

As Reported by the House Transportation and Public Safety Committee

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 285

Representatives Greenspan, Brent

Cosponsors: Representatives Green, Sheehy, Howse

A BILL

To enact section 4510.101 of the Revised Code to 1
establish a permanent Driver's License 2
Reinstatement Fee Debt Reduction and Amnesty 3
Program. 4

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

Section 1. That section 4510.101 of the Revised Code be 5
enacted to read as follows: 6

Sec. 4510.101. (A) As used in this section: 7

(1) "Eligible offense" means an offense under any of the 8
following Revised Code sections if the offense, an essential 9
element of the offense, the basis of the charge, or any 10
underlying offense did not involve alcohol, a drug of abuse, 11
combination thereof, or a deadly weapon: 2151.354, 2152.19, 12
2152.21, 2907.24, 2913.02, 4507.20, 4509.101, 4509.17, 4509.24, 13
4509.40, 4510.037, 4510.05, 4510.06, 4510.15, 4510.22, 4510.23, 14
4510.31, 4510.32, 4511.203, 4511.205, 4511.251, 4511.75, 15
4549.02, 4549.021, and 5743.99. 16

(2) "Deadly weapon" has the same meaning as in section 17
2923.11 of the Revised Code. 18

<u>(3) "Drug of abuse" has the same meaning as in section</u>	19
<u>4511.181 of the Revised Code.</u>	20
<u>(4) "Complete amnesty" means a waiver of reinstatement</u>	21
<u>fees.</u>	22
<u>(5) "Driver's license or permit" does not include a</u>	23
<u>commercial driver's license or permit.</u>	24
<u>(6) "Indigent" means a person who is a participant in any</u>	25
<u>of the following programs:</u>	26
<u>(a) The supplemental nutrition assistance program</u>	27
<u>administered by the department of job and family services</u>	28
<u>pursuant to section 5101.54 of the Revised Code;</u>	29
<u>(b) The medicaid program pursuant to Chapter 5163. of the</u>	30
<u>Revised Code;</u>	31
<u>(c) The Ohio works first program administered by the</u>	32
<u>department of job and family services pursuant to section</u>	33
<u>5107.10 of the Revised Code;</u>	34
<u>(d) The supplemental security income program pursuant to</u>	35
<u>20 C.F.R. 416.1100;</u>	36
<u>(e) The United States department of veterans affairs</u>	37
<u>pension benefit program pursuant to 38 U.S.C. 1521.</u>	38
<u>(B) Not later than ninety days after the effective date of</u>	39
<u>this section, the director of public safety shall establish a</u>	40
<u>permanent driver's license reinstatement fee debt reduction and</u>	41
<u>amnesty program.</u>	42
<u>(C) Under the program, both of the following apply:</u>	43
<u>(1) A person whose driver's license or permit has been</u>	44
<u>suspended as a result of an eligible offense is eligible for</u>	45

driver's license reinstatement fee debt reduction if the person 46
has completed all court-ordered sanctions related to the 47
eligible offense other than the payment of reinstatement fees 48
and at least eighteen months have expired since the end of the 49
period of suspension ordered by the court. 50

(2) A person whose driver's license or permit has been 51
suspended as a result of an eligible offense is eligible for 52
complete amnesty if the person has completed all court-ordered 53
sanctions related to the eligible offense other than the payment 54
of reinstatement fees, and the person is indigent and can 55
demonstrate proof of indigence by providing documentation in a 56
form approved by the director. 57

(D) (1) The director shall grant reinstatement fee debt 58
reduction to a person who is eligible under division (C) (1) of 59
this section as follows: 60

(a) If the person owes reinstatement fees for multiple 61
eligible offenses, the person shall pay either the lowest 62
reinstatement fee owed for those offenses or ten per cent of the 63
total amount owed for those offenses, whichever amount is 64
greater. 65

(b) If the person owes reinstatement fees for one eligible 66
offense, the person shall pay one-half of the reinstatement fee 67
owed for that offense. 68

(2) The director shall grant complete amnesty to a person 69
eligible under division (C) (2) of this section. 70

(3) A person who has received either a reduction or 71
complete amnesty of reinstatement fees under the program 72
established by this section is not eligible for a subsequent 73
reduction or complete amnesty of reinstatement fees through the 74

program. 75

(E) (1) If a person is eligible for reinstatement fee debt 76
reduction, the director shall place the person on a payment plan 77
for the repayment of the reduced reinstatement fees. Any person 78
who is granted a reinstatement fee debt reduction shall pay not 79
less than twenty-five dollars per month in all succeeding months 80
until all the reduced reinstatement fees required under the 81
program are paid in full. 82

(2) Payments may be made by regular mail, online, or in 83
person at the bureau of motor vehicles or any deputy registrar 84
office. If a person makes a payment in person, the person also 85
shall pay the deputy registrar service fee or the bureau of 86
motor vehicles service fee equal to the amount established under 87
section 4503.038 of the Revised Code. 88

(F) (1) The director shall send an automatic notice either 89
by regular mail or by electronic mail, if an electronic mail 90
address is available, to a person regarding the program when all 91
of the following apply: 92

(a) The person's driver's license has been suspended for 93
an eligible offense. 94

(b) At least eighteen months have expired since the end of 95
the period of suspension ordered by the court. 96

(c) The person owes reinstatement fees. 97

(2) The notice required under division (F) (1) of this 98
section shall contain all of the following: 99

(a) A statement that the person has been accepted into the 100
program and will be considered a full participant in the program 101
after the completion of the first installment payment or the 102

<u>submission and acceptance of proof of indigency.</u>	103
<u>(b) A statement listing what outstanding reinstatement</u>	104
<u>fees are being reduced with their corresponding eligible</u>	105
<u>offenses, under the program.</u>	106
<u>(c) A statement regarding the total amount of</u>	107
<u>reinstatement fees the person owes under the program, the amount</u>	108
<u>of each installment payment, and the total number of installment</u>	109
<u>payments.</u>	110
<u>(d) A statement explaining that the person may be eligible</u>	111
<u>for a full waiver of the reinstatement fees if the person can</u>	112
<u>demonstrate proof of indigence.</u>	113
<u>(e) Any other information necessary to explain the program</u>	114
<u>and its requirements, including a list of the documents required</u>	115
<u>to prove indigence.</u>	116
<u>(3) Prior to sending the notification under division (F)</u>	117
<u>(1) of this section, the director may search the bureau of motor</u>	118
<u>vehicle records or the office of vital statistics records to</u>	119
<u>verify the person's last known address, whether the person is</u>	120
<u>still a resident of this state, and whether the person is still</u>	121
<u>living or deceased.</u>	122
<u>(G) Any person who believes that the person is eligible</u>	123
<u>for the program but who has not received a notice from the</u>	124
<u>director may submit an application for the program by regular</u>	125
<u>mail, online, or in person at the bureau of motor vehicles or</u>	126
<u>any deputy registrar office. The director shall determine the</u>	127
<u>eligibility of the applicant. If a person applies in person, the</u>	128
<u>person shall pay the deputy registrar service fee or the bureau</u>	129
<u>of motor vehicles service fee equal to the amount established</u>	130
<u>under section 4503.038 of the Revised Code.</u>	131

(H) (1) The director shall conduct public service 132
announcements regarding the permanent driver's license 133
reinstatement fee debt reduction and amnesty program that 134
includes a description of the program and its requirements. In 135
addition, the director shall make such information available on 136
the department of public safety's and the bureau of motor 137
vehicle's web sites. 138

(2) The director shall establish a toll-free telephone 139
number by which a person may receive information about the 140
program and the person's eligibility for the program. The toll- 141
free telephone number shall be listed as part of the public 142
service announcements and on the department and bureau web 143
sites. 144

(I) The director shall adopt rules in accordance with 145
Chapter 119. of the Revised Code in order to establish any 146
requirements and procedures necessary to administer and 147
implement this section. 148