



Ohio Administrative Code

Rule 4501:1-6-04 Limited authority deputy registrars.

Effective: January 3, 2021

(A) The registrar of motor vehicles, with the approval of the director of public safety, shall establish a program to appoint limited authority deputy registrars. The registrar shall appoint only clerks of the courts of common pleas in counties having a population of more than forty thousand and electronic motor vehicle dealers.

An electronic motor vehicle dealer means a motor vehicle dealer that:

- (1) Holds a current, valid motor vehicle dealer's license issued under Chapter 4517. of the Revised Code.
- (2) Participates in the title defect rescission fund created by section 1345.52 of the Revised Code.
- (3) Has the capability, via electronic means, to send motor vehicle title and registration information, as specified by the registrar, to the registrar and clerks of courts of common pleas.

(B) Any eligible clerk of courts or electronic motor vehicle dealer may submit a proposal to the registrar for appointment as a limited authority deputy registrar or "LADR". From the proposals submitted, the registrar, with the approval of the director, shall choose the clerks and dealers to be appointed as LADRs. The selections need not be on a competitive basis, but may be based upon the registrar's discretion. In deciding whether to appoint a LADR the registrar shall consider whether the appointment would make it economically infeasible for an existing deputy registrar's office to continue to operate. The registrar may also consider any other information the registrar deems relevant. Within thirty days of submission of a proposal for appointment as a LADR, the registrar shall provide written notification informing the applicant whether the proposal is accepted or denied. If the proposal is denied, the written notification from the registrar shall state the reason or reasons for the denial.

(C) A limited authority deputy registrar or "LADR" may provide only the following services and



only when the services are rendered in conjunction with an application for a certificate of title transaction pursuant to Chapter 4505. of the Revised Code:

- (1) Using electronic means, initial and transfer motor vehicle transactions.
 - (2) Using electronic means, vehicle identification number (VIN) inspections.
 - (3) Essential services and functions associated with motor vehicle registration transactions including collecting certain charitable donations as required by statute, registering persons to vote, to the extent required by the registrar.
 - (4) Issuing temporary tags or window placards in compliance with the requirements set forth in the Ohio Revised Code or prescribed by the registrar.
- (D) A limited authority deputy registrar or "LADR" shall sign a contract before assuming any duties as a LADR. The contract terms and conditions may differ depending upon whether the limited authority deputy registrar is a clerk of courts or an electronic motor vehicle dealer. Among other provisions the registrar may reasonably prescribe, limited authority deputy registrar contract terms and provisions shall provide for:
- (1) A requirement for a contract period of no more than three years with a requirement for each contract to terminate on a date specified by the registrar.
 - (2) A requirement for a LADR to collect and retain the statutory fee set forth in each applicable section of the Revised Code for each transaction or physical inspection that the LADR conducts.
 - (3) A requirement for compliance with laws, administrative rules, and regulations adopted by the registrar governing LADRs.
 - (4) A requirement for training of a LADR or the employees of a LADR prescribed by the registrar prior to the opening of a LADR office.
 - (5) A requirement for security as prescribed by the registrar as necessary to secure all BMV funds,



equipment, and inventory.

(6) A requirement for LADR release of liability holding the registrar, director of public safety, the bureau of motor vehicles, the department of public safety and the state of Ohio harmless upon any claims for injuries or damages resulting from the operation of LADR. The registrar may waive this requirement for any county auditor or clerk of courts serving as a LADR.

(7) A requirement for bonding as prescribed by the registrar for the entire period of the LADR contract.

(8) A requirement that if any computers, equipment, and inventory are assigned by the BMV, such computers, equipment and inventory must be returned to the BMV upon the termination of the contract or at the registrar's request. A requirement for other office equipment and supplies for employees and customers that are necessary for the operation of a LADR office to be provided by the LADR.

(9) A requirement for the LADR to comply with any requirements established by the registrar regarding collection and handling of funds collected by the LADR on behalf of the state.

(10) A requirement for a LADR to adopt and enforce policies to prohibit sexual harassment and to provide equal opportunity for employees and in providing service to the public.

(11) A requirement for records to be made available to BMV representatives for inspection and a requirement for record retention for periods prescribed by the registrar.

(12) A requirement for a method of contract termination by a LADR or by the registrar.

(13) A requirement for a method of contract amendment.

(14) A requirement for good faith performance by a LADR and the registrar.

(15) A requirement for severability of a LADR contract if any provisions are declared unconstitutional or legally deficient in any respect.



(16) A prohibition against assignment of a LADR contract unless the assignment is approved by the registrar.