

STATE OF OHIO  
**Executive Department**

OFFICE OF THE GOVERNOR

*Columbus*

**VETO MESSAGES**

**STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN  
SUBSTITUTE HOUSE BILL 53**

**April 1, 2015**

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Substitute House Bill 53 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

**ITEM NUMBER 1**

On page 45, delete the boxed text.  
On page 46, delete the boxed text.  
On page 111, delete the boxed text.

**Regarding Residency and the Obligation to Obtain State of Ohio Vehicle Registration and Driver's License**

Under current Ohio law, an Ohio resident operating a motor vehicle within the State of Ohio must have a valid Ohio driver's license and their motor vehicle(s) must have a valid Ohio registration. The penalties for failing to do so can range from a minor misdemeanor to a misdemeanor of the first degree. Current Ohio law does not, however, specify a deadline by which new residents of Ohio who choose to drive or own motor vehicles must comply with these requirements. These sections would rightly close this loophole by setting a deadline of 30 days for complying with these requirements and by imposing penalties that are consistent with current law.

These sections would also create new penalties for failing to comply with these requirements, including a penalty that suspends the nonresident motor vehicle operating privileges for new

Ohio residents who fail to obtain a driver's license or register their motor vehicle(s) within 30 days of establishing Ohio residency. However, no provision for restoring those driving privileges is provided. This item is inconsistent with current Ohio law, which articulates specific steps Ohioans can take to have suspended driving privileges restored.

These sections also articulate additional criteria for determining residency for new Ohio residents for the purposes of them obtaining an Ohio driver's license and registering a motor vehicle. Ohio law already establishes criteria for determining residency, which have been used successfully for many years. Moreover, these changes are potentially confusing to Ohioans and to government institutions.

As the new suspension penalty is inconsistent with current law, and the criteria for residency are already established in existing law, this veto is in the public interest.

## **ITEM NUMBER 2**

On page 1, delete the following boxed text, “, and 5739.02”.

On page 2, delete the following boxed text, “, and 5739.02”.

On page 203, delete the boxed text.

On page 204, delete the boxed text.

On page 205, delete the boxed text.

On page 206, delete the boxed text.

On page 207, delete the boxed text.

On page 208, delete the boxed text.

On page 209, delete the boxed text.

On page 210, delete the boxed text.

On page 211, delete the boxed text.

On page 212, delete the boxed text.

On page 213, delete the boxed text.

On page 214, delete the boxed text.

On page 215, delete the boxed text.

On page 216, delete the boxed text.

On page 217, delete the boxed text.

On page 257, delete the boxed text.

### **Exemption of Sales and Use Taxes for the Provision of a Rental Car Relative to the Servicing of a Motor Vehicle**

Under this provision, the dealer's use of a rental vehicle to provide replacement transportation for a customer who is having their vehicle serviced would be exempt from sales or use tax. However, a dealer that provides a vehicle from its inventory for the same courtesy transportation must pay use tax. This amendment creates a loophole that will result in significant refunds and will subject similar transactions to a different tax treatment without sufficient justification. Therefore, this veto is in the public interest.

**ITEM NUMBER 3**

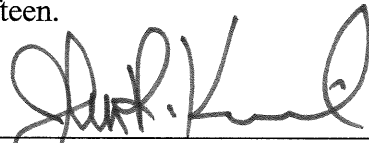
- On page 1, delete the following boxed text, "5501.491,".
- On page 2, delete the following boxed text, "5501.491,".
- On page 184, delete the boxed text.
- On page 229, delete the boxed text.
- On page 238, delete the boxed text.

**The Creation of the Ohio Bridge Partnership Program and its Funding**

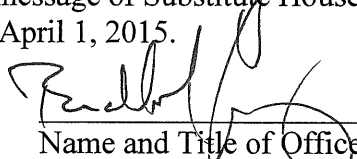
Earmarks in the state transportation budget bill unduly limit the flexibility of the Ohio Department of Transportation to prioritize key projects on state highways and roads that directly impact the safety and quality of life of Ohioans. Additionally, the codification of this program into permanent law is unnecessary and redundant because Ohio has existing funding sources in state law that provide revenue to local governments to fund road and bridge projects, in addition to numerous programs intended to help localities maintain their roads. For all of these reasons, this veto is in the public interest. However, to meet the spirit of the legislative intent, I have instructed the Ohio Department of Transportation to allocate \$10 million within the 2016-2017 biennium in addition to the \$120 million recently devoted to help county and municipalities address their bridge projects.



IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 1<sup>st</sup> day of April, Two Thousand Fifteen.

  
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John R. Kasich, Governor

This will acknowledge the receipt of a copy of this veto message of Substitute House Bill 53 that was disapproved in part by Governor John R. Kasich on April 1, 2015.

 Clerk  
\_\_\_\_\_  
Name and Title of Officer

4/1/15 3:30 p.m.  
\_\_\_\_\_  
Date and Time of Receipt