
DEPARTMENT OF PUBLIC SAFETY

- Reallocates 10¢ of the \$15 motor vehicle certificate of title fee from deposit in the Motor Vehicle Sales Audit Fund to deposit in the Highway Operating Fund.
- Authorizes a Department of Public Safety enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco without the offense occurring at a liquor permit premises or otherwise being associated with a Liquor Law violation.
- Specifies that a political subdivision employee who renders aid in another state in accordance with the Emergency Management Assistance Compact is considered a state employee for immunity purposes.

Certificate of title fee allocation

(R.C. 4505.09)

The bill reallocates 10¢ of the \$15 motor vehicle certificate of title fee from deposit in the Motor Vehicle Sales Audit Fund to deposit in the Highway Operating Fund. The amount of the certificate of title fee to be deposited in the Motor Vehicle Sales Audit Fund, to assist the Tax Commissioner's investigations of motor vehicle sales and use tax returns to ensure any tax liability has been satisfied, is reduced from 25¢ to 15¢. Additionally, the amount deposited into the Highway Operating Fund, managed by the Department of Transportation for its highway projects, is increased from 21¢ to 31¢. The overall \$15 motor vehicle certificate of title fee is not altered by the bill.

Enforcement of illegal tobacco distribution

(R.C. 5502.14)

The bill authorizes a Department of Public Safety (DPS) enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco,⁵⁵ without the offense occurring at a liquor permit premises or otherwise being associated with a Liquor Law violation. Under current law, a DPS enforcement agent may investigate and enforce most laws only if the violation occurs while the agent is on, immediately adjacent to, or across from a retail liquor permit premises while the agent is investigating that premises or while investigating another Liquor Law violation.⁵⁶

⁵⁵ R.C. 2927.02, not in the bill.

⁵⁶ R.C. 5502.13, not in the bill.

Emergency Management Assistance Compact immunity

(R.C. 5502.30)

The bill specifies that a political subdivision employee who renders aid in another state in accordance with the Emergency Management Assistance Compact (EMAC) is considered a state employee for immunity purposes under Article VI of the Compact. Therefore the employee is:

1. Considered an agent of the requesting state for tort liability and immunity purposes;
and

2. Not liable for any act or omission done in good faith while engaged or on account of the maintenance or use of any equipment or supplies in connection with the engagement.

It also specifies that this provision does not entitle a political subdivision employee to any other right or benefit of a state employee.

The EMAC is law in all 50 states. Through it, states may provide mutual assistance in managing any emergency or disaster.⁵⁷

⁵⁷ See <https://www.emacweb.org/>.