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Sub. H. B. No. 194

Representative Miller, K.

Cosponsors: Representatives Ghanbari, Cross, LaRe, Abrams, Swearingen, Brennan, Carruthers, Dell'Aquila, Dobos, Johnson, Mathews, Miller, A., Mohamed, Patton, Peterson, Robb Blasdel, Seitz, Thomas, C.

A BILL

To amend sections 4503.038, 4503.19, and 5502.68 1
and to enact sections 4503.261 and 4503.262 of 2
the Revised Code to authorize a contract with a 3
private vendor for the issuance of specialty 4
license plates. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4503.038, 4503.19, and 5502.68 be 6
amended and sections 4503.261 and 4503.262 of the Revised Code 7
be enacted to read as follows: 8

Sec. 4503.038. (A) ~~Not later than ninety days after the~~ 9
~~effective date of this amendment, the~~The registrar of motor 10
vehicles shall adopt rules in accordance with Chapter 119. of 11
the Revised Code establishing a service fee that applies for 12
purposes of sections 4503.03, 4503.036, 4503.042, 4503.10, 13
4503.102, 4503.12, 4503.182, 4503.24, 4503.261, 4503.65, 14
4505.061, 4506.08, 4507.24, 4507.50, 4507.52, 4509.05, 4519.03, 15
4519.05, 4519.10, 4519.56, and 4519.69 of the Revised Code. The 16
service fee shall be five dollars. 17

~~(B) Not later than ninety days after the effective date of~~ 18
~~this amendment, the~~The registrar shall adopt rules in accordance 19
with Chapter 119. of the Revised Code establishing prorated 20
service fees that apply for purposes of multi-year registrations 21
authorized under section 4503.103 of the Revised Code. 22

Sec. 4503.19. (A) (1) Upon the filing of an application for 23
registration and the payment of the tax for registration, the 24
registrar of motor vehicles or a deputy registrar shall 25
determine whether the owner previously has been issued a license 26
plate for the motor vehicle described in the application. If no 27
license plate previously has been issued to the owner for that 28
motor vehicle, the registrar or deputy registrar shall assign to 29
the motor vehicle a distinctive number and issue and deliver to 30
the owner in the manner that the registrar may select a 31
certificate of registration, in the form that the registrar 32
shall prescribe. The registrar or deputy registrar also shall 33
charge the owner any fees required under division (C) of section 34
4503.10 of the Revised Code and, if applicable, any fees and 35
contribution required in accordance with section 4503.261 of the 36
Revised Code. 37

(2) The registrar or deputy registrar then shall deliver a 38
license plate and, when required, a validation sticker, or a 39
validation sticker alone, to be attached to the number plate as 40
provided in section 4503.191 of the Revised Code. 41

If an owner wishes to have two license plates, the 42
registrar or deputy registrar shall deliver two license plates, 43
duplicates of each other, and, when required, a validation 44
sticker, or a validation sticker alone, to be attached to the 45
number plates as provided in section 4503.191 of the Revised 46
Code. The owner shall display the license plate and, when 47

required, the validation sticker on the rear of the vehicle. 48
However, a commercial tractor shall display the license plate on 49
the front of the commercial tractor and a chauffeured limousine 50
shall display a livery sticker along with a validation sticker 51
as provided in section 4503.24 of the Revised Code. 52

(3) The registrar or deputy registrar shall not issue a 53
license plate for a school bus. A school bus shall display 54
identifying numbers in the manner prescribed by section 4511.764 55
of the Revised Code. 56

(4) The certificate of registration shall be issued and 57
delivered to the owner in person, by mail, or by electronic 58
delivery. The license plate and, when required, validation 59
sticker, or validation sticker alone, shall be issued and 60
delivered to the owner in person or by mail. 61

(5) In the event of the loss, mutilation, or destruction 62
of any certificate of registration, or of any license plate or 63
validation sticker, or if the owner chooses to replace a license 64
plate previously issued for a motor vehicle, or if the 65
registration certificate and license plate have been impounded 66
as provided by division (B)(1) of section 4507.02 and section 67
4507.16 of the Revised Code, the owner of a motor vehicle, or 68
manufacturer or dealer, may obtain from the registrar, or from a 69
deputy registrar if authorized by the registrar, a duplicate 70
thereof or a new license plate bearing a different number, if 71
the registrar considers it advisable, upon filing an application 72
prescribed by the registrar, and upon paying a fee of one dollar 73
for such certificate of registration. The registrar shall 74
deposit the one dollar fee into the state treasury to the credit 75
of the public safety - highway purposes fund created in section 76
4501.06 of the Revised Code. The registrar or deputy registrar 77

shall charge a fee of seven dollars and fifty cents for each set 78
of two license plates or six dollars and fifty cents for each 79
single license plate or validation sticker issued, which the 80
registrar shall deposit into the state treasury to the credit of 81
the public safety - highway purposes fund. 82

(6) Each applicant for a replacement certificate of 83
registration, license plate, or validation sticker also shall 84
pay the fees provided in divisions (C) and (D) of section 85
4503.10 of the Revised Code ~~and~~, any applicable fee under 86
section 4503.192 of the Revised Code, and any applicable fee or 87
contribution under section 4503.261 of the Revised Code. 88

Additionally, the registrar and each deputy registrar who 89
either issues a license plate and a validation sticker for use 90
on any vehicle other than a commercial tractor, semitrailer, or 91
apportioned vehicle, or who issues a validation sticker alone 92
for use on such a vehicle and the owner has changed the owner's 93
county of residence since the owner last was issued a county 94
identification sticker, also shall issue and deliver to the 95
owner a county identification sticker, which shall be attached 96
to the license plate in a manner prescribed by the director of 97
public safety. The county identification sticker shall identify 98
prominently by name or number the county in which the owner of 99
the vehicle resides at the time of registration. 100

(B) A certificate of registration issued under this 101
section shall have a portion that contains all the information 102
contained in the main portion of the certificate except for the 103
address of the person to whom the certificate is issued. Except 104
as provided in this division, whenever a reference is made in 105
the Revised Code to a motor vehicle certificate of registration 106
that is issued under this section, the reference shall be deemed 107

to refer to either the main portion of the certificate or the 108
portion containing all information in the main portion except 109
the address of the person to whom the certificate is issued. If 110
a reference is made in the Revised Code to the seizure or 111
surrender of a motor vehicle certificate of registration that is 112
issued under this section, the reference shall be deemed to 113
refer to both the main portion of the certificate and the 114
portion containing all information in the main portion except 115
the address of the person to whom the certificate is issued. 116

(C) Whoever violates this section is guilty of a minor 117
misdemeanor. 118

Sec. 4503.261. (A) (1) The registrar of motor vehicles 119
shall use a competitive selection process to select a vendor for 120
a contract to operate a specialty license plate program. 121

(2) Beginning nine months after the effective date of this 122
section, the vendor shall design and market specialty license 123
plates, including specialty license plates required to be issued 124
by the registrar under this chapter. Under the program, the 125
registrar remains responsible for the issuance of any specialty 126
license plate and validation sticker and the collection of taxes 127
and fees related to a specialty license plate. The contract 128
shall be for a period not to exceed two years and may be 129
extended for additional two-year terms. 130

(3) A vendor selected under division (A) (1) of this 131
section is exempt from section 4503.106 of the Revised Code. 132

(B) Any contract entered into under this section shall 133
include, at a minimum, all of the following: 134

(1) A requirement that the vendor utilize electronic 135
infrastructure that is compatible with infrastructure used by 136

<u>the bureau of motor vehicles;</u>	137
<u>(2) Provisions concerning the security of the information</u>	138
<u>exchanged through the electronic infrastructure utilized by the</u>	139
<u>registrar, the vendor, and any other third parties;</u>	140
<u>(3) Provisions allowing an owner or lessee to select the</u>	141
<u>combination of letters and numbers appearing on a license plate</u>	142
<u>in accordance with section 4503.40 or 4503.42 of the Revised</u>	143
<u>Code, subject to approval by the registrar;</u>	144
<u>(4) Subject to division (C) of this section, provisions</u>	145
<u>allowing an owner or lessee purchasing a specialty license plate</u>	146
<u>created by the vendor to select various design features of the</u>	147
<u>license plate;</u>	148
<u>(5) Subject to division (C) of this section, provisions</u>	149
<u>allowing the vendor to enter into an agreement with any person</u>	150
<u>for the marketing and sale of a specialty license plate that is</u>	151
<u>not offered by the registrar under this chapter. A person or</u>	152
<u>entity that has sponsored a specialty license plate offered by</u>	153
<u>the registrar under this chapter may create a new specialty</u>	154
<u>license plate through the private vendor.</u>	155
<u>(6) Provisions specifying that the vendor shall comply</u>	156
<u>with all applicable copyright and trademark laws;</u>	157
<u>(7) A requirement that the registrar collect the following</u>	158
<u>fees and contribution related to the issuance of license plates</u>	159
<u>under the program that are in addition to any applicable motor</u>	160
<u>vehicle registration taxes and fees levied under Chapters 4503.</u>	161
<u>and 4504. of the Revised Code:</u>	162
<u>(a) A fee to compensate the registrar for costs associated</u>	163
<u>with program administration and license plate production and</u>	164
<u>design. Fees collected under division (B) (7) (a) of this section</u>	165

shall be deposited in the public safety-highway purposes fund 166
created in section 4501.06 of the Revised Code. 167

(b) A fee to compensate the vendor for the performance of 168
its duties under the contract. Fees collected under division (B) 169
(7) (b) of this section shall be deposited in the public safety 170
license plate contract fund created in section 4503.262 of the 171
Revised Code. 172

(c) A contribution for deposit in the drug law enforcement 173
fund created in section 5502.68 of the Revised Code. 174

(8) Provisions requiring the vendor to comply with all 175
applicable requirements of the Revised Code and the Ohio 176
Administrative Code. 177

(C) (1) The registrar shall submit each specialty license 178
plate design created under the specialty license plate program 179
established under this section to the joint committee on agency 180
rule review. The committee has final authority regarding the 181
design and content of any specialty license plate created under 182
the program and shall approve or disapprove of any proposed 183
specialty license plate. A quorum of the committee, as specified 184
in section 101.35 of the Revised Code, is necessary for such 185
approval or disapproval. 186

(2) Before the registrar submits a specialty license plate 187
to the joint committee on agency rule review for approval, the 188
registrar may consult with the superintendent of the state 189
highway patrol concerning any specialty license plate regarding 190
readability, reflectivity, and public safety. 191

(3) The registrar shall not restrict the background color, 192
color combinations, or color of alphanumeric license plate 193
numbers of a specialty license plate proposed by the private 194

vendor except for purposes of public safety. 195

(D) (1) If a contract with a vendor is entered into under 196
this section, the owner or lessee of any passenger car, 197
noncommercial motor vehicle, recreational vehicle, or other 198
vehicle of a class approved by the registrar and the vendor may 199
apply for registration of the vehicle and issuance by the 200
registrar of a specialty license plate pursuant to this section. 201

(2) A specialty license plate available through the 202
program and a validation sticker, or validation sticker alone, 203
shall be issued by the registrar in coordination with the vendor 204
to the owner or lessee upon receipt of a completed application 205
under this section; payment of the regular license tax as 206
prescribed under section 4503.04 of the Revised Code, any 207
applicable motor vehicle tax levied under Chapter 4504. of the 208
Revised Code, any applicable additional fee prescribed under 209
section 4503.40 or 4503.42 of the Revised Code, any additional 210
fees required by the vendor; and compliance with all other 211
applicable laws relating to the registration of motor vehicles. 212

(E) Notwithstanding any other provision of law to the 213
contrary, the registrar may execute all duties required by this 214
section and take all necessary actions to implement its 215
requirements. 216

Sec. 4503.262. The public safety license plate contract 217
fund is created in the state treasury. The fund shall consist of 218
fees collected by the registrar pursuant to division (B) (7) (b) 219
of section 4503.261 of the Revised Code. The registrar shall use 220
the money in the fund to compensate the private vendor selected 221
under section 4503.261 of the Revised Code for the performance 222
of its duties under the contract authorized under that section. 223

Sec. 5502.68. (A) There is hereby created in the state 224
treasury the drug law enforcement fund. The fund consists of the 225
following: 226

(1) Ninety-seven per cent of three dollars and fifty cents 227
out of each ten-dollar court cost imposed pursuant to section 228
2949.094 of the Revised Code ~~shall be credited to the fund.~~; 229

(2) Contributions required to be deposited in the fund 230
under section 4503.261 of the Revised Code. 231

Money in the fund shall be used only in accordance with 232
this section to award grants to counties, municipal 233
corporations, townships, township police districts, and joint 234
police districts to defray the expenses that a drug task force 235
organized in the county, or in the county in which the municipal 236
corporation, township, or district is located, incurs in 237
performing its functions related to the enforcement of the 238
state's drug laws and other state laws related to illegal drug 239
activity. 240

The division of criminal justice services shall administer 241
all money deposited into the drug law enforcement fund and, by 242
rule adopted under Chapter 119. of the Revised Code, shall 243
establish procedures for a county, municipal corporation, 244
township, township police district, or joint police district to 245
apply for money from the fund to defray the expenses that a drug 246
task force organized in the county, or in the county in which 247
the municipal corporation, township, or district is located, 248
incurs in performing its functions related to the enforcement of 249
the state's drug laws and other state laws related to illegal 250
drug activity, procedures and criteria for determining 251
eligibility of applicants to be provided money from the fund, 252
and procedures and criteria for determining the amount of money 253

to be provided out of the fund to eligible applicants.	254
(B) The procedures and criteria established under division	255
(A) of this section for applying for money from the fund shall	256
include, but shall not be limited to, a provision requiring a	257
county, municipal corporation, township, township police	258
district, or joint police district that applies for money from	259
the fund to specify in its application the amount of money	260
desired from the fund, provided that the cumulative amount	261
requested in all applications submitted for any single drug task	262
force may not exceed more than two hundred fifty thousand	263
dollars in any calendar year for that task force.	264
(C) The procedures and criteria established under division	265
(A) of this section for determining eligibility of applicants to	266
be provided money from the fund and for determining the amount	267
of money to be provided out of the fund to eligible applicants	268
shall include, but not be limited to, all of the following:	269
(1) Provisions requiring that, in order to be eligible to	270
be provided money from the fund, a drug task force that applies	271
for money from the fund must provide evidence that the drug task	272
force will receive a local funding match of at least twenty-five	273
per cent of the task force's projected operating costs in the	274
period of time covered by the grant;	275
(2) Provisions requiring that money from the fund be	276
allocated and provided to drug task forces that apply for money	277
from the fund in accordance with the following priorities:	278
(a) Drug task forces that apply, that are in existence on	279
the date of the application, and that are determined to be	280
eligible applicants, and to which either of the following	281
applies shall be given first priority to be provided money from	282

the fund:	283
(i) Drug task forces that received funding through the	284
division of criminal justice services in calendar year 2007;	285
(ii) Drug task forces in a county that has a population	286
that exceeds seven hundred fifty thousand.	287
(b) If any moneys remain in the fund after all drug task	288
forces that apply, that are in existence on the date of the	289
application, that are determined to be eligible applicants, and	290
that satisfy the criteria set forth in division (C) (2) (a) (i) or	291
(ii) of this section are provided money from the fund as	292
described in division (C) (2) (a) of this section, the following	293
categories of drug task forces that apply and that are	294
determined to be eligible applicants shall be given priority to	295
be provided money from the fund in the order in which they apply	296
for money from the fund:	297
(i) Drug task forces that are not in existence on the date	298
of the application;	299
(ii) Drug task forces that are in existence on the date of	300
the application but that do not satisfy the criteria set forth	301
in division (C) (2) (a) (i) or (ii) of this section.	302
(D) The procedures and criteria established under division	303
(A) of this section for determining the amount of money to be	304
provided out of the fund to eligible applicants shall include,	305
but shall not be limited to, a provision specifying that the	306
cumulative amount provided to any single drug task force may not	307
exceed more than two hundred fifty thousand dollars in any	308
calendar year.	309
(E) Any drug task force for which a grant is awarded by	310
the division of criminal justice services under this section	311

shall comply with all grant requirements established by the 312
division, including a requirement that the drug task force 313
report its activities through the El Paso intelligence center 314
information technology systems. 315

(F) As used in this section, "drug task force" means a 316
drug task force organized in any county by the sheriff of the 317
county, the prosecuting attorney of the county, the chief of 318
police of the organized police department of any municipal 319
corporation or township in the county, and the chief of police 320
of the police force of any township police district or joint 321
police district in the county to perform functions related to 322
the enforcement of state drug laws and other state laws related 323
to illegal drug activity. 324

Section 2. That existing sections 4503.038, 4503.19, and 325
5502.68 of the Revised Code are hereby repealed. 326