# As Reported by the House Transportation and Public Safety Committee

# **133rd General Assembly**

# Regular Session 2019-2020

Sub. H. B. No. 125

### Representative Koehler

### Cosponsors: Representatives Seitz, Riedel, Green

# A BILL

Го	amend sections 2108.05, 2108.23, 2108.34,	1
	4503.10, and 4503.721; to enact section	2
	4501.027; and to repeal sections 4506.081,	3
	4507.231, and 4507.501 of the Revised Code to	4
	increase the annual contribution for the "Donate	5
	Life" license plate and requested contributions	6
	to the Second Chance Trust Fund and to provide	7
	additional opportunities for Ohio residents to	8
	register as an organ donor.	9

#### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2108.05, 2108.23, 2108.34,	10
4503.10, and 4503.721 be amended and section 4501.027 of the	11
Revised Code be enacted to read as follows:	12
Sec. 2108.05. (A) A donor may make an anatomical gift by	13
doing any of the following:	14
(1) Authorizing a statement or symbol to be imprinted on	15
the donor's driver's license or identification card indicating	16
that the donor has certified a willingness to make an anatomical	17
qift;	18

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(C) Once a donor has <del>authorized a statement or symbol to</del>	48
be imprinted on the donor's driver's license or identification	49
eard indicating that the donor has certified a willingness to	50
make an anatomical gift through either a symbol on the donor's	51
driver's license or identification card or at the time of motor	52
<u>vehicle registration</u> , the donor does not need to recertify the	53
donor's willingness to make an anatomical gift upon renewal of	54
the driver's license—or, identification card, or motor vehicle	55
registration. The authorization shall remain in effect until the	56
donor withdraws that authorization.	57
(D) Revocation, suspension, expiration, or cancellation of	58
a driver's license or identification card upon which an	59
anatomical gift is indicated does not invalidate the gift.	60
(F) An anatomical gift made by will takes offect on the	61
(E) An anatomical gift made by will takes effect on the	61
donor's death whether or not the will is probated. Invalidation	62
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donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.	62 63 64
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donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.  Sec. 2108.23. (A) (1) The bureau of motor vehicles shall develop and maintain a donor registry that identifies each	62 63 64 65 66
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donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.  Sec. 2108.23. (A)(1) The bureau of motor vehicles shall develop and maintain a donor registry that identifies each individual who has agreed to make an anatomical gift by a designation on at the time of application or renewal of a driver's license—or, identification card, or motor vehicle registration as provided in division (A)(1) or (2) of section	62 63 64 65 66 67 68 69 70

(2) The registrar of motor vehicles or a deputy registrar

(a) A person applying for or renewing a driver's license;

shall ask whether each of the following wishes to certify the

applicant's willingness to become a donor:

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4501 007 1 4502 701 - 4506 001 - 4507 001 1 4507 501 5 11	1 2 2
4501.027 and 4503.721, 4506.081, 4507.231, and 4507.501 of the	133
Revised Code. All investment earnings of the fund shall be	134
credited to the fund.	135
(B) The director of health shall use the money in the fund	136
only for the following purposes:	137
(1) Development and implementation of a campaign that	138
explains and promotes the second chance trust fund;	139
(2) Development and implementation of local and statewide	140
public education programs about organ, tissue, and eye donation,	141
including the informational material required to be provided	142
under <del>sections 4506.081, 4507.231, and 4507.501</del> <u>section 4501.027</u>	143
of the Revised Code;	144
(3) Development and implementation of local and statewide	145
donor awareness programs in schools;	146
(4) Development and implementation of local and statewide	147
programs to recognize donor families;	148
(5) Development and distribution of materials promoting	149
organ, tissue, and eye donation;	150
(6) Cooperation with the Ohio Supreme Court, Ohio State	151
Bar Association, and law schools of this state to more	152
effectively educate attorneys about the donation of anatomical	153
gifts and to encourage them to assist their clients in donating	154
anatomical gifts through anatomical gift declarations, durable	155
powers of attorney for health care, declarations as defined in	156
section 2133.01 of the Revised Code, wills, and any other	157
appropriate means;	158
(7) Cooperation with the state medical board, state	159
medical, osteopathic, and ophthalmological associations, and	160

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To reperiou ay the riedes transportation and a date;	
<pre>make a two-dollar voluntary contribution to the second chance</pre>	190
trust fund established under section 2108.34 of the Revised	191
<pre>Code:</pre>	192
(1) A person applying for or renewing a driver's license,	193
<pre>motorcycle operator's endorsement, or duplicate;</pre>	194
(2) A person applying for or renewing an identification	195
<pre>card or duplicate;</pre>	196
(3) A person applying for or renewing a commercial	197
driver's license, restricted commercial driver's license, or	198
<u>duplicate.</u>	199
(B) The registrar or deputy registrar also shall make	200
available to the person informational material provided by the	201
department of health on the importance of organ, tissue, and eye	202
donation.	203
(C) All donations collected under this section during each	204
month shall be forwarded by the registrar or deputy registrar	205
not later than the fifth day of the immediately following month	206
to the treasurer of state, who shall deposit them in the second	207
<pre>chance trust fund.</pre>	208
Sec. 4503.10. (A) The owner of every snowmobile, off-	209
highway motorcycle, and all-purpose vehicle required to be	210
registered under section 4519.02 of the Revised Code shall file	211
an application for registration under section 4519.03 of the	212
Revised Code. The owner of a motor vehicle, other than a	213
snowmobile, off-highway motorcycle, or all-purpose vehicle, that	214
is not designed and constructed by the manufacturer for	215
operation on a street or highway may not register it under this	216
chapter except upon certification of inspection pursuant to	217
section 4513.02 of the Revised Code by the sheriff, or the chief	218

of police of the municipal corporation or township, with	219
jurisdiction over the political subdivision in which the owner	220
of the motor vehicle resides. Except as provided in section	221
4503.103 of the Revised Code, every owner of every other motor	222
vehicle not previously described in this section and every	223
person mentioned as owner in the last certificate of title of a	224
motor vehicle that is operated or driven upon the public roads	225
or highways shall cause to be filed each year, by mail or	226
otherwise, in the office of the registrar of motor vehicles or a	227
deputy registrar, a written or electronic application or a	228
preprinted registration renewal notice issued under section	229
4503.102 of the Revised Code, the form of which shall be	230
prescribed by the registrar, for registration for the following	231
registration year, which shall begin on the first day of January	232
of every calendar year and end on the thirty-first day of	233
December in the same year. Applications for registration and	234
registration renewal notices shall be filed at the times	235
established by the registrar pursuant to section 4503.101 of the	236
Revised Code. A motor vehicle owner also may elect to apply for	237
or renew a motor vehicle registration by electronic means using	238
electronic signature in accordance with rules adopted by the	239
registrar. Except as provided in division (J) of this section,	240
applications for registration shall be made on blanks furnished	241
by the registrar for that purpose, containing the following	242
information:	243

- (1) A brief description of the motor vehicle to be

  registered, including the year, make, model, and vehicle

  identification number, and, in the case of commercial cars, the

  gross weight of the vehicle fully equipped computed in the

  manner prescribed in section 4503.08 of the Revised Code;

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  - (2) The name and residence address of the owner, and the

township and municipal corporation in which the owner resides;	250
(3) The district of registration, which shall be	251
determined as follows:	252
(a) In case the motor vehicle to be registered is used for	253
hire or principally in connection with any established business	254
or branch business, conducted at a particular place, the	255
district of registration is the municipal corporation in which	256
that place is located or, if not located in any municipal	257
corporation, the county and township in which that place is	258
located.	259
(b) In case the vehicle is not so used, the district of	260
registration is the municipal corporation or county in which the	261
owner resides at the time of making the application.	262
(4) Whether the motor vehicle is a new or used motor	263
vehicle;	264
(5) The date of purchase of the motor vehicle;	265
(6) Whether the fees required to be paid for the	266
registration or transfer of the motor vehicle, during the	267
preceding registration year and during the preceding period of	268
the current registration year, have been paid. Each application	269
for registration shall be signed by the owner, either manually	270
or by electronic signature, or pursuant to obtaining a limited	271
power of attorney authorized by the registrar for registration,	272
or other document authorizing such signature. If the owner	273
elects to apply for or renew the motor vehicle registration with	274
the registrar by electronic means, the owner's manual signature	275
is not required.	276
(7) The owner's social security number, driver's license	277
number, or state identification number, or, where a motor	278

vehicle to be registered is used for hire or principally in

connection with any established business, the owner's federal

taxpayer identification number. The bureau of motor vehicles

shall retain in its records all social security numbers provided

under this section, but the bureau shall not place social

security numbers on motor vehicle certificates of registration.

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- (8) Whether the applicant wishes to certify willingness to
  make an anatomical gift if an applicant has not so certified

  under section 2108.05 of the Revised Code. The applicant's

  response shall not be considered in the decision of whether to

  approve the application for registration.

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- (B) Except as otherwise provided in this division, each 290 time an applicant first registers a motor vehicle in the 291 applicant's name, the applicant shall present for inspection a 292 physical certificate of title or memorandum certificate showing 293 title to the motor vehicle to be registered in the name of the 294 applicant if a physical certificate of title or memorandum 295 certificate has been issued by a clerk of a court of common 296 pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 297 Revised Code, a clerk instead has issued an electronic 298 certificate of title for the applicant's motor vehicle, that 299 certificate may be presented for inspection at the time of first 300 registration in a manner prescribed by rules adopted by the 301 registrar. An applicant is not required to present a certificate 302 of title to an electronic motor vehicle dealer acting as a 303 limited authority deputy registrar in accordance with rules 304 adopted by the registrar. When a motor vehicle inspection and 305 maintenance program is in effect under section 3704.14 of the 306 Revised Code and rules adopted under it, each application for 307 registration for a vehicle required to be inspected under that 308 section and those rules shall be accompanied by an inspection 309

of the Revised Code. When a certificate of registration is

issued upon the first registration of a motor vehicle by or on

behalf of the owner, the official issuing the certificate shall

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indicate the issuance with a stamp on the certificate of title 339 or memorandum certificate or, in the case of an electronic 340 certificate of title, an electronic stamp or other notation as 341 specified in rules adopted by the registrar, and with a stamp on 342 the inspection certificate for the motor vehicle, if any. The 343 official also shall indicate, by a stamp or by other means the 344 registrar prescribes, on the registration certificate issued 345 upon the first registration of a motor vehicle by or on behalf 346 of the owner the odometer reading of the motor vehicle as shown 347 in the odometer statement included in or attached to the 348 certificate of title. Upon each subsequent registration of the 349 motor vehicle by or on behalf of the same owner, the official 350 also shall so indicate the odometer reading of the motor vehicle 351 as shown on the immediately preceding certificate of 352 registration. 353

The registrar shall include in the permanent registration record of any vehicle required to be inspected under section 3704.14 of the Revised Code the inspection certificate number from the inspection certificate that is presented at the time of registration of the vehicle as required under this division.

(C)(1) Except as otherwise provided in division (C)(1) of 359 this section, the registrar and each deputy registrar shall 360 collect an additional fee of eleven dollars for each application 361 for registration and registration renewal received. For vehicles 362 specified in divisions (A)(1) to (21) of section 4503.042 of the 363 Revised Code, the registrar and deputy registrar shall collect 364 an additional fee of thirty dollars for each application for 365 registration and registration renewal received. No additional 366 fee shall be charged for vehicles registered under section 367 4503.65 of the Revised Code. The additional fee is for the 368 purpose of defraying the department of public safety's costs 369

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associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under divisions (C)(1), (3), and (4) of this section in the time and manner provided in this section. The registrar shall deposit all moneys received under division (C)(1) of this section into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

- (2) In addition, a charge of twenty-five cents shall be made for each reflectorized safety license plate issued, and a single charge of twenty-five cents shall be made for each county identification sticker or each set of county identification stickers issued, as the case may be, to cover the cost of producing the license plates and stickers, including material, manufacturing, and administrative costs. Those fees shall be in addition to the license tax. If the total cost of producing the plates is less than twenty-five cents per plate, or if the total cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from the fees shall be distributed in the same manner as provided by section 4501.04 of the Revised Code for the distribution of license tax moneys. If the total cost of producing the plates exceeds twenty-five cents per plate, or if the total cost of producing the stickers exceeds twenty-five cents per sticker or per set issued, the difference shall be paid from the license tax moneys collected pursuant to section 4503.02 of the Revised Code.
- (3) The registrar and each deputy registrar shall collect

  an additional fee of two hundred dollars for each application

  for registration or registration renewal received for any plug
  in electric motor vehicle. The registrar shall transmit all

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  money arising from the fee imposed by division (C)(3) of this

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section to the treasurer of state for distribution in accordance	401
with division (E) of section 5735.051 of the Revised Code,	402
subject to division (D) of section 5735.05 of the Revised Code.	403
(4) The registrar and each deputy registrar shall collect	404
an additional fee of one hundred dollars for each application	405
for registration or registration renewal received for any hybrid	406
motor vehicle. The registrar shall transmit all money arising	407
from the fee imposed by division (C)(4) of this section to the	408
treasurer of state for distribution in accordance with division	409
(E) of section 5735.051 of the Revised Code, subject to division	410
(D) of section 5735.05 of the Revised Code.	411
The fees established under divisions (C)(3) and (4) of	412
this section shall not be imposed until January 1, 2020.	413
(D) Each deputy registrar shall be allowed a fee equal to	414
the amount established under section 4503.038 of the Revised	415
Code for each application for registration and registration	416
renewal notice the deputy registrar receives, which shall be for	417
the purpose of compensating the deputy registrar for the deputy	418
registrar's services, and such office and rental expenses, as	419
may be necessary for the proper discharge of the deputy	420
registrar's duties in the receiving of applications and renewal	421
notices and the issuing of registrations.	422
(E) Upon the certification of the registrar, the county	423
sheriff or local police officials shall recover license plates	424
erroneously or fraudulently issued.	425
(F) Each deputy registrar, upon receipt of any application	426
for registration or registration renewal notice, together with	427

the license fee and any local motor vehicle license tax levied

pursuant to Chapter 4504. of the Revised Code, shall transmit

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that fee and tax, if any, in the manner provided in this	430
section, together with the original and duplicate copy of the	431
application, to the registrar. The registrar, subject to the	432
approval of the director of public safety, may deposit the funds	433
collected by those deputies in a local bank or depository to the	434
credit of the "state of Ohio, bureau of motor vehicles." Where a	435
local bank or depository has been designated by the registrar,	436
each deputy registrar shall deposit all moneys collected by the	437
deputy registrar into that bank or depository not more than one	438
business day after their collection and shall make reports to	439
the registrar of the amounts so deposited, together with any	440
other information, some of which may be prescribed by the	441
treasurer of state, as the registrar may require and as	442
prescribed by the registrar by rule. The registrar, within three	443
days after receipt of notification of the deposit of funds by a	444
deputy registrar in a local bank or depository, shall draw on	445
that account in favor of the treasurer of state. The registrar,	446
subject to the approval of the director and the treasurer of	447
state, may make reasonable rules necessary for the prompt	448
transmittal of fees and for safeguarding the interests of the	449
state and of counties, townships, municipal corporations, and	450
transportation improvement districts levying local motor vehicle	451
license taxes. The registrar may pay service charges usually	452
collected by banks and depositories for such service. If deputy	453
registrars are located in communities where banking facilities	454
are not available, they shall transmit the fees forthwith, by	455
money order or otherwise, as the registrar, by rule approved by	456
the director and the treasurer of state, may prescribe. The	457
registrar may pay the usual and customary fees for such service.	458

(G) This section does not prevent any person from making

an application for a motor vehicle license directly to the

registrar by mail, by electronic means, or in person at any of the registrar's offices, upon payment of a service fee equal to 462 the amount established under section 4503.038 of the Revised 463 Code for each application.

- (H) No person shall make a false statement as to the 465 district of registration in an application required by division 466 (A) of this section. Violation of this division is falsification 467 under section 2921.13 of the Revised Code and punishable as 468 specified in that section.
- (I) (1) Where applicable, the requirements of division (B) 470 of this section relating to the presentation of an inspection 471 certificate issued under section 3704.14 of the Revised Code and 472 rules adopted under it for a motor vehicle, the refusal of a 473 license for failure to present an inspection certificate, and 474 the stamping of the inspection certificate by the official 475 issuing the certificate of registration apply to the 476 registration of and issuance of license plates for a motor 477 vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 478 4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 479 4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 480 Code. 481
- (2) (a) The registrar shall adopt rules ensuring that each 482 owner registering a motor vehicle in a county where a motor 483 vehicle inspection and maintenance program is in effect under 484 section 3704.14 of the Revised Code and rules adopted under it 485 receives information about the requirements established in that 486 section and those rules and about the need in those counties to 487 present an inspection certificate with an application for 488 registration or preregistration. 489
  - (b) Upon request, the registrar shall provide the director 490

of environmental protection, or any person that has been awarded	491
a contract under section 3704.14 of the Revised Code, an on-line	492
computer data link to registration information for all passenger	493
cars, noncommercial motor vehicles, and commercial cars that are	494
subject to that section. The registrar also shall provide to the	495
director of environmental protection a magnetic data tape	496
containing registration information regarding passenger cars,	497
noncommercial motor vehicles, and commercial cars for which a	498
multi-year registration is in effect under section 4503.103 of	499
the Revised Code or rules adopted under it, including, without	500
limitation, the date of issuance of the multi-year registration,	501
the registration deadline established under rules adopted under	502
section 4503.101 of the Revised Code that was applicable in the	503
year in which the multi-year registration was issued, and the	504
registration deadline for renewal of the multi-year	505
registration.	506
(J) Subject to division (K) of this section, application	507
for registration under the international registration plan, as	508
set forth in sections 4503.60 to 4503.66 of the Revised Code,	509
shall be made to the registrar on forms furnished by the	510
registrar. In accordance with international registration plan	511
guidelines and pursuant to rules adopted by the registrar, the	512
forms shall include the following:	513
(1) A uniform mileage schedule;	514
(2) The gross vehicle weight of the vehicle or combined	515
gross vehicle weight of the combination vehicle as declared by	516
the registrant;	517
(3) Any other information the registrar requires by rule.	518

(K) The registrar shall determine the feasibility of

implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010, or sooner. If the registrar determines that implementing such a program is feasible, the registrar shall adopt new rules under this division or amend existing rules adopted under this division as necessary in order to respond to advances in technology. 

If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.

Sec. 4503.721. (A) 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 to the registrar for the registration of the vehicle and issuance of "donate life" license plates. An application made under this section may be combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code. Upon receipt of the completed application and compliance by the applicant with divisions (B) and (C) of this section, the registrar shall issue to the applicant the appropriate vehicle registration and a set of "donate life" license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

In addition to the letters and numbers ordinarily inscribed on the license plates, "donate life" license plates shall be inscribed with identifying words or markings designated by lifeline of Ohio, incorporated, and approved by the

2108.34, 4503.10, and 4503.721 of the Revised Code are hereby

repealed.

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Sub. H. B. No. 125 As Reported by the House Transportation and Public Safety Committee	
Section 3. That sections 4506.081, 4507.231, and 4507.501	580
of the Revised Code are hereby repealed.	581