
DEPARTMENT OF PUBLIC SAFETY

Unclaimed motor vehicles and towing charges

- Increases the threshold value of an unclaimed motor vehicle in relation to which the owner of a repair garage or place of storage may seek to obtain a certificate of title, from \$2,500 to \$5,000.
- Enables a private tow truck, towing company, or tow company place of storage to seek to obtain the certificate of title to a vehicle if the vehicle has been left with the towing company for more than 15 business days and is valued at less than \$5,000.
- Alters the process that either a repair garage, place of storage, private tow truck, towing company, or tow company place of storage must follow when seeking the certificate of title of an unclaimed vehicle.
- Expands the types of certificate of title that may be sought to include salvage certificates of title and certificates for destruction only.
- Specifies that the Superintendent of the State Highway Patrol, as opposed to a state highway patrol trooper, can dispose of an abandoned vehicle.
- Enables the designee of a law enforcement officer that is authorized to dispose of an abandoned vehicle to dispose of the vehicle.
- Revises the required signage in private tow-away zones to reflect the possible loss of ownership of an abandoned vehicle.

Anatomical gift designation on driver's license or identification card

- Provides that an organ donation designation on a person's driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card, once authorized, remains in effect until it is revoked.
- Requires an application for a driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card to include a statement of the applicant's willingness to be an organ donor only if an applicant has not previously certified their willingness to be an organ donor.

Motorcycle parking

- Permits the operators of not more than two motorcycles to back their motorcycles into a parking space that is located on the side of, and parallel to, a road or highway, and is not metered.



- Permits only one motorcycle at a time to be parked in a metered parking space.
- Permits motorcycles to face any direction when parked in any parking space described above.

License plate provision

- Creates the eight-member License Plate Safety Task Force and requires the Task Force to study issues involving (1) license plate degradation over time, and (2) the dual plate requirement and its relationship to law enforcement.
- Creates the "Truth, Justice, and the American Way" license plate and requires the contributions that persons pay when obtaining the license plate to be paid to the Siegel and Shuster Society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland.
- Creates the "Massillon Tiger Football Booster Club" license plate and requires the club to use the contributions that persons pay when obtaining the license plate only to promote and support the football team of Washington High School of the Massillon City School District.

Other provisions

- Requires the Registrar of Motor Vehicles to comply with the Financial Transaction Device Contracting Law and removes a provision of the Revised Code that allows the Registrar to contract with a third party to accept and process payments made using a financial transaction device.
- Requires clerks of the courts of common pleas to use money in the Automated Title Processing Fund to pay for ribbons, cartridges, or other devices necessary for the operation of watercraft and outboard motor and motor vehicle certificate of title processing equipment.
- Removes from the definition of "chauffeured limousine" a provision that requires the vehicle to be operated for hire on an hourly basis; and removes a provision that requires a prearranged chauffeured limousine contract to specify the amount charged at a fixed rate per hour or trip.
- Requires the operator of an agricultural tractor to hold a driver's license when transporting persons on a trailer or unit of farm machinery.

Unclaimed motor vehicles – private towing companies

(R.C. 4505.101; Section 803.200)

The bill increases the threshold value of an unclaimed motor vehicle for which an owner of a repair garage or place of storage may seek to obtain a certificate of title. Under current law, such an entity may seek the title of an abandoned vehicle only if the value is less than \$2,500. Under the bill, such an entity can seek the title of abandoned vehicles with a value of less than \$5,000. The bill also revises the threshold period of abandonment to trigger this right from 15 days to 15 business days.

Also, under current law, this right is provided only to repair garages or places of storage. Under the bill, a private tow truck, towing company, or tow company place of storage is able to seek the title of an unclaimed vehicle after a period of 15 business days if the value of the vehicle is less than \$5,000.

The bill alters the process that either a repair garage or a towing company must follow when seeking the certificate of title of an unclaimed vehicle. The process under current law is as follows:

- The entity seeking the title of the abandoned vehicle must send a notice by certified mail to the owner of the vehicle. If the vehicle remains unclaimed by the owner of the vehicle 15 days after the notice is mailed, then the entity may seek to obtain the certificate of title.
- The entity sending the notice is required to execute an affidavit stating that all necessary requirements have been met and specifying certain information.
- Prior to the execution of the affidavit, a search must be conducted of the vehicle records of the Bureau of Motor Vehicles. If the search reveals any outstanding lien or mortgage on the motor vehicle, the entity seeking the title must notify the interested parties by certified mail, providing the location and value of the vehicle. If the lien holder or mortgagee does not claim the vehicle within 15 days, then the mortgagee or lien holder's claim on the vehicle is invalidated.
- The affidavit must then be presented to the clerk of courts in the county where the repair garage or place of storage is located. The clerk of courts is then required to issue a certificate of title, free and clear of all liens and encumbrances.

The bill makes changes to this process. First, in addition to a standard certificate of title, a repair garage or a towing company may also seek a salvage certificate of title or a certificate for destruction only. Second, the affidavit must be executed within 30 business days after receiving signed receipt from the certified mail or notification that the delivery was not possible. Third, if the search of the motor vehicle records reveals any additional owner, the entity seeking the title in question must also notify this owner via certified mail. Fourth, all time periods are set as "business days" as opposed to "days." Finally, the bill makes conforming changes with regard to the issuance of a destruction only certificate. The bill specifies that until such time as the Registrar of Motor Vehicles can adopt rules with relation to these changes, the Registrar is to continue to process the affidavits required under the Registrar's current policies, procedures, and standards.

Private tow-away zone signage

(R.C. 4513.60)

The bill also makes changes to the law with regard to the signage posted in private tow-away zones. The bill requires that such signs also include language indicating "that abandoned unclaimed motor vehicles may result in ownership interest for the tower under section 4505.101 of the Revised Code."

Law enforcement officers and the disposal of abandoned vehicles

(R.C. 4513.61 and 4513.62)

The bill makes changes to the law with regard to the disposal of abandoned vehicles by law enforcement officers. Under current law, the sheriff of a county or chief of police of a municipal corporation, township, or township or joint police district within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper may dispose of an abandoned vehicle. The bill replaces a state highway patrol trooper with the Superintendent of the State Highway Patrol as a person who is authorized to dispose of an abandoned motor vehicle. The bill also specifies that the designee of any of the aforementioned law enforcement officers may dispose of an abandoned vehicle.

Anatomical gift designation on driver's license or identification card

(R.C. 2108.05, 4506.07, 4507.06, and 4507.51; Sections 110.30, 110.31, and 110.32)

Under current law, if a person wishes to certify the person's willingness to be an organ donor, the person may authorize a statement or symbol indicating such willingness to be imprinted on the person's driver's license, motorcycle operator's



license or endorsement, commercial driver's license, or identification card. The bill stipulates that once a person has authorized such a statement or symbol to be imprinted on the person's license or identification card, the authorization remains in effect until it is revoked. The person does not need to recertify the authorization upon renewal of the license or identification. The bill also requires the application for any license or identification card listed above to include a statement concerning the applicant's willingness to be an organ donor only if an applicant has not previously certified their willingness to be an organ donor.

Under current law, any application for a driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card must include a statement of whether the applicant wishes to certify willingness to be an organ donor, regardless of whether the applicant has previously authorized a statement or symbol to be imprinted on the applicant's license or identification card indicating such willingness.

Motorcycle parking

(R.C. 4511.69)

The bill permits the operators of not more than two motorcycles to back their motorcycles into a parking space that is located on the side of, and parallel to, a road or highway, and is not metered. The bill also permits only one motorcycle at a time to be parked in a metered parking space. All such parked motorcycles may face any direction.

License Plate Safety Task Force

(Section 755.10)

The bill creates the License Plate Safety Task Force, consisting of the following eight members: three members appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, three members appointed by the Speaker of the House, and one member appointed by the Minority Leader of the House. At least five members must represent law enforcement.

The Task Force is required to examine the extent of license plate degradation over time and the impediments to law enforcement efforts caused by illegible license plates resulting from degradation. The Task Force also must examine whether having dual license plates is beneficial to law enforcement officers and determine whether the state should continue its dual plate requirement. Not later than December 31, 2013, the Task Force must issue a report of its findings and recommendations to the Governor,



the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House. At that time, the Task Force ceases to exist.

"Truth, Justice, and the American Way" license plate

(R.C. 4501.21 and 4503.732)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the registration of the vehicle and issuance of "Truth, Justice, and the American Way" license plates. The application for "Truth, Justice, and the American Way" license plates may be combined with a request for a special reserved license plate provided in current law. Upon receipt of the completed application and compliance with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Truth, Justice, and the American Way" license plates with a validation sticker, or a validation sticker alone when required by current law. In addition to the letters and numbers ordinarily inscribed on license plates, "Truth, Justice, and the American Way" license plates must be inscribed with the words "Truth, Justice, and the American Way" and a design, logo, or marking selected by the entity that owns the Superman name. The Registrar must approve the final design after entering into a license agreement with that entity for the appropriate use of the Superman name and the associated logo or marking, as applicable. "Truth, Justice, and the American Way" license plates must bear county identification stickers that identify the county of registration by name or number.

"Truth, Justice, and the American Way" license plates and validation stickers are issued upon payment of the regular tax prescribed in current law, any applicable local motor vehicle tax, a Bureau of Motor Vehicles administrative fee of \$10, a contribution of \$10, and the applicant's compliance with all other applicable laws relating to motor vehicle registration. If the application for "Truth, Justice, and the American Way" license plates is combined with a request for a special reserved license plate, the applicant must also pay the applicable additional special reserved license plate fee.

The Registrar must pay the \$10 contributions received under the bill into the state treasury to the credit of the existing License Plate Contribution Fund. The bill then requires the Registrar to pay those contributions to the Siegel and Shuster Society, a nonprofit corporation dedicated to commemorating and celebrating the creation of Superman in Cleveland.

The bill requires the Registrar to pay the \$10 Bureau of Motor Vehicles (BMV) administrative fee, the purpose of which is to compensate the BMV for additional



services required in issuing "Truth, Justice, and the American Way" license plates, into the state treasury to the credit of the State Bureau of Motor Vehicles Fund.

"Massillon Tiger Football Booster Club" license plate

(R.C. 4503.524)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the registration of the vehicle and issuance of "Massillon Tiger Football Booster Club" license plates. The application for "Massillon Tiger Football Booster Club" license plates may be combined with a request for a special reserved license plate provided in current law. Upon receipt of the completed application and compliance with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Massillon Tiger Football Booster Club" license plates with a validation sticker, or a validation sticker alone when required by current law.

In addition to the letters and numbers ordinarily inscribed on license plates, "Massillon Tiger Football Booster Club" license plates must be inscribed with words and markings selected and designed by the Massillon Tiger Football Booster Club and approved by the Registrar. "Massillon Tiger Football Booster Club" plates must bear county identification stickers that identify the county of registration by name or number.

"Massillon Tiger Football Booster Club" license plates and validation stickers are issued upon payment of the regular tax prescribed in current law, any applicable local motor vehicle tax, a Bureau of Motor Vehicles administrative fee of \$10, a contribution of \$25, and the applicant's compliance with all other applicable laws relating to motor vehicle registration. If the application for "Massillon Tiger Football Booster Club" license plates is combined with a request for a special reserved license plate provided in current law, the applicant must also pay the applicable additional special reserved license plate fee.

The Registrar must transmit the \$25 contributions received under the bill to the Treasurer of State for deposit into the existing License Plate Contribution Fund. The bill then requires the Registrar to pay the contributions to the Massillon Tiger Football Booster Club, which must use the contributions only to promote and support the football team of Washington High School of the Massillon City School District.

The bill requires the Registrar to deposit the \$10 BMV administrative fee, the purpose of which is to compensate the BMV for additional services required in issuing



"Massillon Tiger Football Booster Club" license plates, into the State Bureau of Motor Vehicles Fund.

Registrar contracts for use of a financial transaction device

(R.C. 4503.62)

The bill removes a provision of the Revised Code that allows the Registrar of Motor Vehicles, with the approval of the Director of Public Safety, to contract with a third party to accept and process vehicle registration payments made using a financial transaction device (generally a credit or debit card reader). The bill also requires the Registrar to comply with the Financial Transaction Device Contracting Law (R.C. 113.40), which provides that certain state elected officials and entities must comply with certain procedures and use only specified financial institutions, issuers, or processors as provided by the resolution adopted by the State Board of Deposit.

Under current law, the Registrar may, but is not required to, comply with the Financial Transaction Device Contracting Law and is permitted, with the approval of the Director of Public Safety, to contract with a third party to accept and process payments made using a financial transaction device.

Certificate of title processing equipment

(R.C. 1548.02, 4505.02, and 4505.09)

The bill adds to the purposes of the Automated Title Processing Board by specifying that the Board must approve not only the procurement of automated title processing equipment but also ribbons, cartridges, or other devices necessary for the operation of that equipment. The bill then requires clerks of the courts of common pleas to use money in the Automated Title Processing Fund to pay not only for ribbons but also cartridges or other devices necessary for the operation of watercraft and outboard motor certificate of title processing equipment. The bill also requires the clerks to use money in the Fund to pay for ribbons, cartridges, or other devices necessary for the operation of motor vehicle certificate of title processing equipment. Current law requires the clerks to use money in the Fund to pay for ribbons for data and removable backup media for watercraft and outboard motor certificate of title processing equipment.



Definition of chauffeured limousine

(R.C. 4501.01; Sections 110.30, 110.31, and 110.32)

Under current law, a chauffeured limousine is defined as a motor vehicle that is designed to carry nine or fewer passengers and is operated for hire "on an hourly basis" pursuant to a prearranged contract. A prearranged contract is defined as an agreement, made in advance of boarding, to provide transportation from a specific location at a "fixed rate per hour or trip."

The bill removes the requirement that chauffeured limousines be operated for hire "on an hourly basis." The bill also removes the requirement that a prearranged contract must specify a "fixed rate per hour or trip."

Agricultural tractor operation and driver's license

(R.C. 4507.021 and 4507.03)

As a general matter, a person is not required to have a driver's license to temporarily drive an agricultural tractor on a street or highway at a speed of 25 miles per hour or less. The bill requires the operator of an agricultural tractor to hold a driver's license when transporting persons on a trailer or unit of farm machinery. Additionally, the bill relocates the provision of current law requiring a person operating an agricultural tractor faster than 25 miles per hour to hold a driver's license. Violation of the new and existing requirement to have a driver's license when operating an agricultural tractor under these limited circumstances is a first degree misdemeanor.

