



Joseph G. Aninao

Bill Analysis
Legislative Service Commission

Am. H.B. 273

127th General Assembly

(As Reported by H. Infrastructure, Homeland Security and Veterans Affairs)

**Reps. Husted and Beatty, Bupp, Combs, Aslanides, Sayre, Otterman,
Widowfield, Fessler, Domenick, Mallory, Ujvagi**

BILL SUMMARY

- Creates "Ohio National Guard Retired," "U.S. Paratrooper," "Civil Air Patrol," and "Support Our Troops" license plates.
- Specifies that the Ohio Pet Fund (a nonprofit corporation), rather than the Pets Program Funding Board, receive the contributions from the Pets license plate.
- Permits the release of personal information (but not sensitive personal information such as Social Security numbers) for use by an organization that receives a contribution that the person paid to the Registrar of Motor Vehicles or deputy registrar when the person obtained a special license plate for display on the person's motor vehicle.
- Designates the portion of State Route 11 within Ashtabula County only as the "Marine Private Henry Kalinowski Memorial Highway."
- Designates the portion of Interstate Route 71 within Middleburg Heights only as the "Corporal Brad D. Squires Memorial Highway."
- Designates the portion of State Route 2 within Willoughby only as the "Brian Montgomery Memorial Highway."
- Designates the northbound portion of State Route 59, located within Cuyahoga Falls between Howe Avenue and Broad Boulevard, as the "Sergeant Bryan W. Large Memorial Highway."
- Designates the southbound portion of State Route 59, located within Cuyahoga Falls between Broad Boulevard and Howe Avenue, as the "Sergeant Justin T. Walsh Memorial Highway."

- Designates the portion of U.S. Route 30, running in an easterly and westerly direction between State Routes 598 and 61, as the "Pfc. David C. Armstrong Memorial Highway."
- Designates the portion of U.S. Route 30, running in an easterly and westerly direction between State Routes 602 and 598, as the "Staff Sgt. Kendall H. Ivy II Memorial Highway."
- Designates State Route 660 in Guernsey County as the "Major James W. Reed Memorial Highway."
- Permits the Director of Transportation to erect suitable markers along each memorial highway, indicating its name.

CONTENT AND OPERATION

Creation of new special license plates

The bill creates the following four new special license plates:

"Ohio National Guard Retired" license plates

Under the bill, any person who is a retired veteran of the Ohio National Guard 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 the person owns or leases. The application must be accompanied by such written evidence that the applicant is a retired veteran of the Ohio National Guard as the Registrar requires by rule.

Upon receipt of an application for registration of a motor vehicle under the bill, presentation of satisfactory evidence documenting that the applicant is a retired veteran of the Ohio National Guard, and payment of the regular license fee and any applicable local motor vehicle license tax, 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 when required by current law. In addition to the letters and numbers ordinarily inscribed on license plates, the "Ohio National Guard Retired" license plates must contain one of the following inscriptions, as appropriate: "Ohio Army National Guard Retired," or "Ohio Air National Guard Retired." The license plates must bear county identification stickers that identify the county of registration by name or number. (R.C. 4503.481(A).)

"U.S. Paratrooper" license plates

Under the bill, any person who served in the armed forces of the United States as a paratrooper may apply to the Registrar for the registration of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar the person owns or leases and for issuance of "U.S. Paratrooper" license plates. The application may be combined with a request for a special reserved license plate provided in current law. The application must be accompanied by such written evidence of the applicant's service in the United States armed forces as a paratrooper as the Registrar requires by rule, which may include requiring the submission of a copy of the applicant's DD-214 form or an equivalent document. (R.C. 4503.547(A).)

Upon receipt of a completed application for registration of a motor vehicle requesting the issuance of "U.S. Paratrooper" license plates, presentation of evidence of service in the United States armed forces as a paratrooper, and compliance with all other applicable registration provisions, the Registrar is required to issue to the applicant the appropriate motor vehicle registration and a set of "U.S. Paratrooper" license plates and 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, the "U.S. Paratrooper" license plates must contain the words "U.S. Paratrooper" and an appropriate symbol approved by the Registrar. (R.C. 4503.547(A).)

"U.S. Paratrooper" license plates and validation stickers are issued upon payment of the regular license fee, payment of any applicable local motor vehicle license tax, and compliance with all other applicable laws relating to motor vehicle registration. If the application is combined with a request for a special reserved license plate, the additional fee prescribed in current law for that type of reserved license plate also must be paid. (R.C. 4503.547(A).)

"Civil Air Patrol" license plates

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or vehicle of a class approved by the Registrar of Motor Vehicles who is a member in good standing of the Civil Air Patrol may apply to the Registrar for the issuance of Civil Air Patrol license plates. The request for Civil Air Patrol license plates may be combined with a request for a special reserved license plate under current law. Upon receipt of the completed application, presentation of the required evidence that the applicant is a member in good standing of the Civil Air Patrol, and compliance with other, standard requirements under the bill, the Registrar must issue to the applicant appropriate vehicle registration and a set of Civil Air Patrol license plates and a validation

sticker, or a validation sticker alone when required by current law. (R.C. 4503.731(A).)

In addition to the letters and numbers ordinarily inscribed thereon, Civil Air Patrol license plates must be inscribed with identifying words and a symbol or logo designed by the Civil Air Patrol and approved by the Registrar. Civil Air Patrol license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.731(A).)

Civil Air Patrol license plates and validation stickers are to be issued upon payment of the regular license tax as prescribed in current law, any applicable local motor vehicle tax, any applicable additional special reserved license plate fee, and a Bureau of Motor Vehicles fee of \$10, and compliance with all other applicable laws relating to the registration of motor vehicles. (R.C. 4503.731(B).)

The Registrar must deposit the \$10 fee, which is for the purpose of compensating the Bureau for additional services required in the issuing of Civil Air Patrol license plates, into the state treasury to the credit of the existing State Bureau of Motor Vehicles Fund (R.C. 4503.731(C)).

"Support Our Troops" license plates

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, motorcycle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply for issuance of "Support Our Troops" license plates. The application 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 bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of "Support Our Troops" license plates and a validation sticker or a validation sticker alone when required by current law.

In addition to the letters and numbers ordinarily inscribed on the license plates, "Support Our Troops" license plates must bear an appropriate logo and the words "Support Our Troops." The Bureau of Motor Vehicles is required to design "Support Our Troops" license plates, and they must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.92(A).)

"Support Our Troops" license plates and validation stickers are issued upon payment of the regular license tax as prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 BMV fee, and a \$25 contribution; as well as

compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.92(B)).

The Registrar must collect the \$10 BMV fee and the \$25 contribution for every new and renewal registration application received under the bill. The additional \$10 BMV fee is to compensate the Bureau for additional services required in connection with the issuance of "Support Our Troops" license plates. The Registrar must deposit all such fees into the state treasury to the credit of the existing State Bureau of Motor Vehicles Fund. (R.C. 4503.92(C).)

The Registrar must transmit the \$25 contribution to the Treasurer of State for deposit in the existing License Plate Contribution Fund for distribution to the national, nonprofit corporation Support Our Troops, Inc. The organization is required to use the money in accordance with its articles of incorporation and for the benefit of servicemembers of the United States armed forces and their families when they are in financial need. (R.C. 4501.21(B)(25) and 4503.92(C).)

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 such a 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 "Ohio National Guard Retired" and "U.S. Paratrooper" license plates from both the minimum registration requirement and the termination and revival procedures (R.C. 4503.481(B) and 4503.547(B)). This is consistent with the law's treatment of the military-related special license plates that existed at the time of enactment of the special license plate minimum requirement and the termination and revival procedures and the military-related special license plates that have been created since the enactment of those provisions.

Pets license plate contributions

Am. Sub. H.B. 406 of the 125th General Assembly created the Pets license plate and directed that contributions for issuance of the license plate be deposited

in the License Plate Contribution Fund for distribution to the Pets Program Funding Board, which consists of seven members with specific qualifications who are appointed by the Ohio Pet Fund, a nonprofit corporation. Am. Sub. H.B. 406 required the Board to disburse money from the Pets license plates for the purpose of supporting programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals. The Board disburses money to organizations meeting eligibility requirements established by the Ohio Pet Fund.

The bill requires that the Registrar of Motor Vehicles pay the contributions from Pets license plates to the Ohio Pet Fund, rather than to the Pets Program Funding Board, and requires that the Ohio Pet Fund distribute the money in amounts determined by the Board to organizations meeting eligibility requirements established by the Ohio Pet Fund. The bill also makes minor language revisions in the Pet license plate contribution distribution provisions. (R.C. 955.202(C) and 4501.21(B)(10).)

Release of personal information to sponsors of special license plates

Under current law, the Registrar and any employee or contractor of the Bureau are permitted to disclose personal information (but not sensitive personal information such as Social Security numbers) about an individual that the Bureau obtained in connection with a motor vehicle record for certain uses and in certain specified circumstances, such as for use in research activities or in producing statistical reports. The bill permits the release of personal information (but not sensitive personal information) for use by an organization that receives a contribution that the person paid to the Registrar or deputy registrar when the person obtained a special license plate for display on the person's motor vehicle (R.C. 4501.27(B)(2)(o)).

Designation of memorial highways

The bill designates eight memorial highways. The Director of Transportation is authorized to erect suitable markers along each highway, indicating its name. The memorial highways are as follows:

"Marine Private Henry Kalinowski Memorial Highway"

Current law designates State Route 11 running from the city of Ashtabula in Ashtabula County south to the city of East Liverpool in Columbiana County the "Lake to River Highway" (R.C. 5533.28, not in the bill). The bill provides that in addition to this existing designation, the portion of State Route 11 located within Ashtabula County only also is to be known as the "Marine Private Henry Kalinowski Memorial Highway." (R.C. 5533.281.)

"Corporal Brad D. Squires Memorial Highway"

Current law designates Interstate Route 71 running from Cleveland to Cincinnati the "Disabled American Veterans' Highway" (R.C. 5533.32, not in the bill). The bill provides that in addition to this existing designation, the portion of I-71 located within the municipal corporation of Middleburg Heights only also is to be known as the "Corporal Brad D. Squires Memorial Highway" (R.C. 5533.332).

"Brian Montgomery Memorial Highway"

The bill designates the portion of State Route 2, running in an easterly and westerly direction within Willoughby only, as the "Brian Montgomery Memorial Highway" (R.C. 5533.632).

"Sergeant Bryan W. Large Memorial Highway"

The bill designates the northbound portion of State Route 59, located within Cuyahoga Falls between Howe Avenue and Broad Boulevard, as the "Sergeant Bryan W. Large U.S. Army 82nd Airborne Memorial Highway" (R.C. 5533.633).

"Sergeant Justin T. Walsh Memorial Highway"

The bill designates the southbound portion of State Route 59, located within Cuyahoga Falls between Broad Boulevard and Howe Avenue, as the "Sergeant Justin T. Walsh U.S. Marines Memorial Highway" (R.C. 5533.634).

"Pfc. David C. Armstrong Memorial Highway"

The bill designates the portion of U.S. Route 30, running in an easterly and westerly direction between State Routes 598 and 61, as the "Pfc. David C. Armstrong Memorial Highway" (R.C. 5533.76).

"Staff Sgt. Kendall H. Ivy II Memorial Highway"

The bill designates the portion of U.S. Route 30, running in an easterly and westerly direction between State Routes 602 and 598, as the "Staff Sgt. Kendall H. Ivy II Memorial Highway" (R.C. 5533.77).

"Major James W. Reed Memorial Highway"

The bill designates State Route 660 within Guernsey County as the "Major James W. Reed Memorial Highway" (R.C. 5533.871).

HISTORY

ACTION	DATE
Introduced	06-21-07
Reported, H. Infrastructure, Homeland Security and Veterans Affairs	06-26-07

h0273-rh-127.doc/st

