



S.B. 113

127th General Assembly
(As Introduced)

Sens. Boccieri, D. Miller, Cafaro

BILL SUMMARY

- Subjects trailers and semitrailers to motor vehicle certificate of title requirements, irrespective of the weight of the trailer or semitrailer, but with the exception of farm trailers that weigh 4,000 pounds or less.
- Provides that if a trailer is assembled from component parts by a person other than a manufacturer and it weighs 4,000 pounds or less, the owner is not required to have the trailer inspected by the State Highway Patrol in order to apply for and obtain a certificate of title for the trailer.

CONTENT AND OPERATION

In general, a certificate of title is used to evidence motor vehicle ownership. A certificate of title is required to transfer the ownership of a motor vehicle and generally must be presented to the Registrar of Motor Vehicles or a deputy registrar the first time that a motor vehicle is registered in a new owner's name (secs. 4505.03 and 4503.10, not in the bill). Existing law exempts trailers and semitrailers whose weight is 4,000 pounds or less from the certificate of title requirements by expressly including only those trailers and semitrailers whose weight exceeds 4,000 pounds in the governing definition of a "motor vehicle." The bill generally eliminates the trailer and semitrailer weight restriction from the definition of "motor vehicle," thereby subjecting trailers and semitrailers to the certificate of title requirements irrespective of the weight of these vehicles. The bill contains an exception for trailers or semitrailers used in direct agricultural production that weigh 4,000 pounds or less; these are not required to be titled. (Sec. 4505.01.)

The bill provides that notwithstanding the general certificate of title application provisions, if a certificate of title previously has not been issued for a trailer whose weight is 4,000 pounds or less, the application for a certificate of title, when required by the bill, must be accompanied by a manufacturer's or

importer's certificate; by a sworn statement of ownership; or by a certificate of title, bill of sale, or other evidence of ownership required by law of another state from which the trailer was brought into this state. If such a trailer is assembled from component parts by a person other than a manufacturer, the owner is not required to have the trailer inspected by the State Highway Patrol in order to apply for and obtain a certificate of title for the trailer. (Sec. 4505.063(A).) Such inspections normally are required of all motor vehicles that are not assembled by a manufacturer (sec. 4505.111, not in the bill).

The Registrar of Motor Vehicles, in accordance with the Administrative Procedure Act, must prescribe the form of the sworn statement of ownership and the types of additional documentation sufficient to establish proof of ownership, including, but not limited to, receipts from the purchase of parts or components, photographs, and affidavits of other persons (sec. 4505.063(A)).

On and after the bill's effective date, if a trailer is assembled from component parts by a person other than a manufacturer and it weighs 4,000 pounds or less, the owner is not required to have the trailer inspected by the State Highway Patrol in order to apply for and obtain a certificate of title for the trailer. The owner may apply for a certificate of title by complying with any of the bill's certificate of title application provisions. (Sec. 4505.063(B).)

HISTORY

ACTION	DATE
Introduced	03-13-07

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