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## DEPARTMENT OF PUBLIC SAFETY

### Deputy registrars

- Allows only an individual or a nonprofit corporation, in addition to a county auditor or a clerk of a court of common pleas, to be designated as a deputy registrar, rather than "other persons" as in prior law, and makes conforming changes.
- Modifies the limitation on the operation of more than one office by a deputy registrar to allow the Registrar of Motor Vehicles to award a contract to a deputy registrar to operate more than one office if such operation is determined by the Registrar to be practical.
- Requires each deputy registrar, during the duration of the deputy registrar's contract, to occupy a primary residence in a location that is within a one-hour commute time from the deputy registrar's office or offices.
- Generally requires deputy registrar contracts entered into on or after June 29, 2014, to be for five years (rather than for two to three years as required under continuing law that governs contracts entered into prior to June 29, 2014), unless certain exceptions apply.
- Eliminates the requirement that every deputy registrar must display the toll-free telephone number for the Bureau of Motor Vehicles.

### Speed limits

- Establishes the following speed limits for all vehicles at all times:
  - 60 miles per hour on all portions of rural divided highways;
  - 65 miles per hour on all portions of rural expressways without traffic control signals; and
  - 70 miles per hour on all portions of rural freeways.

### Anatomical gift designation

- Provides that an organ donation designation on a person's driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card, once authorized, remains in effect until it is revoked.
- Requires an application for a driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card to include a



statement of the applicant's willingness to be an organ donor only if an applicant has not previously certified their willingness to be an organ donor.

### **Motorcycle parking**

- Permits the operators of not more than two motorcycles to back their motorcycles into a parking space that is located on the side of, and parallel to, a road or highway, irrespective of whether or not the space is metered.
- Permits motorcycles to face any direction when so parked in any such parking space.

### **License plates**

- Creates the "Truth, Justice, and the American Way" license plate and requires the contributions that persons pay when obtaining the license plate to be paid to the Siegel and Shuster Society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland.
- Creates the "Kiwanis Club" license plate and requires the contributions that persons pay when obtaining the license plate to be paid to the Ohio District Kiwanis Foundation of the Ohio District of Kiwanis International, to be used by that organization to pay the costs of its educational and humanitarian activities.
- Creates the "Massillon Tiger Football Booster Club" license plate and requires the club to use the contributions that persons pay when obtaining the license plate only to promote and support the football team of Washington High School of the Massillon City School District.
- Creates the "Ohio History" license plate and requires the Ohio Historical Society to use the contributions that persons pay when obtaining the license plate to provide the grants to historical organizations located in Ohio.
- Creates the Ohio Coal license plate.
- Delays, from July 1, 2013, to January 1, 2014, the effective date of the recently enacted R.C. 4503.192, which generally permits a person replacing license plates to retain the distinctive combination of letters and numerals on the current plates for a \$10 fee.
- Creates the eight-member License Plate Safety Task Force and requires the Task Force to study issues involving (1) license plate degradation over time, and (2) the dual plate requirement and its relationship to law enforcement.



## Other provisions

- Requires the Registrar to comply with the Financial Transaction Device Contracting Law and removes a provision of prior law that allowed the Registrar to contract with a third party to accept and process payments made using a financial transaction device.
- Requires clerks of the courts of common pleas to use money in the Automated Title Processing Fund to pay for ribbons, cartridges, or other devices necessary for the operation of watercraft and outboard motor and motor vehicle certificate of title processing equipment.
- Removes from the definition of "chauffeured limousine" a provision that required the vehicle to be operated for hire on an hourly basis; and removes a provision that required a prearranged chauffeured limousine contract to specify the amount charged at a fixed rate per hour or trip.
- Allows the operator of a chauffeured limousine to:
  - Provide transportation to passengers who arrange for the transportation through an intermediary, including a digital dispatching service; and
  - Establish the fare and method of fare calculation for such transportation so long as the method of fare calculation is provided to the passenger upon request.

## Deputy registrars

(R.C. 4503.03)

The act alters who may be appointed to the position of deputy registrar by eliminating the authority of the Registrar of Motor Vehicles to appoint "any person" as a deputy registrar and instead authorizing the appointment of only an "individual" or "nonprofit corporation." The act retains the Registrar's specific authority to appoint a county auditor or clerk of a court of common pleas as a deputy registrar.

The act allows the Registrar to award a contract to any deputy registrar to operate more than one office if it is determined to be practical, and retains a provision of continuing law that allows a nonprofit corporation formed for the purposes of providing automobile-related services to its members or the public and that provides such services from more than one location in the state to operate a deputy registrar office at any location. However, the act requires each deputy registrar, during the



duration of a contract for deputy registrar services, to occupy a primary residence in a location that is within a one-hour commute time from the deputy registrar's office or offices. Under prior law, a deputy registrar was prohibited from operating more than one deputy registrar's office, unless the deputy registrar fits within the nonprofit corporation exception discussed above; however, no residency requirements applied to deputy registrars.

Under the act, deputy registrar contracts entered into on or after June 29, 2014, must be for five years unless: (1) the contract is otherwise terminated, (2) the contract is an interim contract, or (3) the Registrar determines that a shorter term is appropriate for a particular deputy registrar. Additionally, the Registrar, with the approval of the Director of Public Safety, may award a one-year contract extension to any deputy registrar who has provided exemplary service based upon objective performance evaluations. Under continuing law that applies to all contracts entered into between July 1, 1996 and June 29, 2014, deputy registrar contracts must be for a term of at least two years but not more than three years, unless the contract is for an interim period of less than one year or is otherwise terminated.

The act also removes the requirement that every deputy registrar must display the toll-free telephone number for the Bureau of Motor Vehicles and makes organizational changes to the rules that must be adopted by the Registrar.

## **Speed limits**

(R.C. 4511.21)

The act establishes speed limits for all vehicles at all times on all portions of certain highways, expressways, and freeways, as follows:

- (1) A speed limit of 60 miles per hour on all rural divided highways;
- (2) A speed limit of 65 miles per hour on all rural expressways without traffic control signals; and
- (3) A speed limit of 70 miles per hour on all rural freeways.

The speed limits described in (1) and (2) apply only to state highways and expressways that are not part of the interstate highway system, while item (3) applies both to freeways that are part of the interstate system and to freeways that are part of the state highway system, are not part of the interstate system, but generally are built to the interstate freeway standards and specifications. Item (3) thus replaces the prior law that established a speed limit of 70 miles per hour at all times on all portions of



freeways that are part of the interstate system and are outside urbanized areas, as designated in federal law.

The speed limits contained in the act also eliminate the "split speed limit" of prior law. Under the split speed limit, operators of motor vehicles weighing 8,000 pounds or less empty weight and commercial buses had a speed limit on certain state freeways of 65 miles per hour, while operators of motor vehicles weighing more than 8,000 pounds empty weight and noncommercial buses had a speed limit of 55 miles per hour on those same state freeways. Under the act, all vehicles are subject to the same speed limit established for a particular freeway.

The act provides that, on September 29, 2013, the Director of Transportation, based upon an engineering study of any interstate freeway and any of the state highways, expressways, or freeways for which the act establishes a new speed limit, in consultation with the Director of Public Safety and, if applicable, the local authority having jurisdiction over the highway, expressway, or freeway that is being studied, may determine and declare that the speed limit established on the highway, expressway, or freeway either is reasonable and safe or is more or less than that which is reasonable and safe. If it is determined that the established speed limit for a highway, expressway, or freeway that is so studied is more or less than that which is reasonable and safe, the Director of Transportation, in consultation with the Director of Public Safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, is required to determine and declare a reasonable and safe speed limit for that highway, expressway, or freeway.

The act also prohibits any person from operating a motor vehicle, trackless trolley, or streetcar in excess of any of the speed limits established by the act at any applicable location.

### **Anatomical gift designation**

(R.C. 2108.05, 4506.07, 4507.06, and 4507.51; Sections 110.30, 110.31, and 110.32)

Under continuing law, if a person wishes to certify the person's willingness to be an organ donor, the person may authorize a statement or symbol to be imprinted on the person's driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card. The act stipulates that once a person has authorized such a statement or symbol to be imprinted, the authorization remains in effect until it is revoked. The person need not recertify the authorization upon renewal of the license or identification. The act also requires the application for any license or identification card listed above to include a statement concerning the applicant's



willingness to be an organ donor only if an applicant has not previously certified their willingness to be an organ donor.

Under prior law, all applications for a driver's license, motorcycle operator's license or endorsement, commercial driver's license, or identification card were required to include a statement of whether the applicant wished to certify willingness to be an organ donor, regardless of whether the applicant had previously authorized a statement or symbol to be imprinted on the applicant's license or identification card indicating such willingness.

### **Motorcycle parking**

(R.C. 4511.69)

The act permits the operators of not more than two motorcycles to back their motorcycles into a parking space that is located on the side of, and parallel to, a road or highway, irrespective of whether or not the space is metered. All such parked motorcycles may face any direction.

### **New special license plates**

The act creates five new special license plates, all of which are available to the general public. Four of the license plates require payment of a contribution of varying amounts upon issuance or renewal, which contributions are paid into the state treasury to the credit of the License Plate Contribution Fund. All of the new license plates require an annual \$10 additional BMV fee, which is paid into the state treasury to the credit of the Bureau of Motor Vehicles Fund and used by the BMV for its additional services in issuing the special license plates. All the new license plates may be issued for display on passenger cars, noncommercial motor vehicles, recreational vehicles, and any other vehicle of a class approved by the Registrar of Motor Vehicles. In addition, all the new license plates require payment of the regular license tax, any applicable local motor vehicle tax, and the appropriate special reserved license plate fee, if applicable.

The following table lists each new special license plate, whether a contribution and additional Bureau of Motor Vehicles fee is charged, and the use of any required contribution.



Special license plate	Contribution? Additional Bureau of Motor Vehicles fee?	Use of contribution
<b>Massillon Tiger Football Booster Club</b> license plate, designed by the Massillon Tiger Football Booster Club (R.C. 4501.21 and 4503.524)	\$25 contribution plus \$10 additional BMV fee.	The Massillon Tiger Football Booster Club must use the contributions only to promote and support the football team of Washington High School of the Massillon City School District.
<b>Kiwanis Club</b> license plate, designed by the Ohio District of Kiwanis International (R.C. 4501.21 and 4503.526)	\$25 contribution plus \$10 additional BMV fee.	Contributions paid to the Ohio District Kiwanis organization of the Ohio District of Kiwanis International.
<b>Truth, Justice, and the American Way</b> license plate, inscribed with the words "Truth, Justice, and the American Way" and a design, logo, or marking selected by the entity that owns the Superman name, pursuant to a license agreement with that entity (R.C. 4501.21 and 4503.732)	\$10 contribution plus \$10 additional BMV fee.	Contributions paid to the Siegel & Shuster Society, a nonprofit organization dedicated to commemorating and celebrating the creation of Superman in Cleveland.
<b>Ohio History</b> license plate, inscribed with words and markings designed by the Ohio Historical Society (R.C. 4501.21 and 4503.95)	\$20 contribution plus \$10 additional BMV fee.	Contributions paid to the Ohio Historical Society and used to provide grants to historical organizations located in Ohio. The Society must submit an annual report to the General Assembly regarding the grant program.
<b>Ohio Coal</b> license plate, designed by the Ohio Coal Association (R.C. 4503.96)	No required contribution. \$10 additional BMV fee.	Not applicable.

### License plate number retention – delayed effective date

(Sections 803.210 and 812.20)

The act delays the effective date of R.C. 4503.192 from July 1, 2013, to January 1, 2014. That section was enacted as part of the 2013-2015 transportation appropriations act.<sup>203</sup> It generally permits a person replacing motor vehicle license plates to retain the

<sup>203</sup> Am. Sub. H.B. 51 of the 130th General Assembly.



distinctive combination of letters and numerals on the person's current license plates for a \$10 fee.

## **License Plate Safety Task Force**

(Section 745.10)

The act creates the License Plate Safety Task Force, consisting of the following eight members: three members appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, three members appointed by the Speaker of the House, and one member appointed by the Minority Leader of the House. At least five members must represent law enforcement.

The Task Force is required to examine the extent of license plate degradation over time and the impediments to law enforcement efforts caused by illegible license plates resulting from degradation. The Task Force also must examine whether having dual license plates is beneficial to law enforcement officers and determine whether the state should continue its dual plate requirement. Not later than December 31, 2013, the Task Force must issue a report of its findings and recommendations to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House. At that time, the Task Force ceases to exist.

## **Registrar contracts for use of a financial transaction device**

(R.C. 4503.62)

The act removes a provision of prior law that allowed the Registrar, with the approval of the Director of Public Safety, to contract with a third party to accept and process vehicle registration payments made using a financial transaction device (generally a credit or debit card reader). The act also requires the Registrar to comply with the Financial Transaction Device Contracting Law,<sup>204</sup> which provides that certain state elected officials and entities must comply with certain procedures and use only specified financial institutions, issuers, or processors as provided by the resolution adopted by the State Board of Deposit.

Under prior law, the Registrar was permitted but not required to comply with the Financial Transaction Device Contracting Law, and with the approval of the Director of Public Safety, was permitted to contract with a third party to accept and process payments made using a financial transaction device.

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<sup>204</sup> R.C. 113.40, not in the act.





## **Certificate of title processing equipment**

(R.C. 1548.02, 4505.02, and 4505.09)

The act adds to the purposes of the Automated Title Processing Board by specifying that the Board must approve not only the procurement of automated title processing equipment but also ribbons, cartridges, or other devices necessary for the operation of that equipment. The act then requires clerks of the courts of common pleas to use money in the Automated Title Processing Fund to pay not only for ribbons but also cartridges or other devices necessary for the operation of watercraft and outboard motor certificate of title processing equipment. The act also requires the clerks to use money in the Fund to pay for ribbons, cartridges, or other devices necessary for the operation of motor vehicle certificate of title processing equipment. Continuing law requires the clerks to use money in the Fund to pay for ribbons for data and removable backup media for watercraft and outboard motor certificate of title processing equipment.

## **Chauffeured limousines**

(R.C. 4501.01 and 4511.85; Sections 110.30, 110.31, and 110.32)

Under prior law, a chauffeured limousine was defined as a motor vehicle designed to carry nine or fewer passengers and operated for hire "on an hourly basis" pursuant to a prearranged contract. A prearranged contract was defined as an agreement, made in advance of boarding, to provide transportation from a specific location at a "fixed rate per hour or trip."

The act removes the requirement that chauffeured limousines be operated for hire "on an hourly basis." The act also removes the requirement that a prearranged contract must specify a "fixed rate per hour or trip."

The act allows the operator of a chauffeured limousine to provide transportation to passengers who arrange for the transportation through an intermediary, specifically including a digital dispatching service. The act also allows, notwithstanding any law to the contrary, the operator of a chauffeured limousine to establish the fare and method of fare calculation for such transportation so long as the method of fare calculation is provided to the passenger upon request. Under prior law, the operator of a chauffeured limousine was only permitted to accept passengers on the basis of a prearranged contract, which was defined as an agreement, made in advance of boarding, to provide transportation from a specific location in a chauffeured limousine at a fixed rate per hour or trip.

