



H.B. 197

124th General Assembly
(As Introduced)

Reps. Redfern, Hollister, Barrett, DePiero, Allen, Hartnett, Sulzer, Beatty, Flannery, Distel, Barnes, Krupinski, Damschroder, Ogg, Sullivan, Wilson, Britton, Perry, Metelsky, Ford, Jerse, D. Miller, Core, Jones, Boccieri, Patton, Sferra, Carey, Driehaus, Fedor, Seaver, Collier, Flowers, Metzger, Seitz, Rhine, Williams, Schuring, Otterman, Key, Coates, Latell, Cirelli, Woodard, S. Smith, Carano, Oakar, Sykes, Strahorn, R. Miller

BILL SUMMARY

- Establishes the Ohio Disabled Veteran Identification Card, which entitles a disabled veteran who presents the card to a specified entity to a percentage reduction in certain specified fees equal to the percentage of disability indicated on the card.
- Requires the Governor's Office of Veterans Affairs to adopt rules establishing the procedures and prescribing the forms necessary to issue the Ohio Disabled Veteran Identification Card.
- Requires county veterans service commissions to administer the issuance of the Ohio Disabled Veteran Identification Card.
- Specifies the fees for which a bearer of an Ohio Disabled Veteran Identification Card is entitled to receive a percentage reduction.
- Requires the Director of Natural Resources to determine annually the additional amount of certain fees and charges that would have been collected in the prior calendar year if the fees and charges had not been reduced pursuant to the bill and to certify that additional amount of fees and charges to the Director of Budget and Management for reimbursement.
- Requires the Director of Budget and Management to transfer the certified amount from the General Revenue Fund to the State Park Fund.

CONTENT AND OPERATION

Overview

Under existing law, veterans who are totally disabled and meet other specified criteria are entitled to a discount on or a waiver of certain specified fees. Examples of the fees eligible for a discount or waiver include: hunting and fishing licenses, state park camping fees, watercraft and motor vehicle registrations, drivers' licenses, and deputy registrar or registrar of motor vehicles fees. Each fee to which a person may be entitled to a discount or waiver has its own specific criteria for eligibility. As a general rule, eligibility requirements for a discount or waiver of these specified fees include the veteran being designated as totally disabled under federal law and the veteran meeting some other specified criteria in federal law.

Under the bill, eligible Ohio veterans are issued an Ohio Disabled Veteran Identification Card, which includes on its face the cardholder's certified percentage of disability. The card entitles the cardholder to a percentage discount, equal to the percentage of disability indicated on the card, of certain fees and taxes. The bill also maintains the current discount and waiver system. The bill permits the use of whichever method results in the maximum benefit to the veteran; therefore, if a veteran is entitled to the waiver of a fee under current law the veteran will still be entitled to a waiver of the fee even if the veteran's Ohio Disabled Veteran Identification Card indicates a disability of less than 100%.

Issuance of a Ohio Disabled Veteran Identification Card

Under the bill, the Governor's Office of Veterans Affairs must adopt rules pursuant to the Administrative Procedure Act to establish procedures for the issuance of an identification card known as the Ohio Disabled Veteran Identification Card. The card may be issued to any veteran who has sustained a disability, as determined by the United States Veterans' Administration, while on active duty or service and who applies for an identification card to the veterans service commission of the county in which the veteran resides. The rules must do all of the following: prescribe an application form and a form for the identification card, include procedures for distributing copies of the application and blank identification cards to county veterans service commissions, and include procedures to prevent the issuance of an identification card to any person not qualified to have it. The Governor's Office of Veterans Affairs must provide copies of the application and blank identification cards at no charge to each county veterans service commission in accordance with the rules it adopts. (R.C. 5901.39(A).)

A veteran who wants to obtain an Ohio Disabled Veteran Identification Card must apply for the card to the veterans service commission in the county in which the veteran resides. The application must be on the form prescribed by the Governor's Office of Veterans Affairs and must include a letter from a physician from a United States Veterans' Administration hospital indicating all of the following (R.C. 5901.39(B)(1)):

- (1) The name of the applicant;
- (2) The applicant's social security number;
- (3) The applicant's veterans' administration compensation file number;
- (4) A letter from a physician from a U.S. Veterans' Administration hospital indicating that the applicant sustained a disability while on active duty or service;
- (5) The applicant's certified percentage of disability in large, visible numbers.

A veteran who loses an Ohio Disabled Veteran Identification Card may obtain another identification card from the county veterans service commission in the county in which the veteran resides upon providing the same information as was required for the issuance of the original identification card (R.C. 5901.39(B)(3)).

A county veterans service commission, upon the filing of the application, must verify the information provided on the application. If the county veterans service commission verifies that the applicant is a disabled veteran, the veterans service commission must issue an identification card. The identification card must contain all of the verified information specified above. (R.C. 5901.39(B)(2).)

The county veterans service commission must issue a new Ohio Disabled Veteran Identification Card to a veteran who is reevaluated by a physician from a United States Veterans' Administration hospital if the physician determines that the veteran's disability has changed and if the veteran provides the commission with the information required of a new applicant (R.C. 5901.39(B)(4)).

Use of an Ohio Disabled Veteran Identification Card

Under the bill, a disabled veteran, upon presentation of an Ohio Disabled Veteran Identification Card, is entitled to a percentage reduction of certain specified fees (discussed below). The percentage reduction of the specified fees must be equal to the percentage of disability indicated on the veteran's identification card. (R.C. 5901.38.)

Fees that may be reduced through use of the Ohio Disabled Veteran Identification Card

The following are the fees that may be reduced through use of the Ohio Disabled Veteran Identification Card:

(1) The fees and charges fixed or established for the use of camping sites and cabins operated by the Division of Parks and Recreation of the Department of Natural Resources (R.C. 1501.07(A));

(2) The fees for an annual fishing license, hunting license, fur taker permit, deer or wild turkey permit, or wetlands habitat stamp, or any combination of those licenses, permits, and stamp (fee currently subject to waiver for persons specified under **COMMENT 1(A)**) (R.C. 1533.12(B)(1)(b));

(3) The fees for camping in state parks (fee currently subject to waiver for persons specified under **COMMENT 1(A)**) (R.C. 1541.03(B)(2));

(4) Fees for the triennial registration of watercraft, issuance of the registration certificate, watercraft registration transfer, duplicate registration certificates, or for a renewal of the certificate of registration of a watercraft (fees for certificate of registration or renewal of certificate of registration are currently subject to waiver for persons specified under **COMMENT 1(B)**) (R.C. 1547.54 (P)(2));

(5) Fees and taxes for the registration of a boat trailer and any applicable county, township, or municipal motor vehicle license tax levied for the registration of a boat trailer (fees and license taxes are currently subject to waiver for persons specified under **COMMENT 1(C)**) (R.C. 4503.173(B)(2));

(6) Fees and taxes for the registration of the veteran's personal motor vehicle and any applicable county, township, or municipal motor vehicle license tax levied for the registration of that motor vehicle (fees and license taxes are currently subject to waiver for persons specified under **COMMENT 1(D)**) (R.C. 4503.41(B));

(7) Any of the following items (fees are currently subject to waiver for persons specified under **COMMENT 1(E)**) (R.C. 4507.23(H)):

- (a) A temporary instruction permit and examination;
- (b) A new, renewal, or duplicate driver's or commercial driver's license;
- (c) A motorcycle operator's endorsement;

- (d) A motorized bicycle license or duplicate thereof;
- (e) Lamination of a driver's license or motorized bicycle license.

(8) Fees for each application for renewal of a driver's license received by a deputy registrar when the applicant is required to submit to a screening of the applicant's vision and fees for the application for or renewal of such a license, or motorized bicycle license received by the deputy registrar when the applicant is not required to submit to a screening of the applicant's vision (fees are currently subject to waiver for persons specified under **COMMENT 1(E)**) (R.C. 4507.24(B));

(9) Fees for the issuance of an identification card or a temporary identification card, including lamination fees (fees are currently subject to waiver for persons specified under **COMMENT 1(E)**) (R.C. 4507.50(B));

(10) Fees for the issuance of a duplicate or replacement identification card, including lamination fees (fees are currently subject to waiver for persons specified under **COMMENT 1(E)**) (R.C. 4507.52).

Reimbursement of fees that were reduced through use of the Ohio Disabled Veteran Identification Card

Under existing law, the Director of Natural Resources must determine annually the amount of fees that were waived in the prior calendar year for each certificate of registration issued or renewed for the watercraft of a disabled veteran, congressional medal of honor awardee, or prisoner of war. The Director must certify the total amount of foregone revenue to the Director of Budget and Management for reimbursement. The Director of Budget and Management must transfer the amount certified from the General Revenue Fund to the Waterways Safety Fund. The bill continues this provision of existing law and makes that provision applicable to fees of that type that are discounted through use of the Ohio Disabled Veteran Identification Card. (R.C. 1547.54(Q).)

Additionally, the bill requires the Director of Natural Resources to determine annually the additional amount of fees and charges that would have been collected in the prior calendar year for admission of veterans to parks and for the use of public service facilities by veterans if the fees and charges had not been reduced and requires the Director to certify that additional amount of uncollected fees and charges to the Director of Budget and Management for reimbursement. The Director of Budget and Management must transfer the certified amount from the General Revenue Fund to the State Park Fund. (R.C. 1501.07(E).)

COMMENT

Existing categories of veterans who currently receive a waiver of certain specified fees

1. (A) A veteran with a disability that has been determined by the Veterans Administration to be permanently and totally disabling, who receives a pension or compensation from the Veterans Administration, and who received an honorable discharge from the Armed Forces of the United States, and every veteran to whom the Registrar of Motor Vehicles has issued a set of license plates under section 4503.41 of the Revised Code (R.C. 1533.12(B)(1) and 1541.03(B)(1)).

(B) Any disabled veteran as defined in R.C. 1547.54(O)(1), congressional medal of honor awardee, or prisoner of war as defined in R.C. 1547.54(O)(2) (R.C. 1547.54(P)(1)). R.C. 1547.54(O)(1) defines disabled veteran as a person who, because of a service-connected disability, has been awarded funds for a motor vehicle purchase under the "Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970" or has a service connected disability rated at 100% by the Veterans Administration.

R.C. 1547.54(O)(2) defines prisoner of war as any regularly appointed, enrolled, enlisted, or inducted member of the U.S. military forces who was captured, separated, and incarcerated by a U.S. enemy and any regularly appointed, enrolled, or enlisted member of the military forces of certain countries and who was a U.S. citizen at the time of appointment, enrollment, or enlistment and was captured, separated, and incarcerated by a U.S. enemy during World War II.

(C) Any disabled veteran, congressional medal of honor awardee, or prisoner of war (R.C. 4503.173(B)(1)). As used in R.C. 4503.173, disabled veteran means a person as described in **COMMENT** 1(A) and a person who has a service-connected disability rated at 100% by the Veterans' Administration.

(D) Any disabled veteran who, because of a service-connected disability, has been or is awarded funds for the purchase of a motor vehicle under the "Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970" and any disabled veteran having a service-connected disability rated at 100% by the Veterans' Administration (R.C. 4503.41(A)).

(E) A disabled veteran who has a service-connected disability rated at 100% by the Veterans' Administration (R.C. 4507.23(H), 4507.24(B), 4507.50(B), and 4507.52).

HISTORY

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