

**Public Utilities Commission of Ohio**  
**Todd A. Snitchler, Chairman**

House Ways and Means Committee  
2014 Mid-Biennium Review  
H.B. 492

March 25, 2014



Chairman McClain, members of the committee, thank you for the opportunity to submit testimony in support of the Public Utilities Commission of Ohio's (Commission) transportation-related Mid-Biennium Review (MBR) provision today.

One of the industries the Commission is charged with regulating is the motor carrier industry. In the 129th General Assembly's (GA's) main MBR, H.B. 487, the Commission updated Title 49 of the Revised Code (ORC) as it relates to motor carrier regulations. H.B. 487 streamlined the code to align it with the Federal guidelines, as well as make the code sections easier for the industry. ORC 4921 now is solely focused on the Commission's authority and permitting process, while ORC 4923 now directs the inspection and violation process. Before H.B. 487, these requirements were intertwined between the two code sections, and contained language that was preempted by the federal government. Through the MBR process two years ago, the motor carrier regulations received a large, overdue update.

This GA's MBR, H.B. 472, contains some clean-up items relating to the H.B. 487 update, including the tax receipt provision which is also located in H.B. 492. Under current law, a motor carrier, upon receiving its certificate of public convenience issued by the Commission, must pay several taxes to the Treasurer of State, as detailed in ORC 4921.19(A). In turn, the motor carrier is given a receipt for the taxes paid each vehicle in its fleet. Traditionally, the Commission required that the motor carrier retain the receipt in the vehicle for the Ohio Highway Patrol or the Commission's motor vehicle inspectors.

The language before you (lines 1188-1195 of H.B. 492) clarifies what a motor carrier's responsibility is regarding where and how a tax receipt must be kept. The current language in ORC 4921.19(C) has created unintended confusion between some motor carrier operators and the Commission. The current ORC language states "*The carrier shall carry a copy of the tax receipt in each motor vehicle operated by the carrier.*" Some motor carriers have interpreted this to mean that they may photocopy the tax receipt, and maintain that version in the vehicles.

The proposed language, if passed, would clarify that a motor carrier must carry the receipt in each motor vehicle, and maintain documentation at its office location that specify to the specific vehicle each tax receipt is assigned. With this change, the Commission clarifies the statute and maintains the historic records-retention policy.

Thank you for your consideration of this matter. While a small and technical change, this item provides clarity to Ohio's motor carrier industry.

Respectfully Submitted,

Todd A. Snitchler, Chairman