

991.

APPROVAL, NOTES OF CONCORD RURAL SCHOOL DISTRICT, DELAWARE COUNTY, OHIO—\$1,900.00.

COLUMBUS, OHIO, June 23, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

992.

BILL OF SALE—MOTOR VEHICLE—MUST BE FILED WITH CLERK OF COURTS WHERE PURCHASED—OWNER MUST POSSESS BILL OF SALE OR FILE CERTIFICATE OF OWNERSHIP IN COUNTY OF RESIDENCE.

SYLLABUS:

1. *When a "motor vehicle" or "used motor vehicle" is purchased, the bill of sale must, in compliance with the provisions of Section 6310-10, General Code, be filed in the office of the clerk of courts of the county where the purchase was made, regardless of the residence of the purchaser.*

2. *An owner of a "motor vehicle" or a "used motor vehicle" is required by the provisions of Section 6310-10, General Code, to file the bill of sale with the clerk of courts of the county in which the transaction of sale was consummated and also by the provisions of Section 6310-13, General Code, either to possess a bill of sale or file a sworn certificate of ownership with the clerk of courts in the county of his residence.*

3. *Opinion 857, with reference to the filing of a bill of sale where the residence of the purchaser and the consummation of sale were the same county, although the bill of sale was executed in another county, discussed, and limited to question there presented.*

COLUMBUS, OHIO, June 26, 1933.

HON. DONALD J. HOSKINS, *Prosecuting Attorney, Columbus, Ohio.*

DEAR SIR:—I am in receipt of your request for my opinion concerning the interpretation of Sections 6310-10 and 6310-13, General Code, that is, when an automobile is purchased in a county other than the residence of the purchaser, in what counties do the provisions of Sections 6310-10 and 6310-13, General Code, require the bill of sale therefor to be filed for record?

It appears that some confusion has arisen by reason of certain statements in my opinion No. 857 wherein the question was presented as to the proper county in which to file the bill of sale when the car was purchased in R. county wherein the purchaser resided, but the vendor resided in another county, and the bill of sale was acknowledged in a third county. I held in such opinion, that the proper place to record the bill of sale was in R. County, since the purchaser resided in that county and also since the transaction of sale took place in that county. There was no reason to consider the apparent conflict