able to file a civil action under section 4513.611 of the Revised Code. 643
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(3) Not sooner than thirty days after the notice has been received, as evidenced by a receipt signed by any person, or the authorized entity has been notified that the delivery was not possible, an agent of the authorized entity may complete and sign an affidavit, on a form prescribed by the registrar of motor vehicles, attesting that the motor vehicle qualifies for disposal under this section and that all of the requirements of this section have been complied with. The affidavit shall include the make and model of the motor vehicle; the vehicle 663
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identification number if available; an itemized statement of the 672
value of the motor vehicle; a description of the damage to the 673
motor vehicle; the length of time that the motor vehicle has 674
remained unclaimed; that a notice to remove the motor vehicle 675
has been ~~mailed~~sent to any titled owner or lienholder by 676
certified or express mail with return receipt requested, by 677
certified mail with electronic tracking, or by a commercial 678
carrier service utilizing any form of delivery requiring a 679
signed receipt; and that a search of the title records ~~of the~~ 680
~~bureau of motor vehicles~~ has been made for outstanding liens on 681
the motor vehicle. The authorized entity also shall photograph 682
the motor vehicle to substantiate the determination that the 683
value of the motor vehicle is less than one thousand five 684
hundred dollars. 685

(C) An agent of the authorized entity may present the 686
affidavit along with the photographs, an application for a 687
salvage certificate of title, and a fee of four dollars to the 688
clerk of courts. Upon receipt of a properly executed application 689
and the required fee and documents, the clerk of courts shall 690
issue a salvage certificate of title to the motor vehicle, on a 691
form prescribed by the registrar, and shall mark the certificate 692
of title with the words "FOR DESTRUCTION." The clerk shall 693
retain a record of the issuance of the salvage certificate of 694
title and all accompanying documentation in the automated title 695
processing system for not less than ten years. The clerk shall 696
deposit the four-dollar fee into the certificate of title 697
administration fund established under section 325.33 of the 698
Revised Code. 699

A salvage certificate of title issued under this section 700
is free and clear of all liens and shall be used solely for 701
purposes of disposing of the vehicle through a motor vehicle 702

salvage dealer or a scrap metal processing facility. No motor 703
vehicle for which a certificate of title has been issued under 704
this section shall be used for anything except parts and scrap 705
metal. 706

(D) At the time of disposal, the authorized entity shall 707
deliver the salvage certificate of title to the motor vehicle 708
salvage dealer or scrap metal processing facility for its 709
records. Any money arising from the disposal of the motor 710
vehicle may be retained by the authorized entity. 711

Sec. 4505.104. (A) A towing service or storage facility 712
that is in possession of a motor vehicle may obtain a 713
certificate of title to the vehicle as provided in division (B) 714
of this section if all of the following apply: 715

(1) The motor vehicle was towed or stored pursuant to 716
section 4513.60, 4513.61, or 4513.66 of the Revised Code. 717

(2) A search was made of the records of ~~the bureau of~~ 718
~~motor vehicles~~ an applicable entity listed in division (F) (1) of 719
section 4513.601 of the Revised Code to ascertain the identity 720
of the owner and any lienholder of the motor vehicle. 721

(3) Upon obtaining the identity in division (A) (2) of this 722
section, notice was sent to the last known address of the owner 723
and any lienholder, by certified or express mail with return 724
receipt requested, by certified mail with electronic tracking, 725
or by a commercial carrier service utilizing any form of 726
delivery requiring a signed receipt. The notice shall inform the 727
owner and lienholder that the towing service or storage facility 728
will obtain title to the motor vehicle if not claimed within 729
sixty days after the date the notice was received. 730

(4) The motor vehicle has been left unclaimed for sixty 731

days after one of the following: 732

(a) The date the notice sent under division (A) (3) of this 733
section was received, as evidenced by a receipt signed by any 734
person; 735

(b) The date the towing service or storage facility 736
received notification that the delivery of the notice sent under 737
division (A) (3) of this section was not possible. 738

(5) A sheriff, chief of police, or state highway patrol 739
trooper, as applicable, has made a determination that the 740
vehicle or items in the vehicle are not necessary to a criminal 741
investigation. 742

(6) An agent of the towing service or storage facility 743
executes an affidavit, in a form established by the registrar of 744
motor vehicles not later than ninety days after ~~the effective~~ 745
~~date of this section~~ September 30, 2021, affirming that 746
conditions in divisions (A) (1) to (5) of this section are met. 747

(B) The clerk of court shall issue a certificate of title, 748
free and clear of all liens and encumbrances, to the towing 749
service or storage facility that presents an affidavit that 750
affirms that the conditions in divisions (A) (1) to (5) of this 751
section are met. 752

(C) After obtaining title to a motor vehicle under this 753
section, the towing service or storage facility shall retain any 754
money arising from the disposal of the vehicle. 755

(D) A towing service or storage facility that obtains 756
title to a motor vehicle under this section shall notify the 757
entity that ordered the motor vehicle into storage that the 758
motor vehicle has been so disposed. The towing service or 759
storage facility shall provide the notice on the last business 760

day of the month in which the service or facility obtained title 761
to the motor vehicle. 762

(E) As used in this section, "towing service or storage 763
facility" means any for-hire motor carrier that removes a motor 764
vehicle under the authority of section 4513.60, 4513.61, or 765
4513.66 of the Revised Code and any place to which such a for- 766
hire motor carrier delivers a motor vehicle towed under those 767
sections. 768

Sec. 4513.601. (A) The owner of a private property may 769
establish a private tow-away zone, but may do so only if all of 770
the following conditions are satisfied: 771

(1) The owner of the private property posts on the 772
property a sign, that is at least eighteen inches by twenty-four 773
inches in size, that is visible from all entrances to the 774
property, and that includes all of the following information: 775

(a) A statement that the property is a tow-away zone; 776

(b) A description of persons authorized to park on the 777
property. If the property is a residential property, the owner 778
of the private property may include on the sign a statement that 779
only tenants and guests may park in the private tow-away zone, 780
subject to the terms of the property owner. If the property is a 781
commercial property, the owner of the private property may 782
include on the sign a statement that only customers may park in 783
the private tow-away zone. In all cases, if it is not apparent 784
which persons may park in the private tow-away zone, the owner 785
of the private property shall include on the sign the address of 786
the property on which the private tow-away zone is located or 787
the name of the business that is located on the property 788
designated as a private tow-away zone. 789

(c) If the private tow-away zone is not enforceable at all 790
times, the times during which the parking restrictions are 791
enforced; 792

(d) The telephone number and the address of the place from 793
which a towed vehicle may be recovered at any time during the 794
day or night; 795

(e) A statement that the failure to recover a towed 796
vehicle may result in the loss of title to the vehicle as 797
provided in division (B) of section 4505.101 of the Revised 798
Code. 799

In order to comply with the requirements of division (A) 800
(1) of this section, the owner of a private property may modify 801
an existing sign by affixing to the existing sign stickers or an 802
addendum in lieu of replacing the sign. 803

(2) A towing service ensures that a vehicle towed under 804
this section is taken to a location from which it may be 805
recovered that complies with all of the following: 806

(a) It is located within twenty-five linear miles of the 807
location of the private tow-away zone, unless it is not 808
practicable to take the vehicle to a place of storage within 809
twenty-five linear miles. 810

(b) It is well-lighted. 811

(c) It is on or within a reasonable distance of a 812
regularly scheduled route of one or more modes of public 813
transportation, if any public transportation is available in the 814
municipal corporation or township in which the private tow-away 815
zone is located. 816

(B) (1) If a vehicle is parked on private property that is 817

established as a private tow-away zone in accordance with 818
division (A) of this section, without the consent of the owner 819
of the private property or in violation of any posted parking 820
condition or regulation, the owner of the private property may 821
cause the removal of the vehicle by a towing service. The towing 822
service shall remove the vehicle in accordance with this 823
section. The vehicle owner and the operator of the vehicle are 824
considered to have consented to the removal and storage of the 825
vehicle, to the payment of the applicable fees established by 826
the public utilities commission in rules adopted under section 827
4921.25 of the Revised Code, and to the right of a towing 828
service to obtain title to the vehicle if it remains unclaimed 829
as provided in section 4505.101 of the Revised Code. The owner 830
or lienholder of a vehicle that has been removed under this 831
section, subject to division (C) of this section, may recover 832
the vehicle in accordance with division (G) of this section. 833

(2) If a municipal corporation requires tow trucks and tow 834
truck operators to be licensed, no owner of a private property 835
located within the municipal corporation shall cause the removal 836
and storage of any vehicle pursuant to division (B) of this 837
section by an unlicensed tow truck or unlicensed tow truck 838
operator. 839

(3) No towing service shall remove a vehicle from a 840
private tow-away zone except pursuant to a written contract for 841
the removal of vehicles entered into with the owner of the 842
private property on which the private tow-away zone is located. 843

(C) If the owner or operator of a vehicle that is being 844
removed under authority of division (B) of this section arrives 845
after the vehicle has been prepared for removal, but prior to 846
its actual removal from the property, the towing service shall 847

give the vehicle owner or operator oral or written notification 848
at the time of such arrival that the vehicle owner or operator 849
may pay a fee of not more than one-half of the fee for the 850
removal of the vehicle established by the public utilities 851
commission in rules adopted under section 4921.25 of the Revised 852
Code in order to obtain release of the vehicle. That fee may be 853
paid by use of a major credit card unless the towing service 854
uses a mobile credit card processor and mobile service is not 855
available at the time of the transaction. Upon payment of that 856
fee, the towing service shall give the vehicle owner or operator 857
a receipt showing both the full amount normally assessed and the 858
actual amount received and shall release the vehicle to the 859
owner or operator. Upon its release, the owner or operator 860
immediately shall move the vehicle so that the vehicle is not 861
parked on the private property established as a private tow-away 862
zone without the consent of the owner of the private property or 863
in violation of any posted parking condition or regulation. 864

(D) (1) Prior to towing a vehicle under division (B) of 865
this section, a towing service shall make all reasonable efforts 866
to take as many photographs as necessary to evidence that the 867
vehicle is clearly parked on private property in violation of a 868
private tow-away zone established under division (A) of this 869
section. 870

The towing service shall record the time and date of the 871
photographs taken under this section. The towing service shall 872
retain the photographs and the record of the time and date, in 873
electronic or printed form, for at least thirty days after the 874
date on which the vehicle is recovered by the owner or 875
lienholder or at least two years after the date on which the 876
vehicle was towed, whichever is earlier. 877

(2) A towing service shall deliver a vehicle towed under 878
division (B) of this section to the location from which it may 879
be recovered not more than two hours after the time it was 880
removed from the private tow-away zone, unless the towing 881
service is unable to deliver the motor vehicle within two hours 882
due to an uncontrollable force, natural disaster, or other event 883
that is not within the power of the towing service. 884

(E) (1) If an owner of a private property that is 885
established as a private tow-away zone in accordance with 886
division (A) of this section causes the removal of a vehicle 887
from that property by a towing service under division (B) of 888
this section, the towing service, within two hours of removing 889
the vehicle, shall provide notice to the sheriff of the county 890
or the police department of the municipal corporation, township, 891
port authority, or township or joint police district in which 892
the property is located concerning all of the following: 893

(a) The vehicle's license number, make, model, and color; 894

(b) The location from which the vehicle was removed; 895

(c) The date and time the vehicle was removed; 896

(d) The telephone number of the person from whom the 897
vehicle may be recovered; 898

(e) The address of the place from which the vehicle may be 899
recovered. 900

(2) Each county sheriff and each chief of police of a 901
municipal corporation, township, port authority, or township or 902
joint police district shall maintain a record of any vehicle 903
removed from private property in the sheriff's or chief's 904
jurisdiction that is established as a private tow-away zone of 905
which the sheriff or chief has received notice under this 906

section. The record shall include all information submitted by 907
the towing service. The sheriff or chief shall provide any 908
information in the record that pertains to a particular vehicle 909
to a person who, either in person or pursuant to a telephone 910
call, identifies self as the owner, operator, or lienholder of 911
the vehicle and requests information pertaining to the vehicle. 912

(F) (1) When a vehicle is removed from private property in 913
accordance with this section, within three business days of the 914
removal, the towing service or storage facility from which the 915
vehicle may be recovered shall cause a search to be made of ~~the~~ 916
either of the following to ascertain the identity of the owner 917
and any lienholder of the vehicle: 918

(a) The records of the bureau of motor vehicles to 919
ascertain the identity of the owner and any lienholder of the 920
motor vehicle; 921

(b) The records of any vendor or vendors, approved by the 922
registrar of motor vehicles, that are capable of providing real- 923
time access to owner and lienholder information. The registrar- 924
of motor vehicles- 925

The towing service or storage facility may search the 926
national motor vehicle title information system in order to 927
determine the state in which the vehicle is titled. The entity 928
that provides the record of the owner and any lienholder under 929
this division shall ensure that such information is provided in 930
a timely manner. ~~Subject-~~ 931

(2) Subject to division ~~(F) (4)~~ (F) (5) of this section, the 932
towing service or storage facility shall send notice to the 933
vehicle owner and any known lienholder as follows: 934

(a) Within five business days after the ~~registrar of motor~~ 935

~~vehicles~~ applicable entity provides the identity of the owner 936
and any lienholder of the motor vehicle, if the vehicle remains 937
unclaimed, to the owner's and lienholder's last known address by 938
certified or express mail with return receipt requested, by 939
certified mail with electronic tracking, or by a commercial 940
carrier service utilizing any form of delivery requiring a 941
signed receipt; 942

(b) If the vehicle remains unclaimed thirty days after the 943
first notice is sent, in the manner required under division ~~(F)~~ 944
~~(1)(a)~~ (F) (2) (a) of this section. 945

~~(2)~~ (3) Sixty days after any notice sent pursuant to 946
division ~~(F) (1)~~ (F) (2) of this section is received, as evidenced 947
by a receipt signed by any person, or the towing service or 948
storage facility has been notified that delivery was not 949
possible, the towing service or storage facility, if authorized 950
under division (B) of section 4505.101 of the Revised Code, may 951
initiate the process for obtaining a certificate of title to the 952
motor vehicle as provided in that section. 953

~~(3)~~ (4) A towing service or storage facility that does not 954
receive a signed receipt of notice, or a notification that 955
delivery was not possible, shall not obtain, and shall not 956
attempt to obtain, a certificate of title to the motor vehicle 957
under division (B) of section 4505.101 of the Revised Code. 958

~~(4)~~ (5) With respect to a vehicle concerning which a 959
towing service or storage facility is not eligible to obtain 960
title under section 4505.101 of the Revised Code, the towing 961
service or storage facility need only comply with the initial 962
notice required under division ~~(F) (1) (a)~~ (F) (2) (a) of this 963
section. 964

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

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

(b) Payment of the following fees:

(i) All applicable fees established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code, except that the lienholder of a vehicle may retrieve the vehicle without paying any storage fee for the period of time that the vehicle was in the possession of the towing service or storage facility prior to the date the lienholder received the notice sent under division ~~(F) (1) (a)~~ (F) (2) (a) of this section;

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

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

(3) When the owner of a vehicle towed under this section retrieves the vehicle, the towing service or storage facility in

possession of the vehicle shall give the owner written notice 994
that if the owner disputes that the motor vehicle was lawfully 995
towed, the owner may be able to file a civil action under 996
section 4513.611 of the Revised Code. 997

(4) Upon presentation of proof of ownership, which may be 998
evidenced by a certificate of title to the vehicle, a 999
certificate of registration for the motor vehicle, or a lease 1000
agreement, the owner of a vehicle that is removed under 1001
authority of division (B) of this section may retrieve any 1002
personal items from the vehicle without retrieving the vehicle 1003
and without paying any fee. The owner of the vehicle shall not 1004
retrieve any personal items from a vehicle if it would endanger 1005
the safety of the owner, unless the owner agrees to sign a 1006
waiver of liability. For purposes of division (G) (4) of this 1007
section, "personal items" do not include any items that are 1008
attached to the vehicle. 1009

(H) No person shall remove, or cause the removal of, any 1010
vehicle from private property that is established as a private 1011
tow-away zone under this section or store such a vehicle other 1012
than in accordance with this section, or otherwise fail to 1013
comply with any applicable requirement of this section. 1014

(I) This section does not affect or limit the operation of 1015
section 4513.60 or sections 4513.61 to 4613.65 of the Revised 1016
Code as they relate to property other than private property that 1017
is established as a private tow-away zone under division (A) of 1018
this section. 1019

(J) Whoever violates division (H) of this section is 1020
guilty of a minor misdemeanor. 1021

(K) As used in this section, "owner of a private property" 1022

or "owner of the private property" includes, with respect to a	1023
private property, any of the following:	1024
(1) Any person who holds title to the property;	1025
(2) Any person who is a lessee or sublessee with respect	1026
to a lease or sublease agreement for the property;	1027
(3) A person who is authorized to manage the property;	1028
(4) A duly authorized agent of any person listed in	1029
divisions (K) (1) to (3) of this section.	1030
Sec. 4513.602. (A) As used in this section and section	1031
4513.603 of the Revised Code:	1032
(1) "Motor vehicle dealer" has the same meaning as in	1033
section 4517.01 of the Revised Code.	1034
(2) "Repair facility" means any business with which a	1035
person has entered into an agreement to repair a vehicle.	1036
(3) "Towing service" means any for-hire motor carrier that	1037
removes a motor vehicle from a motor vehicle dealer or repair	1038
facility.	1039
(4) "Storage facility" means any place to which a towing	1040
service delivers a motor vehicle from a motor vehicle dealer or	1041
repair facility.	1042
(B) A motor vehicle dealer or repair facility that is in	1043
possession of a motor vehicle may cause the removal of the motor	1044
vehicle by a towing service if all of the following apply:	1045
(1) A search was made of the records of the bureau of	1046
motor vehicles <u>an applicable entity listed in division (F) (1) of</u>	1047
<u>section 4513.601 of the Revised Code</u> to ascertain the identity	1048
of the owner and any lienholder of the motor vehicle.	1049

(2) Upon obtaining the identity under division (B) (1) of 1050
this section, notice was sent to the owner's and any 1051
lienholder's last known address by certified or express mail 1052
with return receipt requested, by certified mail with electronic 1053
tracking, or by a commercial carrier service utilizing any form 1054
of delivery requiring a signed receipt, and the notice informs 1055
the owner and any lienholder of the following: 1056

(a) The address where the motor vehicle is located; 1057

(b) That the motor vehicle dealer or repair facility will 1058
cause the vehicle to be towed if not claimed within fourteen 1059
calendar days after either the date the notice was received or 1060
the date the motor vehicle dealer or repair facility receives 1061
notification that delivery was not possible; 1062

(c) That a towing service that removes the motor vehicle 1063
or a storage facility that stores the motor vehicle may obtain 1064
title to it under section 4513.603 of the Revised Code. 1065

(3) The motor vehicle has been left unclaimed for fourteen 1066
days after one of the following: 1067

(a) The date the notice sent under division (B) (2) of this 1068
section was received, as evidenced by a receipt signed by any 1069
person; 1070

(b) The date the motor vehicle dealer or repair facility 1071
received notification that the delivery of the notice sent under 1072
division (B) (2) of this section was not possible. 1073

The procedure described in division (B) of this section 1074
applies regardless of who leaves the motor vehicle on the motor 1075
vehicle dealer's property or the repair facility's property. 1076

(C) A motor vehicle owner's or lienholder's failure to 1077

remove the vehicle from the property within the time period 1078
specified in division (B) (3) of this section constitutes consent 1079
to all of the following: 1080

(1) The motor vehicle's removal and storage; 1081

(2) The payment of any charges incurred for the removal 1082
and storage of the motor vehicle; 1083

(3) The right of a towing service that removes the motor 1084
vehicle or storage facility that stores the motor vehicle to 1085
obtain title to the motor vehicle under section 4513.603 of the 1086
Revised Code. 1087

(D) After a motor vehicle has been removed by a towing 1088
service, a motor vehicle owner or lienholder may reclaim the 1089
motor vehicle from the towing service or storage facility that 1090
is in possession of the motor vehicle if all of the following 1091
apply: 1092

(1) The owner presents proof of ownership evidenced by a 1093
certificate of title to the motor vehicle, a certificate of 1094
registration for the motor vehicle, or a lease agreement. 1095

(2) The owner or lienholder makes payment of any charges 1096
incurred for the removal and storage of the motor vehicle. 1097

(3) Title to the motor vehicle has not been issued to the 1098
towing service or storage facility under section 4513.603 of the 1099
Revised Code. 1100

(E) Any towing service that removes a motor vehicle under 1101
this section shall not charge a fee greater than those 1102
established by the public utilities commission in rules adopted 1103
under section 4921.25 of the Revised Code. 1104

(F) (1) Any motor vehicle dealer, repair facility, towing 1105

service, or storage facility that complies with this section is 1106
not liable for any damage, claim of conversion, or any other 1107
claim resulting from the removal, towing, or storage of the 1108
motor vehicle. 1109

(2) A motor vehicle dealer or repair facility does not 1110
forego, release, or otherwise relinquish any legal recourse or 1111
right of action against a titled owner or lienholder of a motor 1112
vehicle by causing the vehicle to be removed under division (B) 1113
of this section, unless possession of the motor vehicle is 1114
required for the cause of action. 1115

Sec. 4513.603. (A) A towing service or storage facility 1116
that is in possession of a motor vehicle obtained under section 1117
4513.602 of the Revised Code may obtain a certificate of title 1118
to the motor vehicle, regardless of the motor vehicle's value, 1119
as provided in division (B) of this section if all of the 1120
following apply: 1121

(1) A search was made by the towing service or storage 1122
facility of the records of ~~the bureau of motor vehicles~~ an 1123
applicable entity listed in division (F) (1) of section 4513.601 1124
of the Revised Code to ascertain the identity of the owner and 1125
any lienholder of the motor vehicle. 1126

(2) Upon obtaining the identity in division (A) (1) of this 1127
section, the towing service or storage facility sent notice to 1128
the owner's and any lienholder's last known address, by 1129
certified or express mail with return receipt requested, by 1130
certified mail with electronic tracking, or by a commercial 1131
carrier service utilizing any form of delivery requiring a 1132
signed receipt, that informs the owner and any lienholder that 1133
the towing service or storage facility will obtain title to the 1134
motor vehicle if not claimed within sixty days after the date 1135

the notice was received. 1136

(3) The motor vehicle has been left unclaimed for sixty 1137
days after one of the following: 1138

(a) The date the notice sent under division (A) (2) of this 1139
section was received, as evidenced by a receipt signed by any 1140
person; 1141

(b) The date the towing service or storage facility 1142
receives notification that the delivery of the notice sent under 1143
division (A) (2) of this section was not possible. 1144

(4) An agent of the towing service or storage facility 1145
executes an affidavit, in a form established by the registrar of 1146
motor vehicles not later than ninety days after ~~the effective~~ 1147
~~date of this section~~ September 30, 2021, affirming that 1148
conditions in divisions (A) (1) to (3) of this section are met. 1149

(B) The clerk of court shall issue a certificate of title, 1150
free and clear of all liens and encumbrances, to a towing 1151
service or storage facility that presents an affidavit that 1152
affirms that the conditions in divisions (A) (1) to (3) of this 1153
section are met. 1154

(C) After obtaining title to a motor vehicle under this 1155
section, the towing service or storage facility may retain any 1156
money arising from the disposal of the vehicle. 1157

Sec. 4513.61. (A) The sheriff of a county or chief of 1158
police of a municipal corporation, township, port authority, or 1159
township or joint police district, within the sheriff's or 1160
chief's respective territorial jurisdiction, or a state highway 1161
patrol trooper, upon notification to the sheriff or chief of 1162
police of such action and of the location of the place of 1163
storage, may order into storage any motor vehicle, including an 1164

abandoned junk motor vehicle as defined in section 4513.63 of 1165
the Revised Code, that: 1166

(1) Has come into the possession of the sheriff, chief of 1167
police, or state highway patrol trooper as a result of the 1168
performance of the sheriff's, chief's, or trooper's duties; or 1169

(2) Has been left on a public street or other property 1170
open to the public for purposes of vehicular travel, or upon or 1171
within the right-of-way of any road or highway, for forty-eight 1172
hours or longer without notification to the sheriff or chief of 1173
police of the reasons for leaving the motor vehicle in such 1174
place. However, when such a motor vehicle constitutes an 1175
obstruction to traffic it may be ordered into storage 1176
immediately unless either of the following applies: 1177

(a) The vehicle was involved in an accident and is subject 1178
to section 4513.66 of the Revised Code; 1179

(b) The vehicle is a commercial motor vehicle. If the 1180
vehicle is a commercial motor vehicle, the sheriff, chief of 1181
police, or state highway patrol trooper shall allow the owner or 1182
operator of the vehicle the opportunity to arrange for the 1183
removal of the motor vehicle within a period of time specified 1184
by the sheriff, chief of police, or state highway patrol 1185
trooper. If the sheriff, chief of police, or state highway 1186
patrol trooper determines that the vehicle cannot be removed 1187
within the specified period of time, the sheriff, chief of 1188
police, or state highway patrol trooper shall order the removal 1189
of the vehicle. 1190

Subject to division (C) of this section, the sheriff or 1191
chief of police shall designate the place of storage of any 1192
motor vehicle so ordered removed. 1193

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

(C) (1) The sheriff or chief of police shall cause a search to be made of the records of ~~the bureau of motor vehicles~~ an applicable entity listed in division (F) (1) of section 4513.601 of the Revised Code to ascertain the identity of the owner and any lienholder of a motor vehicle ordered into storage by the sheriff or chief of police, or by a state highway patrol trooper within five business days of the removal of the vehicle. Upon obtaining such identity, the sheriff or chief of police shall send or cause to be sent to the owner or lienholder at the owner's or lienholder's last known address by certified or express mail with return receipt requested, ~~notice that informs~~ by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The notice shall inform the owner or lienholder that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of ~~mailing the~~ sending of the notice.

(2) The owner or lienholder of the motor vehicle may reclaim the motor vehicle upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title or memorandum certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. Upon presentation of proof of ownership evidenced as provided above, the owner of the motor vehicle also may retrieve

any personal items from the vehicle without retrieving the 1225
vehicle and without paying any fee. However, a towing service or 1226
storage facility may charge an after-hours retrieval fee 1227
established by the public utilities commission in rules adopted 1228
under section 4921.25 of the Revised Code if the owner retrieves 1229
the personal items after hours, unless the towing service or 1230
storage facility fails to provide the notice required under 1231
division (B) (3) of section 4513.69 of the Revised Code, if 1232
applicable. However, the owner shall not do either of the 1233
following: 1234

(a) Retrieve any personal item that has been determined by 1235
the sheriff, chief of police, or a state highway patrol trooper, 1236
as applicable, to be necessary to a criminal investigation; 1237

(b) Retrieve any personal item from a vehicle if it would 1238
endanger the safety of the owner, unless the owner agrees to 1239
sign a waiver of liability. 1240

For purposes of division (C) (2) of this section, "personal 1241
items" do not include any items that are attached to the 1242
vehicle. 1243

(3) If the owner or lienholder of the motor vehicle 1244
reclaims it after a search of the applicable records ~~of the~~ 1245
~~bureau~~ has been conducted and after notice has been sent to the 1246
owner or lienholder as described in this section, and the search 1247
was conducted by the place of storage, and the notice was sent 1248
to the motor vehicle owner by the place of storage, the owner or 1249
lienholder shall pay to the place of storage a processing fee of 1250
twenty-five dollars, in addition to any expenses or charges 1251
incurred in the removal and storage of the vehicle. 1252

(D) If the owner or lienholder makes no claim to the motor 1253

vehicle within ten days of the date of ~~mailing of~~ sending the 1254
notice, and if the vehicle is to be disposed of at public 1255
auction as provided in section 4513.62 of the Revised Code, the 1256
sheriff or chief of police, without charge to any party, shall 1257
file with the clerk of courts of the county in which the place 1258
of storage is located an affidavit showing compliance with the 1259
requirements of this section. Upon presentation of the 1260
affidavit, the clerk, without charge, shall issue a salvage 1261
certificate of title, free and clear of all liens and 1262
encumbrances, to the sheriff or chief of police. If the vehicle 1263
is to be disposed of to a motor vehicle salvage dealer or other 1264
facility as provided in section 4513.62 of the Revised Code, the 1265
sheriff or chief of police shall execute in triplicate an 1266
affidavit, as prescribed by the registrar of motor vehicles, 1267
describing the motor vehicle and the manner in which it was 1268
disposed of, and that all requirements of this section have been 1269
complied with. The sheriff or chief of police shall retain the 1270
original of the affidavit for the sheriff's or chief's records, 1271
and shall furnish two copies to the motor vehicle salvage dealer 1272
or other facility. Upon presentation of a copy of the affidavit 1273
by the motor vehicle salvage dealer, the clerk of courts, within 1274
thirty days of the presentation, shall issue a salvage 1275
certificate of title, free and clear of all liens and 1276
encumbrances. 1277

(E) Whenever a motor vehicle salvage dealer or other 1278
facility receives an affidavit for the disposal of a motor 1279
vehicle as provided in this section, the dealer or facility 1280
shall not be required to obtain an Ohio certificate of title to 1281
the motor vehicle in the dealer's or facility's own name if the 1282
vehicle is dismantled or destroyed and both copies of the 1283
affidavit are delivered to the clerk of courts. 1284

(F) No towing service or storage facility shall fail to	1285
comply with this section.	1286
Sec. 4513.611. (A) As used in this section:	1287
(1) "Minor violation" means any of the following:	1288
(a) Failure to deliver a vehicle to the designated	1289
location within two hours after removal, unless the towing	1290
service was unable to deliver the motor vehicle within two hours	1291
due to an uncontrollable force, natural disaster, or other event	1292
that was not within the power of the towing service, as required	1293
under division (A) (2) of section 4513.60 or division (D) (2) of	1294
section 4513.601 of the Revised Code;	1295
(b) Failure to provide a receipt as required under	1296
division (B) of section 4513.60 or division (C) of section	1297
4513.601 of the Revised Code;	1298
(c) Failure to take a towed vehicle to a location that	1299
meets the requirements of division (A) (2) of section 4513.601 of	1300
the Revised Code as required under that division;	1301
(d) Failure to comply with any photograph-related	1302
requirement established under division (D) (1) or (G) (2) of	1303
section 4513.601 of the Revised Code. If a court determines that	1304
a towing service or storage facility committed more than one	1305
violation of divisions (D) (1) and (G) (2) of section 4513.601 of	1306
the Revised Code with regard to the same transaction, the court	1307
shall find the towing service or storage facility liable for	1308
only one minor violation under this section.	1309
(e) Failure to send notice to the owner and any lienholder	1310
as required under division (F) (1) (a) <u>(F) (2) (a)</u> of section	1311
4513.601 of the Revised Code;	1312

(f) Failure to provide an estimate as required under section 4513.68 of the Revised Code, containing the information required under that section;	1313 1314 1315
(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;	1316 1317 1318
(h) Failure to post a notice pertaining to fee limitations as required under division (D) of section 4513.68 of the Revised Code.	1319 1320 1321
(2) "Major violation" means any of the following:	1322
(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;	1323 1324 1325 1326 1327 1328 1329
(b) Failure to release a vehicle upon payment of not more than one-half of the fee for the removal of the vehicle as permitted under division (B) of section 4513.60 or division (C) of section 4513.601 of the Revised Code;	1330 1331 1332 1333
(c) Refusal to allow a vehicle owner to reclaim the owner's vehicle upon payment of the applicable fees established by the public utilities commission and presentation of proof of ownership as permitted under division (D) (1) of section 4513.60 or division (G) (1) of section 4513.601 of the Revised Code;	1334 1335 1336 1337 1338
(d) Refusal to allow a vehicle owner to retrieve personal items from the owner's vehicle under circumstances in which the owner is permitted to retrieve personal items under division (D)	1339 1340 1341

(2) of section 4513.60 or division (G) (4) of section 4513.601 of the Revised Code; 1342
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(e) Failure to provide notice to the appropriate law enforcement agency within two hours of removing a vehicle as required under division (E) (1) of section 4513.601 of the Revised Code; 1344
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(f) Failure to send notice that a vehicle has been towed to the vehicle owner and any known lienholder within thirty days of removal of the vehicle from a private tow-away zone under section 4513.601 of the Revised Code. If a court determines that a towing service or storage facility committed a violation specified in division (A) (2) (f) of this section and a violation of division (A) (1) (e) of this section with regard to the same transaction, the court shall find the towing service or storage facility liable for only the major violation; 1348
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(g) Failure to visibly display the certificate of public convenience and necessity number as required under division (B) (1) of section 4513.67 of the Revised Code. 1357
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(B) (1) A vehicle owner may bring a civil action in a court of competent jurisdiction against a towing service or storage facility that commits a major or minor violation. 1360
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(2) If a court determines that the towing service or storage facility committed a minor violation, the court shall award the vehicle owner the following: 1363
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(a) If the towing service or storage facility has not committed a prior minor violation within one year of the minor violation for which the court has determined the towing service or storage facility is liable, one hundred fifty dollars. 1366
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(b) If the towing service or storage facility has 1370

committed one prior minor violation within one year of the minor 1371
violation for which the court has determined the towing service 1372
or storage facility is liable, three hundred fifty dollars. 1373

(c) If the towing service or storage facility has 1374
committed two prior minor violations within one year of the 1375
minor violation for which the court has determined the towing 1376
service or storage facility is liable, the violation constitutes 1377
a major violation and division (B) (3) of this section applies. 1378

(d) If the towing service or storage facility has 1379
committed three prior minor violations within one year of the 1380
minor violation for which the court has determined the towing 1381
service or storage facility is liable, one thousand five hundred 1382
dollars. 1383

(e) If the towing service or storage facility has 1384
committed four prior minor violations within one year of the 1385
minor violation for which the court has determined the towing 1386
service or storage facility is liable, two thousand dollars. 1387

(f) If the towing service or storage facility has 1388
committed five prior minor violations within one year of the 1389
minor violation for which the court has determined the towing 1390
service or storage facility is liable, the violation constitutes 1391
a major violation and division (B) (3) of this section applies. 1392

(g) If the towing service or storage facility has 1393
committed six or seven prior minor violations within one year of 1394
the minor violation for which the court has determined the 1395
towing service or storage facility is liable, two thousand five 1396
hundred dollars. 1397

(h) If the towing service or storage facility has 1398
committed eight prior minor violations within one year of the 1399

minor violation for which the court has determined the towing 1400
service or storage facility is liable, the violation constitutes 1401
a major violation and division (B) (3) of this section applies. 1402

(3) If a court determines that the towing service or 1403
storage facility committed a major violation, the court shall 1404
award the vehicle owner the following: 1405

(a) If the towing service or storage facility has not 1406
committed any prior major violations within one year of the 1407
major violation for which the court has determined the towing 1408
service or storage facility is liable, one thousand dollars; 1409

(b) If the towing service or storage facility has 1410
committed one prior major violation within one year of the major 1411
violation for which the court has determined the towing service 1412
or storage facility is liable, two thousand five hundred 1413
dollars; 1414

(c) If the towing service or storage facility has 1415
committed two prior major violations within one year of the 1416
major violation for which the court has determined the towing 1417
service or storage facility is liable, three thousand five 1418
hundred dollars. In addition, the court shall order the public 1419
utilities commission to revoke the towing service's or storage 1420
facility's certificate of public convenience and necessity for 1421
six months. The commission shall comply with the order. 1422

Upon expiration of the six-month revocation under division 1423
(B) (3) (c) of this section, a court shall not consider any 1424
violation committed by the towing service or storage facility 1425
prior to the revocation for purposes of a civil action initiated 1426
after the expiration of the six-month revocation. 1427

(4) If a vehicle owner brings a civil action against a 1428

towing service or storage facility that alleges multiple minor 1429
or major violations, the court shall award, with regard to each 1430
violation for which the towing service or storage facility is 1431
determined to be liable, a civil penalty as required under 1432
division (B) (2) or (3) of this section. The court shall consider 1433
each violation as a separate violation for purposes of 1434
determining how many violations the towing service or storage 1435
facility has committed within one year. 1436

(5) In determining if a towing service or storage facility 1437
has committed prior minor or major violations within the 1438
applicable one-year period, a court shall consider only 1439
violations that have been determined by a court of competent 1440
jurisdiction to have been committed by the towing service or 1441
storage facility. 1442

(C) In addition to an award made under division (B) of 1443
this section, if a court determines that a towing service or 1444
storage facility committed a violation that caused actual 1445
damages, the court shall award the vehicle owner three times the 1446
actual damages and reasonable attorney's fees. 1447

(D) A court that issues a judgment under this section 1448
against a towing service or storage facility shall send a copy 1449
of that judgment to the public utilities commission. The 1450
commission shall provide a copy of the judgment upon request. 1451

Sec. 5537.04. (A) The Ohio turnpike and infrastructure 1452
commission may do any of the following: 1453

(1) Adopt bylaws for the regulation of its affairs and the 1454
conduct of its business; 1455

(2) Adopt an official seal, which shall not be the great 1456
seal of the state and which need not be in compliance with 1457

section 5.10 of the Revised Code; 1458

(3) Maintain a principal office and suboffices at such 1459
places within the state as it designates; 1460

(4) With respect to the Ohio turnpike system and turnpike 1461
projects, sue and be sued in its own name, plead and be 1462
impleaded, provided any actions against the commission shall be 1463
brought in the court of common pleas of the county in which the 1464
principal office of the commission is located, or in the court 1465
of common pleas of the county in which the cause of action arose 1466
if that county is located within this state, and all summonses, 1467
exceptions, and notices of every kind shall be served on the 1468
commission by leaving a copy thereof at its principal office 1469
with the secretary-treasurer or executive director of the 1470
commission; 1471

(5) With respect to infrastructure projects only, sue and 1472
be sued in its own name, plead and be impleaded, provided any 1473
actions against the commission shall be brought in the court of 1474
common pleas of Franklin county, and all summonses, exceptions, 1475
and notices of every kind shall be served on the commission by 1476
leaving a copy thereof at its principal office with the 1477
secretary-treasurer or executive director of the commission. 1478

(6) Construct, maintain, repair, police, and operate the 1479
turnpike system, and establish rules for the use of any turnpike 1480
project; 1481

(7) Issue revenue bonds of the state, payable solely from 1482
pledged revenues, as provided in this chapter, for the purpose 1483
of paying any part of the cost of constructing any one or more 1484
turnpike projects or infrastructure projects; 1485

(8) Fix, and revise from time to time, and charge and 1486

collect tolls by any method approved by the commission, 1487
including, but not limited to, manual methods or through 1488
electronic technology accepted within the tolling industry; 1489

(9) Acquire, hold, and dispose of property in the exercise 1490
of its powers and the performance of its duties under this 1491
chapter; 1492

(10) Designate the locations and establish, limit, and 1493
control such points of ingress to and egress from each turnpike 1494
project as are necessary or desirable in the judgment of the 1495
commission and of the director of transportation to ensure the 1496
proper operation and maintenance of that turnpike project, and 1497
prohibit entrance to such a turnpike project from any point not 1498
so designated; 1499

(11) Make and enter into all contracts and agreements 1500
necessary or incidental to the performance of its duties and the 1501
execution of its powers under this chapter, including 1502
participation in a multi-jurisdiction electronic toll collection 1503
agreement and collection or remittance of tolls, fees, or other 1504
charges to or from entities or agencies that participate in such 1505
an agreement; the commission also may enter into agreements with 1506
retail locations, including deputy registrars, to allow the 1507
general public to acquire electronic toll collection devices, 1508
commonly known as transponders, from the retail locations for 1509
such reasonable fees as are established by the commission; 1510

(12) Employ or retain or contract for the services of 1511
consulting engineers, superintendents, managers, and any other 1512
engineers, construction and accounting experts, financial 1513
advisers, trustees, marketing, remarketing, and administrative 1514
agents, attorneys, and other employees, independent contractors, 1515
or agents that are necessary in its judgment and fix their 1516

compensation, provided all such expenses shall be payable solely 1517
from the proceeds of bonds or from revenues of the Ohio turnpike 1518
system; 1519

(13) Receive and accept from any federal agency, subject 1520
to the approval of the governor, and from any other governmental 1521
agency grants for or in aid of the construction, reconstruction, 1522
repair, renovation, maintenance, or operation of any turnpike 1523
project, and receive and accept aid or contributions from any 1524
source or person of money, property, labor, or other things of 1525
value, to be held, used, and applied only for the purposes for 1526
which such grants and contributions are made; 1527

(14) Provide coverage for its employees under Chapters 1528
4123. and 4141. of the Revised Code; 1529

(15) Fix and revise by rule, from time to time, such 1530
permit fees, processing fees, or administrative charges for the 1531
prepayment, deferred payment, or nonpayment of tolls and use of 1532
electronic tolling equipment or other commission property; 1533

(16) Adopt rules for ~~the~~ all of the following: 1534

(a) The issuance of citations either by a policing 1535
authority or, the issuance of citations through administrative 1536
means, and the issuance of invoices by the commission to 1537
individuals or corporations any person that evade the payment of 1538
fails to pay the tolls or fees established for the use of any 1539
turnpike project; 1540

(b) The issuance of a second invoice to any person who 1541
fails to remit payment of a toll or fee to the commission for 1542
more than thirty days after issuance of the first invoice and 1543
for the imposition of associated late fees; 1544

(c) The implementation of procedures whereby a person may 1545

dispute an invoice with the commission through an administrative hearing at the commission's principal office as authorized under section 5537.041 of the Revised Code; 1546
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(d) The implementation of procedures whereby a person may appeal the decision of an administrative hearing in the manner described in section 5537.041 of the Revised Code. 1549
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(17) Approve funding and authorize agreements with the department of transportation for the funding of infrastructure projects recommended by the director of transportation pursuant to the criteria established by rule under section 5537.18 of the Revised Code. 1552
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(B) The commission may do all acts necessary or proper to carry out the powers expressly granted in this chapter. 1557
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(C) As used in this section and section 5537.041 of the Revised Code, "person" has the same meaning as in section 1745.05 of the Revised Code. 1559
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Sec. 5537.041. (A) (1) A person that receives an invoice from the Ohio turnpike and infrastructure commission may request an administrative hearing with the commission at the commission's principal office to dispute the invoice. The person may present evidence at the hearing. 1562
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(2) Notwithstanding sections 1901.18, 1901.20, 1907.02, and 1907.031 of the Revised Code, the commission has exclusive original jurisdiction over a dispute regarding an invoice issued by the commission in accordance with the rules adopted under section 5537.04 of the Revised Code. 1567
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(3) The commission shall grant a hearing to any person that requests one under this section. The commission shall send reasonable notice in advance to the requestor of the time, date, 1572
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and location of the hearing. The commission may appoint a 1575
hearing officer to administer any requested hearings. 1576

(4) A person forfeits the right to an administrative 1577
hearing or appeal if either of the following occur: 1578

(a) The person does not respond within sixty days after 1579
the second invoice is issued in accordance with the rules 1580
adopted under section 5537.04 of the Revised Code. 1581

(b) The person fails to appear at the requested hearing. 1582

(5) The decision of the commission or its designated 1583
hearing officer is presumed final unless it is reversed on 1584
appeal. A person may appeal the decision in accordance with 1585
Chapter 2506. of the Revised Code. Any such appeal shall be 1586
commenced in the Cuyahoga county court of common pleas. The 1587
court's decision is final and there is no further right to 1588
appeal that decision. 1589

(B) In accordance with the rules adopted under section 1590
5537.04 of the Revised Code, the commission may notify the 1591
registrar of motor vehicles if either of the following occur: 1592

(1) A person fails to remit payment of a toll or fee or 1593
fails to dispute an invoice with the commission within sixty 1594
days after the provision of the second invoice in accordance 1595
with the rules adopted under section 5537.04 of the Revised 1596
Code; 1597

(2) A person fails to pay any remaining balance due after 1598
appeal to the Cuyahoga county court of common pleas. 1599

(C) If the registrar receives a notice from the commission 1600
under division (B) of this section, neither the registrar nor 1601
any deputy registrar shall accept any application for the 1602

registration or transfer of registration of any motor vehicle 1603
owned or leased by the person named in the notice, until the 1604
registrar receives notice from the commission that the remaining 1605
balance for the toll or fee has been paid or dismissed. 1606

Sec. 5537.07. (A) When the cost to the Ohio turnpike and 1607
infrastructure commission under any contract with a person other 1608
than a governmental agency involves an expenditure of more than 1609
fifty thousand dollars, the commission shall make a written 1610
contract with the lowest responsive and responsible bidder, in 1611
accordance with section 9.312 of the Revised Code, after 1612
advertisement, in accordance with section 7.16 of the Revised 1613
Code, for not less than two consecutive weeks in a newspaper of 1614
general circulation and in such other publications as the 1615
commission determines. The notice shall state the general 1616
character of the work and the general character of the materials 1617
to be furnished, the place where plans and specifications 1618
therefor may be examined, and the time and place of receiving 1619
bids. The commission may require that the cost estimate for the 1620
construction, demolition, alteration, repair, improvement, 1621
renovation, or reconstruction of roadways and bridges for which 1622
the commission is required to receive bids be kept confidential 1623
and remain confidential until after all bids for the public 1624
improvement have been received or the deadline for receiving 1625
bids has passed. Thereafter, and before opening the bids 1626
submitted for the roadways and bridges, the commission shall 1627
make the cost estimate public knowledge by reading the cost 1628
estimate in a public place. The commission may reject any and 1629
all bids. The requirements of this division do not apply to 1630
contracts for the acquisition of real property or compensation 1631
for professional or other personal services. 1632

(B) Each bid for a contract for construction, demolition, 1633

alteration, repair, improvement, renovation, or reconstruction 1634
shall contain the full name of every person interested in it and 1635
shall meet the requirements of section 153.54 of the Revised 1636
Code. 1637

(C) Other than for a contract referred to in division (B) 1638
of this section, each bid for a contract that involves an 1639
expenditure in excess of five hundred thousand dollars or any 1640
contract with a service facility operator shall contain the full 1641
name of every person interested in it and shall be accompanied 1642
by a sufficient bond or certified check on a solvent bank that 1643
if the bid is accepted a contract will be entered into and the 1644
performance of its proposal secured. 1645

(D) Other than a contract referred to in division (B) of 1646
this section or a contract for licensed professional services, a 1647
bond with good and sufficient surety, in a form as prescribed 1648
and approved by the commission, shall be required of every 1649
contractor awarded a contract that involves an expenditure in 1650
excess of five hundred thousand dollars or any contract with a 1651
service facility operator. The bond shall be in an amount equal 1652
to at least fifty per cent of the contract price and shall be 1653
conditioned upon the faithful performance of the contract. 1654

(E) (1) Notwithstanding any other provisions of this 1655
section, the commission may establish a program to expedite 1656
special turnpike projects by combining the design and 1657
construction elements of any public improvement project into a 1658
single contract. The commission shall prepare and distribute a 1659
scope of work document upon which the bidders shall base their 1660
bids. At a minimum, bidders shall meet the requirements of 1661
section 4733.161 of the Revised Code. Except in regard to those 1662
requirements relating to providing plans, the commission shall 1663

award contracts following the requirements set forth in 1664
divisions (A), (B), (C), and (D) of this section. 1665

(2) Notwithstanding any other provision of this section or 1666
any other provision of the Revised Code to the contrary, the 1667
commission may use a value-based selection process when 1668
selecting a contractor to perform a project that contains both 1669
design and construction elements in a single contract under this 1670
division. 1671

(F) Other than for a contract referred to in division (B) 1672
or (E) of this section, and notwithstanding any other provision 1673
of the Revised Code to the contrary, the commission may enter 1674
into a written contract after submission of competitive 1675
proposals when the commission determines that competitive 1676
bidding is not practical or advantageous to the commission. The 1677
commission may conduct discussions with anyone that submits a 1678
competitive proposal when that proposal might be selected to 1679
ensure that the person understands and is responsive to the 1680
requirements of the project. The commission may award the 1681
contract to the person that submits the best proposal, as 1682
determined by the commission. The commission shall consider 1683
multiple factors in awarding a contract under this division, 1684
including price and the evaluation criteria set forth in the 1685
request for competitive proposals. 1686

(G) The commission may contract for the purchase of 1687
equipment, materials, and services without public advertisement 1688
in any of the following circumstances: 1689

(1) The construction of a temporary bridge; 1690

(2) The making of temporary emergency repairs to a highway 1691
or bridge when necessary because of a storm, flood, landslide, 1692

or other natural disaster; 1693

(3) While responding to circumstances created by an 1694
extraordinary emergency, as determined by the commission. 1695

Sec. 5537.16. (A) The Ohio turnpike and infrastructure 1696
commission may adopt such bylaws and rules as it considers 1697
advisable for the control and regulation of traffic on any 1698
turnpike project, for the protection and preservation of 1699
property under its jurisdiction and control, for the maintenance 1700
and preservation of good order within the property under its 1701
control, and for the purpose of establishing owner or operator 1702
liability for failure to comply with toll collection rules. The 1703
rules may require that both the owner or lessee and the operator 1704
of a motor vehicle be held jointly and strictly liable for the 1705
payment of tolls, fees, and fines. If the owner or lessee and 1706
the operator are jointly and strictly liable, the owner or 1707
lessee may not disclaim liability for a toll, fee, or fine by 1708
claiming another person was operating the motor vehicle at the 1709
time the toll, fee, or fine was incurred. The rules of the 1710
commission with respect to the speed, use of special engine 1711
brakes, axle loads, vehicle loads, and vehicle dimensions of 1712
vehicles on turnpike projects, including the issuance of a 1713
special permit by the commission to allow the operation on any 1714
turnpike project of a motor vehicle transporting two or fewer 1715
steel coils, shall apply notwithstanding sections 4511.21 to 1716
~~4511.24~~4511.25, 4513.34, and Chapter 5577. of the Revised Code. 1717
Such bylaws and rules shall be published in a newspaper of 1718
general circulation in Franklin county, and in such other manner 1719
as the commission prescribes. 1720

(B) Such rules shall provide that public police officers 1721
shall be afforded ready access, while in the performance of 1722

their official duty, to all property under the jurisdiction of 1723
the commission and without the payment of tolls. 1724

(C) No person shall violate any such bylaws or rules of 1725
the commission. 1726

(D) (1) All fines collected for the violation of applicable 1727
laws of the state and the bylaws and rules of the commission or 1728
moneys arising from bonds forfeited for such violation shall be 1729
disposed of in accordance with section 5503.04 of the Revised 1730
Code. 1731

(2) All fees or charges assessed by the commission against 1732
an owner, lessee, or operator of a vehicle as a civil violation 1733
for failure to comply with toll collection or toll evasion rules 1734
shall be revenues of the commission. 1735

Sec. 5537.29. (A) As used in this section: 1736

(1) "Electronic toll account record" means a record kept 1737
by the Ohio turnpike and infrastructure commission or any other 1738
tolling agency that contains the information required for the 1739
commission or other tolling agency to collect the tolls charged 1740
to the holder of the electronic toll account or the owner of a 1741
motor vehicle that travels on a tolled road. 1742

(2) "Person" does not include any governmental agency. 1743

(3) "Personal information" means information that 1744
identifies an individual, including an individual's photograph 1745
or digital image, social security number, driver or driver's 1746
license identification number, credit card or financial 1747
information, name, telephone number, or an individual's address 1748
other than the five-digit zip code number. "Personal 1749
information" does not include information pertaining to a 1750
vehicular accident, driving or traffic violation, or driver's 1751

status. 1752

(B) Except as provided in division (C) of this section, 1753
the commission, and any employee or contractor of the 1754
commission, shall not knowingly disclose or otherwise make 1755
available to any person or entity any personal information about 1756
an individual that the commission obtained in connection with 1757
processing a toll, fine, fee, or an electronic toll account 1758
record. 1759

(C) The commission, or an employee or contractor of the 1760
commission, may disclose personal information as follows: 1761

(1) For the use of a governmental agency, including a 1762
court or law enforcement agency, in carrying out its functions, 1763
or for the use of a private person or entity acting on behalf of 1764
an agency of this state, another state, the United States, or a 1765
political subdivision of this state or another state in carrying 1766
out its functions; 1767

(2) For use in connection with a civil, criminal, 1768
administrative, or arbitral proceeding in a court or agency of 1769
this state, another state, the United States, or a political 1770
subdivision of this state or another state or before a self- 1771
regulatory body, including use in connection with the service of 1772
process, investigation in anticipation of litigation, or the 1773
execution or enforcement of a judgment or order; 1774

(3) Pursuant to an order of a court of this state, another 1775
state, the United States, or a political subdivision of this 1776
state or another state; 1777

(4) For use by the financial institutions and credit 1778
issuing companies directly involved in a credit transaction 1779
pertaining to the payment of a toll, fine, or fee; 1780

(5) For the collection of an unpaid toll, fine, fee, or
other administrative charge; 1781
1782

(6) For use in exchanging information between other
private and public toll transportation facilities; 1783
1784

(7) For any use not otherwise identified in divisions (C)
(1) to (6) of this section that is in response to a request for
personal information, if the individual whose personal
information is requested completes and submits to the commission
a form prescribed by the commission by rule giving express
consent to such disclosure; 1785
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(8) For use by a person, state, or state agency that
requests the personal information, if the person, state, or
state agency demonstrates that it has obtained the written
consent of the individual to whom the information pertains. 1791
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(D) The commission shall establish procedures for denying
a request for the disclosure of personal information if the
request does not satisfy the criteria for disclosure under
division (C) of this section. 1795
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(E) The commission shall establish any forms and shall
adopt rules in accordance with section 111.15 of the Revised
Code as necessary to administer this section. 1799
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1801

Section 2. That existing sections 4503.10, 4503.12,
4505.101, 4505.103, 4505.104, 4513.601, 4513.602, 4513.603,
4513.61, 4513.611, 5537.04, 5537.07, and 5537.16 of the Revised
Code are hereby repealed. 1802
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