



Ohio Revised Code

Section 4517.221 Display of new motor vehicles at location other than dealership.

Effective: March 23, 2015

Legislation: House Bill 318 - 130th General Assembly

(A) As used in this section:

(1) "Charitable or civic purpose" means either of the following:

(a) A purpose described in section 501(c)(3) of the Internal Revenue Code;

(b) A benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, or civic objective, or any objective that benefits law enforcement personnel, firefighters, or other persons who protect the public safety.

"Charitable or civic purpose" is not limited to those purposes for which contributions are tax deductible under section 170 of the Internal Revenue Code.

(2) "Internal Revenue Code" means the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., as amended.

(B)(1) Notwithstanding any provision of section 4517.22 of the Revised Code to the contrary and except as provided in division (B)(2) of this section, a licensed new motor vehicle dealer that satisfies the requirements of this section may display new motor vehicles at a location other than the dealer's established place of business to provide the general public an opportunity to review and inspect the dealer's product line, including safety features and new technology.

(2) No licensed motor vehicle dealer shall display new motor vehicles at the annual fair sponsored by a county or agricultural society unless the sponsor complies with the provisions of division (B) of section 4517.22 of the Revised Code.

(C) For a display under this section by a licensed new motor vehicle dealer within the area of



responsibility assigned to that dealer by a manufacturer, the dealer shall satisfy the following conditions:

- (1) The purpose of the display is to promote or benefit a charitable or civic purpose.
- (2) The dealer displays not more than six vehicles that may be available for test drive during the display.
- (3) The dealer files both of the following with the registrar of motor vehicles within three business days prior to the display and in a form prescribed by the registrar:
 - (a) Evidence of the area of responsibility assigned to the dealer by the manufacturer;
 - (b) An affidavit that affirms all of the following:
 - (i) That the location of the display is within the area of responsibility assigned to the dealer by a manufacturer;
 - (ii) The beginning and end date of the display;
 - (iii) That not more than six vehicles will be displayed;
 - (iv) That to the best of the dealer's knowledge, no other dealer will display a vehicle at the location during the dates of the display;
 - (v) That no contracts will be signed, deposits taken, or sales consummated at the location of the display;
 - (vi) The charitable or civic purpose promoted or benefited by the display.
- (D) For a display under this section by a new motor vehicle dealer outside the area of responsibility assigned to that dealer by a manufacturer, the dealer shall satisfy the following conditions:



- (1) The purpose of the display is to promote or benefit a charitable or civic purpose.
- (2) The dealer displays not more than six vehicles.
- (3) The dealer files an affidavit with the registrar in a form prescribed by the registrar and within three business days prior to the display that affirms all of the following:
 - (a) That the location of the display is not within the area of responsibility assigned to the dealer by a manufacturer;
 - (b) That the dealer has provided every dealer selling the same line-make within the area of responsibility where the display will occur with notice of the dealer's intent to display and each of those dealers has agreed to allow the display to occur;
 - (c) The beginning and end date of the display;
 - (d) That not more than six vehicles will be on display;
 - (e) That no test drives will occur and the vehicles will remain stationary;
 - (f) That to the best of the dealer's knowledge, no other dealer will display a vehicle at the location during the dates of the display;
 - (g) That the dealer has not displayed a vehicle pursuant to division (D) of this section for more than six days during the calendar year and that the current display will not result in the dealer exceeding the six-day maximum;
 - (h) That no contracts will be signed, deposits taken, or sales consummated at the location of the display.
- (E) No licensed new motor vehicle dealer shall display for more than six days per calendar year outside the area of responsibility assigned to that dealer by a manufacturer.



(F)(1) No licensed new motor vehicle dealer shall display outside the area of responsibility assigned to that dealer by a manufacturer if a dealer handling the same line-make within the area of responsibility objects to the display.

(2) A licensed motor vehicle dealer who displays outside the area of responsibility assigned to that dealer by a manufacturer bears the burden of proving that no dealer of the same line-make within the area objected to the display.

(3) A licensed motor vehicle dealer who files an affidavit under division (D) of this section shall maintain any documentation that is evidence of consent to display in that area for one year following the last day of the display.

(G) A licensed new motor vehicle dealer who files an affidavit under division (C) or (D) of this section shall maintain a copy of that affidavit for one year following the last day of the display.

(H) Delivery of a previously ordered vehicle does not constitute a display under this section.