

Ohio's Vehicle Anti-Tampering Law: What You Should Know

Tampering with a vehicle's emissions control system creates more air pollution and can result in high repair costs. It's also illegal in Ohio and violation could result in civil penalties or criminal charges. This guidance is intended for auto dealers, vehicle owners, buyers and auction houses.

Ohio's anti-tampering law, in effect since 1993, enhances Ohio EPA's authority to enforce existing tampering-related prohibitions such as selling or installing a device on a vehicle that would damage or bypass any emission control system. The prohibitions in the law apply to vehicles sold "as is" as well as those sold with warranties.

Vehicle Tampering Basics

Tampering means "to remove permanently, bypass, defeat or render inoperative, in whole or in part, any emission control system that is installed on or in a motor vehicle." Tampering with gas and diesel vehicles is illegal in Ohio. Tampering can negatively affect vehicle performance, void warranties and contribute to air pollution.

Tampering Examples

- Removing any emissions device from the exhaust system and installing a straight pipe for example the catalytic converter, diesel particulate filter or other devices installed.
- Removing the substrate from inside the catalytic converter ("cleaning" it out).
- Deleting or bypassing the exhaust gas recirculation (EGR) system.
- Installing oxygen sensor cheaters or spacers.
- Removing or disabling an air pump.
- Adding software or reprogramming the PCM/ECM (power control module/engine control module) to accommodate illegal aftermarket parts.



What's illegal?

- To sell, offer for sale, possess for sale, advertise, manufacture, install, or use any part intended for use with or as part of any motor vehicle with the primary effect is to bypass, defeat or render inoperative, in whole or part, the emission control system.
- To 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.
- To tamper with any emission control system installed on or in a motor vehicle prior to its sale and delivery to the ultimate purchaser.
- To knowingly operate a motor vehicle that has been tampered with.

Vehicle Tampering Signs

Here are some things you can look for to identify a tampered vehicle.

- An aftermarket exhaust configuration.
- An emission control configuration that differs from the vehicle's original manufacturer's specification (example: a larger air intake, deleted EGR system, reprogrammed computer or tuner).
- A part not originally certified for the vehicle (example: aftermarket high flow or "off road use only" catalytic converter not certified by U.S. EPA or CARB).



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Common Auto Dealer Questions

- **Should I take a tampered vehicle as a trade-in?**

If you're taking a tampered vehicle in on trade, you will be taking responsibility for the vehicle. The vehicle will need to be brought back to compliance or titled as salvage to be eligible for sale.

- **How can I protect myself from being falsely accused of selling a tampered vehicle?**

Be sure to inspect the vehicle's emissions system and keep clear documentation before for the sale.

- **May I sell a tampered vehicle to a salvage dealer for parts?**

Yes. You may want to get a salvage title on the vehicle first to ensure you have complied with the law.

Common Auto Mechanic Questions

- **May I work on a vehicle which was previously tampered with?**

Only repairs that are related to non-tampered systems. Although you are not required to report a vehicle has been tampered with, if you need to work on or remove a tampered component you must fully correct any tampering before the repairs can be completed.

- **Do mechanics have to use replacement parts that are made by the manufacturer?**

No. Any aftermarket part that meets a U.S. EPA or California certification can be used.

- **Is it legal to swap an engine?**

Yes. To perform a legal engine switch, the model year standards and vehicle type must be the same (example: same model year motor and car motor may be placed in a car. No truck motor in a car.).

Compliance Tips

- Ensure all the vehicle emissions systems are present and fully functional before selling or operating or accepting it as trade.
- If you service vehicles, perform all work on emission controls according to manufacturer specifications and DO NOT tamper with the vehicle emission controls.
- DO NOT advise customers on how to tamper with their vehicle emission controls or install illegal emissions components the customer may supply.
- DO NOT work on tampered emission controls unless repairing them to their original condition.

Have a vehicle that is tampered with?

If you purchased or received in trade a tampered vehicle in Ohio, you may take independent legal action to rescind the sale and/or recover damages from the seller. A complaint may be filed with Ohio EPA's Mobile Sources Section. If the vehicle was purchased from a dealer and an Ohio EPA investigation determines that further violations of the anti-tampering law have occurred, Ohio EPA can take an enforcement action against the dealer.

Where can I get help?

For more information, contact:

Ohio EPA E✓Check
2190 Pinnacle Pkwy.
Twinsburg, OH 44087
(330) 963-4479

epa.ohio.gov/dapc/mobile.aspx

You may also call Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) for help at (800) 329-7518 or visit epa.ohio.gov/ocapp. OCAPP is an independent, non-regulatory office within Ohio EPA that offers free and confidential assistance to businesses that need help complying with the regulations. OCAPP can also help you with permit applications or other Ohio EPA paperwork.