



**Sub. H.B. 329\***

125th General Assembly

(As Reported by S. Highways & Transportation)

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**BILL SUMMARY**

**Special license plates**

- Authorizes the issuance of "National Defense" license plates bearing the words "National Defense" and a reproduction of the National Defense Service Ribbon.
- Creates a "U.S. Armed Forces Active Duty" license plate that can be obtained by persons who are on active duty in any branch of the U.S. armed forces.
- Creates a special motorcycle license plate for retired and honorably discharged veterans either containing an inscription or symbol representing veterans or the word "veteran" or "vet," or designed to display a sticker bearing the word "veteran."
- Authorizes the issuance of "Armed Forces Expeditionary Medal" license plates bearing the words "Expeditionary Service" and a reproduction of the Armed Forces Expeditionary Service Ribbon and limits issuance of

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*\* This analysis was prepared before the report of the Senate Highways and Transportation Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

the license plates to those persons who have been awarded the Armed Forces Expeditionary Medal.

- Specifically exempts the new military-related license plates from the minimum registration requirements and termination and revival provisions of current law that generally apply to new special license plates.
- Authorizes the issuance of Breast Cancer Awareness license plates after payment of a \$25 contribution and an additional \$10 processing fee and requires that contributions received from issuance of Breast Cancer Awareness license plates be paid to the Breast Cancer Fund of Ohio to be used to pay for programs that provide assistance and education to Ohio breast cancer patients and that improve access for such patients to quality health care and clinical trials.
- Authorizes the issuance of 4-H license plates bearing words or markings designated by the 4-H Youth Development Program of the Ohio State University Extension Program and approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution of \$15 plus a \$10 processing fee for each application for registration and renewal that involves 4-H license plates; and, requires 4-H license plate contributions to be used by the 4-H Youth Development Program of the Ohio State University Extension Program.
- Authorizes the issuance of Ohio Cattlemen's Foundation Beef license plates, and requires a \$15 contribution for the plates and requires these contributions to be used by the Foundation for scholarships and other educational activities.
- Authorizes the issuance of "Share the Road" license plates bearing markings designed by the nonprofit Ohio Bicycle Federation and approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution of \$5 (plus a \$10 processing fee) for each "Share the Road" license plate application; and, requires the "Share the Road" contributions to be used by the Department of Public Safety to publish a booklet on bicycle safety.
- Authorizes the issuance of Perry's Monument license plates after payment of a \$15 contribution and an additional \$10 processing fee and requires that the contributions received be paid to the Friends of Perry's



Victory and International Peace Memorial, to assist in paying the expenses it incurs in sponsoring or holding charitable, educational, and cultural events at the monument.

- Authorizes the issuance of National Rifle Association Foundation license plates bearing identifying words or markings approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution of \$15 for each application for National Rifle Association Foundation license plates; and, requires the contributions and to be paid to the National Rifle Association Foundation to pay the costs of the educational activities and programs the Foundation holds or sponsors in this state.
- Authorizes the issuance of Pets license plates with the contributions to be used for the support of programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals; requires the Registrar of Motor Vehicles to collect a contribution not exceeding \$40 for each registration or renewal of Pets license plates; and, requires a nonprofit corporation (referenced as the "Ohio Pet Fund") to establish eligibility criteria for organizations and pet owners who may receive financial assistance from the Pets Program Funding Board and to appoint the board to review applications and disburse funds.
- Authorizes the issuance of Rock and Roll Hall of Fame license plates bearing identifying words or markings selected by the Rock and Roll Hall of Fame and Museum, Inc., and approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution in the amount of \$15 plus a \$10 processing fee for each application for registration and renewal that involves Rock and Roll Hall of Fame license plates; and, requires the contributions collected from persons who are issued the license plates to be paid to the Rock and Roll Hall of Fame and Museum, Inc.
- Authorizes the issuance of Mahoning River license plates after payment of a \$15 contribution and an additional \$10 processing fee and requires that contributions received from issuance of Mahoning River license plates be paid to the Mahoning River Consortium to pay the expenses it incurs in restoring and maintaining the Mahoning River watershed.
- Authorizes the issuance of "Sportsmen's" license plates bearing the figure of either a walleye, smallmouth bass, white-tailed deer, or wild turkey;



requires the Registrar to collect a contribution not exceeding \$40 plus a \$10 processing fee for each application for registration and registration renewal that involves Sportsmen's license plates; and, requires the contributions collected from persons who are issued the license plates to be deposited into the existing Wildlife Fund for use by the Division of Wildlife.

- Authorizes the issuance of Smokey Bear license plates after payment of a contribution in an amount up to \$40 and an additional \$10 administrative fee; and, requires that the contribution for Smokey Bear license plates be paid to the State Forest Fund and used by the Division of Forestry of the Department of Natural Resources for fire prevention purposes.
- Authorizes the issuance of Ohio State Parks license plates bearing identifying words or markings approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution in an amount not to exceed \$40, as determined by the Chief of the Division of Parks and Recreation, for each application for Ohio State Parks license plates; and, requires the contributions to be deposited in the existing State Park Fund and to be used to pay the costs of state park interpretive and educational programs and displays and the development of state park interpretive centers.
- Authorizes the issuance of "Ohio Zoo" license plates bearing identifying words or markings selected by Ohio's major metropolitan zoos and approved by the Registrar of Motor Vehicles; requires the Registrar to collect a contribution of \$15 for each application for registration and renewal that involves "Ohio Zoo" license plates; and, requires the contributions to be paid to the Columbus Zoological Park Association, which must disburse the moneys to Ohio's major metropolitan zoos and a wildlife conservation facility in accordance with a written agreement entered into by those zoos and that facility.
- Provides an additional procedure that an Ohio professional sports team may utilize in order to have its logo appear on a special license plate; requires persons who obtain such professional sports team license plates to pay a \$25 contribution in addition to the usual motor vehicle registration fees and taxes, and requires these contributions to be paid to a community charity that has contracted with the team; and, requires the community charity to expend this money by providing financial support to a sports commission and to nonprofit organizations located in this state



that "seek to improve the lives of those who are less fortunate" and who reside in the region and state in which is located the professional sports team with which the community charity entered into the contract.

**Ohio Turnpike Commission**

- Permits the Ohio Turnpike Commission to implement any permanent or temporary toll rate decrease after holding one public meeting instead of the minimum three hearings required under current law for any toll rate change.
- Permits the Commission to institute a *temporary* toll rate decrease for up to 18 months in duration.
- Provides that if the Commission institutes a temporary toll rate decrease for certain classes of commercial vehicles traveling on the Ohio Turnpike, the Ohio Department of Transportation must make a one-time payment to the Commission to offset the estimated revenue loss to the Commission during the temporary decrease, not to exceed \$23.4 million.
- Increases from \$10,000 to \$50,000 the amount above which the Commission must utilize competitive bidding procedures for certain kinds of contracts.
- Declares an emergency.

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## CONTENT AND OPERATION

### Military-related license plates

#### "National Defense" license plates

(R.C. 4503.541)

Under the bill, any person who has been awarded the National Defense Service Medal may apply to the Registrar of Motor Vehicles for the registration of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar that the person owns or leases. Any documentary evidence in support of the award as the Registrar may require must accompany the application, and it may be combined with a request for a special reserved license plate provided in current law.

Upon receipt of a motor vehicle registration application and the required taxes and fees and upon presentation of the required supporting evidence of the award of the National Defense Service Medal, the Registrar is required to issue to the applicant the appropriate motor vehicle registration and a set of license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on license plates, those issued under the bill must bear the words "National Defense" and a reproduction of the National Defense Service Ribbon. The license plates must

bear county identification stickers that identify the county of registration by name or number.

The license plates and validation sticker or, when applicable, a validation sticker alone are issued upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, and compliance with all other applicable laws relating to the registration of motor vehicles.

The bill prohibits (1) any person who is not a recipient of the National Defense Service Medal from willfully and falsely representing that the person is a recipient of that medal for the purpose of obtaining license plates under the bill, and (2) any person from owning a motor vehicle bearing license plates issued under the bill unless the person is eligible to be issued those license plates. (See **COMMENT 1.**)

**U.S. Armed Forces Active Duty license plates**

(R.C. 4503.54)

Current law provides for a special license plate that may be obtained by a person who is a retired or honorably discharged veteran of any branch of the United States armed forces. The application for the special license plate must be accompanied by acceptable written evidence that the applicant is a retired or honorably discharged veteran. In addition to the letters and numbers ordinarily inscribed on license plates, these special license plates have either "U.S. ARMED FORCES RETIRED--(BRANCH OF SERVICE)" or "U.S. ARMED FORCES VETERAN--(BRANCH OF SERVICE)" inscribed on them. The license plates are issued in the same manner as any other license plate.

The bill permits persons who are on active duty in any branch of the U.S. armed forces to obtain a new "U.S. Armed Forces Active Duty" license plate in the same manner as retired and honorably discharged veterans, except that such a person must present satisfactory written evidence proving that the person is on active duty. The new license plate would have the inscription "U.S. ARMED FORCES ACTIVE DUTY--(BRANCH OF SERVICE)."

The retired, honorably discharged, and active duty license plates may be issued for any passenger car, noncommercial motor vehicle, *recreational vehicle* (rather than motor home as under current law) or other vehicle class approved by the Registrar.

**Special veterans motorcycle license plates**

(R.C. 4503.544)

The bill permits any person who is a retired or honorably discharged veteran of any branch of the armed forces of the United States to apply to the Registrar for the registration of any motorcycle that the person owns or leases. The application must be accompanied by such written evidence that the applicant is a retired or honorably discharged veteran of a branch of the armed forces of the United States as the Registrar requires by rule. The license plate is issued in the same manner as any other license plate. (R.C. 4503.541(A).)

Special veterans motorcycle license plates must be inscribed with the letters and numbers ordinarily inscribed on motorcycle license plates, except that the Registrar must provide for one of the following:

- (1) The license plates to contain an inscription or symbol representing U.S. veterans;
- (2) The plates to include the word "veteran" or "vet"; or
- (3) The plates to be designed to display a sticker bearing the word "veteran." (R.C. 4503.541(B).)

**"Armed Forces Expeditionary Medal" license plates**

(R.C. 4503.543)

Under the bill, any person who has been awarded the Armed Forces Expeditionary Medal may apply to the Registrar of Motor Vehicles for the registration of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar that the person owns or leases. Any documentary evidence in support of the award as the Registrar may require must accompany the application, and it may be combined with a request for a special reserved license plate.

Upon receipt of a motor vehicle registration application and the regular required state and local taxes and fees and upon presentation of the required supporting evidence of the award, the Registrar must issue the appropriate motor vehicle registration and a set of license plates and a validation sticker, or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on license plates, those issued under the bill must bear the words "Expeditionary Service" and a reproduction of the Armed Forces Expeditionary Service Ribbon. The license

plates must also bear the usual county identification stickers that identify the county of registration.

The bill prohibits (1) any person who is not a recipient of the Armed Forces Expeditionary Medal from willfully and falsely representing that the person is a recipient of that medal for the purpose of obtaining license plates under the bill, and (2) any person from owning a motor vehicle bearing license plates issued under the bill unless the person is eligible to be issued those license plates. (R.C. 4503.541(B).) (See COMMENT 1.)

**Exemption from the minimum registration requirements and termination provisions generally applicable to special license plates**

Under current law, certain enumerated special license plates and generally all special license plates created since October 21, 1997, are subject to a minimum registration requirement and to termination and revival procedures. For example, the Registrar is not required to implement any legislation that creates a new license plate until the Registrar receives written statements from at least 1,000 persons indicating that they intend to apply for and obtain the special license plate. (R.C. 4503.78, not in the bill.) If, during any calendar year, the total number of new and renewal motor vehicle registrations involving a particular type of nonstandard special license plate totals less than 1,000, the issuance of that special license plate may cease as of December 31 of the following year. A special license plate whose issuance is so ended may be revived if certain conditions are met. (R.C. 4503.77, not in the bill.)

The bill exempts all the new military-related special license plates it creates from both the minimum registration requirement and the termination and revival procedures (R.C. 4503.541(C)). This is consistent with current law in which this requirement and the procedures are not applicable to the military-related special license plates that existed at the time of the enactment of the special license plate minimum requirement and the termination and revival procedures.

**Breast Cancer Awareness license plates**

(R.C. 4503.491)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles, when registering the vehicle, may apply to the Registrar for the issuance of Breast Cancer Awareness license plates. An application for those license plates may be combined with a request for a special reserved license plate provided under current law. Upon compliance with the bill's requirements (see below), the Registrar must issue to the applicant the appropriate

vehicle registration and a set of Breast Cancer Awareness license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on the license plates, Breast Cancer Awareness license plates must be inscribed with identifying words or markings that promote breast cancer awareness and are approved by the Registrar. Breast Cancer Awareness license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.491(A).)

Under the bill, Breast Cancer Awareness license plates and validation stickers are issued upon receipt of a contribution (see below) and upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 administrative fee, and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.491(B)).

The bill requires the Registrar, for each application for registration and registration renewal notice received under the bill, to collect a \$25 contribution. The Registrar must transmit this contribution to the Treasurer of State for deposit in the existing License Plate Contribution Fund. (R.C. 4503.491(C).) The money derived from the Breast Cancer Awareness license plate must be used by the Breast Cancer Fund of Ohio to pay for programs that provide assistance and education to Ohio breast cancer patients and that improve access for such patients to quality health care and clinical trials. (R.C. 4501.21(B)(1).)

#### **4-H license plates**

(R.C. 4503.501)

Under the bill, the owner or lessee of any noncommercial vehicle or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for 4-H license plates. The application for 4-H license plates may be combined with a request for a special reserved license plate provided in current law.

In addition to the letters and numbers ordinarily inscribed on license plates, 4-H license plates must be inscribed with identifying words or markings designated by the 4-H Youth Development Program of the Ohio State University Extension Program and approved by the Registrar. The license plates must also display the usual county identification stickers that identify the county of registration. (R.C. 4503.501(A).)

4-H license plates and a validation sticker or, when applicable, a validation sticker alone must be issued upon receipt of a contribution of \$15 as provided in the bill (see below); payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, and an administrative fee of \$10 for the purpose of compensating the Bureau of Motor Vehicles for additional services required in the issuing of 4-H license plates. (R.C. 4503.501(B) and (C).)

For each application for registration and registration renewal that the Registrar receives under the bill, the Registrar is required to collect a contribution of \$15 and transmit this contribution to the Treasurer of State for deposit into the existing License Plate Contribution Fund.

The Registrar is required to pay to the 4-H Youth Development Program of the Ohio State University Extension Program all contributions in the License Plate Contribution Fund that were paid by applicants who obtained 4-H license plates. The 4-H Youth Development Program must use this money to pay the expenses it incurs in conducting its educational activities. (R.C. 4501.21(B)(3).)

**Ohio Cattlemen's Foundation Beef license plates**

(R.C. 4503.502)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles, when registering the vehicle, may apply to the Registrar for the issuance of Ohio Cattlemen's Foundation Beef license plates. An application for those license plates may be combined with a request for a special reserved license plate provided under current law. Upon compliance with the bill's requirements (see below), the Registrar must issue to the applicant the appropriate vehicle registration and a set of Ohio Cattlemen's Foundation Beef license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on the license plates, Ohio Cattlemen's Foundation Beef license plates must be inscribed with identifying words or markings that depict Ohio's beef industry and that are designated by the Ohio Cattlemen's Foundation and approved by the Registrar. Ohio Cattlemen's Foundation Beef license plates must display county identification stickers that identify the county of registration. (R.C. 4503.502(A).)

Under the bill, Ohio Cattlemen's Foundation Beef license plates and validation stickers are issued upon receipt of a \$15 contribution (see below) and upon payment of the regular license tax prescribed in current law, any applicable

local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 administrative fee, and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.502(B)).

The bill requires the Registrar, for each application for registration and registration renewal notice that the Registrar receives under the bill, to collect a contribution of \$15. He must transmit this contribution to the Treasurer of State for deposit in the existing License Plate Contribution Fund. (R.C. 4503.502(C).) The contributions are paid to the Ohio Cattlemen's Foundation, which must use those contributions for scholarships and other educational activities (R.C. 4501.21(B)(4)).

**"Share the Road" license plates**

(R.C. 4503.521)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply for issuance of "Share the Road" license plates. The application for "Share the Road" license plates may be combined with a request for a special reserved license plate provided in current law. Upon compliance with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Share the Road" license plates with a validation sticker, or a validation sticker alone if required by current law.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Share the Road" license plates must be inscribed with the words "Share the Road" and markings designed by the nonprofit organization known on the bill's effective date as the Ohio Bicycle Federation and approved by the Registrar. "Share the Road" license plates must bear the usual county identification stickers that identify the county of registration by name or number. (Sec. 4503.521(A).)

"Share the Road" license plates and validation stickers are issued upon payment of a \$5 contribution (see below), the regular license tax prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, an additional Bureau of Motor Vehicles fee of \$10 (see below), and compliance with all other applicable laws relating to the registration of motor vehicles. (Sec. 4503.521(B).)

For each application for registration and renewal that the Registrar receives under this bill, the Registrar is required to collect a contribution of \$5 and transmit it to the Treasurer of State for deposit in the "Share the Road" License Plate Fund,

which the bill creates. The additional \$10 fee is to compensate the BMV for additional services required in issuing "Share the Road" license plates.

The Registrar must transmit the \$5 contributions to the existing State Highway Safety Fund to be used by the Department of Public Safety only to publish and distribute a booklet that instructs bicycle riders on the methods and procedures of riding bicycles on the roads and streets in a "confident, legal, and safe manner."

### **Perry's Monument license plates**

(R.C. 4503.522)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles, when registering the vehicle, may apply to the Registrar for the issuance of Perry's Monument license plates. An application for those license plates may be combined with a request for a special reserved license plate provided under current law. Upon compliance with the bill's requirements (see below), the Registrar must issue to the applicant the appropriate vehicle registration and a set of Perry's Monument license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on the license plates, Perry's Monument license plates must be inscribed with identifying words or markings that are designed by the "Friends of Perry's Victory and International Peace Memorial, incorporated" (a nonprofit corporation organized under the laws of this state) and approved by the Registrar. Perry's Monument license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.522(A).)

Under the bill, Perry's Monument license plates and validation stickers are issued upon receipt of a contribution (see below) and upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 administrative fee, and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.522(B)).

The bill requires the Registrar, for each application for registration and renewal notice that the Registrar receives under the bill, to collect a \$15 contribution. The Registrar must transmit this contribution to the Treasurer of State for deposit in the existing License Plate Contribution Fund. (R.C. 4503.522(C).) The money derived from the Perry's Monument license plate must be used by the Friends of Perry's Victory and International Peace Memorial to



assist that organization in paying the expenses it incurs in sponsoring or holding charitable, educational, and cultural events at the monument (R.C. 4501.21(B)(6)).

**National Rifle Association Foundation license plates**

(R.C. 4503.545)

Under the bill, the owner or lessee of any passenger car, noncommercial vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply for issuance of National Rifle Association Foundation (NRAF) license plates. The application for NRAF license plates may be combined with a request for a special reserved license plate provided in current law. Upon compliance with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of NRAF license plates with a validation sticker, or a validation sticker alone when required by current law.

In addition to the letters and numbers ordinarily inscribed on license plates, NRAF license plates must be inscribed with identifying words or markings designed by the NRAF and approved by the Registrar. NRAF license plates must bear county identification stickers that identify the county of registration by name or number. (R.C. 4503.545(A).)

NRAF license plates and validation stickers are issued upon payment of a \$15 contribution (see below), the regular license taxes prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, an additional Bureau of Motor Vehicles administrative fee of \$10, and the applicant's compliance with all other applicable laws relating to the registration of motor vehicles. (R.C. 4503.545(B).)

For each application for registration and renewal that the Registrar receives under the bill, the Registrar is required to collect a contribution of \$15 and transmit it to the Treasurer of State for deposit in the existing License Plate Contribution Fund. The contributions must be paid to the NRAF, which must use the money to pay the costs of the educational activities and programs the Foundation holds or sponsors in this state. (R.C. 4501.21(B)(8) and 4503.545(C).)

**Pets license plates**

(R.C. 4503.551)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the issuance of "Pets" license plates. The application for the license plates may be combined with a



request for a special reserved license plate (sometimes referred to as "vanity plates") provided in current law. Upon receipt of the completed application and payment of the applicable taxes and fees as explained below, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of Pets license plates with a validation sticker, or a validation sticker alone once the person already has Pets license plates.

In addition to the letters and numbers ordinarily inscribed on license plates, Pets license plates must be inscribed with words and markings designed by the Ohio Pet Fund (an organization designated in the bill and described below) and approved by the Registrar. Pets license plates must bear county identification stickers that identify the county of registration.

Pets license plates and validation stickers are issued upon payment of a contribution of an amount not to exceed \$40 as determined by the Ohio Pet Fund that is deposited in the existing License Plate Contribution Fund, payment of the regular state and local taxes and license fees prescribed in current law, a \$10 administrative fee for the purpose of compensating the Bureau of Motor Vehicles for additional services required in the issuing of Pets license plates, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for Pets license plates is combined with a request for a vanity plate, the applicant also must pay the additional fee specified for those plates.

The money the Registrar collects as contributions under the bill must be deposited in the existing License Plate Contribution Fund for distribution to the Pets Program Funding Board. The bill also requires the Registrar to pay to the Fund "any other money from any other source, including donations, gifts, and grants, that is designated by the source. . . ." The board must use this money only to support programs for the sterilization of dogs and cats and for educational programs concerning the proper veterinary care of those animals.

### **The Ohio Pet Fund**

(R.C. 955.201)

The bill requires the Ohio Pet Fund (see **COMMENT 2**) to do all of the following:

(1) Establish eligibility criteria for organizations that may receive financial assistance from the Pets Program Funding Board. Those organizations include animal shelters, nonprofit veterinary programs for the sterilization of dogs and cats, and tax-exempt charitable organizations the primary purpose of which is to

support programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals.

(2) Establish procedures for applying for financial assistance and disbursing funds from the Pets Program Funding Board; the application procedures must require the submission of detailed proposals for the intended uses of the assistance;

(3) Establish eligibility criteria for sterilization and educational programs for which assistance may be granted and eligibility criteria for individuals who seek sterilization for their dogs and cats from organizations receiving funds;

(4) Advertise or otherwise provide notification of the availability of financial assistance for eligible organizations;

(5) Design markings to be inscribed on Pets license plates.

**Eligibility of individuals for subsidized dog or cat sterilization services**

Under the bill, there are three scenarios that may qualify an owner of a dog or cat for dog or cat sterilization services subsidized by money from the Pets Program Funding Board:

(1) The income of the owner's family does not exceed 150% of the federal poverty guideline (see **COMMENT 3**).

(2) The owner, or a family member residing with the owner, is a beneficiary or recipient of one of eight specified government assistance programs, including federal "Section 8" housing; the Ohio Works First Program; Medicaid; Veterans' Administration disability; food stamps; Women, Infants, and Children (WIC); supplemental security income; or social security disability.

(3) The owner of the dog or cat submits to the operator of the subsidized sterilization program a certificate of adoption showing that the animal was adopted from either of the following:

(A) A licensed animal shelter; a municipal, county, or regional pound; or a holding and impoundment facility that contracts with a municipal corporation.

(B) A nonprofit corporation operating an animal adoption referral service and whose holding facility is licensed in accordance with state law or a municipal ordinance.

The Ohio Pet Fund must determine the type of documentary evidence that must be presented by a pet owner to show that the family income does not exceed

150% of the federal poverty guidelines or that the owner is eligible under a specified government assistance program.

**Pets Program Funding Board**

(R.C. 955.202)

The bill creates the Pets Program Funding Board. Appointed by the Ohio Pet Fund, it consists of the following seven members:

(1) One member who represents an animal control facility or has been appointed an agent of a humane society under Ohio law;

(2) One Ohio resident who is a member of the Ohio Veterinary Medical Association;

(3) One member of the general public;

(4) One member who represents an Ohio animal shelter or other animal facility;

(5) One member who represents a foster pet organization or an organization that is involved with the sterilization of dogs and cats that does not operate an animal shelter;

(6) One member who is a breeder of dogs or cats and is a member in good standing with a national breeders club or association;

(7) One member from the Ohio Pet Fund.

Two initial members' terms expire on January 31 of the first even-numbered year following appointment, and five initial members' terms expire on January 31 of the second odd-numbered year following appointment. Thereafter, members are appointed for two-year terms.

If an eligible organization that is applying for financial assistance from the Pets Program Funding Board is represented by a member on the Board, that member is prohibited from participating in the decision regarding the approval or disapproval of that application. The Registrar may not disburse money from the License Plate Contribution Fund to the Pets Program Funding Board until the amount in the Fund that is attributable to contributions paid by motor vehicle registration applicants and to money from any other source (including donations, gifts, and grants designated to be paid to the Board) equals at least \$25,000, or until two years after the bill's effective date, whichever occurs first.

### **Rock and Roll Hall of Fame license plates**

(R.C. 4503.552)

Under the bill, the owner or lessee of any noncommercial motor vehicle or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the issuance of Rock and Roll Hall of Fame license plates. The application for Rock and Roll Hall of Fame license plates may be combined with a request for a special reserved license plate provided in current law.

In addition to the letters and numbers ordinarily inscribed on license plates, Rock and Roll Hall of Fame license plates must be inscribed with identifying words or markings selected by the Rock and Roll Hall of Fame and Museum, Inc., and approved by the Registrar. The license plates must bear the standard county identification stickers that identify the county of registration. (R.C. 4503.552(A).)

Rock and Roll Hall of Fame license plates and a validation sticker or, when applicable, a validation sticker alone are issued upon receipt of an application for registration and a contribution of \$15 as provided in the bill (see below); payment of the regular license taxes prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, and an administrative fee of \$10 for the purpose of compensating the Bureau of Motor Vehicles for additional services required in the issuing of Rock and Roll Hall of Fame license plates. (R.C. 4503.552(B) and (C).)

For each application for registration and registration renewal that the Registrar receives under the bill, the Registrar is required to collect a contribution of \$15 and transmit it to the Treasurer of State for deposit in the existing License Plate Contribution Fund.

All money in the License Plate Contribution Fund that is attributable to persons who obtain Rock and Roll Hall of Fame license plates must be paid to the Rock and Roll Hall of Fame and Museum, Inc. (R.C. 4501.21(B)(10).)

### **Mahoning River license plates**

(R.C. 4503.562)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles, when registering the vehicle, may apply to the Registrar for the issuance of Mahoning River license plates. An application for those license plates may be combined with a request for a special reserved license plate provided under current law. Upon compliance with the bill's requirements (see below), the Registrar must issue to the applicant the appropriate vehicle

registration and a set of Mahoning River license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on the license plates, Mahoning River license plates must be inscribed with identifying words or markings that are designed by the Mahoning River Consortium and approved by the Registrar. Mahoning River license plates must display county identification stickers that identify the county of registration. (R.C. 4503.562(A).)

Under the bill, Mahoning River license plates and validation stickers are issued upon receipt of a contribution (see below) and upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 administrative fee, and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.562(B)).

The bill requires the Registrar, for each application for registration and renewal notice that the Registrar receives under the bill, to collect a contribution not exceeding \$20, as determined by the Mahoning River Consortium. The Registrar must transmit this contribution to the Treasurer of State for deposit in the existing License Plate Contribution Fund. (R.C. 4503.562(C).) The money derived from the Mahoning River license plate must be used by the Mahoning River Consortium to pay the expenses it incurs in restoring and maintaining the Mahoning River watershed (R.C. 4501.21(B)(12)).

### **Sportsmen's license plates**

(R.C. 4503.573)

For purposes of the bill, "Sportsmen's license plate" includes any of four license plates the bill creates, featuring either the walleye, smallmouth bass, white-tailed deer, or wild turkey.

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply for issuance of Sportsmen's license plates. The application for Sportsmen's license plates must specify which of the four Sportsmen's license plates created by the bill the applicant is requesting. The application also may be combined with a request for a special reserved license plate provided in current law. Upon compliance with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration, a set of the particular requested kind of Sportsmen's license plates, and a validation sticker, or a validation sticker alone if required by current law.

In addition to the letters and numbers ordinarily inscribed on license plates, Sportsmen's license plates must be inscribed with identifying words and the figure of either a walleye, smallmouth bass, white-tailed deer, or wild turkey. Each kind of Sportsmen's license plate must be designed by the Division of Wildlife and approved by the Registrar. Sportsmen's license plates must bear the usual county identification stickers that identify the county of registration. (R.C. 4503.573(B).)

Sportsmen's license plates and validation stickers are issued upon the payment of a contribution (see below), the regular license tax prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, an additional Bureau of Motor Vehicles administrative fee not to exceed \$10, and compliance with all other applicable laws relating to the registration of motor vehicles. (R.C. 4503.573(C).)

For each application for registration and renewal the Registrar receives under the bill, the Registrar is required to collect a contribution not exceeding \$40, as determined by the Division of Wildlife. The Registrar must transmit this contribution to the Treasurer of State for deposit in the existing Wildlife Fund. (R.C. 4503.573(D).)

Under current law, generally all special license plates created since October 21, 1997 are subject to a minimum registration requirement and to termination and revival procedures. For example, the Registrar is not required to implement any legislation that creates a new license plate until the Registrar receives written statements from at least 1,000 persons indicating that they intend to apply for and obtain the special license plate. (R.C. 4503.78, not in the bill.) If, during any calendar year, the total number of new and renewal motor vehicle registrations involving a particular type of nonstandard special license plate totals less than 1,000, the issuance of that special license plate may cease as of December 31 of the following year. A special license plate whose issuance is so ended may be revived if certain conditions are met. (R.C. 4503.77, not in the bill.)

The bill provides that these provisions apply to each of the four types of Sportsmen's license plates individually.

### **Smokey Bear license plates**

(R.C. 4503.574)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, noncommercial trailer used exclusively to transport a boat between a place of storage and a marina or around a marina, or other vehicle of a class approved by the Registrar of Motor Vehicles, when registering the vehicle, may apply to the Registrar for the issuance of Smokey

Bear license plates. An application for those license plates may be combined with a request for a special reserved license plate provided under current law. Upon compliance with the bill's requirements (see below), the Registrar must issue to the applicant the appropriate vehicle registration and a set of Smokey Bear license plates and a validation sticker or a validation sticker alone in the case of renewal of the plates.

In addition to the letters and numbers ordinarily inscribed on the license plates, Smokey Bear license plates must be inscribed with identifying words or markings that are designed by the Department of Natural Resources' Division of Forestry and approved by the Registrar. Smokey Bear license plates must display county identification stickers that identify the county of registration. (R.C. 4503.574(A).)

Under the bill, Smokey Bear license plates and validation stickers are issued upon receipt of a contribution (see below) and upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 administrative fee, and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.574(B)).

The bill requires the Registrar, for each application for registration and renewal notice received under the bill, to collect a contribution in an amount not to exceed \$40, as determined by the Chief of the Division of Forestry. The Registrar must transmit this contribution to the Treasurer of State for deposit in the existing State Forest Fund. (R.C. 4503.574(C).) Money in the State Forest Fund currently is used only for the administration, operation, maintenance, development, or utilization of the state forests, forest nurseries, and forest programs, and for related facilities or equipment. The money derived from the Smokey Bear license plate that is deposited into the State Forest Fund must be used to promote forest fire prevention and education, including an increase in public awareness concerning combating wildfires in this state (R.C. 1503.05(D) and 4503.574(C)).

### **Ohio State Parks license plates**

(R.C. 4503.575)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, noncommercial boat trailer, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the registration of the vehicle and issuance of Ohio State Parks license plates. The application for Ohio State Parks license plates may be combined with a request for a special reserved license plate provided in current law. Upon compliance with the bill's requirements, the Registrar is required to issue to the applicant the

appropriate vehicle registration and a set of Ohio State Parks license plates with a validation sticker, or a validation sticker alone when required by current law. (R.C. 4503.575(A).)

In addition to the letters and numbers ordinarily inscribed on license plates, Ohio State Parks license plates must be inscribed with identifying words or markings designed by the Division of Parks and Recreation of the Department of Natural Resources and approved by the Registrar. Ohio State Parks license plates must bear county identification stickers that identify the county of registration. (R.C. 4503.575(A).)

Ohio State Parks license plates and validation stickers are issued upon payment of a contribution (see below), the regular taxes prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, an additional Bureau of Motor Vehicles administrative fee of \$10, and the applicant's compliance with all other applicable laws relating to the registration of motor vehicles. (R.C. 4503.575(B).)

For each application for registration and renewal received under the bill, the Registrar is required to collect a contribution in an amount not to exceed \$40, as determined by the Chief of the Division of Parks and Recreation. The Registrar must transmit the contribution to the Treasurer of State for deposit in the existing State Park Fund. This fund generally consists of moneys derived from rental and other fees for the use of lands, waters, facilities, and equipment operated by the Division; the Fund currently is used for operating and management expenses associated with those properties. The bill specifies that money in the Fund derived from the Ohio State Parks license plates must be used only to pay the costs of state park "interpretive and educational" programs and displays and the development and operation of state park "interpretive centers." (R.C. 1541.22 and 4503.575(C).)

### **Ohio Zoo license plates**

(R.C. 4503.74)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the registration of the vehicle and issuance of "Ohio Zoo" license plates. The application for "Ohio Zoo" license plates may be combined with a request for a special reserved license plate provided in current law. Upon receipt of the completed application and compliance with the requirements of the bill, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Ohio Zoo" license

plates with a validation sticker, or a validation sticker alone when required by current law.

In addition to the letters and numbers ordinarily inscribed on license plates, "Ohio Zoo" license plates must be inscribed with identifying words or markings selected by Ohio's major metropolitan zoos and approved by the Registrar. "Ohio Zoo" license plates also must bear the usual county identification stickers. (R.C. 4503.74(A).)

"Ohio Zoo" license plates are issued upon receipt of an application for registration of a motor vehicle and a contribution of \$15 as provided in the bill (see below); payment of the regular license taxes prescribed in current law, any applicable local motor vehicle tax, any applicable additional special license plate fee, and a fee of \$10 for the purpose of compensating the Bureau of Motor Vehicles (BMV) for additional services required in the issuing of "Ohio Zoo" license plates; and compliance with all other applicable laws relating to the registration of motor vehicles. (R.C. 4503.74(B) and (C).)

For each application for registration and renewal received under the bill, the Registrar is required to collect a contribution of \$15 and transmit it to the Treasurer of State for deposit in the existing License Plate Contribution Fund (see below). The contributions must be distributed to the Columbus Zoological Park Association. The Association must in turn disburse the money to Ohio's major metropolitan zoos<sup>1</sup> and the International Center for the Preservation of Wild Animals, Inc. (known as "The Wilds") in Muskingum County in accordance with a written agreement executed by those zoos and "The Wilds." (R.C. 4501.21(B)(21).)

### **Professional sports team license plates**

(R.C. 4503.591)

Current law provides a procedure whereby an Ohio professional sports team that desires to have its logo appear on a special license plate can make arrangements for this to occur (see **COMMENT 4**).

The bill provides for an alternative procedure for a professional sports team to have its logo appear on a special license plate. If an Ohio professional sports team desires to have its logo appear on a special license plate but it does not wish

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<sup>1</sup> Under the bill, "Ohio's major metropolitan zoos" includes the following public, nonprofit zoos and wildlife conservation facility: the Akron Zoo, the Cincinnati Zoo, the Cleveland Metroparks Zoo, the Columbus Zoo, and the Toledo Zoo.

to utilize the procedure provided in current law, it must proceed in accordance with the new procedure contained in the bill. (R.C. 4503.591(A).)

First, the team is required to notify a community charity of that desire. (See **COMMENT 5**.) The community charity may negotiate with the professional sports team to permit the display of the team's logo on a special license plate; if negotiations are successful, the community charity must enter into a contract with the team to permit such display and pay to the team any licensing or rights fee that must be paid in connection with the issuance of the license plates. The community charity must provide a copy of the contract to the Registrar along with any other required documentation.

Upon receipt of the contract and any required additional documentation, and when the 1,000-signature requirement for new special license plates has been met relative to that particular professional sports team, the Registrar must issue license plates bearing the team's logo. The same \$25 contribution required for the existing sports logo plates must be paid in addition to the normal license plate taxes and fees. This contribution is then deposited into the License Plate Contribution Fund in the state treasury for later payment to the community charity. (R.C. 4503.591(G).)

Under the bill, a community charity that receives money from the sale of professional sports team license plates is required to expend the money to provide financial support to a sports commission for the purposes authorized in current law (see **COMMENT 4**) and to nonprofit organizations located in this state that "seek to improve the lives of those who are less fortunate" and who reside in the region and state in which is located the professional sports team with which the community charity entered into the contract for the display of the team's logo on a license plate. (See **COMMENT 6**.) These organizations are required to achieve this purpose through activities such as youth sports programs; educational, health, social, and community service programs; or services such as emergency assistance or employment, education, housing, and nutrition services. The bill prohibits the community charity from expending any money it receives under the bill if the expenditure will be received by a nonprofit organization that will use the money in a manner or for any other purpose not described in the bill. (R.C. 4503.591(H)(1).)

The bill requires the community charity to provide a written quarterly report to the Director of Development and the Director of Job and Family Services detailing the expenditures of the money it receives from the sale of professional sports team license plates. The report must include the amount of such money received and an accounting of all expenditures of such money. (R.C. 4503.591(H)(2).)

**Notice and hearing requirements for changes in toll rates for vehicles traveling on the Ohio Turnpike**

**Current law**

Under current law, the Ohio Turnpike Commission cannot change any part of the toll rate structure applicable to vehicles operating on a turnpike project (either a decrease or increase) unless the Commission complies with the following notice and hearing requirements. (R.C. 5537.26(A).) Not less than 90 days prior to the date on which the Commission will vote to change any toll rate, the Commission must commence holding public hearings on the proposed toll rate change. It must hold not less than three public meetings in three geographically diverse locations in this state that are in the immediate vicinity of the affected toll project. The Commission must hold the last hearing not less than 30 days prior to the date on which it will vote to change any toll rate. The Commission is required to inform the public of all the meetings by causing a notice to be published in a newspaper of general circulation in the county in which each meeting is to be held, not less than once per week for two weeks prior to the meeting date. (R.C. 5537.26(B).)

If the Commission does not comply with these notice and hearing requirements, the proposed change in the toll rate structure does not take effect and any attempt by the Commission to implement the change is void. If necessary, the Attorney General must file an action in the proper court of common pleas to enjoin the Commission from implementing the change. (R.C. 5537.26(C).)

**Changes made by the bill**

The bill retains these notice and hearing requirements but makes them applicable only to toll rate *increases*; the bill makes these provisions inapplicable to toll rate *decreases*.

The bill permits the Commission to implement a *temporary* toll rate decrease (which may revert to the former rate upon its expiration) but such a decrease cannot exceed 18 months in duration. The bill provides that prior to instituting any toll rate decrease, whether temporary or permanent, the Commission must hold one public meeting to explain to members of the traveling public the reasons for the upcoming decrease, to inform them of any benefits and any negative consequences, and to give them the opportunity to express their opinions as to the relative merits or drawbacks of each toll rate decrease. The Commission must inform the public of the meeting by causing a notice to be published in newspapers of general circulation in Cuyahoga, Lucas, Mahoning, Summit, Trumbull, and Williams counties not less than five days prior to the

meeting. The Commission is not required to hold any public hearing or meeting upon the expiration of a temporary toll rate decrease so long as it implements the same toll rate structure that was in effect immediately prior to the temporary decrease. (R.C. 5537.26(D).)

**One-time payment by ODOT to the Ohio Turnpike Commission**

The bill provides that in state fiscal year 2005, if the Ohio Turnpike Commission acts under the bill and institutes a temporary toll rate decrease for certain classes of commercial vehicles traveling on the Ohio Turnpike, the Ohio Department of Transportation must make a one-time payment to the Commission from state motor vehicle fuel tax revenues available to ODOT for highway construction purposes. This payment is to offset the revenue estimated to be lost because of the temporary decrease but it cannot exceed \$23.4 million. (Section 3.)

The bill also requires the Ohio Turnpike Commission and the Department of Transportation to make a joint written report on or before March 6, 2006 on the impact of toll reductions made under the bill on traffic and revenue and also on the Ohio Turnpike Commission debt service. Additionally, the report must enable the General Assembly to evaluate the effectiveness of the "Northern Ohio Freight Strategy" issued on October 11, 2004, by the Departments of Transportation and Public Safety. The joint report from the Turnpike Commission and the Department of Transportation must be submitted to the President of the Senate, the Speaker of the House of Representatives, the majority and minority leaders of both houses, and the chairpersons and ranking minority members of the transportation committees of each house. (Section 5.)

**Competitive bidding on Turnpike contracts**

Current law provides that when the cost to the Commission under any contract with a person other than a governmental agency involves an expenditure of more than \$10,000, the Commission must execute a written contract with the lowest responsive and responsible bidder after advertisement for not less than two consecutive weeks in a newspaper of general circulation in Franklin County and in any other publications the Commission designates. The notice must state the general character of the work and the general character of the materials to be furnished, the place where the plans and specifications may be examined, and the time and place of receiving bids. These requirements do not apply to contracts for the acquisition of real property or compensation for professional or other personal services. (R.C. 5537.07(A).)

The bill increases the \$10,000 threshold amount to \$50,000.

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## COMMENT

1. The bill does not contain a specific penalty for a violation of its prohibitions, but the general falsification statute (R.C. 2921.13) would apply. Such a violation would be a first degree misdemeanor, punishable by a term of imprisonment of not more than six months, a fine of not more than \$1,000, or both.

2. The bill defines the "Ohio Pet Fund" to mean a nonprofit corporation organized by that name under R.C. Chapter 1702. (which governs nonprofit corporations) and that consists of humane societies, veterinarians, animal shelters, companion animal breeders, dog wardens, and similar individuals and entities.

3. The bill defines the "federal poverty guideline" as the official poverty guideline as revised annually by the United States Department of Health and Human Services in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

4. Under the current procedure, the team must first inform the largest convention and visitors' bureau of the county in which the team is located of its desire to have its logo on license plates. The convention and visitors' bureau then must create a sports commission to operate in that county and to receive the contributions that are paid by persons who select license plates bearing the logo of that professional sports team for their motor vehicles. The sports commission must negotiate with the professional sports team to permit the display of the team's logo on a special Ohio license plate; if negotiations are successful, it must enter into a contract with the team to permit such display and pay to the team any licensing or rights fee that must be paid in connection with the issuance of the license plates. The sports commission then must provide a copy of the contract to the Registrar of Motor Vehicles, along with any other required documentation.

Upon receipt of the contract and any required additional documentation, and when the 1,000-signature requirement for new special license plates has been met relative to that particular professional sports team, the Registrar must issue license plates bearing the team's logo. Vehicle owners then can obtain those special license plates in the same manner as any other license plate except that each motor vehicle registration application involving any professional sports team license plate must be accompanied by a \$25 contribution in addition to the normal license plate taxes and fees. This contribution is then deposited into the License Plate Contribution Fund in the state treasury for later payment to the sports commission.

A sports commission that receives money from the sale of professional sports team license plates is required to expend the money to attract amateur regional, national, and international sporting events to the municipal corporation, county, or township in which it is located; it also may sponsor such events. Prior to attracting or sponsoring any such event, the sports commission is required to perform an economic analysis to determine whether the proposed event will have a positive economic effect on the greater area in which the event will be held. A sports commission cannot expend any money it receives from the sale of professional sports team license plates to attract or sponsor an amateur regional, national, or international sporting event if its economic analysis does not result in a finding that the proposed event will have a positive economic effect on the greater area in which the event will be held.

A sports commission that receives money from the sale of professional sports team license plates, in addition to any other duties imposed on it by law and notwithstanding the scope of those duties, also is required to encourage the economic development of Ohio through the promotion of tourism within all areas of Ohio. A sports commission that receives \$10,000 or more during any calendar year must submit an annual written report to the Director of Development detailing its efforts and expenditures in the promotion of tourism during the calendar year in which it received that amount of money.

5. For purposes of the bill, "community charity" means a nonprofit corporation organized under the laws of this state that is entitled to tax exempt status under Section 501(c)(3) of the Internal Revenue Code and that enters into a contract with a professional sports team under the bill.

6. For purposes of the bill, "nonprofit organization" means a nonprofit corporation organized under the laws of this state that is entitled to tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986 and that receives money from a community charity under the bill.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	11-13-03	p. 1058
Reported, H. Transportation & Public Safety	05-11-04	p. 1878
Passed House (99-0)	05-25-04	pp. 1965-1967
Reported, S. Highways & Transportation	---	---

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