



MOVING FORWARD:

Driver's License Amnesty Initiative



OPLC
Ohio Poverty Law Center

Driver's License Reinstatement Fee Amnesty Initiative Produces Results

Introduction

More than three million pending driver's license suspensions keep many Ohioans from having valid driver's licenses. For low-income Ohioans, the cost to reinstate a driver's license is often more than they can afford. To address this issue, the General Assembly created the Reinstatement Fee Amnesty Initiative, a six-month pilot program that began January 31, 2019 and ended July 31, 2019. This pilot program allowed reinstatement fees to be waived or reduced for certain offenses. This report shows how the Amnesty Initiative helped Ohioans obtain their driver's licenses and how the program benefited individual families and the state of Ohio.

The Amnesty Initiative permitted the Ohio Bureau of Motor Vehicles (BMV) to waive eligible driver's license reinstatement fees for low-income individuals receiving Supplemental Nutrition Assistance Program (SNAP) benefits if the applicant had completed all other court-ordered sanctions. Applicants not receiving SNAP benefits could have their fees reduced if they completed all court-ordered sanctions associated with the underlying offense related to the suspension and at least 18 months passed since their suspension. During the six-month pilot program, 76,669 individuals took advantage of the initiative and collectively saved more than \$63 million.¹

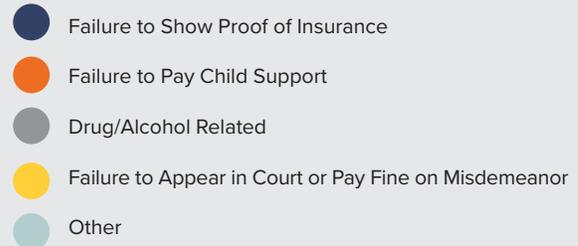
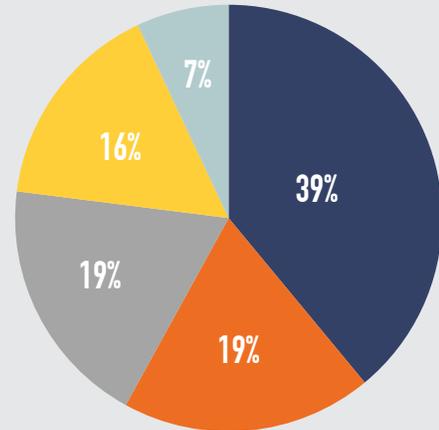


Ohioans Need Driver's Licenses to Work

In Ohio, the state can suspend a person's license for more than 30 reasons. Each year, more than one million Ohioans lose their driving privileges due to a suspension.² In order to get driving privileges restored, an individual must pay a reinstatement fee. The fees vary by suspension type and range from \$15 to \$650 per suspension. It's not uncommon for an individual to owe thousands of dollars.

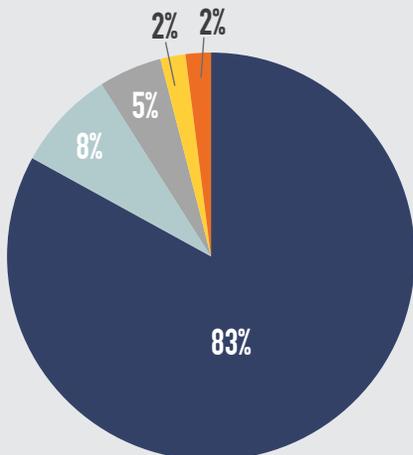
In 2017, there were over three million suspensions on Ohio licenses. Sixty-two percent of these suspensions were for offenses unrelated to safe and responsible vehicle operation. This means that more than two million suspensions were due to issues like failure to pay child support, failure to show proof of insurance, or failure to appear in court or pay a court fine. Only 19 percent of suspensions in 2017 were the result of drug or alcohol related offenses, which were not eligible for waiver or reduction under the program.³

Reasons for Suspensions



Number of Suspensions by Type of Offense in Ohio in 2017, according to the BMV.

How Ohioans Get to Work



How employed Ohioans who work outside the home get to work.

As of 2010, 83 percent of workers in Ohio drove themselves to work.⁴ With limited public transportation options in most communities, particularly rural areas, license suspensions force individuals to either quit their jobs or drive to work without a valid license. To avoid serious financial difficulties, most people continue working and risk being pulled over and charged by police for driving without a valid license.⁵ These charges come with expensive court fines, include another driver's license suspension, and an additional reinstatement fee.

Employment improves a person's health, relationships, and financial stability, and decreases their likelihood of committing crimes, abusing drugs, or becoming homeless.⁶ Removing barriers to having a valid driver's license is an important step in addressing these issues.

Amnesty Initiative Gets Ohioans on the Road Again

During the six-month Amnesty Initiative, 76,669 individuals had their reinstatement fees reduced or waived, saving them over \$63 million.⁷ Of the individuals helped, 6,380 people had fees waived totaling \$8,101,710. The average waived was \$1,270 per person. The majority of individuals—70,289—had some, but not all, fees reduced, saving a total of \$55,479,127. More than 90 percent of applicants were eligible for help.⁸

Ohioans in all parts of the state benefitted from the pilot program. Legal clinics held in numerous counties around the state such as in Meigs, Franklin, Perry, Stark, Summit, and Cuyahoga have helped make the program a success.

For example, more than 1,000 people attended a three-day clinic at the Franklin County Municipal Court and collectively saved \$373,000 in reinstatement fees.⁹ In Perry County, where over 75 percent of residents are employed outside the county, 72 people attended a clinic and collectively saved \$20,000 in fees.¹⁰ At a clinic held in Cleveland, 121 people were served, the BMV waived \$54,408.50, and three people left the clinic with valid licenses.¹¹ A recent clinic in Toledo saved 113 people over \$42,000 in reinstatement fees.

DRIVER'S LICENSE REINSTATEMENT FEE AMNESTY INITIATIVE

76,669
INDIVIDUALS SERVED

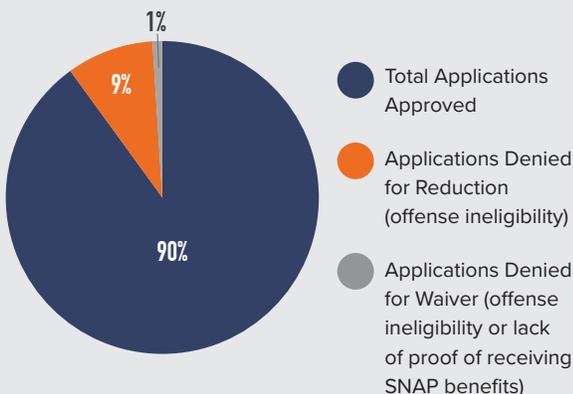
\$63M
SAVED

\$1,270
AVERAGE WAIVED PER PERSON

\$789
AVERAGE REDUCED PER PERSON

\$3.6M
IN BMV FEES COLLECTED

Application Approval Statistics



According to data from the BMV as of June 8.



Brad, 33, went to an Akron clinic with more than \$10,000 in fines, all related to driving without insurance. He had issues with addiction in the past but got the help he needed to get clean. From there he got married, regained custody of his children, and started working two jobs. He even enrolled in the BMV's reinstatement payment plan but would be in his fifties by the time his debt was paid. The amnesty program cut his fees by two-thirds, and he left the clinic owing only a few hundred dollars.¹²

Legal aid and volunteer private attorneys have been critical in advising individuals on the steps to reinstate their licenses. At some clinics, such as in Perry County, every individual received the assistance of an attorney. Judge Dean Wilson of Perry County said, “the beauty of the Amnesty Initiative is that during our clinic everyone in attendance got to speak privately with an attorney, and as an added bonus, attorney volunteers of all ages and professional backgrounds were inspired to give back to their communities and continue this kind of work.”

BMV representatives and attorneys are not the only ones making a positive impact on communities at the clinics. Local judges and court clerks, county Job and Family Services offices, and Child Support agency representatives all provided assistance. Insurance companies that offer SR-22 coverage, state mandated liability coverage for drivers considered high-risk, and public defenders also participated at the clinics. As a result, individuals got court fees waived, license suspensions shortened, paid their child support, and purchased car insurance.



Chris, 36, hadn't had a valid license in ten years. His license was suspended in 2008 when he got in a car accident and did not have insurance. After that, a drug addiction destroyed his finances, driving record, and job prospects. Chris has been clean for three years but was unable to get his license. He works as a house painter to support his wife, two children, and ailing mother. Leaving the clinic several steps closer to a valid license, he said “this is the next big step to getting my life back.”¹³



People line the Licking County Courthouse waiting for the volunteer attorneys to help reinstate their licenses.

Some individuals benefited more from these services than from the BMV offerings. For example, a woman in Licking County not only owed reinstatement fees, but also had a suspension on her license that would not have ended until 2022. She found a higher-paying, more stable job to pay off her fees but had to use a ride service to get to and from work every day, at a cost of \$500-\$600 per month. The BMV was unable to reduce her fees because her offense was ineligible under the program, but a local judge took several years off her suspension—effectively ending it. This meant she would have a valid license as soon as she bought insurance and started a payment plan with the BMV, saving her the hundreds of dollars per month she would have spent on rides.



The Licking County Courthouse during a free Amnesty Initiative Clinic.

Several other individuals, none of whom had had a valid license for at least ten years, received a stack of 10-15 release orders from the judge, which remove suspensions for failing to appear in court or pay fines related to misdemeanors. These releases alone saved them several hundred dollars and several years of suspensions.

“*Everybody who attended the clinic was able to get the necessary service and was overwhelmed with the success they had. I’ve even heard back from a number of people who did not leave the clinic with a valid license, due to issues we could not resolve on the spot, who were able to take care of those issues and validate their licenses or get driving privileges back from us.*”

— **Judge Dean Wilson, Perry County Municipal Court**

Clinics were not the only way to assist eligible individuals. The Legal Aid Society of Greater Cincinnati accepts driver’s license reinstatement cases in their offices on a regular basis. During the pilot program, they worked with clients individually and if the client was eligible, referred them to the BMV Amnesty Initiative, advising them on how to apply. The Legal Aid Society of Cleveland set up a dedicated phone line and website, which had 8,350 views between March 6 and July 22, and sent information sheets to their community and business partners, the local libraries, and the public defender’s office.

Clinics Pave the Way for Success

Many individuals attending the clinic received their driver’s licenses or had barriers removed to more easily reinstate their driver’s licenses. For example, an individual with a 20-year-old license suspension attended the Franklin County clinic with the permission of his supportive boss. He and his attorney sorted through and addressed many of the barriers that were preventing him from reinstating his license. Following their efforts, he was able to take and pass his driver’s test. At a Licking County clinic, an individual was able to have his reinstatement fees reduced by more than \$3,000, and another was able to walk out of the clinic with a valid license.

Individual drivers are not the only ones who benefitted from the Reinstatement Fee Amnesty Initiative. The BMV collected \$3.6 million in fees. When people have their fees reduced or waived, they are given a new sense of possibility, and many can pay the remainder of their fees in the foreseeable future.

William Dowling, an attorney who helped organize and lead the Akron area clinics, says Ohioans owed more than \$500 million for suspended licenses, but the state was never going to see that money.¹⁴ People cannot afford huge reinstatement fees, and even when they get on payment plans, it can take them decades to pay the fees entirely. By making reinstatement fees more realistic for people to pay, the BMV is collecting more money sooner.

The state benefits when it has legal drivers on the road. Licensed individuals can achieve higher-paying jobs, making it possible to contribute to their family and their community. The state receives income tax from this employment, insurance companies receive business, and other drivers are protected on the road.



Attorney William Dowling with his client, in front of a judge at the June 27 clinic in Licking County.

Families also benefit from the Reinstatement Fee Amnesty Initiative. When child support is one of the holds on a person's license and their other fees are reduced or waived, that person is more financially capable and motivated to pay their overdue child support to lift that suspension. Because Job and Family Services (JFS) workers were present at clinics across the state, individuals were able to make back payments. At a Franklin County clinic, JFS collected \$2,360 dollars in child support and signed up almost 100 new customers for SNAP benefits, providing them with more money to feed their families.¹⁵

More Ohioans Need Assistance in Obtaining Driver's Licenses

The short-term Driver's License Reinstatement Fee Amnesty Initiative helped tens of thousands of

suspended Ohio drivers get back on the road and back to work. It saved these individuals tens of millions of dollars and benefited the state financially.

Although thousands of Ohioans were helped during the pilot program, it is clear that the need continues.

House Bill (HB) 285, introduced by Representatives Dave Greenspan (R-Westlake) and Juanita Brent (D-Cleveland) in June 2019, would make the program permanent to address the ongoing need. HB 285 also extends eligibility for full fee waivers from just individuals receiving SNAP benefits to those receiving Medicaid, Supplemental Security Income, Veteran's Affairs benefits, or Ohio Works First benefits too. This is a significant improvement in the program because defining indigency as receiving food stamps does not cover everyone with significant financial need. For example, numerous individuals at the Licking County clinic expressed that they received Medicaid and were eligible for SNAP but not enrolled. These individuals cannot afford their reinstatement fees but cannot get them waived even though they have demonstrated financial need.

The six-month pilot of the Reinstatement Fee Amnesty Initiative has proven to be lucrative and beneficial not only for Ohio drivers, but also the Ohio Bureau of Motor Vehicles, families receiving child support, and the state. Extending the program and making it permanent would allow more low-income drivers to get back on the road and back to work.

RESOURCES

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- ³ Hulseley, Lynn. "New amnesty program aims to cut fees, restore licenses for some drivers. Oakwood Republican to push for more reforms." *Dayton Daily News*, 12 Feb 2019.
- ⁴ "American FactFinder." U.S. Census Bureau, 5 Oct. 2010.
- ⁵ Boomer, Harry. "A million drivers in Ohio are under suspension, many don't know they may be able to get their license back."
- ⁶ "How does Employment, or Unemployment, Affect Health?" *Robert Wood Johnson Foundation*, 12 Mar. 2013; "Issues: Employment and Income." *National Coalition for the Homeless*, (last visited July 30, 2019); Uggen, Christopher. "Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism." *American Sociological Review*, Vol. 65, No.4, Aug. 2000.
- ⁷ Ohio Department of Public Safety, Bureau of Motor Vehicles.
- ⁸ *Id.*
- ⁹ Legal Aid Society of Columbus, internal data, April 2019.
- ¹⁰ Sukosd, Casaba. "Perry County Court Helps Hundreds in First Rural License Reinstatement Program." *Court News Ohio*, 6 May 2019.
- ¹¹ "Cleveland Municipal Court Partners with the BMV to Help Clevelanders with License Reinstatement Fees: Hotline and Community Event a Huge Success!!" *Cleveland Municipal Court News Library*, 1 April 2019.
- ¹² Schultze, M.L. "Ohio Offers a Second Chance to Drivers Struggling to Reinstatement Their Licenses." *WKSU*, 4 June 2019.
- ¹³ Narciso, Dean. "Hundreds granted second chances in drivers' amnesty program." *The Columbus Dispatch*, 4 April 2019.
- ¹⁴ Schultze, M.L. "Ohio Offers a Second Chance to Drivers Struggling to Reinstatement Their Licenses."
- ¹⁵ Legal Aid Society of Columbus, internal data, April 2019.