



Sub. H.B. 298

126th General Assembly
(As Passed by the General Assembly)

Reps. Peterson, Daniels, C. Evans, Carano, McGregor, Ujvagi, Combs, Aslanides, Harwood, Seaver, Miller, Latta, Oelslager, Kearns, Setzer, Perry, Seitz, Chandler, Schaffer, S. Patton, Reidelbach, Hughes, Otterman, Willamowski, Hoops, Mason, Allen, Hagan, Wagoner, Redfern, Flowers, Barrett, Book, Cassell, DeBose, Distel, Domenick, Evans, D., Hartnett, Key, Kilbane, Schlichter, Stewart, D., Stewart, J., Sykes, Williams, Yuko, Beatty

Sens. Miller, D., Armbruster, Austria, Carey, Clancy, Fedor, Fingerhut, Gardner, Grendell, Hagan, Harris, Hottinger, Jacobson, Kearney, Niehaus, Prentiss, Schuring, Spada, Wilson, Zurz

Effective date: *

ACT SUMMARY

- Creates Autism Awareness license plates to provide funds to the Autism Society of Ohio, which must use the money for programs and autism awareness efforts throughout the state.
- Requires a motor vehicle renting dealer who charges a separate vehicle license fee to recover the annual vehicle registration, license plate, and title fees imposed upon the dealer's fleet to do so on an average per *rental* day per vehicle basis, rather than on an average per day per vehicle basis.

CONTENT AND OPERATION

Autism Awareness license plates

Under the act, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

Registrar of Motor Vehicles may apply for issuance of Autism Awareness license plates. The request for Autism Awareness license plates may be combined with a request for a special reserved license plate provided in current law. Upon receipt of the completed application and compliance by the applicant with the act's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of Autism Awareness license plates with a validation sticker or a validation sticker alone when required by current law.

In addition to the letters and numbers ordinarily inscribed on the license plates, Autism Awareness license plates must bear identifying words or markings designed by the Autism Society of Ohio and approved by the Registrar. Autism Awareness license plates must display county identification stickers that identify the county of registration by name or number. (R.C. 4503.493(A).)

Autism Awareness license plates and validation stickers are issued upon payment of the regular license tax prescribed in current law, any applicable local motor vehicle license tax, any applicable additional special reserved license plate fee, an additional \$10 Bureau of Motor Vehicles fee, a \$25 contribution for the Autism Society of Ohio and compliance with all other applicable laws relating to the registration of motor vehicles (R.C. 4503.493(B)).

The Registrar must collect the \$10 BMV fee and the \$25 contribution for every new and renewal registration application received under the act. The additional \$10 BMV fee is to compensate the Bureau for additional services required in connection with the Autism Awareness license plate program. The Registrar must deposit the BMV fee into the state treasury to the credit of the existing State Bureau of Motor Vehicles Fund. The Registrar must transmit the \$25 contribution to the Treasurer of State for deposit into the state treasury to the credit of the existing License Plate Contribution Fund for distribution to the Autism Society of Ohio. The Society is required to use the money for programs and autism awareness efforts throughout the state. (R.C. 4501.21(B)(2) and 4503.493(C).)

Motor vehicle renting dealers itemization and recovery of certain fees

Under a provision of the Revised Code that will become effective June 30, 2006, a motor vehicle renting dealer may charge each vehicle renter a separate vehicle license fee to recover the dealer's costs related to the annual vehicle registration, license plate, and title fees imposed upon vehicles in the dealer's fleet. Any dealer who separately charges a vehicle license fee must do all of the following:

(1) Make a good faith estimate of the average per day per vehicle portion of the dealer's total annual registration, license plate, and title fees paid in this state for its rental fleet during the calendar year;

(2) Separately itemize and charge the vehicle license fee in the rental agreement between the dealer and a renter, and specifically describe the vehicle license fee in the rental agreement as the estimated average per day per vehicle portion of the dealer's total annual registration, license plate, and title fees;

(3) In any advertisement made in this state that describes rental rates for vehicles available for rent in this state, include a statement that the renter is required to pay a vehicle license fee and also must disclose the maximum daily charge for the vehicle license fee.

Any dealer who separately charges a vehicle license fee is prohibited from charging, collecting, or retaining any amount in excess of the actual average per day per vehicle portion of the dealer's total annual registration, license plate, and title fees paid in this state for its rental fleet during a calendar year. If a dealer recovers the dealer's actual costs related to the annual vehicle registration, license plate, and title fees, the dealer must cease to itemize and charge such costs in any rental agreement during that calendar year. (R.C. 4503.105.)

The act changes the basis for the dealer to charge the separate vehicle license fee from the "average per day per vehicle portion," to the "average per *rental* day per vehicle portion" of the annual registration, license plate, and title fees imposed upon vehicles in the dealer's fleet.

HISTORY

ACTION	DATE
Introduced	06-14-05
Reported, H. Transportation, Public Safety, and Homeland Security	03-23-06
Passed House (93-3)	03-29-06
Reported, S. Transportation & Highways	05-24-06
Passed Senate (33-0)	05-24-06
House concurred in Senate amendments (95-0)	05-25-06

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