



Ohio Legislative Service Commission

Bill Analysis

Phil Mullin

Sub. H.B. 187

128th General Assembly
(As Reported by H. State Government)

Reps. Huffman, Snitchler, Hackett, Derickson, Maag, Grossman, Bacon, Stewart, Combs, Bupp, Stebelton, Blair, Yuko, Gerberry, Lundy, B. Williams, J. Adams, Hall

BILL SUMMARY

- Requires generally that deputy registrars accept debit cards by automated teller machines, and allows deputy registrars to accept debit cards and credit cards by other means, for all state-related transactions they process.

CONTENT AND OPERATION

Current law authorizes the Registrar of Motor Vehicles to implement a program permitting payment of motor vehicle registration taxes and fees, driver's license and commercial driver's license fees, and any other taxes, fees, penalties, or charges imposed or levied by the state by means of a financial transaction device¹ and authorizes the Registrar to adopt rules as necessary for this purpose. (R.C. 4503.102(H)(1).)

Current law also provides that commencing with deputy registrar contract awards that have a start date of July 1, 2008, and for all contract awards thereafter, the Registrar must incorporate in the review process 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, for all Department of Public Safety transactions conducted at that deputy registrar location. 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. (R.C. 4503.102(H)(2).)

Except as described below, the bill instead requires that commencing with deputy registrar contract awards that have a start date of July 1, 2010, and for all

¹ "Financial transaction device" means any device or method for making an electronic payment or transfer of funds and includes a credit card, debit card, and charge card (R.C. 113.40(A)(1), not in the bill).

contract awards thereafter, the Registrar must require all deputy registrars to accept payment by means of debit cards through the use of a deputy-supplied cash or cashless automated teller machine, for any Department of Public Safety transactions conducted by the deputy registrar. (R.C. 4503.102(H)(2).)

The Bureau of Motor Vehicles is not required to pay any costs associated with the use of the automated teller machine. The deputy registrar also is not required to pay any additional fees or expenses except as permitted to be in full compliance with all federal and state laws, including the federal Truth in Lending Act or those that are related to the setup or maintenance of the automated teller machine. Customers of the Bureau are not to be required to pay any additional fees or expenses except as permitted to be in full compliance with all federal and state laws, including the Truth in Lending Act. (R.C. 4503.102(H)(2)(a).)

The Registrar may exempt a deputy registrar from accepting payments by means of debit cards through the use of a deputy-supplied cash or cashless automated teller machine if the Registrar determines that the deputy registrar location does not meet a specified annual transaction threshold the Registrar determines, if there are existing automated teller machines readily available in a location relative to the deputy registrar's office, or for any other reason the Registrar determines. (R.C. 4503.102(H)(2)(c).)

The Registrar may permit any deputy registrar to accept credit cards and debit cards by an over-the-counter method in lieu of the cash or cashless automated teller machine. The Bureau is not required to pay any costs associated with the use of the over-the-counter method. Customers of the Bureau and the deputy registrar are not to be required to pay any additional fees or expenses except as permitted to be in full compliance with all federal and state laws, including the Truth in Lending Act. (R.C. 4503.102(H)(2)(b).)

Current law authorizes a county auditor that is designated as a deputy registrar to choose to accept payment by means of a financial transaction device, including credit cards and debit cards, for all Department of Public Safety transactions conducted at the office of the county auditor in the county auditor's capacity as deputy registrar. The Bureau is not required to pay any costs incurred by a county auditor who accepts payment by means of a financial transaction device that result from the county auditor accepting payment by means of a financial transaction device for any such Department of Public Safety transaction. The bill applies these same provisions to the clerk of a common pleas court that is designated as a deputy registrar. (R.C. 4503.102(H)(3).)

HISTORY

ACTION

DATE

Introduced
Reported, H. State Gov't

05-19-09
11-12-09

h0187-rh-128.docx/kl

