



Ohio Revised Code

Section 4513.602 Dealer or repair facility removal of unclaimed vehicle by towing.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

(A) As used in this section and section 4513.603 of the Revised Code:

- (1) "Motor vehicle dealer" has the same meaning as in section 4517.01 of the Revised Code.
- (2) "Repair facility" means any business with which a person has entered into an agreement to repair a vehicle.
- (3) "Towing service" means any for-hire motor carrier that removes a motor vehicle from a motor vehicle dealer or repair facility.
- (4) "Storage facility" means any place to which a towing service delivers a motor vehicle from a motor vehicle dealer or repair facility.

(B) A motor vehicle dealer or repair facility that is in possession of a motor vehicle may cause the removal of the motor vehicle by a towing service if all of the following apply:

- (1) A search was made of the records of the bureau of motor vehicles to ascertain the identity of the owner and any lienholder of the motor vehicle.
- (2) Upon obtaining the identity under division (B)(1) of this section, notice was sent to the owner's and any lienholder's last known address by certified or express mail with return receipt requested or by a commercial carrier service utilizing any form of delivery requiring a signed receipt, and the notice informs the owner and any lienholder of the following:
 - (a) The address where the motor vehicle is located;
 - (b) That the motor vehicle dealer or repair facility will cause the vehicle to be towed if not claimed



within fourteen calendar days after either the date the notice was received or the date the motor vehicle dealer or repair facility receives notification that delivery was not possible;

(c) That a towing service that removes the motor vehicle or a storage facility that stores the motor vehicle may obtain title to it under section 4513.603 of the Revised Code.

(3) The motor vehicle has been left unclaimed for fourteen days after one of the following:

(a) The date the notice sent under division (B)(2) of this section was received, as evidenced by a receipt signed by any person;

(b) The date the motor vehicle dealer or repair facility received notification that the delivery of the notice sent under division (B)(2) of this section was not possible.

The procedure described in division (B) of this section applies regardless of who leaves the motor vehicle on the motor vehicle dealer's property or the repair facility's property.

(C) A motor vehicle owner's or lienholder's failure to remove the vehicle from the property within the time period specified in division (B)(3) of this section constitutes consent to all of the following:

(1) The motor vehicle's removal and storage;

(2) The payment of any charges incurred for the removal and storage of the motor vehicle;

(3) The right of a towing service that removes the motor vehicle or storage facility that stores the motor vehicle to obtain title to the motor vehicle under section 4513.603 of the Revised Code.

(D) After a motor vehicle has been removed by a towing service, a motor vehicle owner or lienholder may reclaim the motor vehicle from the towing service or storage facility that is in possession of the motor vehicle if all of the following apply:

(1) The owner presents proof of ownership evidenced by a certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement.



(2) The owner or lienholder makes payment of any charges incurred for the removal and storage of the motor vehicle.

(3) Title to the motor vehicle has not been issued to the towing service or storage facility under section 4513.603 of the Revised Code.

(E) Any towing service that removes a motor vehicle under this section shall not charge a fee greater than those established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code.

(F)(1) Any motor vehicle dealer, repair facility, towing service, or storage facility that complies with this section is not liable for any damage, claim of conversion, or any other claim resulting from the removal, towing, or storage of the motor vehicle.

(2) A motor vehicle dealer or repair facility does not forego, release, or otherwise relinquish any legal recourse or right of action against a titled owner or lienholder of a motor vehicle by causing the vehicle to be removed under division (B) of this section, unless possession of the motor vehicle is required for the cause of action.