



Ohio Legislative Service Commission

Bill Analysis

Joseph G. Aninao

H.B. 617

130th General Assembly
(As Introduced)

Reps. DeVitis, Butler, Becker, Duffey, Bishoff, Retherford, Grossman, Perales, Reece

BILL SUMMARY

- Requires the Registrar of Motor Vehicles to establish a credit and debit card payment program.
- Requires the Registrar and all deputy registrars to accept credit and debit cards and other specified financial transaction devices for all transactions.
- Requires a county auditor and a clerk of a court of common pleas that is designated a deputy registrar to accept credit and debit cards as payment for all Department of Public Safety transactions.

CONTENT AND OPERATION

Credit and debit card payment program

The bill requires the Registrar of Motor Vehicles to establish a credit and debit card payment program. Such a program is authorized under current law but the Registrar is not required to establish it. Under the program, a person may pay motor vehicle registration and driver's and commercial driver's license taxes and fees and other taxes, fees, or charges by means of a financial transaction device. In addition, the Registrar and deputy registrars must accept payments by such a device. A financial transaction device (hereinafter "credit and debit card") may include a credit or debit card or other specified electronic payment media.

Before implementing such a program, the Registrar is required to negotiate with appropriate parties regarding the amount of any merchant or other fee that will be paid under the payment program to issuers of credit and debit cards or to financial institutions as the result of the use of credit and debit cards.

The bill requires the Registrar to adopt all rules necessary to implement the program. The rules must permit, to the extent permitted by the issuer of a credit or debit card, the imposition and collection of an appropriate surcharge for each electronic transaction. The rules are subject to any applicable court decision, legal settlement, or federal statute or regulation.¹

Acceptance of credit and debit cards by deputy registrars

Under the bill, commencing with deputy registrar contract awards that have a start date of July 1, 2015, and for all contracts awarded thereafter, the Registrar must require that the proposer for a deputy registrar contract accept payment by means of a credit or debit card. A deputy registrar must accept such payments for all Department of Public Safety transactions conducted at that deputy registrar location.

Current law requires the Registrar to incorporate in the review process for a deputy registrar contract a score for whether or not the proposer for the contract states that the proposer will accept credit and debit cards for all such transactions. Further, current law specifies that a deputy registrar cannot be required to accept payment by means of a credit or debit card unless the deputy registrar agreed to do so in the deputy registrar's contract.²

Credit and debit card payments to county auditors and clerks of court

Under the program established by the bill, a county auditor or clerk of a court of common pleas that is designated as a deputy registrar must accept credit and debit cards for all Department of Public Safety transactions. Existing law grants a county auditor that is designated a deputy registrar the option to accept such payments by means of a credit or debit card.³

HISTORY

ACTION	DATE
Introduced	09-02-14

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¹ R.C. 4503.102(H)(1) and R.C. 113.40, not in the bill.

² R.C. 4503.102(H)(2).

³ R.C. 4503.102(H)(3).

