

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 336

Representatives Barnes, Greenspan

A BILL

To amend sections 2151.354, 2152.19, 2152.21, 1
4507.1614, 4509.101, 4510.037, 4510.05, 4510.06, 2
4510.10, 4510.22, 4510.31, and 4510.32 of the 3
Revised Code to prohibit the imposition of 4
driver's license and temporary instruction 5
permit reinstatement fees in specified 6
circumstances and to name this act the 7
Reinstatement Fee Amnesty Initiative. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2151.354, 2152.19, 2152.21, 9
4507.1614, 4509.101, 4510.037, 4510.05, 4510.06, 4510.10, 10
4510.22, 4510.31, and 4510.32 of the Revised Code be amended to 11
read as follows: 12

Sec. 2151.354. (A) If the child is adjudicated an unruly 13
child, the court may: 14

(1) Make any of the dispositions authorized under section 15
2151.353 of the Revised Code; 16

(2) Place the child on community control under any 17
sanctions, services, and conditions that the court prescribes, 18
as described in division (A)(4) of section 2152.19 of the 19

Revised Code, provided that, if the court imposes a period of 20
community service upon the child, the period of community 21
service shall not exceed one hundred seventy-five hours; 22

(3) Suspend the driver's license, probationary driver's 23
license, or temporary instruction permit issued to the child for 24
a period of time prescribed by the court and suspend the 25
registration of all motor vehicles registered in the name of the 26
child for a period of time prescribed by the court. A child 27
whose license or permit is so suspended is ineligible for 28
issuance of a license or permit during the period of suspension. 29
At The following restrictions apply to the reinstatement of a 30
license or permit suspended under this division: 31

(a) If the child was adjudicated an unruly child for an 32
offense that is not alcohol, drug, or weapon related, at the end 33
of the period of suspension, the child shall not be reissued a 34
license or permit until the child has ~~paid any applicable~~ 35
~~reinstatement fee and~~ complied with all requirements governing 36
license reinstatement, except that the child shall not be 37
required to pay any reinstatement fee. 38

(b) If the child was adjudicated an unruly child for an 39
offense that is alcohol, drug, or weapon related, at the end of 40
the period of suspension, the child shall not be reissued a 41
license or permit until the child has complied with all 42
requirements governing license reinstatement, including paying 43
any applicable reinstatement fee. 44

(c) If a child was adjudicated an unruly child due to 45
habitual absence from school, at the end of the period of 46
suspension, the child shall not be reissued a license or permit 47
until the child has complied with all requirements governing 48
license reinstatement. Notwithstanding division (A) (3) (a) of 49

this section, the child shall be required to pay any applicable 50
reinstatement fee unless the child provides to the registrar of 51
motor vehicles proof of a valid high school diploma or 52
certificate of high school equivalence awarded by the department 53
of education under section 3301.80 of the Revised Code. 54

(4) Commit the child to the temporary or permanent custody 55
of the court; 56

(5) Make any further disposition the court finds proper 57
that is consistent with sections 2151.312 and 2151.56 to 2151.59 58
of the Revised Code; 59

(6) If, after making a disposition under division (A) (1), 60
(2), or (3) of this section, the court finds upon further 61
hearing that the child is not amenable to treatment or 62
rehabilitation under that disposition, make a disposition 63
otherwise authorized under divisions (A) (1), (4), (5), and (8) 64
of section 2152.19 of the Revised Code that is consistent with 65
sections 2151.312 and 2151.56 to 2151.59 of the Revised Code. 66

(B) If a child is adjudicated an unruly child for 67
committing any act that, if committed by an adult, would be a 68
drug abuse offense, as defined in section 2925.01 of the Revised 69
Code, or a violation of division (B) of section 2917.11 of the 70
Revised Code, in addition to imposing, in its discretion, any 71
other order of disposition authorized by this section, the court 72
shall do both of the following: 73

(1) Require the child to participate in a drug abuse or 74
alcohol abuse counseling program; 75

(2) Suspend the temporary instruction permit, probationary 76
driver's license, or driver's license issued to the child for a 77
period of time prescribed by the court. The court, in its 78

discretion, may terminate the suspension if the child attends 79
and satisfactorily completes a drug abuse or alcohol abuse 80
education, intervention, or treatment program specified by the 81
court. During the time the child is attending a program as 82
described in this division, the court shall retain the child's 83
temporary instruction permit, probationary driver's license, or 84
driver's license, and the court shall return the permit or 85
license if it terminates the suspension. 86

(C) (1) If a child is adjudicated an unruly child for being 87
an habitual truant, in addition to or in lieu of imposing any 88
other order of disposition authorized by this section, the court 89
may do any of the following: 90

(a) Order the board of education of the child's school 91
district or the governing board of the educational service 92
center in the child's school district to require the child to 93
attend an alternative school if an alternative school has been 94
established pursuant to section 3313.533 of the Revised Code in 95
the school district in which the child is entitled to attend 96
school; 97

(b) Require the child to participate in any academic 98
program or community service program; 99

(c) Require the child to participate in a drug abuse or 100
alcohol abuse counseling program; 101

(d) Require that the child receive appropriate medical or 102
psychological treatment or counseling; 103

(e) Make any other order that the court finds proper to 104
address the child's habitual truancy, including an order 105
requiring the child to not be absent without legitimate excuse 106
from the public school the child is supposed to attend for 107

thirty or more consecutive hours, forty-two or more hours in one 108
school month, or seventy-two or more hours in a school year and 109
including an order requiring the child to participate in a 110
truancy prevention mediation program. 111

(2) If a child is adjudicated an unruly child for being an 112
habitual truant and the court determines that the parent, 113
guardian, or other person having care of the child has failed to 114
cause the child's attendance at school in violation of section 115
3321.38 of the Revised Code, in addition to any order of 116
disposition authorized by this section, all of the following 117
apply: 118

(a) The court may require the parent, guardian, or other 119
person having care of the child to participate in any community 120
service program, preferably a community service program that 121
requires the involvement of the parent, guardian, or other 122
person having care of the child in the school attended by the 123
child. 124

(b) The court may require the parent, guardian, or other 125
person having care of the child to participate in a truancy 126
prevention mediation program. 127

(c) The court shall warn the parent, guardian, or other 128
person having care of the child that any subsequent adjudication 129
of the child as an unruly or delinquent child for being an 130
habitual truant or for violating a court order regarding the 131
child's prior adjudication as an unruly child for being an 132
habitual truant, may result in a criminal charge against the 133
parent, guardian, or other person having care of the child for a 134
violation of division (C) of section 2919.21 or section 2919.24 135
of the Revised Code. 136

(d) Not later than ten days after a child is adjudicated 137
an unruly child for being an habitual truant, the court shall 138
provide notice of that fact to the school district in which the 139
child is entitled to attend school and to the school in which 140
the child was enrolled at the time of the filing of the 141
complaint. 142

Sec. 2152.19. (A) If a child is adjudicated a delinquent 143
child, the court may make any of the following orders of 144
disposition, in addition to any other disposition authorized or 145
required by this chapter: 146

(1) Any order that is authorized by section 2151.353 of 147
the Revised Code for the care and protection of an abused, 148
neglected, or dependent child; 149

(2) Commit the child to the temporary custody of any 150
school, camp, institution, or other facility operated for the 151
care of delinquent children by the county, by a district 152
organized under section ~~2152.41-2151.65~~ or ~~2151.65-2152.41~~ of 153
the Revised Code, or by a private agency or organization, within 154
or without the state, that is authorized and qualified to 155
provide the care, treatment, or placement required, including, 156
but not limited to, a school, camp, or facility operated under 157
section 2151.65 of the Revised Code; 158

(3) Place the child in a detention facility or district 159
detention facility operated under section 2152.41 of the Revised 160
Code, for up to ninety days; 161

(4) Place the child on community control under any 162
sanctions, services, and conditions that the court prescribes. 163
As a condition of community control in every case and in 164
addition to any other condition that it imposes upon the child, 165

the court shall require the child to abide by the law during the 166
period of community control. As referred to in this division, 167
community control includes, but is not limited to, the following 168
sanctions and conditions: 169

(a) A period of basic probation supervision in which the 170
child is required to maintain contact with a person appointed to 171
supervise the child in accordance with sanctions imposed by the 172
court; 173

(b) A period of intensive probation supervision in which 174
the child is required to maintain frequent contact with a person 175
appointed by the court to supervise the child while the child is 176
seeking or maintaining employment and participating in training, 177
education, and treatment programs as the order of disposition; 178

(c) A period of day reporting in which the child is 179
required each day to report to and leave a center or another 180
approved reporting location at specified times in order to 181
participate in work, education or training, treatment, and other 182
approved programs at the center or outside the center; 183

(d) A period of community service of up to five hundred 184
hours for an act that would be a felony or a misdemeanor of the 185
first degree if committed by an adult, up to two hundred hours 186
for an act that would be a misdemeanor of the second, third, or 187
fourth degree if committed by an adult, or up to thirty hours 188
for an act that would be a minor misdemeanor if committed by an 189
adult; 190

(e) A requirement that the child obtain a high school 191
diploma, a certificate of high school equivalence, vocational 192
training, or employment; 193

(f) A period of drug and alcohol use monitoring; 194

(g) A requirement of alcohol or drug assessment or	195
counseling, or a period in an alcohol or drug treatment program	196
with a level of security for the child as determined necessary	197
by the court;	198
(h) A period in which the court orders the child to	199
observe a curfew that may involve daytime or evening hours;	200
(i) A requirement that the child serve monitored time;	201
(j) A period of house arrest without electronic monitoring	202
or continuous alcohol monitoring;	203
(k) A period of electronic monitoring or continuous	204
alcohol monitoring without house arrest, or house arrest with	205
electronic monitoring or continuous alcohol monitoring or both	206
electronic monitoring and continuous alcohol monitoring, that	207
does not exceed the maximum sentence of imprisonment that could	208
be imposed upon an adult who commits the same act.	209
A period of house arrest with electronic monitoring or	210
continuous alcohol monitoring or both electronic monitoring and	211
continuous alcohol monitoring, imposed under this division shall	212
not extend beyond the child's twenty-first birthday. If a court	213
imposes a period of house arrest with electronic monitoring or	214
continuous alcohol monitoring or both electronic monitoring and	215
continuous alcohol monitoring, upon a child under this division,	216
it shall require the child: to remain in the child's home or	217
other specified premises for the entire period of house arrest	218
with electronic monitoring or continuous alcohol monitoring or	219
both except when the court permits the child to leave those	220
premises to go to school or to other specified premises.	221
Regarding electronic monitoring, the court also shall require	222
the child to be monitored by a central system that can determine	223

the child's location at designated times; to report periodically 224
to a person designated by the court; and to enter into a written 225
contract with the court agreeing to comply with all requirements 226
imposed by the court, agreeing to pay any fee imposed by the 227
court for the costs of the house arrest with electronic 228
monitoring, and agreeing to waive the right to receive credit 229
for any time served on house arrest with electronic monitoring 230
toward the period of any other dispositional order imposed upon 231
the child if the child violates any of the requirements of the 232
dispositional order of house arrest with electronic monitoring. 233
The court also may impose other reasonable requirements upon the 234
child. 235

Unless ordered by the court, a child shall not receive 236
credit for any time served on house arrest with electronic 237
monitoring or continuous alcohol monitoring or both toward any 238
other dispositional order imposed upon the child for the act for 239
which was imposed the dispositional order of house arrest with 240
electronic monitoring or continuous alcohol monitoring. As used 241
in this division and division (A) (4) (1) of this section, 242
"continuous alcohol monitoring" has the same meaning as in 243
section 2929.01 of the Revised Code. 244

(1) A suspension of the driver's license, probationary 245
driver's license, or temporary instruction permit issued to the 246
child for a period of time prescribed by the court, or a 247
suspension of the registration of all motor vehicles registered 248
in the name of the child for a period of time prescribed by the 249
court. A child whose license or permit is so suspended is 250
ineligible for issuance of a license or permit during the period 251
of suspension. ~~At~~ The following restrictions apply to the 252
reinstatement of a license or permit suspended under this 253
division: 254

(i) If the child was adjudicated a delinquent child for an 255
offense that is not alcohol, drug, or weapon related, at the end 256
of the period of suspension, the child shall not be reissued a 257
license or permit until the child has ~~paid any applicable~~ 258
~~reinstatement fee and~~ complied with all requirements governing 259
license reinstatement, except that the child shall not be 260
required to pay any reinstatement fee. 261

(ii) If the child was adjudicated a delinquent child for 262
an offense that is alcohol, drug, or weapon related, at the end 263
of the period of suspension the child shall not be reissued a 264
license or permit until the child has complied with all 265
requirements governing license reinstatement, including paying 266
any applicable reinstatement fee. 267

(iii) If a child was adjudicated a delinquent child due to 268
habitual absence from school, at the end of the period of 269
suspension, the child shall not be reissued a license or permit 270
until the child has complied with all requirements governing 271
license reinstatement. Notwithstanding division (A)(4)(1)(i) of 272
this section, the child shall be required to pay any applicable 273
reinstatement fee unless the child provides to the registrar of 274
motor vehicles proof of a valid high school diploma or 275
certificate of high school equivalence awarded by the department 276
of education under section 3301.80 of the Revised Code. 277

(5) Commit the child to the custody of the court; 278

(6) Require the child to not be absent without legitimate 279
excuse from the public school the child is supposed to attend 280
for thirty or more consecutive hours, forty-two or more hours in 281
one school month, or seventy-two or more hours in a school year; 282

(7) (a) If a child is adjudicated a delinquent child for 283

violating a court order regarding the child's prior adjudication	284
as an unruly child for being a habitual truant, do either or	285
both of the following:	286
(i) Require the child to participate in a truancy	287
prevention mediation program;	288
(ii) Make any order of disposition as authorized by this	289
section, except that the court shall not commit the child to a	290
facility described in division (A) (2) or (3) of this section	291
unless the court determines that the child violated a lawful	292
court order made pursuant to division (C) (1) (e) of section	293
2151.354 of the Revised Code or division (A) (6) of this section.	294
(b) If a child is adjudicated a delinquent child for	295
violating a court order regarding the child's prior adjudication	296
as an unruly child for being a habitual truant and the court	297
determines that the parent, guardian, or other person having	298
care of the child has failed to cause the child's attendance at	299
school in violation of section 3321.38 of the Revised Code, do	300
either or both of the following:	301
(i) Require the parent, guardian, or other person having	302
care of the child to participate in a truancy prevention	303
mediation program;	304
(ii) Require the parent, guardian, or other person having	305
care of the child to participate in any community service	306
program, preferably a community service program that requires	307
the involvement of the parent, guardian, or other person having	308
care of the child in the school attended by the child.	309
(8) Make any further disposition that the court finds	310
proper, except that the child shall not be placed in a state	311
correctional institution, a county, multicounty, or municipal	312

jail or workhouse, or another place in which an adult convicted 313
of a crime, under arrest, or charged with a crime is held. 314

(B) If a child is adjudicated a delinquent child, in 315
addition to any order of disposition made under division (A) of 316
this section, the court, in the following situations and for the 317
specified periods of time, shall suspend the child's temporary 318
instruction permit, restricted license, probationary driver's 319
license, or nonresident operating privilege, or suspend the 320
child's ability to obtain such a permit: 321

(1) If the child is adjudicated a delinquent child for 322
violating section 2923.122 of the Revised Code, impose a class 323
four suspension of the child's license, permit, or privilege 324
from the range specified in division (A) (4) of section 4510.02 325
of the Revised Code or deny the child the issuance of a license 326
or permit in accordance with division (F) (1) of section 2923.122 327
of the Revised Code. 328

(2) If the child is adjudicated a delinquent child for 329
committing an act that if committed by an adult would be a drug 330
abuse offense or for violating division (B) of section 2917.11 331
of the Revised Code, suspend the child's license, permit, or 332
privilege for a period of time prescribed by the court. The 333
court, in its discretion, may terminate the suspension if the 334
child attends and satisfactorily completes a drug abuse or 335
alcohol abuse education, intervention, or treatment program 336
specified by the court. During the time the child is attending a 337
program described in this division, the court shall retain the 338
child's temporary instruction permit, probationary driver's 339
license, or driver's license, and the court shall return the 340
permit or license if it terminates the suspension as described 341
in this division. 342

(C) The court may establish a victim-offender mediation 343
program in which victims and their offenders meet to discuss the 344
offense and suggest possible restitution. If the court obtains 345
the assent of the victim of the delinquent act committed by the 346
child, the court may require the child to participate in the 347
program. 348

(D) (1) If a child is adjudicated a delinquent child for 349
committing an act that would be a felony if committed by an 350
adult and if the child caused, attempted to cause, threatened to 351
cause, or created a risk of physical harm to the victim of the 352
act, the court, prior to issuing an order of disposition under 353
this section, shall order the preparation of a victim impact 354
statement by the probation department of the county in which the 355
victim of the act resides, by the court's own probation 356
department, or by a victim assistance program that is operated 357
by the state, a county, a municipal corporation, or another 358
governmental entity. The court shall consider the victim impact 359
statement in determining the order of disposition to issue for 360
the child. 361

(2) Each victim impact statement shall identify the victim 362
of the act for which the child was adjudicated a delinquent 363
child, itemize any economic loss suffered by the victim as a 364
result of the act, identify any physical injury suffered by the 365
victim as a result of the act and the seriousness and permanence 366
of the injury, identify any change in the victim's personal 367
welfare or familial relationships as a result of the act and any 368
psychological impact experienced by the victim or the victim's 369
family as a result of the act, and contain any other information 370
related to the impact of the act upon the victim that the court 371
requires. 372

(3) A victim impact statement shall be kept confidential 373
and is not a public record. However, the court may furnish 374
copies of the statement to the department of youth services if 375
the delinquent child is committed to the department or to both 376
the adjudicated delinquent child or the adjudicated delinquent 377
child's counsel and the prosecuting attorney. The copy of a 378
victim impact statement furnished by the court to the department 379
pursuant to this section shall be kept confidential and is not a 380
public record. If an officer is preparing pursuant to section 381
2947.06 or 2951.03 of the Revised Code or Criminal Rule 32.2 a 382
presentence investigation report pertaining to a person, the 383
court shall make available to the officer, for use in preparing 384
the report, a copy of any victim impact statement regarding that 385
person. The copies of a victim impact statement that are made 386
available to the adjudicated delinquent child or the adjudicated 387
delinquent child's counsel and the prosecuting attorney pursuant 388
to this division shall be returned to the court by the person to 389
whom they were made available immediately following the 390
imposition of an order of disposition for the child under this 391
chapter. 392

The copy of a victim impact statement that is made 393
available pursuant to this division to an officer preparing a 394
criminal presentence investigation report shall be returned to 395
the court by the officer immediately following its use in 396
preparing the report. 397

(4) The department of youth services shall work with local 398
probation departments and victim assistance programs to develop 399
a standard victim impact statement. 400

(E) (1) If a child is adjudicated a delinquent child for 401
violating a court order regarding the child's prior adjudication 402

as an unruly child for being a habitual truant and the court 403
determines that the parent, guardian, or other person having 404
care of the child has failed to cause the child's attendance at 405
school in violation of section 3321.38 of the Revised Code, in 406
addition to any order of disposition it makes under this 407
section, the court shall warn the parent, guardian, or other 408
person having care of the child that any subsequent adjudication 409
with regard to truancy may result in a criminal charge against 410
the parent, guardian, or other person having care of the child 411
for a violation of division (C) of section 2919.21 or section 412
2919.24 of the Revised Code. 413

(2) Not later than ten days after a child is adjudicated a 414
delinquent child for violating a court order regarding the 415
child's prior adjudication as an unruly child for being an 416
habitual truant, the court shall provide notice of that fact to 417
the school district in which the child is entitled to attend 418
school and to the school in which the child was enrolled at the 419
time of the filing of the complaint. 420

(F) (1) During the period of a delinquent child's community 421
control granted under this section, authorized probation 422
officers who are engaged within the scope of their supervisory 423
duties or responsibilities may search, with or without a 424
warrant, the person of the delinquent child, the place of 425
residence of the delinquent child, and a motor vehicle, another 426
item of tangible or intangible personal property, or other real 427
property in which the delinquent child has a right, title, or 428
interest or for which the delinquent child has the express or 429
implied permission of a person with a right, title, or interest 430
to use, occupy, or possess if the probation officers have 431
reasonable grounds to believe that the delinquent child is not 432
abiding by the law or otherwise is not complying with the 433

conditions of the delinquent child's community control. The 434
court that places a delinquent child on community control under 435
this section shall provide the delinquent child with a written 436
notice that informs the delinquent child that authorized 437
probation officers who are engaged within the scope of their 438
supervisory duties or responsibilities may conduct those types 439
of searches during the period of community control if they have 440
reasonable grounds to believe that the delinquent child is not 441
abiding by the law or otherwise is not complying with the 442
conditions of the delinquent child's community control. The 443
court also shall provide the written notice described in 444
division (E)(2) of this section to each parent, guardian, or 445
custodian of the delinquent child who is described in that 446
division. 447

(2) The court that places a child on community control 448
under this section shall provide the child's parent, guardian, 449
or other custodian with a written notice that informs them that 450
authorized probation officers may conduct searches pursuant to 451
division (E)(1) of this section. The notice shall specifically 452
state that a permissible search might extend to a motor vehicle, 453
another item of tangible or intangible personal property, or a 454
place of residence or other real property in which a notified 455
parent, guardian, or custodian has a right, title, or interest 456
and that the parent, guardian, or custodian expressly or 457
impliedly permits the child to use, occupy, or possess. 458

(G) If a juvenile court commits a delinquent child to the 459
custody of any person, organization, or entity pursuant to this 460
section and if the delinquent act for which the child is so 461
committed is a sexually oriented offense or is a child-victim 462
oriented offense, the court in the order of disposition shall do 463
one of the following: 464

(1) Require that the child be provided treatment as 465
described in division (A) (2) of section 5139.13 of the Revised 466
Code; 467

(2) Inform the person, organization, or entity that it is 468
the preferred course of action in this state that the child be 469
provided treatment as described in division (A) (2) of section 470
5139.13 of the Revised Code and encourage the person, 471
organization, or entity to provide that treatment. 472

Sec. 2152.21. (A) Unless division (C) of this section 473
applies, if a child is adjudicated a juvenile traffic offender, 474
the court may make any of the following orders of disposition: 475

(1) Impose costs and one or more financial sanctions in 476
accordance with section 2152.20 of the Revised Code; 477

(2) Suspend the child's driver's license, probationary 478
driver's license, or temporary instruction permit for a definite 479
period not exceeding two years or suspend the registration of 480
all motor vehicles registered in the name of the child for a 481
definite period not exceeding two years. A child whose license 482
or permit is so suspended is ineligible for issuance of a 483
license or permit during the period of suspension. ~~At~~ 484

(a) If the child was adjudicated a juvenile traffic 485
offender for an offense that is not alcohol, drug, or weapon 486
related, at the end of the period of suspension, the child shall 487
not be reissued a license or permit until the child has ~~paid any~~ 488
~~applicable reinstatement fee and~~ complied with all requirements 489
governing license reinstatement, except that the child shall not 490
be required to pay any reinstatement fee. 491

(b) If the child was adjudicated a juvenile traffic 492
offender for an offense that is alcohol, drug, or weapon 493

related, at the end of the period of suspension, the child shall 494
not be reissued a license or permit until the child has complied 495
with all requirements governing license reinstatement, including 496
paying any applicable reinstatement fee. 497

(3) Place the child on community control; 498

(4) If the child is adjudicated a juvenile traffic 499
offender for an act other than an act that would be a minor 500
misdemeanor if committed by an adult and other than an act that 501
could be disposed of by the juvenile traffic violations bureau 502
serving the court under Traffic Rule 13.1 if the court has 503
established a juvenile traffic violations bureau, require the 504
child to make restitution pursuant to division (A) (3) of section 505
2152.20 of the Revised Code; 506

(5) (a) If the child is adjudicated a juvenile traffic 507
offender for committing a violation of division (A) of section 508
4511.19 of the Revised Code or of a municipal ordinance that is 509
substantially equivalent to that division, commit the child, for 510
not longer than five days, to either of the following: 511

(i) The temporary custody of a detention facility or 512
district detention facility established under section 2152.41 of 513
the Revised Code; 514

(ii) The temporary custody of any school, camp, 515
institution, or other facility for children operated in whole or 516
in part for the care of juvenile traffic offenders of that 517
nature by the county, by a district organized under section 518
2151.65 or 2152.41 of the Revised Code, or by a private agency 519
or organization within the state that is authorized and 520
qualified to provide the care, treatment, or placement required. 521

(b) If an order of disposition committing a child to the 522

temporary custody of a home, school, camp, institution, or other 523
facility of that nature is made under division (A) (5) (a) of this 524
section, the length of the commitment shall not be reduced or 525
diminished as a credit for any time that the child was held in a 526
place of detention or shelter care, or otherwise was detained, 527
prior to entry of the order of disposition. 528

(6) If, after making a disposition under divisions (A) (1) 529
to (5) of this section, the court finds upon further hearing 530
that the child has failed to comply with the orders of the court 531
and the child's operation of a motor vehicle constitutes the 532
child a danger to the child and to others, the court may make 533
any disposition authorized by divisions (A) (1), (4), (5), and 534
(8) of section 2152.19 of the Revised Code, except that the 535
child may not be committed to or placed in a secure correctional 536
facility unless authorized by division (A) (5) of this section, 537
and commitment to or placement in a detention facility may not 538
exceed twenty-four hours. 539

(B) If a child is adjudicated a juvenile traffic offender 540
for violating division (A) or (B) of section 4511.19 of the 541
Revised Code, in addition to any order of disposition made under 542
division (A) of this section, the court shall impose a class six 543
suspension of the temporary instruction permit, probationary 544
driver's license, or driver's license issued to the child from 545
the range specified in division (A) (6) of section 4510.02 of the 546
Revised Code. The court, in its discretion, may terminate the 547
suspension if the child attends and satisfactorily completes a 548
drug abuse or alcohol abuse education, intervention, or 549
treatment program specified by the court. During the time the 550
child is attending a program as described in this division, the 551
court shall retain the child's temporary instruction permit, 552
probationary driver's license, or driver's license issued, and 553

the court shall return the permit or license if it terminates 554
the suspension as described in this division. 555

(C) If a child is adjudicated a juvenile traffic offender 556
for violating division (B) (1) of section 4513.263 of the Revised 557
Code, the court shall impose the appropriate fine set forth in 558
division (G) of that section. If a child is adjudicated a 559
juvenile traffic offender for violating division (B) (3) of 560
section 4513.263 of the Revised Code and if the child is sixteen 561
years of age or older, the court shall impose the fine set forth 562
in division (G) (2) of that section. If a child is adjudicated a 563
juvenile traffic offender for violating division (B) (3) of 564
section 4513.263 of the Revised Code and if the child is under 565
sixteen years of age, the court shall not impose a fine but may 566
place the child on probation or community control. 567

(D) A juvenile traffic offender is subject to sections 568
4509.01 to 4509.78 of the Revised Code. 569

Sec. 4507.1614. The registrar shall suspend the person's 570
license or permit under division (A) of section ~~4507.162~~ 4510.31 571
of the Revised Code regardless of whether the disposition of the 572
case in juvenile court occurred after the person's eighteenth 573
birthday. 574

Sec. 4509.101. (A) (1) No person shall operate, or permit 575
the operation of, a motor vehicle in this state, unless proof of 576
financial responsibility is maintained continuously throughout 577
the registration period with respect to that vehicle, or, in the 578
case of a driver who is not the owner, with respect to that 579
driver's operation of that vehicle. 580

(2) Whoever violates division (A) (1) of this section shall 581
be subject to the following civil penalties: 582

(a) Subject to divisions (A) (2) (b) and (c) of this 583
section, a class (F) suspension of the person's driver's 584
license, commercial driver's license, temporary instruction 585
permit, probationary license, or nonresident operating privilege 586
for the period of time specified in division (B) (6) of section 587
4510.02 of the Revised Code and impoundment of the person's 588
license. 589

(b) If, within five years of the violation, the person's 590
operating privileges are again suspended and the person's 591
license again is impounded for a violation of division (A) (1) of 592
this section, a class C suspension of the person's driver's 593
license, commercial driver's license, temporary instruction 594
permit, probationary license, or nonresident operating privilege 595
for the period of time specified in division (B) (3) of section 596
4510.02 of the Revised Code. The court may grant limited driving 597
privileges to the person only if the person presents proof of 598
financial responsibility and has complied with division (A) (5) 599
of this section, and no court may grant limited driving 600
privileges for the first fifteen days of the suspension. 601

(c) If, within five years of the violation, the person's 602
operating privileges are suspended and the person's license is 603
impounded two or more times for a violation of division (A) (1) 604
of this section, a class B suspension of the person's driver's 605
license, commercial driver's license, temporary instruction 606
permit, probationary license, or nonresident operating privilege 607
for the period of time specified in division (B) (2) of section 608
4510.02 of the Revised Code. The court may grant limited driving 609
privileges to the person only if the person presents proof of 610
financial responsibility and has complied with division (A) (5) 611
of this section, except that no court may grant limited driving 612
privileges for the first thirty days of the suspension. 613

(d) In addition to the suspension of an owner's license 614
under division (A) (2) (a), (b), or (c) of this section, the 615
suspension of the rights of the owner to register the motor 616
vehicle and the impoundment of the owner's certificate of 617
registration and license plates until the owner complies with 618
division (A) (5) of this section. 619

(3) A person to whom this state has issued a certificate 620
of registration for a motor vehicle or a license to operate a 621
motor vehicle or who is determined to have operated any motor 622
vehicle or permitted the operation in this state of a motor 623
vehicle owned by the person shall be required to verify the 624
existence of proof of financial responsibility covering the 625
operation of the motor vehicle or the person's operation of the 626
motor vehicle under any of the following circumstances: 627

(a) The person or a motor vehicle owned by the person is 628
involved in a traffic accident that requires the filing of an 629
accident report under section 4509.06 of the Revised Code. 630

(b) The person receives a traffic ticket indicating that 631
proof of the maintenance of financial responsibility was not 632
produced upon the request of a peace officer or state highway 633
patrol trooper made in accordance with division (D) (2) of this 634
section. 635

(c) Whenever, in accordance with rules adopted by the 636
registrar, the person is randomly selected by the registrar and 637
requested to provide such verification. 638

(4) An order of the registrar that suspends and impounds a 639
license or registration, or both, shall state the date on or 640
before which the person is required to surrender the person's 641
license or certificate of registration and license plates. The 642

person is deemed to have surrendered the license or certificate 643
of registration and license plates, in compliance with the 644
order, if the person does either of the following: 645

(a) On or before the date specified in the order, 646
personally delivers the license or certificate of registration 647
and license plates, or causes the delivery of the items, to the 648
registrar; 649

(b) Mails the license or certificate of registration and 650
license plates to the registrar in an envelope or container 651
bearing a postmark showing a date no later than the date 652
specified in the order. 653

(5) Except as provided in division (A) (6) or (L) of this 654
section, the registrar shall not restore any operating 655
privileges or registration rights suspended under this section, 656
return any license, certificate of registration, or license 657
plates impounded under this section, or reissue license plates 658
under section 4503.232 of the Revised Code, if the registrar 659
destroyed the impounded license plates under that section, or 660
reissue a license under section 4510.52 of the Revised Code, if 661
the registrar destroyed the suspended license under that 662
section, unless the rights are not subject to suspension or 663
revocation under any other law and unless the person, in 664
addition to complying with all other conditions required by law 665
for reinstatement of the operating privileges or registration 666
rights, complies with all of the following: 667

(a) ~~Pays~~ If the license or permit is a commercial driver's 668
license or permit, pays to the registrar or an eligible deputy 669
registrar a financial responsibility reinstatement fee of one 670
hundred dollars for the first violation of division (A) (1) of 671
this section, three hundred dollars for a second violation of 672

that division, and six hundred dollars for a third or subsequent violation of that division;

(b) If the person has not voluntarily surrendered the license, certificate, or license plates in compliance with the order, pays to the registrar or an eligible deputy registrar a financial responsibility nonvoluntary compliance fee in an amount, not to exceed fifty dollars, determined by the registrar;

(c) Files and continuously maintains proof of financial responsibility under sections 4509.44 to 4509.65 of the Revised Code;

(d) Pays a deputy registrar a service fee of ten dollars to compensate the deputy registrar for services performed under this section. The deputy registrar shall retain eight dollars of the service fee and shall transmit the reinstatement fee, any nonvoluntary compliance fee, and two dollars of the service fee to the registrar in the manner the registrar shall determine.

(6) If the registrar issues an order under division (A) (2) of this section resulting from the failure of a person to respond to a financial responsibility random verification request under division (A) (3) (c) of this section and the person successfully maintains an affirmative defense to a violation of section 4510.16 of the Revised Code or is determined by the registrar or a deputy registrar to have been in compliance with division (A) (1) of this section at the time of the initial financial responsibility random verification request, the registrar shall do both of the following:

(a) Terminate the order of suspension or impoundment;

(b) Restore the operating privileges and registration

rights of the person without payment of the fees established in 702
divisions (A) (5) (a) and (b) of this section and without a 703
requirement to file proof of financial responsibility. 704

(B) (1) Every party required to file an accident report 705
under section 4509.06 of the Revised Code also shall include 706
with the report a document described in division (G) (1) (a) of 707
this section or shall present proof of financial responsibility 708
through use of an electronic wireless communications device as 709
permitted by division (G) (1) (b) of this section. 710

If the registrar determines, within forty-five days after 711
the report is filed, that an operator or owner has violated 712
division (A) (1) of this section, the registrar shall do all of 713
the following: 714

(a) Order the impoundment, with respect to the motor 715
vehicle involved, required under division (A) (2) (d) of this 716
section, of the certificate of registration and license plates 717
of any owner who has violated division (A) (1) of this section; 718

(b) Order the suspension required under division (A) (2) 719
(a), (b), or (c) of this section of the license of any operator 720
or owner who has violated division (A) (1) of this section; 721

(c) Record the name and address of the person whose 722
certificate of registration and license plates have been 723
impounded or are under an order of impoundment, or whose license 724
has been suspended or is under an order of suspension; the 725
serial number of the person's license; the serial numbers of the 726
person's certificate of registration and license plates; and the 727
person's social security account number, if assigned, or, where 728
the motor vehicle is used for hire or principally in connection 729
with any established business, the person's federal taxpayer 730

identification number. The information shall be recorded in such 731
a manner that it becomes a part of the person's permanent 732
record, and assists the registrar in monitoring compliance with 733
the orders of suspension or impoundment. 734

(d) Send written notification to every person to whom the 735
order pertains, at the person's last known address as shown on 736
the records of the bureau. The person, within ten days after the 737
date of the mailing of the notification, shall surrender to the 738
registrar, in a manner set forth in division (A)(4) of this 739
section, any certificate of registration and registration plates 740
under an order of impoundment, or any license under an order of 741
suspension. 742

(2) The registrar shall issue any order under division (B) 743
(1) of this section without a hearing. Any person adversely 744
affected by the order, within ten days after the issuance of the 745
order, may request an administrative hearing before the 746
registrar, who shall provide the person with an opportunity for 747
a hearing in accordance with this paragraph. A request for a 748
hearing does not operate as a suspension of the order. The scope 749
of the hearing shall be limited to whether the person in fact 750
demonstrated to the registrar proof of financial responsibility 751
in accordance with this section. The registrar shall determine 752
the date, time, and place of any hearing, provided that the 753
hearing shall be held, and an order issued or findings made, 754
within thirty days after the registrar receives a request for a 755
hearing. If requested by the person in writing, the registrar 756
may designate as the place of hearing the county seat of the 757
county in which the person resides or a place within fifty miles 758
of the person's residence. The person shall pay the cost of the 759
hearing before the registrar, if the registrar's order of 760
suspension or impoundment is upheld. 761

(C) Any order of suspension or impoundment issued under 762
this section or division (B) of section 4509.37 of the Revised 763
Code may be terminated at any time if the registrar determines 764
upon a showing of proof of financial responsibility that the 765
operator or owner of the motor vehicle was in compliance with 766
division (A) (1) of this section at the time of the traffic 767
offense, motor vehicle inspection, or accident that resulted in 768
the order against the person. A determination may be made 769
without a hearing. This division does not apply unless the 770
person shows good cause for the person's failure to present 771
satisfactory proof of financial responsibility to the registrar 772
prior to the issuance of the order. 773

(D) (1) For the purpose of enforcing this section, every 774
peace officer is deemed an agent of the registrar. 775

(a) Except as provided in division (D) (1) (b) of this 776
section, any peace officer who, in the performance of the peace 777
officer's duties as authorized by law, becomes aware of a person 778
whose license is under an order of suspension, or whose 779
certificate of registration and license plates are under an 780
order of impoundment, pursuant to this section, may confiscate 781
the license, certificate of registration, and license plates, 782
and return them to the registrar. 783

(b) Any peace officer who, in the performance of the peace 784
officer's duties as authorized by law, becomes aware of a person 785
whose license is under an order of suspension, or whose 786
certificate of registration and license plates are under an 787
order of impoundment resulting from failure to respond to a 788
financial responsibility random verification, shall not, for 789
that reason, arrest the owner or operator or seize the vehicle 790
or license plates. Instead, the peace officer shall issue a 791

citation for a violation of section 4510.16 of the Revised Code 792
specifying the circumstances as failure to respond to a 793
financial responsibility random verification. 794

(2) A peace officer shall request the owner or operator of 795
a motor vehicle to produce proof of financial responsibility in 796
a manner described in division (G) of this section at the time 797
the peace officer acts to enforce the traffic laws of this state 798
and during motor vehicle inspections conducted pursuant to 799
section 4513.02 of the Revised Code. 800

(3) A peace officer shall indicate on every traffic ticket 801
whether the person receiving the traffic ticket produced proof 802
of the maintenance of financial responsibility in response to 803
the officer's request under division (D) (2) of this section. The 804
peace officer shall inform every person who receives a traffic 805
ticket and who has failed to produce proof of the maintenance of 806
financial responsibility that the person must submit proof to 807
the traffic violations bureau with any payment of a fine and 808
costs for the ticketed violation or, if the person is to appear 809
in court for the violation, the person must submit proof to the 810
court. 811

(4) (a) If a person who has failed to produce proof of the 812
maintenance of financial responsibility appears in court for a 813
ticketed violation, the court may permit the defendant to 814
present evidence of proof of financial responsibility to the 815
court at such time and in such manner as the court determines to 816
be necessary or appropriate. In a manner prescribed by the 817
registrar, the clerk of courts shall provide the registrar with 818
the identity of any person who fails to submit proof of the 819
maintenance of financial responsibility pursuant to division (D) 820
(3) of this section. 821

(b) If a person who has failed to produce proof of the 822
maintenance of financial responsibility also fails to submit 823
that proof to the traffic violations bureau with payment of a 824
fine and costs for the ticketed violation, the traffic 825
violations bureau, in a manner prescribed by the registrar, 826
shall notify the registrar of the identity of that person. 827

(5) (a) Upon receiving notice from a clerk of courts or 828
traffic violations bureau pursuant to division (D) (4) of this 829
section, the registrar shall order the suspension of the license 830
of the person required under division (A) (2) (a), (b), or (c) of 831
this section and the impoundment of the person's certificate of 832
registration and license plates required under division (A) (2) 833
(d) of this section, effective thirty days after the date of the 834
mailing of notification. The registrar also shall notify the 835
person that the person must present the registrar with proof of 836
financial responsibility in accordance with this section, 837
surrender to the registrar the person's certificate of 838
registration, license plates, and license, or submit a statement 839
subject to section 2921.13 of the Revised Code that the person 840
did not operate or permit the operation of the motor vehicle at 841
the time of the offense. Notification shall be in writing and 842
shall be sent to the person at the person's last known address 843
as shown on the records of the bureau of motor vehicles. The 844
person, within fifteen days after the date of the mailing of 845
notification, shall present proof of financial responsibility, 846
surrender the certificate of registration, license plates, and 847
license to the registrar in a manner set forth in division (A) 848
(4) of this section, or submit the statement required under this 849
section together with other information the person considers 850
appropriate. 851

If the registrar does not receive proof or the person does 852

not surrender the certificate of registration, license plates, 853
and license, in accordance with this division, the registrar 854
shall permit the order for the suspension of the license of the 855
person and the impoundment of the person's certificate of 856
registration and license plates to take effect. 857

(b) In the case of a person who presents, within the 858
fifteen-day period, proof of financial responsibility, the 859
registrar shall terminate the order of suspension and the 860
impoundment of the registration and license plates required 861
under division (A) (2) (d) of this section and shall send written 862
notification to the person, at the person's last known address 863
as shown on the records of the bureau. 864

(c) Any person adversely affected by the order of the 865
registrar under division (D) (5) (a) or (b) of this section, 866
within ten days after the issuance of the order, may request an 867
administrative hearing before the registrar, who shall provide 868
the person with an opportunity for a hearing in accordance with 869
this paragraph. A request for a hearing does not operate as a 870
suspension of the order. The scope of the hearing shall be 871
limited to whether, at the time of the hearing, the person 872
presents proof of financial responsibility covering the vehicle 873
and whether the person is eligible for an exemption in 874
accordance with this section or any rule adopted under it. The 875
registrar shall determine the date, time, and place of any 876
hearing; provided, that the hearing shall be held, and an order 877
issued or findings made, within thirty days after the registrar 878
receives a request for a hearing. If requested by the person in 879
writing, the registrar may designate as the place of hearing the 880
county seat of the county in which the person resides or a place 881
within fifty miles of the person's residence. Such person shall 882
pay the cost of the hearing before the registrar, if the 883

registrar's order of suspension or impoundment under division 884
(D) (5) (a) or (b) of this section is upheld. 885

(6) A peace officer may charge an owner or operator of a 886
motor vehicle with a violation of section 4510.16 of the Revised 887
Code when the owner or operator fails to show proof of the 888
maintenance of financial responsibility pursuant to a peace 889
officer's request under division (D) (2) of this section, if a 890
check of the owner or operator's driving record indicates that 891
the owner or operator, at the time of the operation of the motor 892
vehicle, is required to file and maintain proof of financial 893
responsibility under section 4509.45 of the Revised Code for a 894
previous violation of this chapter. 895

(7) Any forms used by law enforcement agencies in 896
administering this section shall be prescribed, supplied, and 897
paid for by the registrar. 898

(8) No peace officer, law enforcement agency employing a 899
peace officer, or political subdivision or governmental agency 900
that employs a peace officer shall be liable in a civil action 901
for damages or loss to persons arising out of the performance of 902
any duty required or authorized by this section. 903

(9) As used in this section, "peace officer" has the 904
meaning set forth in section 2935.01 of the Revised Code. 905

(E) All fees, except court costs, fees paid to a deputy 906
registrar, and those portions of the financial responsibility 907
reinstatement fees as otherwise specified in this division, 908
collected under this section shall be paid into the state 909
treasury to the credit of the public safety - highway purposes 910
fund established in section 4501.06 of the Revised Code and used 911
to cover costs incurred by the bureau in the administration of 912

this section and sections 4503.20, 4507.212, and 4509.81 of the Revised Code, and by any law enforcement agency employing any peace officer who returns any license, certificate of registration, and license plates to the registrar pursuant to division (C) of this section.

Of each financial responsibility reinstatement fee the registrar collects pursuant to division (A) (5) (a) of this section or receives from a deputy registrar under division (A) (5) (d) of this section, the registrar shall deposit twenty-five dollars of each one-hundred-dollar reinstatement fee, fifty dollars of each three-hundred-dollar reinstatement fee, and one hundred dollars of each six-hundred-dollar reinstatement fee into the state treasury to the credit of the indigent defense support fund created by section 120.08 of the Revised Code.

(F) Chapter 119. of the Revised Code applies to this section only to the extent that any provision in that chapter is not clearly inconsistent with this section.

(G) (1) (a) The registrar, court, traffic violations bureau, or peace officer may require proof of financial responsibility to be demonstrated by use of a standard form prescribed by the registrar. If the use of a standard form is not required, a person may demonstrate proof of financial responsibility under this section by presenting to the traffic violations bureau, court, registrar, or peace officer any of the following documents or a copy of the documents:

(i) A financial responsibility identification card as provided in section 4509.103 of the Revised Code;

(ii) A certificate of proof of financial responsibility on a form provided and approved by the registrar for the filing of

an accident report required to be filed under section 4509.06 of 942
the Revised Code; 943

(iii) A policy of liability insurance, a declaration page 944
of a policy of liability insurance, or liability bond, if the 945
policy or bond complies with section 4509.20 or sections 4509.49 946
to 4509.61 of the Revised Code; 947

(iv) A bond or certification of the issuance of a bond as 948
provided in section 4509.59 of the Revised Code; 949

(v) A certificate of deposit of money or securities as 950
provided in section 4509.62 of the Revised Code; 951

(vi) A certificate of self-insurance as provided in 952
section 4509.72 of the Revised Code. 953

(b) A person also may present proof of financial 954
responsibility under this section to the traffic violations 955
bureau, court, registrar, or peace officer through use of an 956
electronic wireless communications device as specified under 957
section 4509.103 of the Revised Code. 958

(2) If a person fails to demonstrate proof of financial 959
responsibility in a manner described in division (G)(1) of this 960
section, the person may demonstrate proof of financial 961
responsibility under this section by any other method that the 962
court or the bureau, by reason of circumstances in a particular 963
case, may consider appropriate. 964

(3) A motor carrier certificated by the interstate 965
commerce commission or by the public utilities commission may 966
demonstrate proof of financial responsibility by providing a 967
statement designating the motor carrier's operating authority 968
and averring that the insurance coverage required by the 969
certificating authority is in full force and effect. 970

(4) (a) A finding by the registrar or court that a person 971
is covered by proof of financial responsibility in the form of 972
an insurance policy or surety bond is not binding upon the named 973
insurer or surety or any of its officers, employees, agents, or 974
representatives and has no legal effect except for the purpose 975
of administering this section. 976

(b) The preparation and delivery of a financial 977
responsibility identification card or any other document 978
authorized to be used as proof of financial responsibility and 979
the generation and delivery of proof of financial responsibility 980
to an electronic wireless communications device that is 981
displayed on the device as text or images does not do any of the 982
following: 983

(i) Create any liability or estoppel against an insurer or 984
surety, or any of its officers, employees, agents, or 985
representatives; 986

(ii) Constitute an admission of the existence of, or of 987
any liability or coverage under, any policy or bond; 988

(iii) Waive any defenses or counterclaims available to an 989
insurer, surety, agent, employee, or representative in an action 990
commenced by an insured or third-party claimant upon a cause of 991
action alleged to have arisen under an insurance policy or 992
surety bond or by reason of the preparation and delivery of a 993
document for use as proof of financial responsibility or the 994
generation and delivery of proof of financial responsibility to 995
an electronic wireless communications device. 996

(c) Whenever it is determined by a final judgment in a 997
judicial proceeding that an insurer or surety, which has been 998
named on a document or displayed on an electronic wireless 999

communications device accepted by a court or the registrar as 1000
proof of financial responsibility covering the operation of a 1001
motor vehicle at the time of an accident or offense, is not 1002
liable to pay a judgment for injuries or damages resulting from 1003
such operation, the registrar, notwithstanding any previous 1004
contrary finding, shall forthwith suspend the operating 1005
privileges and registration rights of the person against whom 1006
the judgment was rendered as provided in division (A) (2) of this 1007
section. 1008

(H) In order for any document or display of text or images 1009
on an electronic wireless communications device described in 1010
division (G) (1) of this section to be used for the demonstration 1011
of proof of financial responsibility under this section, the 1012
document or words or images shall state the name of the insured 1013
or obligor, the name of the insurer or surety company, and the 1014
effective and expiration dates of the financial responsibility, 1015
and designate by explicit description or by appropriate 1016
reference all motor vehicles covered which may include a 1017
reference to fleet insurance coverage. 1018

(I) For purposes of this section, "owner" does not include 1019
a licensed motor vehicle leasing dealer as defined in section 1020
4517.01 of the Revised Code, but does include a motor vehicle 1021
renting dealer as defined in section 4549.65 of the Revised 1022
Code. Nothing in this section or in section 4509.51 of the 1023
Revised Code shall be construed to prohibit a motor vehicle 1024
renting dealer from entering into a contractual agreement with a 1025
person whereby the person renting the motor vehicle agrees to be 1026
solely responsible for maintaining proof of financial 1027
responsibility, in accordance with this section, with respect to 1028
the operation, maintenance, or use of the motor vehicle during 1029
the period of the motor vehicle's rental. 1030

(J) The purpose of this section is to require the 1031
maintenance of proof of financial responsibility with respect to 1032
the operation of motor vehicles on the highways of this state, 1033
so as to minimize those situations in which persons are not 1034
compensated for injuries and damages sustained in motor vehicle 1035
accidents. The general assembly finds that this section contains 1036
reasonable civil penalties and procedures for achieving this 1037
purpose. 1038

(K) Nothing in this section shall be construed to be 1039
subject to section 4509.78 of the Revised Code. 1040

(L) (1) The registrar may terminate any suspension imposed 1041
under this section and not require the owner to comply with 1042
divisions (A) (5) (a), (b), and (c) of this section if the 1043
registrar with or without a hearing determines that the owner of 1044
the vehicle has established by clear and convincing evidence 1045
that all of the following apply: 1046

(a) The owner customarily maintains proof of financial 1047
responsibility. 1048

(b) Proof of financial responsibility was not in effect 1049
for the vehicle on the date in question for one of the following 1050
reasons: 1051

(i) The vehicle was inoperable. 1052

(ii) The vehicle is operated only seasonally, and the date 1053
in question was outside the season of operation. 1054

(iii) A person other than the vehicle owner or driver was 1055
at fault for the lapse of proof of financial responsibility 1056
through no fault of the owner or driver. 1057

(iv) The lapse of proof of financial responsibility was 1058

caused by excusable neglect under circumstances that are not 1059
likely to recur and do not suggest a purpose to evade the 1060
requirements of this chapter. 1061

(2) The registrar may grant an owner or driver relief for 1062
a reason specified in division (L)(1)(b)(i) or (ii) of this 1063
section whenever the owner or driver is randomly selected to 1064
verify the existence of proof of financial responsibility for 1065
such a vehicle. However, the registrar may grant an owner or 1066
driver relief for a reason specified in division (L)(1)(b)(iii) 1067
or (iv) of this section only if the owner or driver has not 1068
previously been granted relief under division (L)(1)(b)(iii) or 1069
(iv) of this section. 1070

(M) The registrar shall adopt rules in accordance with 1071
Chapter 119. of the Revised Code that are necessary to 1072
administer and enforce this section. The rules shall include 1073
procedures for the surrender of license plates upon failure to 1074
maintain proof of financial responsibility and provisions 1075
relating to reinstatement of registration rights, acceptable 1076
forms of proof of financial responsibility, the use of an 1077
electronic wireless communications device to present proof of 1078
financial responsibility, and verification of the existence of 1079
financial responsibility during the period of registration. 1080

(N)(1) When a person utilizes an electronic wireless 1081
communications device to present proof of financial 1082
responsibility, only the evidence of financial responsibility 1083
displayed on the device shall be viewed by the registrar, peace 1084
officer, employee or official of the traffic violations bureau, 1085
or the court. No other content of the device shall be viewed for 1086
purposes of obtaining proof of financial responsibility. 1087

(2) When a person provides an electronic wireless 1088

communications device to the registrar, a peace officer, an 1089
employee or official of a traffic violations bureau, or the 1090
court, the person assumes the risk of any resulting damage to 1091
the device unless the registrar, peace officer, employee, or 1092
official, or court personnel purposely, knowingly, or recklessly 1093
commits an action that results in damage to the device. 1094

Sec. 4510.037. (A) When the registrar of motor vehicles 1095
determines that the total points charged against any person 1096
under section 4510.036 of the Revised Code exceed five, the 1097
registrar shall send a warning letter to the person at the 1098
person's last known address by regular mail. The warning letter 1099
shall list the reported violations that are the basis of the 1100
points charged, list the number of points charged for each 1101
violation, and outline the suspension provisions of this 1102
section. 1103

(B) When the registrar determines that the total points 1104
charged against any person under section 4510.036 of the Revised 1105
Code within any two-year period beginning on the date of the 1106
first conviction within the two-year period is equal to twelve 1107
or more, the registrar shall send a written notice to the person 1108
at the person's last known address by regular mail. The notice 1109
shall list the reported violations that are the basis of the 1110
points charged, list the number of points charged for each 1111
violation, and state that, because the total number of points 1112
charged against the person within the applicable two-year period 1113
is equal to twelve or more, the registrar is imposing a class D 1114
suspension of the person's driver's or commercial driver's 1115
license or permit or nonresident operating privileges for the 1116
period of time specified in division (B) (4) of section 4510.02 1117
of the Revised Code. The notice also shall state that the 1118
suspension is effective on the twentieth day after the mailing 1119

of the notice, unless the person files a petition appealing the 1120
determination and suspension in the municipal court, county 1121
court, or, if the person is under the age of eighteen, the 1122
juvenile division of the court of common pleas in whose 1123
jurisdiction the person resides or, if the person is not a 1124
resident of this state, in the Franklin county municipal court 1125
or juvenile division of the Franklin county court of common 1126
pleas. By filing the appeal of the determination and suspension, 1127
the person agrees to pay the cost of the proceedings in the 1128
appeal of the determination and suspension and alleges that the 1129
person can show cause why the person's driver's or commercial 1130
driver's license or permit or nonresident operating privileges 1131
should not be suspended. 1132

(C) (1) Any person against whom at least two but less than 1133
twelve points have been charged under section 4510.036 of the 1134
Revised Code may enroll in a course of remedial driving 1135
instruction that is approved by the director of public safety. 1136
Upon the person's completion of an approved course of remedial 1137
driving instruction, the person may apply to the registrar on a 1138
form prescribed by the registrar for a credit of two points on 1139
the person's driving record. Upon receipt of the application and 1140
proof of completion of the approved remedial driving course, the 1141
registrar shall approve the two-point credit. The registrar 1142
shall not approve any credits for a person who completes an 1143
approved course of remedial driving instruction pursuant to a 1144
judge's order under section 4510.02 of the Revised Code. 1145

(2) In any three-year period, the registrar shall approve 1146
only one two-point credit on a person's driving record under 1147
division (C) (1) of this section. The registrar shall approve not 1148
more than five two-point credits on a person's driving record 1149
under division (C) (1) of this section during that person's 1150

lifetime. 1151

(D) When a judge of a court of record suspends a person's 1152
driver's or commercial driver's license or permit or nonresident 1153
operating privilege and charges points against the person under 1154
section 4510.036 of the Revised Code for the offense that 1155
resulted in the suspension, the registrar shall credit that 1156
period of suspension against the time of any subsequent 1157
suspension imposed under this section for which those points 1158
were used to impose the subsequent suspension. When a United 1159
States district court that has jurisdiction within this state 1160
suspends a person's driver's or commercial driver's license or 1161
permit or nonresident operating privileges pursuant to the 1162
"Assimilative Crimes Act," 102 Stat. 4381 (1988), 18 U.S.C.A. 1163
13, as amended, the district court prepares an abstract pursuant 1164
to section 4510.031 of the Revised Code, and the district court 1165
charges points against the person under section 4510.036 of the 1166
Revised Code for the offense that resulted in the suspension, 1167
the registrar shall credit the period of suspension imposed by 1168
the district court against the time of any subsequent suspension 1169
imposed under this section for which the points were used to 1170
impose the subsequent suspension. 1171

(E) The registrar, upon the written request of a licensee 1172
who files a petition under division (B) of this section, shall 1173
furnish the licensee a certified copy of the registrar's record 1174
of the convictions and bond forfeitures of the person. This 1175
record shall include the name, address, and date of birth of the 1176
licensee; the name of the court in which each conviction or bail 1177
forfeiture took place; the nature of the offense that was the 1178
basis of the conviction or bond forfeiture; and any other 1179
information that the registrar considers necessary. If the 1180
record indicates that twelve points or more have been charged 1181

against the person within a two-year period, it is prima-facie 1182
evidence that the person is a repeat traffic offender, and the 1183
registrar shall suspend the person's driver's or commercial 1184
driver's license or permit or nonresident operating privilege 1185
pursuant to division (B) of this section. 1186

In hearing the petition and determining whether the person 1187
filing the petition has shown cause why the person's driver's or 1188
commercial driver's license or permit or nonresident operating 1189
privilege should not be suspended, the court shall decide the 1190
issue on the record certified by the registrar and any 1191
additional relevant, competent, and material evidence that 1192
either the registrar or the person whose license is sought to be 1193
suspended submits. 1194

(F) If a petition is filed under division (B) of this 1195
section in a county court, the prosecuting attorney of the 1196
county in which the case is pending shall represent the 1197
registrar in the proceedings, except that, if the petitioner 1198
resides in a municipal corporation within the jurisdiction of 1199
the county court, the city director of law, village solicitor, 1200
or other chief legal officer of the municipal corporation shall 1201
represent the registrar in the proceedings. If a petition is 1202
filed under division (B) of this section in a municipal court, 1203
the registrar shall be represented in the resulting proceedings 1204
as provided in section 1901.34 of the Revised Code. 1205

(G) If the court determines from the evidence submitted 1206
that a person who filed a petition under division (B) of this 1207
section has failed to show cause why the person's driver's or 1208
commercial driver's license or permit or nonresident operating 1209
privileges should not be suspended, the court shall assess 1210
against the person the cost of the proceedings in the appeal of 1211

the determination and suspension and shall impose the applicable 1212
suspension under this section or suspend all or a portion of the 1213
suspension and impose any conditions upon the person that the 1214
court considers proper or impose upon the person a community 1215
control sanction pursuant to section 2929.15 or 2929.25 of the 1216
Revised Code. If the court determines from the evidence 1217
submitted that a person who filed a petition under division (B) 1218
of this section has shown cause why the person's driver's or 1219
commercial driver's license or permit or nonresident operating 1220
privileges should not be suspended, the costs of the appeal 1221
proceeding shall be paid out of the county treasury of the 1222
county in which the proceedings were held. 1223

(H) Any person whose driver's or commercial driver's 1224
license or permit or nonresident operating privileges are 1225
suspended under this section is not entitled to apply for or 1226
receive a new driver's or commercial driver's license or permit 1227
or to request or be granted nonresident operating privileges 1228
during the effective period of the suspension. 1229

(I) Upon the termination of any suspension or other 1230
penalty imposed under this section involving the surrender of 1231
license or permit and upon the request of the person whose 1232
license or permit was suspended or surrendered, the registrar 1233
shall return the license or permit to the person upon 1234
determining that the person has complied with all provisions of 1235
section 4510.038 of the Revised Code or, if the registrar 1236
destroyed the license or permit pursuant to section 4510.52 of 1237
the Revised Code, shall reissue the person's license or permit. 1238

(J) Any person whose driver's or commercial driver's 1239
license or permit or nonresident operating privileges are 1240
suspended as a repeat traffic offender under this section and 1241

who, during the suspension, operates any motor vehicle upon any public roads and highways is guilty of driving under a twelve-point suspension, a misdemeanor of the first degree. The court shall sentence the offender to a minimum term of three days in jail. No court shall suspend the first three days of jail time imposed pursuant to this division.

(K) The registrar, in accordance with specific statutory authority, may suspend the privilege of driving a motor vehicle on the public roads and highways of this state that is granted to nonresidents by section 4507.04 of the Revised Code.

(L) (1) Except as provided in division (L) (2) of this section, any course of remedial driving instruction the director of public safety approves under this section shall require its students to attend at least fifty per cent of the course in person and the director shall not approve any course of remedial driving instruction that permits its students to take more than fifty per cent of the course in any other manner, including via video teleconferencing or the internet.

(2) The director may approve a course of remedial instruction that permits students to take the entire course via video teleconferencing or the internet. In accordance with division (C) of this section, upon receiving an application with a certificate or other proof of completion of a course approved under this division, the registrar shall approve the two-point reduction.

(M) The registrar shall not impose any reinstatement fee for the reinstatement of a driver's license or permit, other than a commercial driver's license or permit, suspended under this section if both of the following apply:

(1) The person demonstrates valid proof of financial 1271
responsibility; 1272

(2) The offense for which the license was suspended was 1273
not alcohol, drug, or weapon related and did not involve 1274
physical harm or serious property damage. 1275

Sec. 4510.05. (A) Except as otherwise provided in section 1276
4510.07 or in any other provision of the Revised Code, whenever 1277
an offender is convicted of or pleads guilty to a violation of a 1278
municipal ordinance that is substantially similar to a provision 1279
of the Revised Code, and a court is permitted or required to 1280
suspend a person's driver's or commercial driver's license or 1281
permit for a violation of that provision, a court, in addition 1282
to any other penalties authorized by law, may suspend the 1283
offender's driver's or commercial driver's license or permit or 1284
nonresident operating privileges for the period of time the 1285
court determines appropriate, but the period of suspension 1286
imposed for the violation of the municipal ordinance shall not 1287
exceed the period of suspension that is permitted or required to 1288
be imposed for the violation of the provision of the Revised 1289
Code to which the municipal ordinance is substantially similar. 1290

(B) The registrar of motor vehicles shall not impose any 1291
reinstatement fee for the reinstatement of a driver's license or 1292
permit, other than a commercial driver's license or permit, 1293
suspended under this section if both of the following apply: 1294

(1) The person demonstrates valid proof of financial 1295
responsibility; 1296

(2) The offense for which the license was suspended was 1297
not alcohol, drug, or weapon related and did not involve 1298
physical harm or serious property damage. 1299

Sec. 4510.06. (A) If a United States district court whose jurisdiction lies within this state suspends or cancels the driver's or commercial driver's license, permit, or nonresident operating privileges of any person pursuant to the "Assimilative Crimes Act," 102 Stat. 4381 (1988), 18 U.S.C.A. 13, as amended, that suspension or cancellation is deemed to have the same effect throughout this state as if it were imposed under the laws of this state. In that type of case, if the United States district court observes the procedures prescribed by the Revised Code and utilizes the forms prescribed by the registrar of motor vehicles, the bureau of motor vehicles shall make the appropriate notation or record and shall take any other action that is prescribed or permitted by the Revised Code.

(B) The registrar of motor vehicles shall not impose any reinstatement fee for the reinstatement of a driver's license or permit, other than a commercial driver's license or permit, suspended under this section if both of the following apply:

(1) The person demonstrates valid proof of financial responsibility;

(2) The offense for which the license was suspended was not alcohol, drug, or weapon related and did not involve physical harm or serious property damage.

Sec. 4510.10. (A) As used in this section, "reinstatement fees" means the fees that are required under section 4507.1612, 4507.45, 4509.101, 4509.81, 4511.191, 4511.951, or any other provision of the Revised Code, or under a schedule established by the bureau of motor vehicles, in order to reinstate a driver's or commercial driver's license or permit or nonresident operating privilege of an offender under a suspension.

(B) Reinstatement fees are those fees that compensate the bureau of motor vehicles for suspensions, cancellations, or disqualifications of a person's driving privileges and to compensate the bureau and other agencies in their administration of programs intended to reduce and eliminate threats to public safety through education, treatment, and other activities. The registrar of motor vehicles shall not reinstate a driver's or commercial driver's license or permit or nonresident operating privilege of a person until the person has paid all reinstatement fees and has complied with all conditions for each suspension, cancellation, or disqualification incurred by that person.

(C) When a municipal court or county court determines in a pending case involving an offender that the offender cannot reasonably pay reinstatement fees due and owing by the offender relative to one or more suspensions that have been or will be imposed by the bureau of motor vehicles or by a court of this state, the court, by order, may undertake an installment payment plan or a payment extension plan for the payment of reinstatement fees due and owing to the bureau in that pending case. The court shall establish an installment payment plan or a payment extension plan under this division in accordance with the requirements of divisions (D) (1) and (2) of this section.

(D) Independent of the provisions of division (C) of this section, an offender who cannot reasonably pay reinstatement fees due and owing by the offender relative to a suspension that has been imposed on the offender may file a petition in the municipal court, county court, or, if the person is under the age of eighteen, the juvenile division of the court of common pleas in whose jurisdiction the person resides or, if the person is not a resident of this state, in the Franklin county

municipal court or juvenile division of the Franklin county 1360
court of common pleas for an order that does either of the 1361
following, in order of preference: 1362

(1) Establishes a reasonable payment plan of not less than 1363
fifty dollars per month, to be paid by the offender to the 1364
registrar of motor vehicles or an eligible deputy registrar, in 1365
all succeeding months until all reinstatement fees required of 1366
the offender are paid in full. If the person is making payments 1367
to a deputy registrar, the deputy registrar shall collect a 1368
service fee of ten dollars each time the deputy registrar 1369
collects a payment to compensate the deputy registrar for 1370
services performed under this section. The deputy registrar 1371
shall retain eight dollars of the service fee and shall transmit 1372
the reinstatement payments, plus two dollars of each service 1373
fee, to the registrar in the manner the registrar shall 1374
determine. 1375

(2) If the offender, but for the payment of the 1376
reinstatement fees, otherwise would be entitled to operate a 1377
vehicle in this state or to obtain reinstatement of the 1378
offender's operating privileges, permits the offender to operate 1379
a motor vehicle, as authorized by the court, until a future date 1380
upon which date all reinstatement fees must be paid in full. A 1381
payment extension granted under this division shall not exceed 1382
one hundred eighty days, and any operating privileges granted 1383
under this division shall be solely for the purpose of 1384
permitting the offender occupational or "family necessity" 1385
privileges in order to enable the offender to reasonably acquire 1386
the delinquent reinstatement fees due and owing. 1387

(E) If a municipal court, county court, or juvenile 1388
division enters an order of the type described in division (C) 1389

or division (D) (1) or (2) of this section, the court, at any 1390
time after the issuance of the order, may determine that a 1391
change of circumstances has occurred and may amend the order as 1392
justice requires, provided that the amended order also shall be 1393
an order that is permitted under division (C) or division (D) (1) 1394
or (2) of this section. 1395

(F) If a court enters an order of the type described in 1396
division (C), (D) (1), (D) (2), or (E) of this section, during the 1397
pendency of the order, the offender in relation to whom it 1398
applies is not subject to prosecution for failing to pay the 1399
reinstatement fees covered by the order. 1400

(G) In addition to divisions (A) to (F) of this section, 1401
the registrar, with the approval of the director of public 1402
safety and in accordance with Chapter 119. of the Revised Code, 1403
may adopt rules that permit a person to pay reinstatement fees 1404
in installments in accordance with this division. The rules may 1405
contain any of the following provisions: 1406

(1) A schedule establishing a minimum monthly payment 1407
amount; 1408

(2) If the person otherwise would have valid driving 1409
privileges but for the payment of the reinstatement fees, the 1410
registrar may record the person's driving privileges as "valid" 1411
so long as the person's installments are current. 1412

(3) If the person's installments are not current, the 1413
registrar may record the person's driving privileges as 1414
"suspended" or "failure to reinstate," as appropriate. 1415

(4) Any other provision the registrar reasonably may 1416
prescribe. 1417

(H) Reinstatement fees are debts that may be discharged in 1418

bankruptcy. 1419

(I) (1) No reinstatement fee shall be imposed to reinstate 1420
a temporary instruction permit or driver's license, not 1421
including a commercial driver's license or permit, suspended 1422
under section 2151.354, 2152.19, 2152.21, 2907.24, 2913.02, 1423
4507.20, 4509.101, 4509.17, 4509.24, 4509.40, 4510.037, 4510.05, 1424
4510.06, 4510.15, 4510.22, 4510.23, 4510.31, 4510.32, 4511.203, 1425
4511.205, 4511.251, 4511.75, 4549.02, 4549.021, or 5743.99 of 1426
the Revised Code, except as otherwise provided in those 1427
sections. 1428

(2) The registrar shall conduct a public service 1429
announcement regarding the categories of offenses for which no 1430
reinstatement fee may be imposed to reinstate a suspended permit 1431
or license as provided in division (I) (1) of this section. In 1432
addition, the registrar shall make available on the registrar's 1433
web site a list of those categories of offenses. 1434

Sec. 4510.22. (A) If a person who has a current valid Ohio 1435
driver's, commercial driver's license, or temporary instruction 1436
permit is charged with a violation of any provision in sections 1437
4503.11, 4503.12, 4503.182, 4503.21, 4507.02, 4507.05, 4507.35, 1438
4510.11, 4510.111, 4510.12, 4510.16, 4510.21, 4511.01 to 1439
4511.76, 4511.81, 4511.82, 4511.84, 4513.01 to 4513.65, or 1440
4549.01 to 4549.65 of the Revised Code or with a violation of 1441
any substantially equivalent municipal ordinance and if the 1442
person either fails to appear in court at the required time and 1443
place to answer the charge or pleads guilty to or is found 1444
guilty of the violation and fails within the time allowed by the 1445
court to pay the fine imposed by the court, the court may 1446
declare the forfeiture of the person's license. Thirty days 1447
after such a declaration of forfeiture, the court shall inform 1448

the registrar of motor vehicles of the forfeiture by entering 1449
information relative to the forfeiture on a form approved and 1450
furnished by the registrar and sending the form to the 1451
registrar. The court also shall forward the person's license, if 1452
it is in the possession of the court, to the registrar. 1453

The registrar shall impose a class F suspension of the 1454
person's driver's or commercial driver's license, or temporary 1455
instruction permit for the period of time specified in division 1456
(B) (6) of section 4510.02 of the Revised Code on any person who 1457
is named in a declaration received by the registrar under this 1458
section. The registrar shall send written notification of the 1459
suspension to the person at the person's last known address and, 1460
if the person is in possession of the license, order the person 1461
to surrender the person's license or permit to the registrar 1462
within forty-eight hours. 1463

No valid driver's or commercial driver's license shall be 1464
granted to the person after the suspension, unless the court 1465
having jurisdiction of the offense that led to the suspension 1466
orders that the forfeiture be terminated. The court shall order 1467
the termination of the forfeiture if the person thereafter 1468
appears to answer the charge and pays any fine imposed by the 1469
court or pays the fine originally imposed by the court. The 1470
court shall inform the registrar of the termination of the 1471
forfeiture by entering information relative to the termination 1472
on a form approved and furnished by the registrar and sending 1473
the form to the registrar. The A person seeking to reinstate a 1474
commercial driver's license or permit shall pay to the registrar 1475
of motor vehicles or an eligible deputy registrar a twenty-five- 1476
dollar reinstatement fee. In addition, each deputy registrar 1477
shall collect a service fee of ten dollars to compensate the 1478
deputy registrar for services performed under this section. The 1479

deputy registrar shall retain eight dollars of the service fee 1480
and shall transmit the reinstatement fee, plus two dollars of 1481
the service fee, to the registrar in the manner the registrar 1482
shall determine. The registrar shall deposit fifteen dollars of 1483
the reinstatement fee into the state treasury to the credit of 1484
the public safety - highway purposes fund created by section 1485
4501.06 of the Revised Code to cover the costs of the bureau in 1486
administering this section and shall deposit ten dollars of the 1487
fee into the state treasury to the credit of the indigent 1488
defense support fund created by section 120.08 of the Revised 1489
Code. 1490

(B) In addition to suspending the driver's or commercial 1491
driver's license or permit of the person named in a declaration 1492
of forfeiture, the registrar, upon receipt from the court of the 1493
copy of the declaration of forfeiture, shall take any measures 1494
that may be necessary to ensure that neither the registrar nor 1495
any deputy registrar accepts any application for the 1496
registration or transfer of registration of any motor vehicle 1497
owned or leased by the person named in the declaration of 1498
forfeiture. However, for a motor vehicle leased by a person 1499
named in a declaration of forfeiture, the registrar shall not 1500
implement the preceding sentence until the registrar adopts 1501
procedures for that implementation under section 4503.39 of the 1502
Revised Code. The period of denial of registration or transfer 1503
shall continue until such time as the court having jurisdiction 1504
of the offense that led to the suspension orders the forfeiture 1505
be terminated. Upon receipt by the registrar of an order 1506
terminating the forfeiture, the registrar also shall take any 1507
measures that may be necessary to permit the person to register 1508
a motor vehicle owned or leased by the person or to transfer the 1509
registration of such a motor vehicle, if the person later makes 1510

application to take such action and otherwise is eligible to 1511
register the motor vehicle or to transfer its registration. 1512

The registrar shall not be required to give effect to any 1513
declaration of forfeiture or order terminating a forfeiture 1514
provided by a court under this section unless the information 1515
contained in the declaration or order is transmitted to the 1516
registrar by means of an electronic transfer system. The 1517
registrar shall not restore the person's driving or vehicle 1518
registration privileges until the person pays the reinstatement 1519
fee as provided in this section. 1520

The period of denial relating to the issuance or transfer 1521
of a certificate of registration for a motor vehicle imposed 1522
pursuant to this division remains in effect until the person 1523
pays any fine imposed by the court relative to the offense. 1524

Sec. 4510.31. (A) (1) Except as provided in division (C) (1) 1525
or (2) of this section, the registrar of motor vehicles shall 1526
suspend the probationary driver's license, restricted license, 1527
or temporary instruction permit issued to any person when the 1528
person has been convicted of, pleaded guilty to, or been 1529
adjudicated in juvenile court of having committed, prior to the 1530
person's eighteenth birthday, any of the following: 1531

(a) Three separate violations of section 2903.06, 2903.08, 1532
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 1533
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 1534
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 1535
Revised Code, section 4510.14 of the Revised Code involving a 1536
suspension imposed under section 4511.191 or 4511.196 of the 1537
Revised Code, section 2903.04 of the Revised Code in a case in 1538
which the person would have been subject to the sanctions 1539
described in division (D) of that section had the person been 1540

convicted of the violation of that section, former section 1541
2903.07 of the Revised Code, or any municipal ordinances 1542
similarly relating to the offenses referred to in those 1543
sections; 1544

(b) One violation of section 4511.19 of the Revised Code 1545
or a substantially similar municipal ordinance; 1546

(c) Two separate violations of any of the Revised Code 1547
sections referred to in division (A) (1) (a) of this section, or 1548
any municipal ordinance that is substantially similar to any of 1549
those sections. 1550

(2) Any person whose license or permit is suspended under 1551
division (A) (1) (a), (b), or (c) of this section shall mail or 1552
deliver the person's probationary driver's license, restricted 1553
license, or temporary instruction permit to the registrar within 1554
fourteen days of notification of the suspension. The registrar 1555
shall retain the license or permit during the period of the 1556
suspension. A suspension pursuant to division (A) (1) (a) of this 1557
section shall be a class C suspension, a suspension pursuant to 1558
division (A) (1) (b) of this section shall be a class D 1559
suspension, and a suspension pursuant to division (A) (1) (c) of 1560
this section shall be a class E suspension, all for the periods 1561
of time specified in division (B) of section 4510.02 of the 1562
Revised Code. If the person's probationary driver's license, 1563
restricted license, or temporary instruction permit is under 1564
suspension on the date the court imposes sentence upon the 1565
person for a violation described in division (A) (1) (b) of this 1566
section, the suspension shall take effect on the next day 1567
immediately following the end of that period of suspension. If 1568
the person is sixteen years of age or older and pleads guilty to 1569
or is convicted of a violation described in division (A) (1) (b) 1570

of this section and the person does not have a current, valid 1571
probationary driver's license, restricted license, or temporary 1572
instruction permit, the registrar shall deny the issuance to the 1573
person of a probationary driver's license, restricted license, 1574
driver's license, commercial driver's license, or temporary 1575
instruction permit, as the case may be, for six months beginning 1576
on the date the court imposes sentence upon the person for the 1577
violation. If the person has not attained the age of sixteen 1578
years on the date the court imposes sentence upon the person for 1579
the violation, the period of denial shall commence on the date 1580
the person attains the age of sixteen years. 1581

(3) The registrar shall suspend the person's license or 1582
permit under division (A) of this section regardless of whether 1583
the disposition of the case in juvenile court occurred after the 1584
person's eighteenth birthday. 1585

(B) The registrar also shall impose a class D suspension 1586
for the period of time specified in division (B) (4) of section 1587
4510.02 of the Revised Code of the temporary instruction permit 1588
or probationary driver's license of any person under the age of 1589
eighteen who has been adjudicated an unruly child, delinquent 1590
child, or juvenile traffic offender for having committed any act 1591
that if committed by an adult would be a drug abuse offense or a 1592
violation of division (B) of section 2917.11 of the Revised 1593
Code. The registrar, in the registrar's discretion, may 1594
terminate the suspension if the child, at the discretion of the 1595
court, attends and satisfactorily completes a drug abuse or 1596
alcohol abuse education, intervention, or treatment program 1597
specified by the court. Any person whose temporary instruction 1598
permit or probationary driver's license is suspended under this 1599
division shall mail or deliver the person's permit or license to 1600
the registrar within fourteen days of notification of the 1601

suspension. The registrar shall retain the permit or license 1602
during the period of the suspension. 1603

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1604
section, for any person who is convicted of, pleads guilty to, 1605
or is adjudicated in juvenile court of having committed a second 1606
or third violation of section 4511.12, 4511.13, 4511.20 to 1607
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1608
4511.75 of the Revised Code or any similar municipal ordinances 1609
and whose license or permit is suspended under division (A) (1) 1610
(a) or (c) of this section, the court in which the second or 1611
third conviction, finding, plea, or adjudication resulting in 1612
the suspension was made, upon petition of the person, may grant 1613
the person limited driving privileges during the period during 1614
which the suspension otherwise would be imposed under division 1615
(A) (1) (a) or (c) of this section for any of the purposes set 1616
forth in division (A) of section 4510.021 of the Revised Code. 1617
In granting the limited driving privileges, the court shall 1618
specify the purposes, times, and places of the privileges and 1619
may impose any other conditions upon the person's driving a 1620
motor vehicle that the court considers reasonable and necessary. 1621

A court that grants limited driving privileges to a person 1622
under this division shall retain the person's probationary 1623
driver's license, restricted license, or temporary instruction 1624
permit during the period the license or permit is suspended and 1625
also during the period for which limited driving privileges are 1626
granted, and shall deliver to the person a permit card, in a 1627
form to be prescribed by the court, setting forth the date on 1628
which the limited driving privileges will become effective, the 1629
purposes for which the person may drive, the times and places at 1630
which the person may drive, and any other conditions imposed 1631
upon the person's use of a motor vehicle. 1632

The court immediately shall notify the registrar, in 1633
writing, of a grant of limited driving privileges under this 1634
division. The notification shall specify the date on which the 1635
limited driving privileges will become effective, the purposes 1636
for which the person may drive, the times and places at which 1637
the person may drive, and any other conditions imposed upon the 1638
person's use of a motor vehicle. The registrar shall not suspend 1639
the probationary driver's license, restricted license, or 1640
temporary instruction permit of any person pursuant to division 1641
(A) of this section during any period for which the person has 1642
been granted limited driving privileges as provided in this 1643
division, if the registrar has received the notification 1644
described in this division from the court. 1645

(b) Except as provided in division (C) (1) (c) of this 1646
section, in any case in which the temporary instruction permit 1647
or probationary driver's license of a person under eighteen 1648
years of age has been suspended under division (A) or (B) of 1649
this section or any other provision of law, the court may grant 1650
the person limited driving privileges for the purpose of the 1651
person's practicing of driving with the person's parent, 1652
guardian, or other custodian during the period of the 1653
suspension. Any grant of limited driving privileges under this 1654
division shall comply with division (D) of section 4510.021 of 1655
the Revised Code. 1656

(c) A court shall not grant limited driving privileges to 1657
a person identified in division (C) (1) (a) or (b) of this section 1658
if the person, within the preceding six years, has been 1659
convicted of, pleaded guilty to, or adjudicated in juvenile 1660
court of having committed three or more violations of one or 1661
more of the divisions or sections set forth in divisions (G) (2) 1662
(b) to (g) of section 2919.22 of the Revised Code. 1663

(2) (a) In a case in which a person is convicted of, pleads 1664
guilty to, or is adjudicated in juvenile court of having 1665
committed, prior to the person's eighteenth birthday, a second 1666
or third violation of section 4511.12, 4511.13, 4511.20 to 1667
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1668
4511.75 of the Revised Code or any similar municipal ordinances 1669
and division (A) (1) (a) or (c) of this section requires the 1670
registrar of motor vehicles to suspend the person's license or 1671
permit, the court in which the person is convicted of, pleads 1672
guilty to, or is adjudicated of having committed the second or 1673
third violation may elect to order the registrar of motor 1674
vehicles to waive the suspension if all of the following apply: 1675

(i) Prior to the date on which the court imposes sentence 1676
upon, or makes an order of disposition for, the person for the 1677
second or third violation, the person submits to the court a 1678
petition requesting the court to order the registrar to waive 1679
the prescribed suspension and describing the reasons why the 1680
person believes the suspension, if imposed, would seriously 1681
affect the person's ability to continue in employment, 1682
educational training, vocational training, or treatment. 1683

(ii) Prior to the date specified in division (C) (2) (a) (i) 1684
of this section, the person submits to the court satisfactory 1685
proof showing that the person successfully completed an advanced 1686
juvenile driver improvement program approved by the director of 1687
public safety under division (B) of section 4510.311 of the 1688
Revised Code after the date the person committed that second or 1689
third violation. 1690

(iii) Prior to imposing sentence upon, or making an order 1691
of disposition for, the person for the second or third 1692
violation, the court finds reasonable cause to believe that the 1693

suspension, if imposed, would seriously affect the person's 1694
ability to continue in employment, educational training, 1695
vocational training, or treatment. 1696

(iv) If the court is imposing sentence upon, or making an 1697
order of disposition for, the person for a third violation, the 1698
person did not submit to the court that imposed sentence upon, 1699
or made an order of disposition for, the person for the second 1700
violation a petition of the type described in division (C) (2) (a) 1701
(i) of this section, and the court that imposed sentence upon, 1702
or made an order of disposition for, the person for that second 1703
violation did not order the registrar of motor vehicles to waive 1704
the suspension of the person's license or permit required under 1705
division (A) (1) (c) of this section for the conviction of, plea 1706
of guilty to, or adjudication in juvenile court of having 1707
committed that second violation. 1708

(b) If a court elects pursuant to division (C) (2) (a) of 1709
this section to order the registrar of motor vehicles to waive a 1710
suspension that otherwise is required under division (A) (1) (a) 1711
or (c) of this section, the court immediately shall send a 1712
written copy of the order to the registrar. Upon receipt of the 1713
written copy of the order, the registrar shall not suspend 1714
pursuant to division (A) (1) (a) or (c) of this section the 1715
probationary driver's license, restricted license, or temporary 1716
instruction permit of the person who is the subject of the order 1717
for the second or third violation for which the suspension 1718
otherwise would be imposed under that division. 1719

(D) If a person who has been granted limited driving 1720
privileges under division (C) (1) of this section is convicted 1721
of, pleads guilty to, or is adjudicated in juvenile court of 1722
having committed, a violation of Chapter 4510. of the Revised 1723

Code, or a subsequent violation of any of the sections of the 1724
Revised Code listed in division (A) (1) (a) of this section or any 1725
similar municipal ordinance during the period for which the 1726
person was granted limited driving privileges, the court that 1727
granted the limited driving privileges shall suspend the 1728
person's permit card. The court or the clerk of the court 1729
immediately shall forward the person's probationary driver's 1730
license, restricted license, or temporary instruction permit 1731
together with written notification of the court's action to the 1732
registrar. Upon receipt of the license or permit and 1733
notification, the registrar shall impose a class C suspension of 1734
the person's probationary driver's license, restricted license, 1735
or temporary instruction permit for the period of time specified 1736
in division (B) (3) of section 4510.02 of the Revised Code. The 1737
registrar shall retain the license or permit during the period 1738
of suspension, and no further limited driving privileges shall 1739
be granted during that period. 1740

(E) No application for a driver's or commercial driver's 1741
license shall be received from any person whose probationary 1742
driver's license, restricted license, or temporary instruction 1743
permit has been suspended under this section until each of the 1744
following has occurred: 1745

(1) The suspension period has expired; 1746

(2) A temporary instruction permit or commercial driver's 1747
license temporary instruction permit has been issued; 1748

(3) The person successfully completes a juvenile driver 1749
improvement program approved by the director of public safety 1750
under division (A) of section 4510.311 of the Revised Code; 1751

(4) The applicant has submitted to the examination for a 1752

driver's license as provided for in section 4507.11 or a 1753
commercial driver's license as provided in Chapter 4506. of the 1754
Revised Code. 1755

(F) The registrar shall only impose a reinstatement fee 1756
for the reinstatement of a license or permit suspended under 1757
division (A) of this section if the offense for which the 1758
suspension was imposed was drug, alcohol, or weapon related. 1759

Sec. 4510.32. (A) The registrar of motor vehicles shall 1760
record within ten days of receipt and keep at the main office of 1761
the bureau of motor vehicles all information provided to the 1762
registrar by the superintendent of a school district in 1763
accordance with division (B) of section 3321.13 of the Revised 1764
Code. 1765

(B) Whenever the registrar receives a notice under 1766
division (B) of section 3321.13 of the Revised Code, the 1767
registrar shall impose a class F suspension of the temporary 1768
instruction permit or driver's license of the person who is the 1769
subject of the notice for the period of time specified in 1770
division (B)(6) of section 4510.02 of the Revised Code, or, if 1771
the person has not been issued a temporary instruction permit or 1772
driver's license, the registrar shall deny to the person the 1773
issuance of a permit or license. The requirements of the second 1774
paragraph of section 119.06 of the Revised Code do not apply to 1775
a suspension of a person's temporary instruction permit or 1776
driver's license or a denial of a person's opportunity to obtain 1777
a temporary instruction permit or driver's license by the 1778
registrar under this division. 1779

(C) Upon suspending the temporary instruction permit or 1780
driver's license of any person or denying any person the 1781
opportunity to be issued such a license or permit as provided in 1782

division (B) of this section, the registrar immediately shall 1783
notify the person in writing of the suspension or denial and 1784
inform the person that the person may petition for a hearing as 1785
provided in division (E) of this section. 1786

(D) Any person whose permit or license is suspended under 1787
this section shall mail or deliver the person's permit or 1788
license to the registrar of motor vehicles within twenty days of 1789
notification of the suspension; however, the person's permit or 1790
license and the person's driving privileges shall be suspended 1791
immediately upon receipt of the notification. The registrar may 1792
retain the permit or license during the period of the suspension 1793
or the registrar may destroy it under section 4510.52 of the 1794
Revised Code. 1795

(E) Any person whose temporary instruction permit or 1796
driver's license has been suspended, or whose opportunity to 1797
obtain such a permit or license has been denied pursuant to this 1798
section, may file a petition in the juvenile court in whose 1799
jurisdiction the person resides alleging error in the action 1800
taken by the registrar under division (B) of this section or 1801
alleging one or more of the matters within the scope of the 1802
hearing, as described in this division, or both. The petitioner 1803
shall notify the registrar and the superintendent of the school 1804
district who gave the notice to the registrar and juvenile judge 1805
under division (B) of section 3321.13 of the Revised Code of the 1806
filing of the petition and send them copies of the petition. The 1807
scope of the hearing is limited to the issues of whether the 1808
notice given by the superintendent to the registrar was in error 1809
and whether the suspension or denial of driving privileges will 1810
result in substantial hardship to the petitioner. 1811

The registrar shall furnish the court a copy of the record 1812

created in accordance with division (A) of this section. The 1813
registrar and the superintendent shall furnish the court with 1814
any other relevant information required by the court. 1815

In hearing the matter and determining whether the 1816
petitioner has shown that the petitioner's temporary instruction 1817
permit or driver's license should not be suspended or that the 1818
petitioner's opportunity to obtain such a permit or license 1819
should not be denied, the court shall decide the issue upon the 1820
information furnished by the registrar and the superintendent 1821
and any such additional evidence that the registrar, the 1822
superintendent, or the petitioner submits. 1823

If the court finds from the evidence submitted that the 1824
petitioner has failed to show error in the action taken by the 1825
registrar under division (B) of this section and has failed to 1826
prove any of the matters within the scope of the hearing, then 1827
the court may assess the cost of the proceeding against the 1828
petitioner and shall uphold the suspension of the petitioner's 1829
permit or license or the denial of the petitioner's opportunity 1830
to obtain a permit or license. If the court finds that the 1831
petitioner has shown error in the action taken by the registrar 1832
under division (B) of this section or has proved one or more of 1833
the matters within the scope of the hearing, or both, the cost 1834
of the proceeding shall be paid out of the county treasury of 1835
the county in which the proceedings were held, and the 1836
suspension of the petitioner's permit or license or the denial 1837
of the person's opportunity to obtain a permit or license shall 1838
be terminated. 1839

(F) The registrar shall cancel the record created under 1840
this section of any person who is the subject of a notice given 1841
under division (B) of section 3321.13 of the Revised Code and 1842

shall terminate the suspension of the person's permit or license 1843
or the denial of the person's opportunity to obtain a permit or 1844
license, if any of the following applies: 1845

(1) The person is at least eighteen years of age. 1846

(2) The person provides evidence, as the registrar shall 1847
require by rule, of receipt of a high school diploma or a 1848
certificate of high school equivalence. 1849

(3) The superintendent of a school district informs the 1850
registrar that the notification of withdrawal, habitual absence 1851
without legitimate excuse, suspension, or expulsion concerning 1852
the person was in error. 1853

(4) The suspension or denial was imposed subsequent to a 1854
notification given under division (B)(3) or (4) of section 1855
3321.13 of the Revised Code, and the superintendent of a school 1856
district informs the registrar that the person in question has 1857
satisfied any terms or conditions established by the school as 1858
necessary to terminate the suspension or denial of driving 1859
privileges. 1860

(5) The suspension or denial was imposed subsequent to a 1861
notification given under division (B)(1) of section 3321.13 of 1862
the Revised Code, and the superintendent of a school district 1863
informs the registrar that the person in question is now 1864
attending school or enrolled in and attending an approved 1865
program to obtain a diploma or its equivalent to the 1866
satisfaction of the school superintendent. 1867

(6) The suspension or denial was imposed subsequent to a 1868
notification given under division (B)(2) of section 3321.13 of 1869
the Revised Code, the person has completed at least one semester 1870
or term of school after the one in which the notification was 1871

given, the person requests the superintendent of the school 1872
district to notify the registrar that the person no longer is 1873
habitually absent without legitimate excuse, the superintendent 1874
determines that the person has not been absent from school 1875
without legitimate excuse in the current semester or term, as 1876
determined under that division, for more than sixty consecutive 1877
hours or for more than ninety total hours, and the 1878
superintendent informs the registrar of that fact. If a person 1879
described in division (F) (6) of this section requests the 1880
superintendent of the school district to notify the registrar 1881
that the person no longer is habitually absent without 1882
legitimate excuse and the superintendent makes the determination 1883
described in this division, the superintendent shall provide the 1884
information described in division (F) (6) of this section to the 1885
registrar within five days after receiving the request. 1886

(7) The suspension or denial was imposed subsequent to a 1887
notification given under division (B) (2) of section 3321.13 of 1888
the Revised Code, and the superintendent of a school district 1889
informs the registrar that the person in question has received 1890
an age and schooling certificate in accordance with section 1891
3331.01 of the Revised Code. 1892

(8) The person filed a petition in court under division 1893
(E) of this section and the court found that the person showed 1894
error in the action taken by the registrar under division (B) of 1895
this section or proved one or more of the matters within the 1896
scope of the hearing on the petition, as set forth in division 1897
(E) of this section, or both. 1898

(G) At the end of the suspension period under this section 1899
and upon the request of the person whose temporary instruction 1900
permit or driver's license was suspended, the registrar shall 1901

return the driver's license or permit to the person or reissue 1902
the person's license or permit under section 4510.52 of the 1903
Revised Code, if the registrar destroyed the suspended license 1904
or permit under that section. The person is required to pay any 1905
applicable reinstatement fee unless the person provides to the 1906
registrar of motor vehicles proof of a valid high school diploma 1907
or certificate of high school equivalence. 1908

Section 2. That existing sections 2151.354, 2152.19, 1909
2152.21, 4507.1614, 4509.101, 4510.037, 4510.05, 4510.06, 1910
4510.10, 4510.22, 4510.31, and 4510.32 of the Revised Code are 1911
hereby repealed. 1912

Section 3. This act shall be known as the Reinstatement 1913
Fee Amnesty Initiative. 1914