

4501:1-3-33

**Place of business required for a motor vehicle auction owner.**

- (A) A motor vehicle auction owner shall have an established place of business that meets all of the following requirements:
- (1) Is separated with a ~~permanent physical~~ barrier, as defined in rule 4501:1-3-08 of the Administrative Code, from any residence, motor vehicle dealership, salvage motor vehicle dealership, salvage motor vehicle auction, or salvage motor vehicle pool;
  - (2) Has at least one area under permanent roof that is large enough that motor vehicles may be moved through where such motor vehicles may be offered at auction;
  - (3) Has an office area that is easily accessible, permanent, and shall include, at minimum, ~~electric lighting, and heating that is of a permanent nature and that is secure and safe for a retail office environment;~~ 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.
  - (4) Has an office and auction area that shall be kept neat and orderly at all times that shall not be used as a storage or utility area;
  - (5) Has a business telephone in service at all times that shall be answered and identified exclusively for the auction's business. The business telephone number shall be legibly posted in a conspicuous place in public view. A motor vehicle auction owner shall notify the registrar in writing within fifteen days of any change in the business telephone number;
  - (6) Has an auction area that is open during the posted business hours. The business hours shall be legible and posted in a conspicuous place near the entrance of the business. A motor vehicle auction owner shall notify the registrar in writing within fifteen days of any change in the posted business hours.
- (B) Notwithstanding section 4517.21 of the Revised Code, auction facilities may be used to conduct a public auction of repossessed motor vehicles and a motor vehicle dealer auction simultaneously. All inventories shall be maintained and separated at all times.
- (C) Any person in attendance for a public auction of repossessed motor vehicles shall be separately identified and prohibited from participating in a motor vehicle dealer auction.

- (D) Every auction owner licensed under Chapter 4517. of the Revised Code shall notify the registrar of motor vehicles in writing within fifteen days of any change in status of the business name or location, or change in status of sole proprietor, partner, president of a corporation, member of a limited liability company, trustee of a business trust, or an equivalent natural person affiliated with some other kind of legally constituted business organization.

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CERTIFIED ELECTRONICALLY

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Certification

01/17/2018

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Date

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