



- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



John R. Kasich, Governor
John Born, Director
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TO: ALL CLERKS OF COURTS TITLE OFFICES

FROM: TERESA JOHNSON, CHIEF, TITLE SUPPORT SECTION

DATE: MARCH 16, 2015

SUBJECT: TITLE BROADCAST 15-0316

RE: Certificate of Title to an Unclaimed Motor Vehicle per R.C. 4505.101 Pursuant to Senate Bill 274, Effective Date 3/23/2015

R.C. 4505.101 has been amended to include towing services and storage facilities in addition to repair garages and places of storage, as authorized to file an unclaimed motor vehicle affidavit upon all of the completed requirements.

Division (A) of section R.C. 4505.101 sets forth the requirements for any repair garage or place of storage in order to file an unclaimed motor vehicle affidavit.

- Motor vehicle value must be less than \$3500 (*motor vehicle value to be discussed below*).
- The motor vehicle has been unclaimed for 15 days or more following the completion of the requested repairs or the agreed term of storage.
- A search of the records of the bureau of motor vehicles must be completed. (*Pursuant to R.C. 4505.14 a search of the records of the bureau of motor vehicles upon application and payment of the proper fee may be conducted by the registrar of motor vehicles or the clerk of courts.*)
- Notification to the last known address of any owner and any lienholder (that includes where the motor vehicle is located and the value of the vehicle) shall be sent by certified mail with the request of a returned receipt.
- If the motor vehicle remains unclaimed by any owner or lienholder for 15 days after notices were mailed and a signed receipt from the certified mail or notification the delivery was not possible has been received, they may file an unclaimed motor vehicle affidavit to obtain the certificate of title.

Division (B) of section R.C. 4505.101 sets forth the requirements for any towing service or storage facility in order to file an unclaimed motor vehicle affidavit.

- The vehicle was towed under division (B) of section R.C. 4513.601 Private tow-away zones.
- Motor vehicle value must be less than \$3500 (*motor vehicle value to be discussed below*).
- A search of the records of the bureau of motor vehicles must be made immediately. (*Pursuant to R.C. 4505.14 a search of the records of the bureau of motor vehicles upon application and payment of the proper fee may be conducted by the registrar of motor vehicles or the clerk of courts.*)
- Notification to the last known address of any owner and any lienholder shall be sent by certified mail or express mail with the request of a returned receipt, within 5 **business** days of the removal of the motor vehicle.
- If the motor vehicle remains unclaimed for 30 days from the 1st notice, and there is **no evidence** of a receipt signed by any person or notification the delivery was not possible, the towing service or storage facility shall send notification to the last known address of any owner and any lienholder by certified mail or express mail with the request of a returned receipt.
 - The R.C. is specific to the number of days, therefore the notice must be sent NO LATER than the 31st day.
- If the motor vehicle remains unclaimed for 45 days from the 1st notice, and there is **no evidence** of a receipt signed by any person or notification the delivery was not possible, the towing service or storage facility shall send notification to the last known address of any owner and any lienholder by certified mail or express mail with the request of a returned receipt.
 - The R.C. is specific to the number of days, therefore the notice must be sent NO LATER than the 46th day.
- If the motor vehicle remains unclaimed for 60 days from **any notice** and **evidence of a receipt signed by any person or notification the delivery was not possible, has been received** by the towing service or storage facility, they may initiate the unclaimed motor vehicle affidavit process.
- If the motor vehicle remains unclaimed and **evidence of a receipt signed by any person or notification the delivery was not possible, has NEVER been received** by the towing service or storage facility, they shall **NOT** obtain or attempt to

obtain a certificate of title to the motor vehicle using the unclaimed motor vehicle affidavit. They **must** apply for a court ordered title.

The "**Value**" means the wholesale value for the make and model of the motor vehicle as provided in a vehicle valuation guide that is recognized by the motor vehicle industry.

Both of the following deductions may be subtracted:

1. Estimated cost of repairs to restore the motor vehicle to the wholesale value for that make and model of motor vehicle.
2. The cost of the agreed-upon repairs.

NOTE: Owners of a towing service or storage facility may obtain a title for those motor vehicles that they came into possession between January 31, 2012 and March 23, 2015 (the effective date of S.B. 274). The following requirements are as follows:

- The vehicle must have been towed under division (B) of section 4513.60 Private tow-away zones.
- The value of the motor vehicle is less than \$3500 (see value above).
- The initial notification to the last known address of any owner and any lienholder shall be sent by certified mail or express mail with the request of a returned receipt **not later than 30 days after March 23, 2015** (effective date of S.B. 274).
- If the motor vehicle remains unclaimed for 30 days from the 1st notice, and there is **no evidence** of a receipt signed by any person or notification the delivery was not possible, the towing service or storage facility shall send notification to the last known address of any owner and any lienholder by certified mail or express mail with the request of a returned receipt.
 - The R.C. is specific to the number of days, therefore the notice must be sent NO LATER than the 31st day.
- If the motor vehicle remains unclaimed for 45 days from the 1st notice, and there is **no evidence** of a receipt signed by any person or notification the delivery was not possible, the towing service or storage facility shall send notification to the last known address of any owner and any lienholder by certified mail or express mail with the request of a returned receipt.
 - The R.C. is specific to the number of days, therefore the notice must be sent NO LATER than the 46th day.

- If the motor vehicle remains unclaimed for 60 days from any notice and evidence of a receipt signed by any person or notification the delivery was not possible, has been received by the towing service or storage facility, they may initiate the unclaimed motor vehicle affidavit process.
- If the motor vehicle remains unclaimed and evidence of a receipt signed by any person or notification the delivery was not possible has NEVER been received by the towing service or storage facility, they shall **NOT** obtain or attempt to obtain a certificate of title to the motor vehicle using the unclaimed motor vehicle affidavit. They **must** apply for a court ordered title.

NOTE: The owner of a repair garage or place of storage may obtain a title for those motor vehicles that they came into possession between January 31, 2012 and March 23, 2015 (the effective date of S.B. 274). The following requirements are as follows:

- The value of the motor vehicle is at least \$2500 but less than \$3500 (see value above).
 - The value of the motor vehicle may be less than \$2500 for those vehicles that came into possession prior to March 23, 2015 (effective date of S.B. 274).
- The motor vehicle has been unclaimed for 15 days or more following the completion of the requested repair or the agreed term of storage.
- The initial notification to the last known address of any owner and any lienholder shall be sent by certified mail with the request of a returned receipt not later than 30 days after March 23, 2015 (effective date of S.B. 274).

If a clerk feels that the documentation submitted with an unclaimed motor vehicle affidavit is not complete or does not satisfy the requirements, the clerk may request additional documentation.

If you have any questions or concerns, please call the Helpdesk at
1-800-686-1587 and select option 3



OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES

UNCLAIMED MOTOR VEHICLE AFFIDAVIT
Section 4505.101 of the Ohio Revised Code (R.C.)

VEHICLE VALUE: Must be less than \$3500 to use this affidavit.

Wholesale Value (as provided in a vehicle valuation guide recognized by the motor vehicle industry)	(A) \$
Estimated cost of repairs to restore vehicle to wholesale value	(B) \$
Cost of agreed upon repairs	(C) \$
VEHICLE VALUE (amount paid to the clerk)	(A) - (B) - (C) = \$

A search of the records of the Bureau of Motor Vehicles has been made to identify any owner or lienholder. **(REQUIRED)**

VEHICLE IDENTIFICATION NUMBER (VIN)	YEAR	MAKE	MODEL
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EXACT BUSINESS NAME			
BUSINESS STREET ADDRESS		P.O. BOX	COUNTY
CITY		STATE	ZIP CODE
BUSINESS OWNER / AUTHORIZED AGENT NAME		BUSINESS TELEPHONE	ALTERNATIVE TELEPHONE

CHECK ONE BOX IN SECTION A OR B AND COMPLETE REQUIRED INFORMATION

SECTION A for Repair Garage / Place of Storage (with an agreement)

<input type="checkbox"/> Repair garage with a repair agreement	<input type="checkbox"/> Place of Storage with a storage agreement
DATE CERTIFIED MAIL SENT	DATE OF COMPLETED REPAIR / TERM OF STORAGE

SECTION B for Towing Service / Storage Facility under authority of section R.C. 4513.601
(must include copies of notices and certified returned mail receipts)

<input type="checkbox"/> Towing Service that removed the vehicle under division (B) of section R.C. 4513.601.	<input type="checkbox"/> Storage Facility where a for-hire motor carrier delivered a motor vehicle under section R.C. 4513.601.
DATE OF REMOVAL	DATE OF 1ST NOTICE (within 5 business days of removal date)
DATE OF 2ND NOTICE (30 days after 1st notice)	DATE OF 3RD NOTICE (45 days after 1st notice)

Unless otherwise specified, days are equal to calendar days.

By completing this form, I am hereby affirming that **ALL of the requirements** of R.C. Section 4505.101 and / or 4513.601 have been met. I also am affirming that all the information contained on this form is true and accurate to the best of my knowledge and belief. I understand that providing false information may constitute a criminal offense of falsification under R.C. 2921.13, a misdemeanor of the first degree.

SIGNATURE OF BUSINESS OWNER / AUTHORIZED AGENT X	DATE OF APPLICATION
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NOTARY
Subscribed and sworn to before me this _____ day of _____, _____ in the county of _____ State of Ohio.
(SEAL)
My commission expires _____ X _____ SIGNATURE

Additional documentation may be required upon request of the Clerk of Courts.