



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 38

128th General Assembly

(As Reported by H. Transportation and Infrastructure)

Reps. Brown, B. Williams, Ujvagi, Weddington, Batchelder, Gardner, Boyd, Sykes, S. Williams, Yates, Winburn, DeBose, Luckie, Miller, Mallory, Heard, Letson, Fende, Hagan, Carney, Foley, Yuko

BILL SUMMARY

- Creates "Special Olympics," "Pediatric Brain Tumor Awareness," "Phi Theta Kappa," "Ohio Nature Preserves," "Prince Hall Freemason," and "Teen Driver Education" special license plates.
- Designates the "Corporal Jason J. Hernandez Memorial Highway," "Sgt. Jeremy Murray Memorial Highway," "Staff Sgt. Matthew J. Kuglics Memorial Highway," "Korean War Veterans' Memorial Highway," "Guernsey County Veterans – Flags of Honor Memorial Highway," and "William Holmes McGuffey Memorial Highway."
- Designates the "Union Workers Memorial Bridge."
- Designates the "Fred Krum Memorial Interchange."

CONTENT AND OPERATION

The bill creates six new special license plates and designates six memorial highways, one memorial bridge, and one memorial interchange.

Special license plates

The bill creates six new special license plates: "Special Olympics" (R.C. 4501.21 and 4503.498), "Pediatric Brain Tumor Awareness" (R.C. 4501.21 and 4503.499), "Phi Theta Kappa" (R.C. 4501.21 and 4503.505), "Ohio Nature Preserves" (R.C. 4501.243 and 4503.563), "Prince Hall Freemason" (R.C. 4503.701), and "Teen Driver Education" (R.C. 4501.14 and 4503.94). All six types are available to the public, but only one--the "Prince

Hall Freemason"--can be obtained without payment of a contribution. The other five types require payment of a contribution.

The general provisions for each license plate are the same. Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply for issuance of one of the special license plates. The application may be combined with a request for a special reserved license plate provided under current law. Upon receipt of the completed application and compliance by the applicant with the bill's requirements, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of the requested special license plates with a validation sticker or a validation sticker alone when required by current law.

Each set of the new special license plates and accompanying validation sticker is to be issued upon submission of a completed application and payment of the regular license tax as prescribed in current law; any applicable local motor vehicle license tax; a Bureau of Motor Vehicles \$10 administrative fee; and compliance with all other applicable laws relating to motor vehicle registration. If the application is combined with a request for a special reserved license plate, the license plates and validation sticker are issued upon payment of the required fees and taxes plus the additional applicable reserved license plate fee specified in current law. The Registrar is required to transmit the \$10 BMV fee, the purpose of which is to compensate the Bureau for the additional services required in issuing the set of special license plates, to the Treasurer of State for deposit into the state treasury to the credit of the existing State Bureau of Motor Vehicles Fund.

In addition to the letters and numbers ordinarily inscribed on the license plates, all the new special license plates bear distinctive words, symbols, or logos. The "Special Olympics" license plate must be inscribed with identifying words or markings that are designed by Special Olympics Ohio, Inc. The "Pediatric Brain Tumor Awareness" license plate must be inscribed with identifying words or markings that are designed by the Children's Glioma Cancer Foundation. The "Phi Theta Kappa" license plate must be inscribed with identifying words and markings that are selected and designed by the Ohio Region Phi Theta Kappa. The "Ohio Nature Preserves" license plate must be inscribed with identifying words or markings designed by the Department of Natural Resources. The "Prince Hall Freemason" license plate must bear identifying words and a symbol or logo designed by the Prince Hall Grand Lodge of Free and Accepted Masons of Ohio. The "Teen Driver Education" license plate must bear the words "Teen Driver Education" and an appropriate logo designed by the Bureau of Motor Vehicles. In all cases, the Registrar is required to approve the final design of the new special

license plate, and all of the plates must display county identification stickers that identify the county of registration by name or number.

Of the six new special license plates, five require the applicant to pay a contribution to the Registrar or deputy registrar, which is then deposited into a fund within the state treasury before being paid to the ultimate recipient. Specifically:

(1) A person who obtains "Special Olympics" license plates must pay a \$15 contribution, which is deposited into the existing License Plate Contribution Fund. Special Olympics Ohio, Inc. must use all such contributions for its programs, charitable efforts, and other activities. (R.C. 4501.21 and 4503.498.)

(2) A person who obtains "Pediatric Brain Tumor Awareness" license plates must pay a \$35 contribution, which is deposited into the License Plate Contribution Fund. The Children's Glioma Cancer Foundation must use all such contributions for its research and other programs. (R.C. 4501.21 and 4503.499.)

(3) A person who obtains "Phi Theta Kappa" license plates must pay a \$25 contribution, which is deposited into the state License Plate Contribution Fund. The organization Ohio Region Phi Theta Kappa must use all such contributions for scholarships for students who are members of that organization. (R.C. 4501.21 and 4503.505.)

(4) A person who obtains "Ohio Nature Preserves" license plates must pay a contribution not exceeding \$40 as determined by the Ohio Department of Natural Resources. This contribution is deposited into the Ohio Nature Preserves Fund; the Department must use the money in the Fund to help finance nature preserve education, nature preserve clean-up projects, and nature preserve maintenance, protection, and restoration. All investment earnings of the Fund must be credited to that Fund. (R.C. 4501.243 and 4503.563.)

(5) A person who obtains "Teen Driver Education" license plates must pay a \$15 contribution, which is deposited into the Teen Driver Education License Plate Fund. The Department of Public Safety must use the money in the Fund solely to fund the rental, lease, or purchase of the simulated driving curriculum of the Michelle's Leading Star Foundation by boards of education of city, exempted village, local, and joint vocational school districts. The Department of Public Safety, in consultation with the Department of Education, must adopt rules for distributing money in the Fund to those boards. (R.C. 4501.14 and 4503.94.)

Memorial highways

The bill designates six memorial highways; in all cases, the Director of Transportation is authorized to erect suitable markers along each of the highways, indicating their respective names. The highways that are designated are as follows:

(1) The portion of State Route 43, running in a northerly and southerly direction within Portage County, between the intersection of that state route and Ethan Avenue in the north and the intersection of that state route and Kennedy Road in the south, as the "Corporal Jason J. Hernandez Memorial Highway." (R.C. 5533.093.) Corporal Jason J. Hernandez was killed in Iraq on September 7, 2007, which was the date of his 21st birthday.

(2) State Route 44, running in a northerly and southerly direction between County Road 18 in the municipal corporation of Rootstown and Waterloo Road in the municipal corporation of Randolph, as the "Sgt. Jeremy Murray Memorial Highway" (R.C. 5533.333). Sgt. Jeremy Murray was killed in Iraq on November 16, 2005; he was 27 years old.

(3) The portion of Interstate Route 77 within Summit County, commencing at mile marker 116 and proceeding in a northerly direction to mile marker 118, as the "Staff Sgt. Matthew J. Kuglics Memorial Highway" (R.C. 5533.372). Staff Sgt. Matthew J. Kuglics was killed in Iraq on June 5, 2007; he was 25 years old.

(4) Interstate Route 680, which is located wholly within Mahoning County, as the "Korean War Veterans' Memorial Highway" (R.C. 5533.52).

(5) The portion of State Route 313, located within Guernsey County and commencing at the intersection of that state route and Pritter Road, extending in an easterly direction and ending at the first intersection with State Route 83, which also is known as West Road, as the "Guernsey County Veterans – Flags of Honor Memorial Highway" (R.C. 5533.872).

(6) The portion of Interstate Route 680, commencing at the intersection of State Route 711 and extending in a southeasterly direction to the intersection with State Route 7 within Mahoning County, as the "William Holmes McGuffey Memorial Highway" (R.C. 5533.95). William Holmes McGuffey (1800-1873) was, during parts of his career, a professor at Miami University and president of Ohio University. He is best known for writing a series of instructional books called the "*McGuffey Readers*."

Memorial bridge

The bill designates the bridge spanning the Cuyahoga River and the Ohio Canal in Cuyahoga County, that is part of Interstate Route 480, as the "Union Workers Memorial Bridge" and authorizes the Director to erect suitable markers upon the bridge or its approaches indicating its name (R.C. 5533.93).

Memorial interchange

The bill designates the interchange of Interstate Route 77 and Shuffel Street, Northwest, located in Jackson Township in Stark County, as the "Fred Krum Memorial Interchange." Fred Krum was the director of the Akron-Canton Airport for 28 years; he died in March, 2009. The Director of Transportation is authorized to erect suitable markers at the interchange indicating its name. (R.C. 5533.96.)

HISTORY

ACTION	DATE
Introduced	02-19-09
Reported, H. Transportation & Infrastructure	06-18-09

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