

As Passed by the House

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 345

Representative Jones

**Cosponsors: Representatives Ghanbari, Becker, Lang, Green, Abrams, Fraizer,
Ginter, Koehler, Plummer, Reineke**

A BILL

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

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

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

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

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

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

(3) Upon obtaining the identity in division (A) (2) of this 18
section, notice was sent to the last known address of the owner 19
and any lienholder, by certified mail with return receipt 20
requested, that informs the owner and lienholder that the towing 21
service or storage facility will obtain title to the motor 22
vehicle if not claimed within sixty days after the date the 23
notice was received. 24

(4) The motor vehicle has been left unclaimed for sixty 25
days after the date the notice sent under division (A) (3) of 26
this section was received, as evidenced by a receipt signed by 27
any person, or a notification that the delivery was not 28
possible. 29

(5) A sheriff, chief of police, or a state highway patrol 30
trooper, as applicable, has made a determination that the 31
vehicle or items in the vehicle are not necessary to a criminal 32
investigation. 33

(6) An agent of the towing service or storage facility 34
executes an affidavit, in a form established by the registrar of 35
motor vehicles not later than ninety days after the effective 36
date of this section, affirming that conditions in divisions (A) 37
(1) to (5) of this section are met. 38

(B) The clerk of court shall issue a certificate of title, 39
free and clear of all liens and encumbrances, to the owner of a 40
towing service or storage facility that presents an affidavit 41
that affirms that the conditions in divisions (A) (1) to (5) of 42
this section are met. 43

(C) After obtaining title to a motor vehicle under this 44
section, the towing service or storage facility shall retain any 45
money arising from the disposal of the vehicle. 46

(D) A towing service or storage facility that obtains title to a motor vehicle under this section shall notify the entity that ordered the motor vehicle into storage that the motor vehicle has been so disposed. The towing service or storage facility shall provide the notice on the last business day of the month in which the service or facility obtained title to the motor vehicle. 47
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(E) As used in this section, "towing service or storage facility" means any for-hire motor carrier that removes a motor vehicle under the authority of section 4513.60, 4513.61, or 4513.66 of the Revised Code and any place to which such a for-hire motor carrier delivers a motor vehicle towed under those sections. 54
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Sec. 4513.62. ~~Unclaimed~~ An unclaimed motor vehicle ~~ordered into storage pursuant to division (A) (1) of section 4513.60 or section 4513.61 of the Revised Code shall be disposed of at the order of the~~ is subject to one of the following: 60
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(A) The sheriff of the county or the chief of police of the municipal corporation, township, or township or joint police district ~~to~~ may dispose of it with a motor vehicle salvage dealer or scrap metal processing facility as defined in section 4737.05 of the Revised Code, or ~~to~~ with any other facility owned by or under contract with the county, municipal corporation, or township, for the disposal of such motor vehicles, ~~or shall be sold by the.~~ 65
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(B) The sheriff, chief of police, or a licensed auctioneer may sell the motor vehicle at public auction, after giving notice thereof by advertisement, published once a week for two successive weeks in a newspaper of general circulation in the 73
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county or as provided in section 7.16 of the Revised Code. ~~Any~~ 77

(C) A towing service or storage facility may obtain title 78
to the motor vehicle in accordance with section 4505.104 of the 79
Revised Code. 80

Any moneys accruing from the disposition of an unclaimed 81
motor vehicle accrued pursuant to division (A) or (B) of this 82
section that are in excess of the expenses resulting from the 83
removal and storage of the vehicle shall be credited to the 84
general fund of the county, municipal corporation, township, or 85
joint police district, as the case may be. 86

Section 2. That existing section 4513.62 of the Revised 87
Code is hereby repealed. 88