

## OPINION NO. 87-017

## Syllabus:

1. Pursuant to R.C. 4738.17, as enacted by Am. Sub. H.B. 618, 116th Gen. A. (1986) (eff. March 17, 1987), no person may engage in the business of selling salvage motor vehicle parts or salvage motor vehicles at wholesale unless such person is licensed as a salvage motor vehicle auction or salvage motor vehicle pool, except that a person who is licensed as a salvage motor vehicle dealer may sell salvage motor vehicle parts or salvage motor vehicles at wholesale. The provisions of R.C. Chapter 4738 thus include the regulation of wholesale salvage motor vehicle transactions.
2. Pursuant to R.C. 4738.18, as enacted by Am. Sub. H.B. 618, 116th Gen. A. (1986) (eff. March 17, 1987), a person who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by R.C. Chapter 4738 may receive a buyer's identification card. Notwithstanding the language of R.C. 4738.03(B)(3) and (C)(3), a salvage motor vehicle auction or salvage motor vehicle pool may sell salvage motor vehicles to an out-of-state dealer who is not licensed as a motor vehicle salvage dealer under R.C. Chapter 4738, but who holds a buyer's identification card issued pursuant to R.C. 4738.18(D).
3. Under R.C. 4738.03 and R.C. 4738.18, a licensed salvage motor vehicle auction or licensed salvage motor vehicle pool may sell salvage motor vehicles to any person who is licensed as a motor vehicle salvage dealer under R.C. Chapter 4738 and holds a buyer's identification card.
4. R.C. Chapter 4738 does not preclude the Registrar of Motor Vehicles from granting a motor vehicle salvage dealer's license to an out-of-state dealer who has no dealership within the State of Ohio, if the Registrar finds that such licensing complies with relevant statutes and rules and serves to implement authority granted by statute.

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**To: William M. Denihan, Director, Department of Highway Safety, Columbus, Ohio**  
**By: Anthony J. Celebrezze, Jr., Attorney General, April 2, 1987**

I have before me your request for an opinion concerning statutory provisions governing motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools. Your letter of request raises questions relating to the provisions enacted by Am. H.B. 755, 116th Gen. A. (1986) (eff. Sept. 17, 1986). Since the preparation of your request, the General Assembly has enacted Am. Sub. H.B. 618, 116th Gen. A. (1986) (eff. March 17, 1987), which contains additional provisions governing motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools. It is my understanding, based upon communications with your staff, that you are interested in obtaining an interpretation of the

law as amended by both Am. H.B. 755 and Am. Sub. H.B. 618. Your questions may, therefore, be phrased as follows:

1. Is the language of R.C. Chapter 4738, as amended by Am. H.B. 755 and Am. Sub. H.B. 618, broad enough to include the regulation of wholesale salvage motor vehicle transactions?
2. May Ohio salvage motor vehicle auctions and pools sell salvage motor vehicles to out-of-state motor vehicle salvage dealers and, if so, under what conditions?

With respect to your first question, your letter states:

Section 4738.02(A), as amended [by Am. H.B. 755], provides, in pertinent part, that "no person shall engage in the business of selling at retail salvage motor vehicles or salvage motor vehicle parts, or assume to engage in any such business without first obtaining a motor vehicle salvage dealer's license pursuant to this chapter." (Emphasis added.) Prior to amendment, the language of this section was broad enough to entail the regulation of wholesale salvage motor vehicle transactions. Wholesale transactions now appear to lie outside the scope of Chapter 4738, a result that likely was not intended by the Legislature. Therefore, I respectfully request your opinion as to whether the language of Chapter 4738 of the Revised Code, as amended by Am. H.B. 755, is broad enough to include the regulation of wholesale salvage motor vehicle transactions.

Pursuant to R.C. 4738.05, the Registrar of Motor Vehicles is authorized, upon application, to grant licenses to motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools. See R.C. 4738.02; R.C. 4738.04. These terms are defined in R.C. 4738.01, for use in R.C. 4738.01-.16, as follows:

(A) "Motor vehicle salvage dealer" means any person who engages in business primarily for the purpose of selling at retail salvage motor vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal.

(C) "Salvage motor vehicle auction" means any person who on his own behalf or as an agent for a third party engages in business for the purpose of auctioning salvage motor vehicles to motor vehicle salvage dealers.

(D) "Salvage motor vehicle pool" means any person who as an agent for a third party engages in business for the purpose of storing, displaying, and offering for sale salvage motor vehicles to motor vehicle salvage dealers.

Related terms are defined in R.C. 4738.01, as follows:

(F) "Retail sale" or "sale at retail" means the act or attempted act of selling, bartering, exchanging, or otherwise disposing of salvage motor

vehicles or salvage motor vehicle parts to an ultimate purchaser for use as a consumer.

(G) "Ultimate purchaser" means, with respect to any salvage motor vehicle or salvage motor vehicle part, a purchaser who in good faith purchases such salvage motor vehicle or part for purposes other than resale and is not licensed as a motor vehicle dealer under Chapter 4517. of the Revised Code.

After the enactment of Am. H.B. 755 and prior to the enactment of Am. Sub. H.B. 618, R.C. Chapter 4738 contained no provisions expressly mentioning wholesale salvage motor vehicle transactions. As noted in your request, it was, therefore, not clear whether such transactions were subject to regulation under Chapter 4738. R.C. 4738.17, enacted by Am. Sub. H.B. 618, expressly addresses this concern. It states:

No person who is not licensed as a salvage motor vehicle auction or salvage motor vehicle pool shall engage in the business of selling salvage motor vehicle parts or salvage motor vehicles at wholesale. Any person licensed as a salvage motor vehicle dealer under this chapter may sell salvage motor vehicle parts or salvage motor vehicles at wholesale.

The first sentence of R.C. 4738.17 thus states clearly that any person who wishes to "engage in the business of selling salvage motor vehicle parts or salvage motor vehicles at wholesale" must be licensed as either a salvage motor vehicle auction or a salvage motor vehicle pool. The second sentence of R.C. 4738.17 appears to provide an exception to this requirement, permitting a person who is licensed as a motor vehicle salvage dealer under R.C. Chapter 4738 to sell salvage motor vehicle parts or salvage motor vehicles at wholesale, even though that person is not licensed as a salvage motor vehicle auction or pool.

I note that a motor vehicle salvage dealer is defined by R.C. 4738.01(A) as "any person who engages in business primarily for the purpose of selling at retail salvage motor vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal." See also R.C. 4738.02(A) (with certain exceptions, "no person shall engage in the business of selling at retail salvage motor vehicles or salvage motor vehicle parts, or assume to engage in any such business without first obtaining a motor vehicle salvage dealer's license pursuant to this chapter"); R.C. 4738.03(A) ("[n]o person licensed as a motor vehicle salvage dealer under this chapter shall engage in the business of selling at retail salvage motor vehicle parts or salvage motor vehicles, unless the business is operated primarily for the purpose of selling at retail salvage motor vehicle parts. Any person operating such a business primarily for the purpose of selling at retail salvage motor vehicles or manufacture a product of gradable scrap metal for sale to scrap metal processors or any other consumer"). Thus, a person who is licensed as a motor vehicle salvage dealer may not engage in business primarily for the purpose of making sales at wholesale, but may, under R.C. 4738.17, "sell salvage motor vehicle parts or salvage motor vehicles at wholesale" as an activity that is incidental to the activities that are authorized by R.C. 4738.01-.03. See generally R.C. 4738.01(E) and (H) (defining "engaging in business" and "business" for purposes of R.C. 4738.01-.16).

Provisions governing the operations of motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools appear in R.C. 4738.02 and R.C. 4738.03. Motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools are also subject to rules adopted by the Motor Vehicle Salvage Dealer's Licensing Board under R.C. 4738.11 and R.C. 4738.15. See 6 Ohio Admin. Code Chapter 4501:1-4.

In light of the enactment of R.C. 4738.17 by Am. Sub. H.B. 618, effective March 17, 1987, your first question may be answered in the affirmative. R.C. Chapter 4738, as amended by Am. H.B. 755 and Am. Sub. H.B. 618, includes the regulation of wholesale salvage motor vehicle transactions.

Your second question concerns the sale of salvage motor vehicles to out-of-state dealers. Your letter of request states:

Section 4738.03(B) and (C), as amended [by Am. H.B. 755], prohibit salvage motor vehicle auctions and pools from selling salvage motor vehicles "to any person except a person licensed as a motor vehicle salvage dealer under this chapter." This language would appear to preclude Ohio salvage motor vehicle auctions and pools from selling to out-of-state dealers. This would require out-of-state salvage motor vehicle dealers to establish licensed salvage motor vehicle dealerships in Ohio in order to do business with Ohio salvage motor vehicle auctions and pools. Therefore, I respectfully request your opinion as to whether, and under what conditions, Ohio salvage motor vehicle auctions and pools may sell salvage motor vehicles to out-of-state salvage motor vehicle dealers.

As noted in your request, R.C. 4738.03 states:

(B) No person licensed as a salvage motor vehicle auction under this chapter shall:

...  
(3) Sell a salvage motor vehicle to any person except a person licensed as a motor vehicle salvage dealer under this chapter;

...  
(C) No person licensed as a salvage motor vehicle pool under this chapter shall:

...  
(3) Sell a salvage motor vehicle to any person except a person licensed as a motor vehicle salvage dealer under this chapter;

Viewed by itself, R.C. 4738.03 appears to provide that a salvage motor vehicle auction or salvage motor vehicle pool may sell salvage motor vehicles only to persons who are licensed as motor vehicle salvage dealers under R.C. Chapter 4738. R.C. 4738.03 is, however, in pari materia with R.C. 4738.18, which has been enacted by Am. Sub. H.B. 618 (eff. March 17, 1987), and must be construed in connection with that newly-enacted provision. See generally State ex rel. Pratt v. Weygandt, 164 Ohio St. 463, 132 N.E.2d 191 (1956) (syllabus, paragraph two) ("[s]tatutes relating to the same matter or subject, although passed at different times and making no reference to each

other, are in pari materia and should be read together to ascertain and effectuate if possible the legislative intent").

R.C. 4738.18 states:

(A) Any person licensed under division (A) of section 4738.03 of the Revised Code [as a motor vehicle salvage dealer] who wishes to purchase salvage motor vehicles at salvage motor vehicle auctions or salvage motor vehicle pools shall make application to the registrar of motor vehicles for a buyer's identification card. The application shall be on a form prescribed by the registrar and shall contain the applicant's name, principal business address, the license number under which the applicant will be making purchases, and such other information as the registrar requires. In lieu of directly obtaining a buyer's identification card or in addition thereto, any person licensed under division (A) of section 4738.03 of the Revised Code may designate up to two employees to act as buyers for the licensee. The licensee shall make application for a buyer's identification card for each employee in the same manner as for a card for the licensee.

(B) The fee for each buyer's identification card shall be ten dollars.

(C) A buyer's identification card is nontransferable. If the holder of a card no longer possesses a valid salvage motor vehicle dealer's license, or if an employee of the licensee leaves the employment of the licensee, the buyer's identification card of that person is invalid and the holder shall return the card to the registrar.

(D) Any person who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by Chapter 4738. of the Revised Code may make application and receive a buyer's identification card. The person shall make application to the registrar who shall, based upon his investigation, issue a buyer's identification card to those applicants who the registrar determines are qualified.

(E) All applicants for a buyer's identification card must be of good financial repute and not have been convicted of a felony as verified by a report from a law enforcement agency and credit report furnished to the registrar by the applicant.

(F) The registrar may revoke or suspend the license of any salvage motor vehicle dealer who allows his card or the card of any employee to be used by any unauthorized person. (Emphasis added.)

R.C. 4738.18(A) requires that a motor vehicle salvage dealer who wishes to purchase salvage motor vehicles at salvage motor vehicle auctions or pools make application to the Registrar of Motor Vehicles for a buyer's identification card for himself, for one or two of his employees, or for both himself and one or two employees. R.C. 4738.18(D) permits a person "who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by Chapter 4738. of the Revised Code" to make application and receive a buyer's identification card. Neither R.C. 4738.18 nor any related provision expressly describes the

legal consequences of holding a buyer's identification card. It is, however, apparent from the use of the word "buyer" that one who holds such a card is to be permitted to make purchases. See generally R.C. 1.42 ("[w]ords and phrases shall be read in context and construed according to the rules of grammar and common usage"). In order for the provisions of R.C. 4738.18(D) to be given meaning, and for the receipt of a buyer's identification card to have some legal effect, the provisions of R.C. 4738.18 must be read as permitting a person licensed in another state who obtains a buyer's identification card under R.C. 4738.18 to purchase salvage motor vehicles from salvage motor vehicle auctions or salvage motor vehicle pools. See generally R.C. 1.47 ("[i]n enacting a statute, it is presumed that:...(B) The entire statute is intended to be effective..."); State ex rel. Cooper v. Savord, 153 Ohio St. 367, 92 N.E.2d 390 (1950) (syllabus, paragraph one) ("[t]he General Assembly will not be presumed to have intended to enact a law producing unreasonable or absurd consequences. It is the duty of the courts, if the language of a statute fairly permits or unless restrained by the clear language thereof, so to construe the statute as to avoid such a result"); State ex rel. Brownell v. Industrial Commission, 131 Ohio St. 124, 2 N.E.2d 260 (1936) (syllabus, paragraph one) ("[i]n the construction of a statute no part of the language employed should be ignored or disregarded"). I find, therefore, that R.C. 4738.18(D) carves an exception to R.C. 4738.03(B)(3) and (C)(3) and that, notwithstanding the provisions that a salvage motor vehicle auction or pool may not sell a salvage motor vehicle to any person except a person licensed as a motor vehicle salvage dealer under R.C. Chapter 4738, a salvage motor vehicle auction or pool may sell a salvage motor vehicle to a person who is not licensed as a motor vehicle salvage dealer under R.C. Chapter 4738 but who has obtained a buyer's identification card pursuant to R.C. 4738.18(D). In response to your second question, I conclude that a salvage motor vehicle auction or pool that is licensed under R.C. Chapter 4738 may sell salvage motor vehicles to an out-of-state salvage motor vehicle dealer if that out-of-state dealer has obtained a buyer's identification card pursuant to R.C. 4738.18(D).

I note, however, that R.C. 4738.18(D) restricts the capacity of an out-of-state dealer to obtain a buyer's identification card to an out-of-state dealer "who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by" R.C. Chapter 4738. A dealer from a state that does not impose such qualifications and requirements is not eligible to obtain a buyer's identification card under R.C. 4738.18(D).

I do not know, as a practical matter, whether application of the requirements imposed by R.C. 4738.18(D) will interfere with the capacity of out-of-state dealers to obtain buyer's identification cards.<sup>1</sup> I note, however, that it may be

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<sup>1</sup> U.S. Const. art. I, §8, cl. 3, known as the Commerce Clause, provides that Congress has the power to "regulate Commerce...among the several States." "The test to be applied when measuring the validity of local regulatory action under the Commerce Clause generally requires a balancing of the local interest at stake against the impact of the regulation on interstate commerce." City of

possible for a dealer who is unable to obtain such a card because the law of his state does not impose strict enough qualifications and requirements to be licensed under the provisions of R.C. Chapter 4738, even though he does not have a dealership within the State of Ohio. Your letter of request assumes that, if a salvage motor vehicle auction or pool may sell only to motor vehicle salvage dealers licensed under Ohio law, then out-of-state salvage motor vehicle dealers must "establish licensed salvage motor vehicle dealerships in Ohio in order to do business with Ohio salvage motor vehicle auctions and pools." It is not, however, clear that the statutory provisions require that an out-of-state dealer establish a dealership in Ohio, provided that he is otherwise able to meet the requirements for obtaining a license.

R.C. 4738.04 sets forth requirements governing applications for licenses under R.C. Chapter 4738, as follows:

Each person applying for a motor vehicle salvage dealer license or a salvage motor vehicle auction license or a salvage motor vehicle pool license shall make out and deliver to the registrar of motor vehicles, upon a blank to be furnished by the registrar for that purpose, a separate application for license for each county in which the business is to be conducted. The application for each type of license shall be in the form prescribed by the registrar and shall be signed and sworn to by the applicant. The application for a license for a motor vehicle salvage dealer, a salvage motor vehicle auction, or salvage motor vehicle pool, in addition to other information as is required by the registrar, shall include the following:

(A) Name of applicant and location of principal place of business;

(B) Name or style under which business is to be conducted and, if a corporation, the state of incorporation;

(C) Name and address of each owner or partner and, if a corporation, the names of the officers and directors;

(D) The county in which the business is to be conducted and the address of each place of business therein;

(E) A financial statement of the applicant showing the true financial condition as of a date not earlier than six months prior to the date of the application;

(F) A statement of the previous history, record, and association of the applicant and of each owner, partner, officer, and director, which statement shall

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Cincinnati v. Reed, 27 Ohio App. 3d 115, 117, \_\_\_ N.E.2d \_\_\_, \_\_\_ (Hamilton County 1985). See generally 1982 Op. Att'y Gen. No. 82-043; 1982 Op. Att'y Gen. No. 82-032. A determination as to whether a particular statutory scheme is constitutional must be made by the judiciary, rather than by this office. See, e.g., 1981 Op. Att'y Gen. No. 81-100. It may, however, be appropriate, in implementing the provisions of R.C. Chapter 4738, to consider the impact of such implementation upon interstate commerce. See generally R.C. 1.47(A); City of Cincinnati v. Reed; Op. No. 81-100.

be sufficient to establish to the satisfaction of the registrar the reputation in business of the applicant;

(G) A statement showing whether the applicant has previously been convicted of a felony;

(H) A statement showing whether the applicant has previously applied for a license under this chapter and the result of the application, and whether the applicant has ever been the holder of any such license which was revoked or suspended;

(I) If the applicant is a corporation or partnership, a statement showing whether any of the partners, officers, or directors have been refused a license under this chapter, or have been the holder of any such license which was revoked or suspended.

R.C. 4738.07 delineates the reasons for which the Registrar of Motor Vehicles may deny an application for a license, as follows:

The registrar of motor vehicles shall deny the application of any person for a license under this chapter and refuse to issue him a license if the registrar finds that the applicant:

(A) Has made false statement of a material fact in his application;

(B) Has not complied with sections 4738.01 to 4738.15 of the Revised Code;

(C) Is of bad business repute or has habitually defaulted on financial obligations;

(D) Has been convicted of a felony;

(E) Has been guilty of a fraudulent act in connection with dealing in salvage motor vehicles or when operating as a motor vehicle salvage dealer, salvage motor vehicle auction, or salvage motor vehicle pool;

(F) Is insolvent;

(G) Is of insufficient responsibility to assure the prompt payment of any final judgments which might reasonably be entered against him because of the transaction of his business during the period of the license applied for;

(H) Has no established place of business;

(I) Has less than twelve months prior to said application, been denied a license under this chapter.

If the applicant is a corporation or partnership, the registrar may refuse to issue a license if any officer, director, or partner of the applicant has been guilty of any act or omission which would be cause for refusing or revoking a license issued to the officer, director, or partner as an individual. The registrar's finding may be based upon facts contained in the application or upon any other information which he may have. Immediately upon denying an application for any of the reasons in this section, the registrar shall enter a final order together with his findings and certify the same to the motor vehicle salvage dealer's licensing board.

An applicant who has been refused a license may appeal from the action of the registrar to the motor vehicle salvage dealer's licensing board in the manner prescribed in section 4738.12 of the Revised Code.

R.C. 4738.04 requires "a separate application for license for each county in which the business is to be conducted" and



prescribes that the application shall include the "county in which the business is to be conducted and the address of each place of business therein." These provisions are readily applicable to motor vehicle salvage dealers who operate their businesses in Ohio. See R.C. 4738.01(A). See also R.C. 4738.05 ("[i]f a licensee has more than one place of business in the county, he shall make application, in a form as the registrar prescribes, for a certified copy of the license issued to the person for each place of business operated"). Neither R.C. 4738.04 nor R.C. 4738.07 states expressly, however, that a motor vehicle salvage dealer's license may not be granted to an out-of-state corporation that does not engage in the business of selling salvage motor vehicle parts or, secondarily, salvage motor vehicles or scrap metal, within the State of Ohio. See R.C. 4738.01(A). Cf. 1980 Op. Att'y Gen. No. 80-026 (concluding that a foreign motor vehicle leasing dealer which has no place of business in Ohio need not procure an Ohio motor vehicle leasing dealer's license under R.C. Chapter 4517 if the entire leasing transaction occurs outside of Ohio). With respect to the location of operations of an applicant, R.C. 4738.07 provides only that a license may be denied if the applicant "[h]as no established place of business." R.C. 4738.07(H). The statute does not specify where the place of business must be located. Compare R.C. 4738.07(H) (providing that the Registrar of Motor Vehicles shall deny an application for a license under R.C. Chapter 4738 if the applicant "[h]as no established place of business") with R.C. 4517.12(I) (providing that the Registrar of Motor Vehicles shall deny an application for a license as a motor vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner if the applicant "[h]as no established place of business that, where applicable, is used or will be used for the purpose of selling, displaying, offering for sale, dealing in, or leasing motor vehicles at the location for which application is made"). See generally Op. No. 80-026; 1971 Op. Att'y Gen. No. 71-035. Further, R.C. 4738.04(B) clearly indicates that a corporation incorporated in another state may be an applicant for an Ohio license.

The Registrar of Motor Vehicles is given the statutory responsibility of administering the provisions of R.C. Chapter 4738 and, where no statutory direction is given as to the manner in which duties are to be performed, has the discretion to perform those duties in any reasonable manner that he deems appropriate. See generally Jewett v. Valley Railway Co., 34 Ohio St. 601 (1878); 1986 Op. Att'y Gen. No. 86-076. See also note 1, supra. R.C. Chapter 4738 is clearly tailored to licensing motor vehicle salvage dealers who perform their operations within the state, and it is my understanding that this is the manner in which it has been administered. See generally 6 Ohio Admin. Code Chapter 4501:1-4. It cannot, however, be said as a matter of law that R.C. Chapter 4738 prohibits the Registrar of Motor Vehicles from licensing a dealer who does not have a dealership within the state, if the Registrar finds that such licensing complies with relevant statutes and rules and serves to implement authority granted by statute. The authority to determine whether particular applicants for motor vehicle salvage dealer licenses meet applicable requirements has been granted to the Registrar of Motor Vehicles, see R.C. 4501.02; R.C. 4738.04; R.C. 4738.05; R.C. 4738.07, and I shall not purport to exercise that function on his behalf. See generally Op. No. 86-076. I conclude only that, if the Registrar of Motor Vehicles determines that an out-of-state dealer who has no dealership within the State of Ohio has satisfied the requirements established under R.C.

Chapter 4738 and relevant rules, the Registrar is not precluded by provisions of R.C. Chapter 4738 from granting that dealer a license as a motor vehicle salvage dealer. See generally R.C. 4501.02 ("[a]ll laws relating to the licensing...of motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools, designating and granting power to the registrar shall be liberally construed to the end that the practice or commission of fraud in the business...of disposing of salvage motor vehicles may be prohibited and prevented"); 1984 Op. Att'y Gen. No. 84-082.

In conclusion, it is my opinion, and you are hereby advised, as follows:

1. Pursuant to R.C. 4738.17, as enacted by Am. Sub. H.B. 618, 116th Gen. A. (1986) (eff. March 17, 1987), no person may engage in the business of selling salvage motor vehicle parts or salvage motor vehicles at wholesale unless such person is licensed as a salvage motor vehicle auction or salvage motor vehicle pool, except that a person who is licensed as a salvage motor vehicle dealer may sell salvage motor vehicle parts or salvage motor vehicles at wholesale. The provisions of R.C. Chapter 4738 thus include the regulation of wholesale salvage motor vehicle transactions.
2. Pursuant to R.C. 4738.18, as enacted by Am. Sub. H.B. 618, 116th Gen. A. (1986) (eff. March 17, 1987), a person who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by R.C. Chapter 4738 may receive a buyer's identification card. Notwithstanding the language of R.C. 4738.03(B)(3) and (C)(3), a salvage motor vehicle auction or salvage motor vehicle pool may sell salvage motor vehicles to an out-of-state dealer who is not licensed as a motor vehicle salvage dealer under R.C. Chapter 4738, but who holds a buyer's identification card issued pursuant to R.C. 4738.18(D).
3. Under R.C. 4738.03 and R.C. 4738.18, a licensed salvage motor vehicle auction or licensed salvage motor vehicle pool may sell salvage motor vehicles to any person who is licensed as a motor vehicle salvage dealer under R.C. Chapter 4738 and holds a buyer's identification card.
4. R.C. Chapter 4738 does not preclude the Registrar of Motor Vehicles from granting a motor vehicle salvage dealer's license to an out-of-state dealer who has no dealership within the State of Ohio, if the Registrar finds that such licensing complies with relevant statutes and rules and serves to implement authority granted by statute.