

OPPOSITION TESTIMONY
on
Sub. H. B. No. 142
by
John Gilchrist
Legislative Counsel
Ohio Association of Chiefs of Police

The Ohio Association of Chiefs of Police opposes Sub. H. B. No.142 that would require the driver to notify the officer when he asks for the driver's license and registration.

It appears that the proponents desire a law change to accommodate a hand full of individuals who resent having to disclose their possession of a handgun—they believe it somehow violates a 5th amendment rights. In addition, there are those who have issues with the “promptly” provision.

The millions of individuals who have been stopped over the years seem to be able to exercise common sense as it relates to the current law—for these millions, the law has not been a problem. We admit there have been isolated incidents; most of these relate to human error and not the law itself—the Association believes that these isolated incidents are not prevalent enough to justify a change in the current law.

As for the substitute bill itself, the Association does not support it for the following reasons:

1. The substitute bill would require the individual to give notice of possession of the handgun when the officer asks for the driver's license and registration; or license or identification in a non-vehicle situation. Requiring the notice when the officer asks for the driver's license and registration may not be done promptly enough if the officer is otherwise occupied with a situation more pressing. That is, because of the unique situation of the stop, the officer may not immediately ask for the drivers license and registration; but a prompt response from the driver informing the officer of the handgun might be beneficial as required under current law.
2. Adoption of the amendment will simply add confusion as to what is expected. Who is going to take on the expense of informing the public of the law change?
3. The amendment does not accommodate those proponents who believe their 5th amendment rights are violated if they must continue to disclose their possession of a handgun. So we anticipate they will be back to seek repeal of the provision.
4. The Association is opposed to: a) reducing the penalty to a fine of not more than \$25; and, b) removing the current law provision that could result in the possibility of having a CCW license suspended for failure to comply.