Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

Sub. H.B. 27

128th General Assembly
(As Reported by H. Transportation and Infrastructure)

Reps. Gerberry, Hagan, Okey, Bolon, Carney, Domenick, Foley, Yuko, Combs, Balderson, McClain, Ruhl, Zehringer

BILL SUMMARY

- Creates "Special Olympics," "Pediatric Brain Tumor Awareness," "Phi Theta Kappa," "Proud Supporter of the American Red Cross," and "Teen Driver Education" special license plates.
- Creates the motorcycle version of the existing "Purple Heart" license plate and provides additional necessary language for three existing special license plates.
- Designates the "Corporal Jason J. Hernandez Memorial Highway," "Sgt. Jeremy Murray Memorial Highway," "Staff Sgt. Matthew J. Kuglics Memorial Highway," "Korean War Veterans' Memorial Highway," "Major Rocco Barnes Memorial Highway," "Guernsey County Veterans – Flags of Honor Memorial Highway," "William Holmes McGuffey Memorial Highway," and "Sgt. Michael W. Finke, Jr., Memorial Highway."
- Designates the "Union Workers Memorial Bridge."

CONTENT AND OPERATION

The bill creates five new special license plates and a new version of an existing special license plate and designates eight memorial highways and one memorial bridge. The bill also provides additional necessary language for three existing special license plates.

Special license plates

New license plates created by the bill

The bill creates five new special license plates: "Special Olympics" (R.C. 4501.21 and 4503.498), "Pediatric Brain Tumor Awareness" (R.C. 4501.21 and 4503.499), "Phi Theta Kappa" (R.C. 4501.21 and 4503.505), "Proud Supporter of the American Red Cross" (R.C. 4501.21 and 4503.89), and "Teen Driver Education" (R.C. 4501.14 and 4503.94). All five types are available to the public and all require payment of a contribution.

The general provisions for each license plate are the same. 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 one of the special license plates. The application may be combined with a request for a special reserved license plate provided under current law. Upon receipt of the completed application and compliance by the applicant with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of the requested special license plates with a validation sticker or a validation sticker alone when required by current law.

Each set of the new special license plates and accompanying validation sticker is to be issued upon submission of a completed application and payment of the regular license tax as prescribed in current law; any applicable local motor vehicle license tax; a Bureau of Motor Vehicles $10 administrative fee; 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 license plates and validation sticker are issued upon payment of the required fees and taxes plus the additional applicable reserved license plate fee specified in current law. The Registrar is required to transmit the $10 BMV fee, the purpose of which is to compensate the Bureau for the additional services required in issuing the set of special license plates, to the Treasurer of State for deposit into the state treasury to the credit of the existing State Bureau of Motor Vehicles Fund.

In addition to the letters and numbers ordinarily inscribed on the license plates, all the new special license plates bear distinctive words, symbols, or logos. The "Special Olympics" license plate must be inscribed with identifying words or markings that are designed by Special Olympics Ohio, Inc. The "Pediatric Brain Tumor Awareness" license plate must be inscribed with identifying words or markings that are designed by the Children's Glioma Cancer Foundation. The "Phi Theta Kappa" license plate must be inscribed with identifying words and markings that are selected and designed by the Ohio Region Phi Theta Kappa. The "Proud Supporter of the American Red Cross"

license plate must be inscribed with words and markings selected and designed by the American Red Cross and submitted by the American Red Cross of Greater Columbus. The bill requires the Registrar to enter into a licensing agreement with the American Red Cross for appropriate use of its name, service mark, or trademark. The "Teen Driver Education" license plate must bear the words "Teen Driver Education" and an appropriate logo designed by the Bureau of Motor Vehicles. In all cases, the Registrar is required to approve the final design of the new special license plate, and all of the plates must display county identification stickers that identify the county of registration by name or number.

The five new special license plates all require the applicant to pay a contribution to the Registrar or deputy registrar, which is then deposited into a fund within the state treasury before being paid to the ultimate recipient. Specifically:

(1) A person who obtains "Special Olympics" license plates must pay a $15 contribution, which is deposited into the existing License Plate Contribution Fund. Special Olympics Ohio, Inc. must use all such contributions for its programs, charitable efforts, and other activities. (R.C. 4501.21 and 4503.498.)

(2) A person who obtains "Pediatric Brain Tumor Awareness" license plates must pay a $35 contribution, which is deposited into the License Plate Contribution Fund. The Children's Glioma Cancer Foundation must use all such contributions for its research and other programs. (R.C. 4501.21 and 4503.499.)

(3) A person who obtains "Phi Theta Kappa" license plates must pay a $25 contribution, which is deposited into the state License Plate Contribution Fund. The organization Ohio Region Phi Theta Kappa must use all such contributions for scholarships for students who are members of that organization. (R.C. 4501.21 and 4503.505.)

(4) A person who obtains "Proud Supporter of the American Red Cross" license plates must pay a $25 contribution, which is deposited into the state License Plate Contribution Fund. The organization American Red Cross of Greater Columbus, on behalf of the Ohio chapters of the American Red Cross, must use all such contributions for disaster readiness, preparedness, and response programs on a statewide basis. (R.C. 4501.21 and 4503.89.)

(5) A person who obtains "Teen Driver Education" license plates must pay a $15 contribution, which is deposited into the Teen Driver Education License Plate Fund. The Department of Public Safety must use the money in the Fund solely to fund the rental, lease, or purchase of the simulated driving curriculum of the Michelle's Leading Star Foundation by boards of education of city, exempted village, local, and joint

vocational school districts. The Department of Public Safety, in consultation with the Department of Education, must adopt rules for distributing money in the Fund to those boards. (R.C. 4501.14 and 4503.94.)

"Ohio Nature Preserves" license plate

The bill purports to create "Ohio Nature Preserves" license plates and provides that people who obtain them must pay a contribution not exceeding $40 that the Department of Natural Resources must use to help finance nature preserve education, nature preserve clean-up projects, and nature preserve maintenance, protection, and restoration (R.C. 4501.243 and 4503.563). These provisions were all enacted in the Main Operating Appropriations Act (Am. Sub. H.B. 1) of the current General Assembly, so reenacting them in Sub. H.B. 27 has no effect.

"Purple Heart" motorcycle license plate

Current law permits any person who has been awarded the Purple Heart to 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. The application must be accompanied by such documentary evidence in support of the award as the Registrar may require. In addition to the letters and numbers ordinarily inscribed on the license plates, these license plates are inscribed with the words "PURPLE HEART." (R.C. 4503.571.)

The bill creates as an additional version of the Purple Heart license plate the Purple Heart license plate for motorcycles and makes it subject to the existing provisions governing the Purple Heart license plate generally.

"Multiple Sclerosis Awareness," "Sickle Cell Anemia Awareness," and "Thank You U.S. Military" license plates

Among the provisions that were contained in Substitute Senate Bill 243 of the 127th General Assembly were provisions that created "Multiple Sclerosis Awareness," "Sickle Cell Anemia Awareness," and "Thank You U.S. Military" special license plates (R.C. 4503.494, 4503.496, and 4503.531, respectively). Under that act, these license plates are available to the public upon payment of a contribution of $15, $10, and $10, respectively. Sub. S.B. 243 of the 127th G.A. did not, however, do any of the following:

(1) Contain any authority for the Registrar to release the contributions to an entity;

(2) Specify the entities that are to receive the contributions received from persons who are issued the three special license plates; or

(3) Specify the purposes for which the entities may expend the contributions they receive from persons who are issued the three special license plates.

In order to remedy this situation, the bill amends the existing State License Plate Contribution Fund section (R.C. 4501.21) as follows:

(1) The bill requires the Registrar to pay the contributions the Registrar receives from persons who are issued "Multiple Sclerosis Awareness" license plates to the National Multiple Sclerosis Society for distribution in equal amounts to the Northwestern Ohio, Ohio Buckeye, and Ohio Valley chapters of the National Multiple Sclerosis Society. These chapters must use this money to assist in paying the expenses they incur in providing services directly to their clients.

(2) The bill requires the Registrar to pay the contributions the Registrar receives from persons who are issued "Sickle Cell Anemia Awareness" license plates to the Ohio Sickle Cell and Health Association. This organization must use this money to help support educational, clinical, and social support services for adults who have sickle cell disease.

(3) The bill requires the Registrar to pay the contributions the Registrar receives from persons who are issued "Thank You U.S. Military" license plates to the Thank You Foundation, Inc., a nonprofit corporation organized under the laws of this state. This organization must use this money to help pay for its charitable activities and programs it sponsors in support of United States military personnel, veterans, and their families.

Memorial highways

The bill designates eight memorial highways; in all cases, the Director of Transportation is authorized to erect suitable markers along each of the highways, indicating their respective names. The highways that are designated are as follows:

(1) The portion of State Route 43, running in a northerly and southerly direction within Portage County, between the intersection of that state route and Ethan Avenue in the north and the intersection of that state route and Kennedy Road in the south, as the "Corporal Jason J. Hernandez Memorial Highway." (R.C. 5533.093.) Corporal Jason J. Hernandez was killed in Iraq on September 7, 2007, which was the date of his 21st birthday.

(2) State Route 44, running in a northerly and southerly direction between County Road 18 in the municipal corporation of Rootstown and Waterloo Road in the municipal corporation of Randolph, as the "Sgt. Jeremy Murray Memorial Highway" (R.C. 5533.333). Sgt. Jeremy Murray was killed in Iraq on November 16, 2005; he was 27 years old.

(3) The portion of Interstate Route 77 within Summit County, commencing at mile marker 116 and proceeding in a northerly direction to mile marker 118, as the "Staff Sgt. Matthew J. Kuglics Memorial Highway" (R.C. 5533.372). Staff Sgt. Matthew J. Kuglics was killed in Iraq on June 5, 2007; he was 25 years old.

(4) Interstate Route 680, which is located wholly within Mahoning County, as the "Korean War Veterans' Memorial Highway" (R.C. 5533.52).

(5) State Route 10, running in a southwesterly and northeasterly direction, within the municipal corporation of North Olmsted only, as the "Major Rocco Barnes Memorial Highway" (R.C. 5533.606). Major Rocco Barnes was killed in Afghanistan on June 4, 2009; he was 51 years old.

(6) The portion of State Route 313, located within Guernsey County and commencing at the intersection of that state route and Pritter Road, extending in an easterly direction and ending at the first intersection with State Route 83, which also is known as West Road, as the "Guernsey County Veterans – Flags of Honor Memorial Highway" (R.C. 5533.872).

(7) The portion of Interstate Route 680, commencing at the intersection of State Route 711 and extending in a southeasterly direction to the intersection with State Route 7 within Mahoning County, as the "William Holmes McGuffey Memorial Highway" (R.C. 5533.95). William Holmes McGuffey (1800-1873) was, during parts of his career, a professor at Miami University and president of Ohio University. He is best known for writing a series of instructional books called the "*McGuffey Readers*."

(8) The portion of State Route 18, commencing at the intersection of that state route and Interstate Route 71 and extending in an easterly direction to the intersection of that state route and Interstate Route 77 within Medina County only, as the "Sgt. Michael W. Finke, Jr. Memorial Highway" (R.C. 5533.96). Sgt. Michael W. Finke, Jr. was killed in Iraq on January 26, 2005; he was 28 years old.

Memorial bridge

The bill designates the bridge spanning the Cuyahoga River and the Ohio Canal in Cuyahoga County, that is part of Interstate Route 480, as the "Union Workers Memorial Bridge" and authorizes the Director to erect suitable markers upon the bridge or its approaches indicating its name (R.C. 5533.93).

COMMENT

The "Ohio Nature Preserves" special license plate was created in the General Appropriations Act (Am. Sub. H.B. 1) of the current General Assembly.

HISTORY

ACTION	DATE
Introduced	02-19-09
Reported, H. Transportation & Infrastructure	10-21-09

H0027-RH-128.docx/jc