



Am. Sub. H.B. 293

127th General Assembly
(As Passed by the General Assembly)

- Reps.** Goodwin, J. McGregor, Wachtmann, Yuko, Evans, Reinhard, Latta, Huffman, Peterson, Chandler, Dodd, Seitz, Stebelton, Fende, Sayre, Hughes, Aslanides, Combs, Domenick, Otterman, Bacon, Barrett, Batchelder, Beatty, Bolon, Celeste, Daniels, Dolan, Dyer, Flowers, Gardner, Gibbs, Goyal, J. Hagan, Harwood, Heard, Hite, Hottinger, Letson, Oelslager, Okey, Patton, Schindel, Schlichter, Setzer, Strahorn, Uecker, Wagner, Webster, Widener, Yates, Zehringer
- Sens.** Mumper, Padgett, Faber, Grendell, Schuring, Roberts, Boccieri, Carey, Cates, Harris, Niehaus, Schaffer, Seitz, Schuler, Kearney, Wilson, Fedor

Effective date: August 14, 2008

ACT SUMMARY

- Decreases the threshold for the number of annual license plate registrations for all special license plates from 1,000 to 500 registrations.
- Creates "Ohio Agriculture" license plates, and requires the contributions paid by persons who obtain the license plates to be deposited into the Ohio Agriculture License Plate Scholarship Fund, which the act also creates.
- Creates "Ohio Sustainable Agriculture" license plates, requires contributions paid by persons who obtain the license plates to be deposited into the continuing Agro Ohio Fund, and requires the money deposited into the Fund to be used for the benefit of sustainable agriculture markets in the state.
- Creates the Ohio Agriculture License Plate Scholarship Program and the Ohio Agriculture License Plate Scholarship Fund Board, and places the Program under the control of the Board.

- Requires the Board to award scholarships from the Fund to students who are enrolled in a program related to agriculture at an institution of higher learning.
- Creates the "Ohio's Horse" license plate to provide funds for the Ohio Coalition for Animals, Inc., which may use the funds to support programs that provide care for unwanted, abused, and neglected horses and for certain costs related to the license plate program.

CONTENT AND OPERATION

Modification of minimum registration requirement generally applicable to special license plates

Under law retained in part by the act, certain enumerated special license plates and generally all special license plates created since October 21, 1997 (nonstandard license plates) 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.) If, during any calendar year, the total number of new and renewal motor vehicle registrations involving such a nonstandard license plate totals less than 1,000, the issuance of that license plate may cease as of December 31 of the following year. The Registrar is required to send a written notice to the sponsor of that nonstandard license plate, if a sponsor exists, informing the sponsor of that fact. It must be sent no later than January 15 of the year following the year during which the number of new and renewal motor vehicle registrations involving that nonstandard license plate totaled less than 1,000. The issuance of a nonstandard license plate that is thus ended may be revived if certain conditions are met. (R.C. 4503.77.)

The act decreases the threshold for the number of annual special license plate registrations for all special license plates from 1,000 to 500 registrations and makes corresponding reference changes (R.C. 4503.77 and 4503.78). For purposes of the issuance of "Ohio Agriculture" and "Ohio Sustainable Agriculture" license plates (see below), the act specifies that "sponsor" includes the Ohio Agriculture License Plate Scholarship Fund Board, created under the act (see below), and the Director of Agriculture (R.C. 4503.77(A)(2)).

"Ohio Agriculture" license plates

Under the act, 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 "Ohio Agriculture" license plates. The application for "Ohio Agriculture" license plates may be combined with a request for a special reserved license plate under continuing law. Upon receipt of the completed application and compliance by the applicant with the act's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Ohio Agriculture" license plates with a validation sticker or a validation sticker alone when required by continuing law.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Ohio Agriculture" license plates are required to be inscribed with words and markings selected and designed by the Ohio Farm Bureau Federation in consultation with representatives of agricultural commodity organizations of this state. The Registrar is required to approve the final design. "Ohio Agriculture" license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.503(A).)

"Ohio Agriculture" license plates and validation stickers are to be issued upon payment of the regular license tax as prescribed in continuing law; any applicable local motor vehicle license tax; any applicable additional special reserved license plate fee; a Bureau of Motor Vehicles (BMV) \$10 administrative fee; a contribution of \$20; and compliance with all other applicable laws relating to motor vehicle registration (R.C. 4503.503(B) and (C)).

The Registrar must collect the BMV fee and the \$20 contribution for every new and renewal registration application received under the act. The Registrar is required to transmit the contributions to the Treasurer of State for deposit in the Ohio Agriculture License Plate Scholarship Fund, which the act creates (see below). (R.C. 4503.503(C).)

The Registrar is required to deposit the \$10 BMV administrative fee, which is to compensate the Bureau for the additional services required in issuing "Ohio Agriculture" license plates, into the continuing State Bureau of Motor Vehicles Fund (R.C. 4503.503(D)).

"Ohio Sustainable Agriculture" license plates

Under the act, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar may apply to the Registrar for the issuance of "Ohio Sustainable Agriculture" license plates. The application for "Ohio Sustainable Agriculture" license plates may be combined with a request for a special reserved license plate under continuing law. Upon receipt of the completed application and compliance by the applicant with the act's requirements, the Registrar must issue to the applicant the appropriate vehicle registration and a set of "Ohio Sustainable

Agriculture" license plates with a validation sticker or a validation sticker alone when required by continuing law.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Ohio Sustainable Agriculture" license plates must be inscribed with words and markings selected and designed by the Department of Agriculture. The Registrar must approve the final design. "Ohio Sustainable Agriculture" license plates must bear county identification stickers that identify the county of registration by name or number. (R.C. 4503.504(A).)

"Ohio Sustainable Agriculture" license plates and validation stickers are to be issued upon payment of the regular license tax as prescribed in continuing law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, a BMV \$10 administrative fee, a contribution of \$20, and compliance with all other applicable laws relating to motor vehicle registration (R.C. 4503.504(B) and (C)).

The Registrar must collect the BMV fee and the \$20 contribution for every new and renewal registration application received under the act. The Registrar must transmit the contributions to the Treasurer of State for deposit into the continuing Agro Ohio Fund (see below). (R.C. 4503.504(C).)

The Registrar must deposit the \$10 BMV administrative fee, which is to compensate the Bureau for the additional services required in issuing "Ohio Sustainable Agriculture" license plates, into the continuing State Bureau of Motor Vehicles Fund (R.C. 4503.504(D)).

Under continuing law, money from various sources is deposited into the Agro Ohio Fund to be used for the benefit of agriculture. The act adds that all money from the contributions for every new and renewal registration application for "Ohio Sustainable Agriculture" license plates received under the act is to be credited to the Fund. In addition, the act specifies that the money from the contributions must be used for the benefit of sustainable agriculture markets in the state as determined by the Director of Agriculture. (R.C. 901.04.)

Ohio Agriculture License Plate Scholarship Fund Board and Scholarship Program

The act creates the Ohio Agriculture License Plate Scholarship Fund Board, consisting of the Director of Agriculture or the Director's designee and one representative appointed by each of the following organizations:

- (1) The Ohio Agriculture Council;
- (2) The Ohio Corngrowers Association;

(3) The Ohio Farm Bureau Federation;

(4) The Ohio Soy Association;

(5) The Ohio State University College of Food, Agricultural, and Environmental Sciences; and

(6) The Ohio Young Farmers Association. (R.C. 901.90(B)(1).)

All original appointments to the Board must be made not later than 90 days after the act's effective date, and all vacancies are filled in the same manner as the original appointment. Board members serve without compensation, but are reimbursed for the actual expenses they incur in performing their duties. The Director of Agriculture or the Director's designee is the chairperson. The Board is required to adopt rules governing its meetings and proceedings. (R.C. 901.90(B)(2).)

The act creates the Ohio Agriculture License Plate Scholarship Program to benefit students who attend an institution of higher learning located in this state and are enrolled in a program that is related to agriculture. The Board is required to adopt rules governing all aspects of the program, including any additional eligibility requirements, the application process, scholarship amounts, and any requirements a student must meet in order to retain a scholarship. All decisions of the Board relating to the scholarship program, including the decision to award, renew, not renew, or revoke a scholarship, are final. (R.C. 901.90(C).)

"Ohio's Horse" license plates

Under the act, 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 "Ohio's Horse" license plates. The request for "Ohio's Horse" license plates may be combined with a request for a special reserved license plate under continuing law. Upon receipt of the completed application and compliance by the applicant with the act's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Ohio's Horse" license plates with a validation sticker or a validation sticker alone when required by continuing law.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Ohio's Horse" license plates must be inscribed with identifying words or markings that are designed by the Ohio Coalition for Animals, Inc. and approved by the Registrar. "Ohio's Horse" license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.553(A).)

"Ohio's Horse" license plates and validation stickers are to be issued upon payment of the regular license tax prescribed in continuing law; any applicable local motor vehicle license tax; any applicable additional special reserved license plate fee; an additional \$10 Bureau of Motor Vehicles fee; a contribution not to exceed \$40, as determined by the Ohio Coalition for Animals, Inc.; and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.553(B) and (C)).

The Registrar must collect the \$10 BMV fee and the contribution for every new and renewal registration application received under the act. The additional \$10 BMV fee is to compensate the Bureau for additional services required in connection with the "Ohio's Horse" license plate program. The Registrar must deposit all such fees into the state treasury to the credit of the continuing State Bureau of Motor Vehicles Fund.

The Registrar must transmit the contribution to the Treasurer of State for deposit into the state treasury to the credit of the continuing License Plate Contribution Fund for payment to the Ohio Coalition for Animals, Inc. The act authorizes the Coalition to use the money to support educational, charitable, and other programs that provide care for unwanted, abused, and neglected horses. The Coalition also may use the money for reasonable marketing costs incurred in the design and promotion of the license plate and for administrative costs incurred in the disbursement and management of the license plate funds. (R.C. 4501.21(B)(12) and 4503.553(C).)

HISTORY

ACTION	DATE
Introduced	07-31-07
Reported, H. Infrastructure, Homeland Security and Veterans Affairs	12-06-07
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House concurred in Senate amendments (95-0)	04-30-08

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