

4501:1-3-32

Place of business required for motor vehicle leasing dealers.

A motor vehicle leasing dealer who makes motor vehicles available for personal, family, or household use by another in the manner described in the definition of "motor vehicle leasing dealer" contained in section 4517.01 of the Revised Code shall have an easily recognizable established place of business and meet all of the following requirements:

- (A) Is separated with a ~~permanent physical~~ barrier, as defined in rule 4501:1-3-08 of the Administrative Code, from any residence and any other business that is not primarily related to leasing motor vehicles to any person desiring to lease a motor vehicle for personal, family, or household use, with the exception of the business operated as a new motor vehicle dealership, a used motor vehicle dealership, or a motor vehicle renting dealership, as defined in section 4549.65 of the Revised Code, located at the place of business;
- (B) Has an office that is clearly identified, easily accessible, ~~and no less than one hundred eighty square feet and shall include, at minimum, a desk, three chairs, and a filing cabinet, all of which shall be kept in a neat and orderly fashion at all times; electric lighting; and heating that is of a permanent nature and that is secure and safe for a retail office environment; and at least one hundred eighty square feet that shall not be used as a storage or other utility area. The office shall include, at minimum, a desk, three chairs, and a filing cabinet, or similar furnishings to create an environment conducive to transacting business, consummating sales, and facilitating the storage of records, all of which shall be kept in a neat and orderly fashion at all times. The office shall include adequate lighting, electrical service, heating and ventilation that is secure and safe for a retail office environment. The entire premises, including any plumbing fixtures, shall not be in violation of any applicable building and zoning requirements. The dealer shall provide evidence to show building and zoning requirements have been met upon request of the registrar or the registrar's designee. Upon request of the dealer, the registrar of motor vehicles shall consider, and may approve, reasonable variances to these requirements except for variances to the building and zoning requirements;~~ and at least one hundred eighty square feet that shall not be used as a storage or other utility area. The office shall include, at minimum, a desk, three chairs, and a filing cabinet, or similar furnishings to create an environment conducive to transacting business, consummating sales, and facilitating the storage of records, all of which shall be kept in a neat and orderly fashion at all times. The office shall include adequate lighting, electrical service, heating and ventilation that is secure and safe for a retail office environment. The entire premises, including any plumbing fixtures, shall not be in violation of any applicable building and zoning requirements. The dealer shall provide evidence to show building and zoning requirements have been met upon request of the registrar or the registrar's designee. Upon request of the dealer, the registrar of motor vehicles shall consider, and may approve, reasonable variances to these requirements except for variances to the building and zoning requirements;
- (C) Has a business telephone in service at all times that shall be answered in the name of the lending dealer. The business telephone number shall be legible and posted in a conspicuous place in public view. A motor vehicle leasing dealer shall notify the registrar in writing within fifteen days of any change in the business telephone number;
- (D) Has a sign that displays the business name in which the application is made, is permanent, properly maintained, and prominently displayed by the entrance of the office, if the sign is not visible from the public roadway. The sign's letters identifying the business name shall be no less than six inches high;

- (E) Maintain at all times the capability to send and receive electronic documents;
- (F) Is open during the posted business hours. The business hours shall be legible and posted in a conspicuous place near the entrance of the office. A motor vehicle leasing dealer shall notify the registrar in writing within fifteen days of any change in the posted business hours;
- (G) Is staffed by ~~a sole proprietor, partner, president of a corporation, member of a limited liability company, trustee of a business trust, an equivalent natural person affiliated with some other kind of legally constituted business organization,~~ sole proprietor, officer of a corporation, trustee of a business trust, or in the case of a partnership or limited liability company, partner or member, or any such entity as defined in division (A) of section 4517.01 of the Revised Code, or a licensed salesperson.

Effective: 1/27/2018
Five Year Review (FYR) Dates: 11/6/2017 and 11/01/2022

CERTIFIED ELECTRONICALLY

Certification

01/17/2018

Date

Promulgated Under: 119.03
Statutory Authority: 4501.02
Rule Amplifies: 4517.23
Prior Effective Dates: 05/09/1998, 07/01/2009, 02/27/2015