



## Ohio Revised Code

### Section 2131.13 Transfer-on-Death of Motor Vehicle, Watercraft, or Outboard Motor Statute.

Effective: June 30, 2021

Legislation: House Bill 74

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(A) As used in this section:

(1) "Designate or designation in beneficiary form" means to designate, or the designation of, a motor vehicle, an all-purpose vehicle, an off-highway motorcycle, a watercraft, or an outboard motor in a certificate of title that indicates the present owner of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor and the intention of the present owner with respect to the transfer of ownership on the present owner's death by designating one or more persons as the beneficiary or beneficiaries who will become the owner or owners of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor upon the death of the present owner.

(2) "Motor vehicle" has the same meaning as in section 4505.01 of the Revised Code.

(3) "Person" means an individual, a corporation, an organization, or other legal entity.

(4) "Transfer-on-death beneficiary or beneficiaries" means a person or persons specified in a certificate of title of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor who will become the owner or owners of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor upon the death of the present owner of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor.

(5) "Watercraft" has the same meaning as in section 1548.01 of the Revised Code.

(6) "Owner" includes the plural as well as the singular, as specified in section 1.43 of the Revised Code.

(7) "Joint ownership with right of survivorship" has the same meaning as in section 2131.12 of the



Revised Code.

(8) "All-purpose vehicle" has the same meaning as in section 4519.01 of the Revised Code.

(9) "Off-highway motorcycle" has the same meaning as in section 4519.01 of the Revised Code.

(B)(1) An individual whose certificate of title of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor shows sole ownership by that individual may make an application for a certificate of title under section 1548.07, 4505.06, or 4519.55 of the Revised Code to designate that motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in beneficiary form pursuant to this section.

(2) Individuals whose certificate of title of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor shows joint ownership with right of survivorship may jointly make an application for a certificate of title under section 1548.07, 4505.06, or 4519.55 of the Revised Code to designate that motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in beneficiary form pursuant to this section.

(C)(1) A motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor is designated in beneficiary form if the certificate of title of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor includes the name or names of the transfer-on-death beneficiary or beneficiaries.

(2) The designation of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in beneficiary form is not required to be supported by consideration, and the certificate of title in which the designation is made is not required to be delivered to the transfer-on-death beneficiary or beneficiaries in order for the designation in beneficiary form to be effective.

(D) The designation of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in beneficiary form may be shown in the certificate of title by the words "transfer-on-death" or the abbreviation "TOD" after the name of the owner of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor and before the name or names of the transfer-on-death beneficiary or beneficiaries.



(E) The designation of a transfer-on-death beneficiary or beneficiaries on a certificate of title has no effect on the ownership of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor until the death of the owner of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor. The owner of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor may cancel or change the designation of a transfer-on-death beneficiary or beneficiaries on a certificate of title at any time without the consent of the transfer-on-death beneficiary or beneficiaries by making an application for a certificate of title under section 1548.07, 4505.06, or 4519.55 of the Revised Code.

(F)(1) Upon the death of the owner of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor designated in beneficiary form, the ownership of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor shall pass to the transfer-on-death beneficiary or beneficiaries who survive the owner upon transfer of title to the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in accordance with section 1548.11, 4505.10, or 4519.60 of the Revised Code. The transfer-on-death beneficiary or beneficiaries who survive the owner may apply for a certificate of title to the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor upon submitting proof of the death of the owner of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor.

(2) If no transfer-on-death beneficiary or beneficiaries survive the owner of a motor vehicle, watercraft, or outboard motor, the motor vehicle, watercraft, or outboard motor shall be included in the probate estate of the deceased owner.

(G)(1) Any transfer of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor to a transfer-on-death beneficiary or beneficiaries that results from a designation of the motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor in beneficiary form is not testamentary.

(2) This section does not limit the rights of any creditor of the owner of a motor vehicle, all-purpose vehicle, off-highway motorcycle, watercraft, or outboard motor against any transfer-on-death beneficiary or beneficiaries or other transferees of the motor vehicle, all-purpose vehicle, off-



highway motorcycle, watercraft, or outboard motor under other laws of this state.

(H)(1) This section shall be known and may be cited as the "Transfer-on-Death of Motor Vehicle, All-Purpose Vehicle, Off-Highway Motorcycle, Watercraft, or Outboard Motor Statute."

(2) Divisions (A) to (H) of this section shall be liberally construed and applied to promote their underlying purposes and policy.

(3) Unless displaced by particular provisions of divisions (A) to (H) of this section, the principles of law and equity supplement the provisions of those divisions.