



Ohio Revised Code

Section 4505.104 Obtaining certificate of title to unclaimed motor vehicle.

Effective: April 7, 2023

Legislation: House Bill 507

(A) A towing service or storage facility that is in possession of a motor vehicle may obtain a certificate of title to the vehicle as provided in division (B) of this section if all of the following apply:

(1) The motor vehicle was towed or stored pursuant to section 4513.60, 4513.61, or 4513.66 of the Revised Code.

(2) A search was made of the records of an applicable entity listed in division (F)(1) of section 4513.601 of the Revised Code to ascertain the identity of the owner and any lienholder of the motor vehicle.

(3) Upon obtaining the identity in division (A)(2) of this section, notice was sent to the last known address of the owner and any lienholder, by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The notice shall inform the owner and lienholder that the towing service or storage facility will obtain title to the motor vehicle if not claimed within sixty days after the date the notice was received.

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

(a) The date the notice sent under division (A)(3) of this section was received, as evidenced by a receipt signed by any person;

(b) The date the towing service or storage facility received notification that the delivery of the notice sent under division (A)(3) of this section was not possible.

(5) A sheriff, chief of a law enforcement agency, or state highway patrol trooper, as applicable, has made a determination that the vehicle or items in the vehicle are not necessary to a criminal



investigation.

(6) An agent of the towing service or storage facility executes an affidavit, in a form established by the registrar of motor vehicles not later than ninety days after September 30, 2021, affirming that conditions in divisions (A)(1) to (5) of this section are met.

(B) The clerk of court shall issue a certificate of title, free and clear of all liens and encumbrances, to the towing service or storage facility that presents an affidavit that affirms that the conditions in divisions (A)(1) to (5) of this section are met.

(C) After obtaining title to a motor vehicle under this section, the towing service or storage facility shall retain any money arising from the disposal of the vehicle.

(D) A towing service or storage facility that obtains title to a motor vehicle under this section shall notify the entity that ordered the motor vehicle into storage that the motor vehicle has been so disposed. The towing service or storage facility shall provide the notice on the last business day of the month in which the service or facility obtained title to the motor vehicle.

(E) As used in this section, "towing service or storage facility" means any for-hire motor carrier that removes a motor vehicle under the authority of section 4513.60, 4513.61, or 4513.66 of the Revised Code and any place to which such a for-hire motor carrier delivers a motor vehicle towed under those sections.