



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 106**  
**133rd General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for H.B. 106's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. Scherer and Sheehy

**Local Impact Statement Procedure Required:** No

Maggie West, Senior Budget Analyst

### **Highlights**

- The Department of Public Safety may incur minimal, at most, one-time costs to implement the bill's changes to the Driver's License Law, including updating forms and changing administrative rules.
- The bill's revisions to nighttime driving restrictions may result in a relatively small increase in the number of persons under age 21 being cited for and convicted of a curfew violation. The annual costs for local courts and their respective clerks of courts to process those citations will be minimal at most, and may be offset to some degree by the collection of related court costs, fees, and fines.

### **Detailed Analysis**

The bill makes various changes to the law pertaining to probationary driver's licenses and temporary instruction permits. Most notably, those changes include: (1) requiring a person to hold a temporary instruction permit for a period of one year, instead of six months as under current law, before obtaining a probationary driver's license, and (2) altering the time period, from midnight until 6:00 a.m. to 10:00 p.m. until 6:00 a.m. during the first six months that a person holds a probationary driver's license, during which the holder of the probationary driver's license is prohibited from operating a motor vehicle without being accompanied by a parent or guardian.

#### **Department of Public Safety**

In order to comply with the bill's provisions, the Department of Public Safety may incur minimal, at most, one-time costs to implement the new requirements. Such costs would include updating forms and changing administrative rules. The Department does not anticipate any ongoing costs.

## Nighttime driving restrictions

Under current law, a law enforcement officer may issue a citation for curfew violation if the holder of a temporary or probationary driver's license is found to be driving during prohibited hours without a parent or guardian (night driving restriction). The bill expands the restricted time period for persons under age 21 by two hours, which creates the possibility for increased curfew citations and convictions.

For calendar year 2017, the Bureau of Motor Vehicles reported a total of 195 curfew violations statewide (49 for drivers with a temporary license and 146 curfew violations for drivers with a probationary license). By county, the number of convictions ranged from one to 16. This data suggests that any increase in citations and convictions resulting from the bill is likely to be relatively small.

A curfew violation is a minor misdemeanor and is subject to a fine of up to \$150. Depending on the age of the driver and the location of the violation, a curfew violation is under the jurisdiction of either a common pleas, municipal, county, or mayor's court. The annual costs for the courts and their clerks of courts and traffic violations bureaus to process additional citations will be minimal at most annually, and may be offset to some degree by the collection of related court costs, fees, and fines.