

Definitions.

- (A) “Motor vehicle” means any vehicle, including manufactured homes and recreation vehicles, that is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, farm machinery, trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five miles per hour or less, threshing machinery, hay-baling machinery, cornsheller, hammermill and agricultural tractors, machinery used in the production of horticultural, agricultural, and vegetable products, and trailers that are designed and used exclusively to transport a boat between a place of storage and a marine, or in and around a marina, when drawn or towed on a public road or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.
- (B) The “board” pursuant to these rules shall at all times refer to the Ohio board of motor vehicle collision repair registration.
- (C) “Motor vehicle collision repair facility” means a **ANY PLACE OF** business, **WHETHER PERMANENT, TEMPORARY OR MOBILE IN NATURE, in which FROM WHICH** five or more separate motor vehicle collision **OR MOTOR VEHICLE DAMAGE** repairs are performed for the general public in a twelve-month period, commencing with the day of the month in which the first such repair is made.
- (D) **“COLLISION” MEANS ANY CONTACT BETWEEN TWO (2) OR MORE OBJECTS, WHICH OBJECTS MAY BE STATIONARY, MOVING OR IN COMBINATION, AND WHICH RESULTS IN DAMAGE BEING INCURRED BY ONE OR MORE OF THE OBJECTS.**
- (E) **“DAMAGE” MEANS ANY AND ALL INJURIES THAT RESULT IN DEVIATION, EITHER COSMETICALLY, STRUCTURALLY, OR BOTH, FROM THE CONDITION OF THE MOTOR VEHICLE IMMEDIATELY PRIOR TO THE INJURY AND WHICH REQUIRES REPAIR TO RESTORE THE MOTOR VEHICLE TO ITS PRE-INJURY CONDITION.**
- ~~(D)~~(F) A “motor vehicle collision repair operator” means a person who owns or manages, in whole or in part, a motor vehicle collision repair facility, whether mechanical or other repairs also are performed at the facility but does not mean any of the following:

- (1) An employee, other than a manger, of a motor vehicle collision repair facility.
- (2) A motor vehicle dealer, whether new or used, who is engaged in the business of selling at retail, displaying, offering for sale, or dealing in new or used motor vehicles pursuant to a contract or agreement entered into with a manufacturer, remanufacturer, or distributor of the motor vehicles.
- (3) A “motor vehicle dealer”, as defined in paragraph ~~(D)(2)~~ (F)(2) of this rule, and who is also the owner, part owner, or operator of a motor vehicle collision repair facility.
- (4) A “motor vehicle auction owner” means any person who is engaged wholly or in part in the business of auctioning motor vehicles.
- (5) A “motor vehicle leasing dealer” means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, or other contractual arrangement under which a charge is made for its use at a periodic rate for a term of thirty days or more, and title to the motor vehicle is in a person other than the user, but does not mean a manufacturer or its affiliate leasing to its employees or to dealers.
- (6) A “motor vehicle salvage dealer” means any person who engages in business primarily for the purpose of selling salvage motor vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradeable scrap metal.
- (7) A person or lessee who owns or leases ten or more motor vehicles used principally in connection with any established business and who does not perform motor vehicle collision repairs on motor vehicles other than the motor vehicles used principally in connection with the established business.
- (8) A “motor vehicle renting dealer” means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, rental agreement, or other contractual arrangement for a period of less than thirty days under which a charge is made for its use at a periodic rate and the title to the motor vehicle is in a person other than the user, but does not mean a manufacturer or its affiliate renting to its employees or to dealers.

- (9) A person who performs collision repair to the motor vehicles of a single commercial, industrial, or governmental establishment exclusively and does not offer or provide motor vehicle collision repair service to the general public.
- (10) The owner, part owner, or officer of, or instructor employed by an educational institution that provides instruction in motor vehicle collision repair while the owner, part owner, officer of, or instructor is engaging in activity in furtherance of instruction in motor vehicle collision repair.
- ~~(D)~~ “~~Place of business~~” means ~~any site where commercial transactions take place and where merchandise and inventory are stored. Such establishment shall be in accordance with Rule 4501:1-4-04 of the Administrative Code.~~
- (G) “GOOD FAITH EFFORT” MEANS ACTIONS UNDERTAKEN AND/OR PERFORMED ON A REGULAR AND FREQUENT BASIS, THE PURPOSE OF WHICH IS TO PROGRESS TOWARD ATTAINING IDENTIFICATION NUMBERS AND/OR ASSETS AS REQUIRED BY FEDERAL, STATE AND LOCAL STATUTES.**
- ~~(F)~~(H) “Renew”, “renewal”, “renewed” means to grant, subsequent to the original or preceding registration certificate prior to or on the date of expiration of the original or preceding registration. Such terms may be used interchangeably.
- ~~(G)~~(I) “Issue”, “issuance”, “issued” means a registration certificate is or has been provided to the motor vehicle collision repair operator, upon the agreement or recommendation by or of the board. Such terms may be used interchangeably.
- ~~(H)~~(J) “Temporary” means an indefinite period of time or period of time not otherwise defined in terms of length or duration
- ~~(I)~~(K) “Suspend”, “suspension”, “suspended” means to make invalid for an indefinite period of time a registration certificate that is or was previously in effect. Such terms may be used interchangeably.
- ~~(J)~~(L) “Anniversary” means three-hundred sixty-five days after a particular date.

4775-1-01

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Effective Date:

RC 119.032 review date:

Certification

Date

Promulgated under: RC Sec. 119.03
Statutory authority: RC Sec. 4775.04
Rule amplifies: RC Sec. 4775.01
Prior effective date: ~~Not applicable~~
JANUARY 20, 1999