



## *Synopsis of Senate Committee Amendments\**

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### **Sub. H.B. 230**

125th General Assembly  
(S. Highways & Transportation)

#### **Motor vehicle registration**

Allows a motor vehicle dealer to retain as service fee, \$3.50 of the total \$10.50 fee the dealer charges for issuance of a temporary license placard, if the dealer notifies the Registrar of the issuance of the temporary placard by approved electronic means (R.C. 4503.182).

Removes from the version of the bill passed by the House, exemptions from the motor vehicle registration requirements for trailers and semitrailers used to transport industrialized units, manufactured homes, and mobile homes, but retains the registration exemption granted in the House-passed version for concrete pumps and concrete conveyors (R.C. 4503.01).

Authorizes the Registrar to appoint the clerk of a court of common pleas and an approved electronic motor vehicle dealer as a limited authority deputy registrar, with authority to conduct only initial and transfer registration transactions, motor vehicle identification number inspections, and other associated transactions and specifies that such a limited authority deputy registrar is not subject to the political contribution restrictions and disclosure requirements applicable to most deputy registrars under current law (current uncodified law gave the Registrar authority to establish a pilot program for limited authority deputy registrars) (R.C. 4503.036).

Allows a person to apply for registration without a certificate of title otherwise required by law if the application is made to an electronic motor vehicle dealer acting as a limited authority deputy registrar (R.C. 4503.10).

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

### **Motor vehicle certificate of title law**

Allows the Registrar to adopt rules to allow a licensed auto auction owner to file an application for a certificate of title in an electronic manner approved by the Registrar (R.C. 4505.022).

Allows a person who does not have a physical title to a motor vehicle to sell the vehicle to any licensed motor vehicle dealer without obtaining a physical title, rather than just to an electronic motor vehicle dealer as under current law (R.C. 4505.032).

Allows an electronic motor vehicle dealer to inform the clerk of the court of common pleas of the sale and assignment of ownership via electronic means in the case of a person who does not have a physical certificate of title and who assigns the motor vehicle to an electronic dealer (R.C. 4505.032).

Upon the sale of a vehicle with an electronic title, allows a secured party to notify a dealer of the satisfaction of a lien by an electronic written confirmation (by electronic mail or other electronic confirmation), rather than by conveyance of the certificate of title or a separate statement of the discharge of the lien and requires the email to be sent within seven days (determined by the date on the email) of the satisfaction of the lien. Also removes the requirement for the separate statement of the discharge of a lien to be a *sworn* statement (R.C. 4505.13).

Exempts vehicles with a gross vehicle weight rating of more than 16,000 pounds from the current requirement for an odometer disclosure statement on a certificate of title when a vehicle is transferred, but continues to subject such vehicles to the general prohibitions against tampering with an odometer or odometer fraud (R.C. 4505.06).

### **Temporary law provisions relating to certificate of title law**

Requires the Registrar and the Chief of the Division of Watercraft to have electronic titling provisions (Sub. S.B. 59 of the 124th General Assembly) implemented and operational by no later than December 31, 2005, and further requires the Registrar to present a written report to the General Assembly by December 1, 2004 addressing specific implementation dates and a timeline for complying with the December 2005 deadline (Section 6).

Requires the Citizens Advisory Committee created within the Bureau of Motor Vehicles, by December 31, 2004, to make a written recommendation to the leadership of the Senate and House of Representatives concerning whether the three-year schedule of payments to clerks of the courts of common pleas established in Section 5 of Sub. S.B. 59 of the 124th General Assembly should be continued beyond March 31, 2005 and requires the committee to consider all aspects of the revenue loss incurred by the clerks that is attributable to the implementation of Sub. S.B. 59 of the 124th General Assembly and make any recommendations to address any continuing revenue loss (Section 9).

### **Watercraft certificate of title law**

Adopts watercraft titling provisions similar to those established for motor vehicles in the version of the bill passed by the House, as follows: (1) allows an applicant for a watercraft or outboard motor certificate of title to petition the court of common pleas for an order directing the clerk of courts to issue the certificate if ownership of the watercraft was transferred by operation of law but the applicant was unable to produce either proof of ownership to the clerk of courts or sufficient evidence to the Chief of the Division of Watercraft, and (2) retains the requirement that the Chief of the Division of Watercraft enable public access to watercraft and outboard motor title information by electronic means, but allows, rather than requires, the procedures to be established by rule (R.C. 1548.11 and 1548.141).

### **Financial responsibility law**

Allows the Registrar to grant an owner or driver of an inoperable or seasonally operated vehicle relief from the requirement to produce proof of financial responsibility as many times as the person is randomly selected to verify financial responsibility, rather than only allowing such relief one time for any person as under current law; but, continues the provision of current law allowing the Registrar to give such relief only one time if the vehicle owner or driver was not at fault for the failure to have financial responsibility or the failure resulted from excusable neglect of the owner or driver (R.C. 4509.101).

### **State Highway Patrol Retirement System**

Increases the mandatory retirement age from 55 to 60 for members of the state highway patrol retirement system, and continues the provision of current law allowing a member who reaches the mandatory retirement age to apply to continue in service after reaching the mandatory retirement age but only until the member has accumulated 20 years of service (R.C. 5505.16).

### **Motor vehicle dealer law**

Eliminates from the version passed by the House a requirement for persons initially applying for a used motor vehicle dealer's license to complete a training course (R.C. 4517.05).

Establishes that all motor vehicle dealers' licenses, motor vehicle leasing dealers' licenses, manufactured home brokers' licenses, distributors' licenses, auction owners' licenses, salespersons' licenses, motor vehicle salvage dealers' licenses, salvage motor vehicle auctions licenses, salvage motor vehicle pool licenses, and buyers' identification cards expire on a date prescribed by the Registrar of Motor Vehicles that is within the two-year registration cycle set by the version of the bill passed by the House, rather than on a specific calendar date as is required for annual renewal under current law (R.C. 4517.10 and 4738.05).

### **Commercial driver's license (CDL) testing**

Permits private parties and other governmental entities that are authorized to administer the skills portion of the CDL exam to charge a maximum of \$85 as a divisible skills test and appointment fee (R.C. 4506.09).

### **Regulation of private investigators and security service providers**

Creates a 14 member Private Investigation and Security Services Commission, consisting of the Director of Public Safety as a nonvoting member; the Superintendent of the Highway Patrol as a voting member; and 12 members appointed by the Governor with the advice and consent of the Senate. Seven of the appointed members are owners or operators of the various license classes of regulated private investigation or security services business, 3 are law enforcement representatives, and two are public members. Members serve 5-year terms and receive expenses only. Primarily charges the Commission with advising the Director on matters related to the regulation of private investigation and security services and on licensure examinations (R.C. 4749.021).

Declares that the appropriation transfer from the Department of Commerce to the Department of Public Safety and related regulatory provisions governing private investigators and security providers are not subject to the referendum and establishes July 1, 2004 or the date the bill becomes law, whichever is later, as the effective date for these codified and uncodified provisions (Section 8).

Changes the length of time a licensee or the licensee's employees may operate in a county or municipal corporation without notifying the sheriff and chief of police of their presence from 12 hours to the time allotted by rule of the Director of Public Safety (R.C. 4749.05).

### **Regulation by ODOT of certain outdoor advertising devices**

For purposes of the current law provision allowing advertising devices located on the premises of a "professional sports facility" to be erected within 660 feet of an interstate or primary highway right of way, defines a professional sports facility as all or part of a stadium, arena, motorsports complex, or other facility the primary purpose of which is to provide a site for (1) events of a major or minor league professional sports team associated with the state, a city, or a region of the state, or (2) motorsports events (R.C. 5516.01).

Establishes that a permit for an advertising device is the property of the permit holder and, upon the sale of the advertising device, the permit continues in effect for any time remaining in the two-year term for which the permit was granted (R.C. 5516.10).

Removes from the version passed by the House language that would have restricted the issuance of advertising device permits based on either (1) whether the device was composed of a stacked sign of a certain area, or (2) whether the device was a single face sign larger than 1,200 square feet (R.C. 5516.062).

### **Vehicle weight and size restrictions**

Increases the maximum permissible length for buses operated by a regional transit authority from 60 feet to 66 feet and also applies this permissible maximum length to articulated passenger bus type vehicles operated by a regional transit authority (R.C. 5577.05).

Exempts from vehicle size and weight restrictions any person initially towing a wrecked or disabled vehicle from the site of an emergency to the nearest site where the vehicle can be brought into conformance with size and weight requirements or to the nearest qualified repair facility and requires any subsequent towing of such a vehicle to conform with the size and weight provisions and prohibits a court from imposing any criminal penalty or civil liability for road damage on a person towing a wrecked or disabled vehicle as described above (R.C. 5577.15).

### **Regional Transit Authority**

Replaces a current *prohibition* against a regional transit authority (RTA) purchasing or operating a bus that has a flexible joint built into the body or chassis unless the bus is manufactured or assembled in this state, or if none are manufactured in Ohio, within the United States, with authority for an RTA to purchase an articulated bus only if the RTA establishes and follows a preference system for such buses that are manufactured in this state or, if none, within the United States (R.C. 306.351).

### **Joint emergency medical services district**

Exempts contracts between a board of county commissioners and a joint emergency medical services district for the services of an emergency medical organization from competitive bidding requirements (specific exemptions are granted from the general county contracting requirements, county contracting for medical services requirements, and joint emergency medical service district contracting) (R.C. 307.05, 307.055, and 307.86).