



Ohio Legislative Service Commission

Bill Analysis

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Sub. S.B. 53*

130th General Assembly
(As Reported by S. Transportation)

Sens. Kearney, Smith, Tavares, Schiavoni, Turner, Seitz

BILL SUMMARY

- Requires the Registrar of Motor Vehicles and deputy registrars to accept credit and debit cards for all Department of Public Safety transactions.
- Permits deputy registrars and, in certain instances, the Registrar, to collect and retain a \$5 document security fee when performing certain actions or processing certain transactions.

CONTENT AND OPERATION

BMV payments by means of a financial transaction device

The bill requires the Registrar of Motor Vehicles, on or before July 1, 2016, to allow payment by a credit or debit card or other authorized electronic payment, of charges for vehicle registrations, driver's licenses, and any other taxes, fees, penalties, or charges imposed or levied by the state. The bill requires the Registrar to adopt rules as necessary to implement the program of accepting credit and debit cards for such transactions. However, all such rules are subject to any action, policy, or procedure of the state Board of Deposit or Treasurer of State taken or adopted under applicable existing law. The Bureau of Motor Vehicles is not required to pay any costs incurred as a result of the acceptance of payments by means of a financial transaction device under the payment program.

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

Current law allows the Registrar to implement such a program and adopt rules for that purpose. However, the Registrar has not adopted rules or implemented a general program for the use of these financial transaction devices.¹

To accommodate the cycle of deputy registrar contracts, the bill requires deputy registrars to accept credit and debit cards for all required transactions beginning with deputy registrar contracts that have a start date of July 1, 2015, and to all contract awards after that date. The requirement to accept credit and debit cards for Department of Public Safety transactions also applies to a county auditor or clerk of a court of common pleas that is designated and acting as a deputy registrar.²

Under the bill, when a vehicle owner renews the vehicle's registration in person or by electronic means, the owner may pay by financial transaction device, check, or money order. A vehicle owner cannot renew the vehicle's registration by mail through use of a financial transaction device unless the Registrar, in consultation with the Treasurer of State, determines to accept such payment in that circumstance.³

The bill eliminates both of the following provisions of current law:

(1) A requirement for the Registrar to incorporate in the review process for awarding deputy registrar contracts a score for whether or not a proposer states that the proposer will accept payment by means of a financial transaction device, including credit cards and debit cards; and

(2) A statement establishing that a deputy registrar cannot be required to accept payment by means of a financial transaction device unless the deputy registrar agrees to do so in the deputy registrar's contract.⁴

The bill also makes nonsubstantive changes by removing obsolete language relating to deputy registrar fees that gradually increased between 2001 and 2004.⁵

¹ R.C. 4503.102(H)(1). Since the enactment of Am. Sub. S.B. 1 of the 117th General Assembly (effective November 28, 1988), the Registrar has been directed, in various ways, to allow the use of credit cards for various motor vehicle transactions.

² R.C. 4503.102(H)(2) and (3).

³ R.C. 4503.102(C)(1) and (H)(1).

⁴ R.C. 4503.102(H)(2) and (3).

⁵ R.C. 4503.102(C) and (G).

Deputy registrar document security fee

The bill permits a deputy registrar, and in certain cases the Registrar, to collect and retain a \$5 document security fee when performing certain actions or processing certain transactions. The actions and transactions are as follows:

(1) Motor vehicle registration and registration renewal (the Registrar also collects and retains a \$5 document security fee for processing these transactions);⁶

(2) Motor vehicle registration renewal by mail or electronically (only the Registrar processes these transactions);⁷

(3) Motor vehicle registration upon transfer of ownership;⁸

(4) Issuing a temporary license placard or windshield sticker;⁹

(5) Conducting a physical inspection of a motor vehicle last previously registered in another state;¹⁰

(6) Issuing a new or renewal commercial driver's license temporary instruction permit, commercial driver's license, or duplicate commercial driver's license (the Registrar also collects and retains a \$5 document security fee for processing these transactions);¹¹

(7) Issuing a renewal driver's license, with or without vision screening (the Registrar also collects and retains a \$5 document security fee for processing these transactions);¹²

(8) Issuing an identification card;¹³

⁶ R.C. 4503.10.

⁷ R.C. 4503.102.

⁸ R.C. 4503.12.

⁹ R.C. 4503.182.

¹⁰ R.C. 4505.061.

¹¹ R.C. 4506.08.

¹² R.C. 4507.24.

¹³ R.C. 4507.50.

(9) Issuing a duplicate or replacement identification card;¹⁴

(10) New or renewal registration of a snowmobile, off-highway motorcycle, or all-purpose vehicle;¹⁵

(11) Issuing a temporary placard for an off-highway motorcycle or all-purpose vehicle;¹⁶

(12) Conducting a physical inspection of an off-highway motorcycle or all-purpose vehicle with no certificate of title previously issued by Ohio;¹⁷

(13) Conducting a physical inspection of an off-highway motorcycle or all-purpose vehicle last previously registered in another state.¹⁸

HISTORY

ACTION	DATE
Introduced	02-25-13
Reported, S. Transportation	---

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¹⁴ R.C. 4507.52.

¹⁵ R.C. 4519.03.

¹⁶ R.C. 4519.10

¹⁷ R.C. 4519.56.

¹⁸ R.C. 4519.69.

