



Ohio Legislative Service Commission

Bill Analysis

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H.B. 181

128th General Assembly
(As Introduced)

Reps. Phillips, Murray, Letson, Book, Ujvagi, Okey, Domenick

BILL SUMMARY

- Allows the display of, the taking of orders for, and the sale of, all-purpose vehicles at the location of an outdoor show held annually on the campus of a technical college that is not co-located with another institution of higher education.

CONTENT AND OPERATION

Current law governing the display of motor vehicles

Current law allows any group of licensed new motor vehicle dealers to display motor vehicles at a motor vehicle show within the general market area allocated to a licensed new motor vehicle dealer, when the following conditions are met:

(1) The primary purpose of the motor vehicle show is the exhibition of competitive makes and models of motor vehicles to provide the general public with the opportunity to review and inspect various makes and models of motor vehicles at a single location;

(2) Not less than 30 days before the planned opening date of the motor vehicle show, the group requests and receives permission to hold the show from the Registrar of Motor Vehicles. (R.C. 4517.22(A).)

Under current law, contracts cannot be signed, deposits taken, or sales consummated at the location of a motor vehicle show, except as described below under "**Exceptions**" (R.C. 4517.22(B)). Additionally, current law specifies that no motor vehicle dealer, motor vehicle leasing dealer, motor vehicle auction owner, or distributor licensed under the Motor Vehicle Dealers, Auction Owners, and Salespersons Law (R.C. Chapter 4517.) can display a motor vehicle at any place except the dealer's, owner's, or distributor's licensed location, unless the dealer, owner, or distributor first obtains

permission from the Registrar and complies with the applicable rules of the Motor Vehicle Dealers Board (R.C. 4517.22(G)).

Exceptions

The provision of law described above contains some exceptions to the general rules described above. It specifies that nothing contained in that provision can be construed as prohibiting:

(1) The taking of orders for nonmotorized recreational vehicles as defined in the Motor Vehicles General Provisions Law (R.C. Chapter 4501.) at sports or camping shows (R.C. 4517.22(F)).

(2) The display of, the taking of orders for, or the sale of, livestock trailers¹ at livestock and agricultural shows, including county fairs (R.C. 4517.22(H)).

Current law additionally states that, notwithstanding the provision of law governing the restriction of motor vehicle dealers' activities to business locations, livestock trailers may be sold at livestock and agricultural shows, including county fairs (R.C. 4517.22(H)). Current law also states that contracts may be signed, deposits taken, and sales consummated at the location of a motor vehicle show where the motor vehicles involved are horse trailers or towing vehicles that are trucks and have a gross vehicle weight of more than three-quarters of a ton, the motor vehicle show is being held as part of or in connection with a major livestock show,² the licensed new motor vehicle dealers involved have complied with the applicable requirements of the provision described above, and the Registrar has granted permission for the motor vehicle show (R.C. 4517.22(I)).

The bill

The bill adds another exception to the existing exceptions specified under "**Exceptions**," above. It states that nothing contained in current law as described above can be construed as prohibiting the display of, the taking of orders for, or the sale of, all-purpose vehicles³ at the location of an outdoor show held annually on the campus of a

¹ "Livestock trailer" means a new or used trailer designed by its manufacturer to be used to transport horses or to transport animals generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, swine, and any other animals included in rules adopted by the Director of Agriculture (R.C. 4517.22(H)).

² "Major livestock show" means any show of livestock that is held at the Ohio State Fairgrounds, is national in scope, and that continues for more than ten consecutive days (R.C. 4517.22(I)(1)).

³ "All-purpose vehicle" means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any

technical college that is not co-located with another institution of higher education. It further states that, notwithstanding the provision of law governing the restriction of motor vehicle dealers' activities to business locations, all-purpose vehicles may be sold at the location of an outdoor show held annually on the campus of a technical college that is not co-located with another institution of higher education. (R.C. 4517.22(J).)

HISTORY

ACTION	DATE
Introduced	05-12-09

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combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, mini-bikes, and trail bikes. "All-purpose vehicle" does not include a utility vehicle as defined in the Motor Vehicle General Provisions Law (R.C. Chapter 4501.) or any vehicle principally used in playing golf, any motor vehicle or aircraft required to be registered under the Motor Vehicle Licensing Law (R.C. Chapter 4503.) or the Aeronautics Law (R.C. Chapter 4561.), and any vehicle excepted from definition as a motor vehicle under the Motor Vehicle General Provisions Law. (R.C. 4517.22(J) and 4519.01, not in the bill.)

