



House Transportation and Public Safety Committee
House Bill 158
133rd General Assembly

Chair Green, Vice Chair McClain, Ranking Member Sheehy, and Members of the Committee:

The Traffic Law and Procedure Committee of the Ohio Judicial Conference has reviewed House Bill 158, which allows judges to grant limited driving privileges on a first-time offense of operating a motor vehicle without proof of financial responsibility, as well as waives the filing fee for indigent drivers to apply for such privileges.

We believe the bill, as it pertains to allowing for limited driving privileges, is unnecessary. Under existing law, the penalty for a first offense of driving without proof of financial responsibility is a Class (F) license suspension. Unlike other license suspensions, a Class (F) suspension is not based on a specified length of time. Rather, the period of suspension is “until conditions are met.” R.C. 4510.02 (B)(6). While the bill allows a person to seek limited driving privileges while under such a suspension, it requires them to first present proof of insurance and enroll in a reinstatement fee payment program. Under existing law, however, these are the same conditions a person must meet in order to have the Class (F) suspension lifted entirely. R.C. 4509.101 (A)(5). We thus do not see the reason to allow for limited driving privileges when the same requisite conditions, once met, will result in a lifting of the suspension and full driving privileges.

Judges certainly share the sponsor’s interest in making it easier, not harder, for Ohioans to be able to drive legally. Accordingly, we believe that one way the General Assembly can accomplish this goal is to allow for a waiver, for indigent drivers, of the reinstatement fee on a first-time offense of driving without proof of financial responsibility. Going one step further, judges would like to see to greater opportunities for the waiver of reinstatement fees, and not just those imposed for a failure to show proof of financial responsibility. Judges see firsthand every day that one of the biggest obstacles preventing people from driving legally is the oppressive and sometimes insurmountable accumulation of reinstatement fees. This is particularly true in parts of the state that lack public transportation, where Ohioans sometimes believe they have no choice but to drive under suspension in order to work and provide for their families. Allowing for a waiver of reinstatement fees for indigent drivers will go a long way in ensuring that those individuals do not find themselves caught up in a cycle of suspensions, and additional fees, from which they cannot emerge.

Thank you very much for considering the feedback of Ohio’s judges.

Paul Pfeifer
Executive Director