
DEPARTMENT OF PUBLIC SAFETY

- Reallocates 10¢ of the \$15 motor vehicle certificate of title fee from deposit in the Motor Vehicle Sales Audit Fund to deposit in the Highway Operating Fund.
- Authorizes a Department of Public Safety enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco without the offense occurring at a liquor permit premises or otherwise being associated with a Liquor Law violation.
- Specifies that a political subdivision employee who renders aid in another state in accordance with the Emergency Management Assistance Compact is considered a state employee for immunity purposes.
- Waives one year of vehicle and trailer registration taxes and fees for amusement ride owners that were unable to operate their amusement rides in 2020.
- Regarding U.S. Power Squadron license plates, requires U.S. Power Squadron District 7 to equally distribute the contributions for the plates to all Ohio Power Squadron Districts in Ohio, rather than requiring the Registrar to do so as under current law.

Certificate of title fee allocation

(R.C. 4505.09)

The bill reallocates 10¢ of the \$15 motor vehicle certificate of title fee from deposit in the Motor Vehicle Sales Audit Fund to deposit in the Highway Operating Fund. The amount of the certificate of title fee to be deposited in the Motor Vehicle Sales Audit Fund, to assist the Tax Commissioner's investigations of motor vehicle sales and use tax returns to ensure any tax liability has been satisfied, is reduced from 25¢ to 15¢. Additionally, the amount deposited into the Highway Operating Fund, managed by the Department of Transportation for its highway projects, is increased from 21¢ to 31¢. The overall \$15 motor vehicle certificate of title fee is not altered by the bill.

Enforcement of illegal tobacco distribution

(R.C. 5502.14)

The bill authorizes a Department of Public Safety (DPS) enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco,⁸⁶ without the offense occurring at a liquor permit premises or otherwise being associated with a Liquor Law violation. Under current law, a DPS enforcement agent may investigate and enforce most laws only if the violation occurs while the agent is on, immediately adjacent to, or across from a

⁸⁶ R.C. 2927.02, not in the bill.

retail liquor permit premises while the agent is investigating that premises or while investigating another Liquor Law violation.⁸⁷

Emergency Management Assistance Compact immunity

(R.C. 5502.30)

The bill specifies that a political subdivision employee who renders aid in another state in accordance with the Emergency Management Assistance Compact (EMAC) is considered a state employee for immunity purposes under Article VI of the Compact. Therefore, the employee is:

1. Considered an agent of the requesting state for tort liability and immunity purposes; and

2. Not liable for any act or omission done in good faith while engaged or on account of the maintenance or use of any equipment or supplies in connection with the engagement.

It also specifies that this provision does not entitle a political subdivision employee to any other right or benefit of a state employee.

The EMAC is law in all 50 states. Through it, states may provide mutual assistance in managing any emergency or disaster.⁸⁸

Vehicle registration waiver for amusement ride owners

(Section 745.10)

The bill waives one year of vehicle and trailer registration taxes and fees for amusement ride owners that were unable to operate their amusement rides in 2020. The waiver applies starting on the effective date of the authorization, and continues for one year after that effective date. Amusement rides are any mechanical, aquatic, or inflatable device (or combination thereof) that carry or convey passengers on, along, around, over, or through a fixed or restricted course or defined area for amusement, pleasure, or excitement. In the midst of the COVID-19 pandemic, many amusement rides and events or facilities that host amusement rides were not able to operate or remain open.

The registration taxes and fees waived for amusement ride owners include the following:

1. The annual registration tax (amount varies according to type of vehicle registered);
 2. The Bureau of Motor Vehicles fee (\$11 or \$30) and, if applicable, any alternative-fuel vehicle fees (\$100 or \$200);
 3. Any local motor vehicle taxes (amount varies according to jurisdiction up to \$30);
 4. Any standard license plate fees (\$6.50 for single license plate or \$7.50 for two plates);
- and

⁸⁷ R.C. 5502.13, not in the bill.

⁸⁸ See <https://www.emacweb.org/>.

5. The BMV/deputy registrar service fee (\$5).

If the amusement ride owner registers the vehicles or trailers under a multi-year registration plan, the Registrar must credit the owner for one year of registration taxes and fees. The owner must still pay any additional years' worth of registration taxes and fees for the multi-year registration.⁸⁹

U.S. Power Squadron License Plate distribution

(R.C. 4501.21)

The bill requires U.S. Power Squadron District 7 (located in Mansfield) to annually distribute the contributions received for U.S. Power Squadron license plates in equal amounts to all U.S. Power Squadrons in Ohio. Current law requires the Registrar to distribute the contributions in equal amounts. U.S. Power Squadrons is a nonprofit boating club and educational organization that provides classes on maritime safety and seamanship.

⁸⁹ R.C. 993.01, 4503.038, 4503.04, 4503.042, 4503.10, 4503.103, and 4503.19, and Chapter 4504, not in the bill.