



Ohio Legislative Service Commission

Bill Analysis

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Am. H.B. 110

130th General Assembly

(As Reported by H. Transportation, Public Safety, and Homeland Security)

Reps. Schuring, Johnson, Patmon, Szollosi, Terhar, Grossman, Damschroder, Celebrezze, R. Hagan, Milkovich

BILL SUMMARY

- Creates the following six new special license plates: "Massillon Tiger Football Booster Club," "Power Squadron," "Combat Action Ribbon or Badge," "Military Sacrifice," "Truth, Justice, and the American Way," and "Nationwide Children's Hospital."

CONTENT AND OPERATION

New special license plates

The bill creates six new special license plates, four of which are available to the general public. Four of the license plates require payment of a contribution of varying amounts upon issuance or renewal, which contributions are paid into the state treasury to the credit of the License Plate Contribution Fund. Four of the new license plates require an annual \$10 additional BMV fee, which is paid into the state treasury to the credit of the Bureau of Motor Vehicles Fund and used by the BMV for its additional services in issuing the special license plates. All the new license plates may be issued for display on passenger cars, noncommercial motor vehicles, recreational vehicles, and any other vehicle of a class approved by the Registrar of Motor Vehicles. In addition, all the new license plates require payment of the regular license tax, any applicable local motor vehicle tax, and the appropriate special reserved license plate fee, if applicable.

The following table lists each new special license plate, whether a contribution and additional Bureau of Motor Vehicles fee is charged, and the use of any required contribution.

Special license plate	Contribution? Additional Bureau of Motor Vehicles fee?	Use of contribution
Massillon Tiger Football Booster Club license plate, designed by the Massillon Tiger Football Booster Club (R.C. 4501.21 and 4503.524)	\$25 contribution plus \$10 additional BMV fee.	The Massillon Tiger Football Booster Club must use the contributions only to promote and support the football team of Washington High School of the Massillon City School District.
Power Squadron license plate, designed by the Mansfield Power Squadron (R.C. 4501.21 and 4503.525)	\$15 contribution plus \$10 additional BMV fee.	Contributions paid to the United States Power Squadron Districts 7, 11, 24, and 29 in equal amounts. Each district must use the contributions it receives to pay for the educational boating programs that the district holds or sponsors within this state.
Combat Action Ribbon or Combat Action Badge license plate, inscribed with the words "combat action ribbon" or "combat action badge" and a reproduction of the combat action ribbon or badge (R.C. 4503.533)	No required contribution. No additional BMV fee.	Not applicable.
Military Sacrifice license plate, inscribed with a distinctive emblem and the words "Military Sacrifice" (R.C. 4503.549)	No required contribution. No additional BMV fee.	Not applicable.
Truth, Justice, and the American Way license plate, inscribed with the words "Truth, Justice, and the American Way" and a design, logo, or marking selected by the entity that owns the Superman name, pursuant to a license agreement with that entity (R.C. 4501.21 and 4503.732)	\$10 contribution plus \$10 additional BMV fee.	Contributions paid to the Siegel & Shuster Society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland.
Nationwide Children's Hospital license plate, designed by the Nationwide Children's Hospital (R.C. 4501.21 and 4503.90)	\$25 contribution plus \$10 additional BMV fee.	Contributions paid to the Nationwide Children's Hospital Foundation.



Military Sacrifice license plates

The "Military Sacrifice" license plate may be issued for display not only on passenger cars, noncommercial motor vehicles, recreational vehicles, and any other vehicle of a class approved by the Registrar, but also on motor homes. It is available only to members of the immediate family of a person who died outside a combat zone while serving honorably as a member of any branch of the armed forces of the United States, either active or reserve, the National Guard under federal or state control, or the United States Coast Guard, and who died while serving in the line of duty and not of willful misconduct as defined in federal law.¹ The definition for "willful misconduct" in this case is "an act involving conscious wrongdoing or known prohibited action."²

For purposes of issuance of the "Military Sacrifice" license plate, all of the following are a "member of the immediate family" and are eligible for issuance of the license plates: (1) a spouse, (2) a parent, stepparent, or other person who acted in loco parentis, (3) a sibling, whether of the whole or half-blood, or by adoption, (4) a child, including those by adoption, or a stepchild, and (5) a grandparent.³

The bill prohibits any person who is not a member of the immediate family of a person who died outside a combat zone while serving honorably as a member of any branch of the United States armed forces, either active or reserve, the National Guard under federal or state control, or the United States Coast Guard, and who died while serving in the line of duty and not of willful misconduct, from willfully and falsely representing that the person is such a family member for the purpose of obtaining "Military Sacrifice" license plates.⁴

Combat Action Ribbon or Badge license plates

The "Combat Action Ribbon" or "Combat Action Badge" license plates are available to any person who has been awarded the combat action ribbon (for qualifying service in the United States Navy, Marine Corps, or Coast Guard) or combat action badge (for qualifying service in the United States Army, other than infantry and medics) upon submission of such documentary evidence in support of the award as the Registrar may require.⁵ The bill prohibits any person who is not a recipient of the

¹ 38 C.F.R. 3.1(n).

² R.C. 4503.549(A).

³ R.C. 4503.549(D).

⁴ R.C. 4503.549(C).

⁵ R.C. 4503.533(A).



combat action ribbon or badge from willfully and falsely representing that the person is a recipient of the combat action ribbon or badge for the purpose of obtaining either of these license plates.⁶

Under current law, certain enumerated special license plates and generally all special license plates created since August 21, 1997, are subject to a minimum registration requirement and to termination and revival procedures. Specifically, the Registrar is not required to implement any legislation that creates a new license plate until the Registrar receives written statements from at least 500 persons indicating that they intend to apply for and obtain the special license plate.⁷ If, during any calendar year, the total number of new and renewal motor vehicle registrations involving such a special license plate totals less than 500, 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.⁸ The bill exempts the "Combat Action Ribbon or Badge" license plates from both the minimum registration requirement and the termination and revival procedures.⁹

HISTORY

ACTION	DATE
Introduced	03-21-13
Reported, H. Transportation, Public Safety, and Homeland Security	05-02-13

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⁶ R.C. 4503.533(B).

⁷ R.C. 4503.78, not in the bill.

⁸ R.C. 4503.77, not in the bill.

⁹ R.C. 4503.533(C).

