

3745-80-02

**Tampering prohibitions.**

- (A) No person shall sell, offer for sale, possess for sale, advertise, manufacture, install or use any part or component intended, by such person, for use with or as part of any motor vehicle when a purpose is to bypass, defeat, or render inoperative, in whole or part, the emission control system.
- (B) No person shall introduce leaded fuel into a motor vehicle that is designed, manufactured or certified by the United States environmental protection agency to use only unleaded fuels.
- (C) No person shall tamper with any emission control system installed on or in a motor vehicle prior to the sale and delivery to the ultimate purchaser or lessee.
- (D) No person shall knowingly operate a motor vehicle that has been tampered with.
- (E) No person shall knowingly sell, lease, rent or offer to sell, lease, or rent or offer to transfer title or a right to possession of a motor vehicle that has been tampered with. In the case of a motor vehicle dealer licensed under Chapter 4517. of the Revised Code, a motor vehicle is considered to be offered for sale, lease or rental at a motor vehicle facility unless the motor vehicle is separated or otherwise segregated from other motor vehicles being offered for sale, lease or rental, or unless a placard meeting the following requirements is displayed on the vehicle's windshield.
- (1) The statement "~~this~~ **This** vehicle is not being offered for sale, lease or rental at this time" shall be printed on the placard using block letters of no less than forty point bold type.
  - (2) The dimensions of the placard shall be at least eight and one half inches by eleven inches.
- (F) No person shall knowingly tamper with any emission control system installed on or in a motor vehicle after sale, lease, or rental and delivery of the motor vehicle to the ultimate purchaser, lessee or renter.
- (G) Any person who witnesses any violation of this rule or of sections 3704.16 to 3704.162 of the Revised Code, or suspects a violation has occurred, may report the alleged violation by contacting the mobile sources section of Ohio environmental protection agency or the appropriate Ohio environmental protection agency district office or local air pollution control agency.
- (H) The following motor vehicles are exempt from this rule:
- (1) Race motor vehicles which are operated off of public roads and highways one hundred per cent of the time.

- (2) Motor vehicles for which salvage certificates of title have been issued under division (C) of section 4505.11 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 4/23/2021

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03  
Rule Amplifies: 3704.16  
Prior Effective Dates: 11/08/1994, 01/22/2005, 02/14/2010, 12/12/2015