

**As Reported by the Senate Local Government, Public Safety and  
Veterans Affairs Committee**

**133rd General Assembly**

**Regular Session  
2019-2020**

**Sub. H. B. No. 285**

**Representatives Greenspan, Brent**

**Cosponsors: Representatives Green, Sheehy, Howse, Abrams, Blair, Brown,  
Carfagna, Carruthers, Crawley, Crossman, Denson, Edwards, Galonski, Ginter,  
Hambley, Hicks-Hudson, Hillyer, Ingram, Jones, Kelly, Lanese, Lepore-Hagan,  
Lightbody, Liston, Manning, G., Miller, A., Miller, J., O'Brien, Patton, Perales,  
Robinson, Seitz, Smith, K., Sobecki, Swearingen, Sweeney, Upchurch, Weinstein,  
West**

**Senators Manning, Maharath, Hackett**

---

**A BILL**

To enact sections 4510.101, 4510.102, 4510.103, 1  
4510.104, 4510.105, 4510.106, 4510.107, and 2  
4510.108 of the Revised Code to establish a 3  
permanent Driver's License Reinstatement Fee 4  
Debt Reduction and Amnesty Program. 5

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

**Section 1.** That sections 4510.101, 4510.102, 4510.103, 6  
4510.104, 4510.105, 4510.106, 4510.107, and 4510.108 of the 7  
Revised Code be enacted to read as follows: 8

**Sec. 4510.101.** As used in sections 4510.101 to 4510.107 of 9  
the Revised Code: 10

(A) "Eligible offense" means an offense under any of the 11  
following Revised Code sections if the offense, an essential 12

element of the offense, the basis of the charge, or any 13  
underlying offense did not involve alcohol, a drug of abuse, 14  
combination thereof, or a deadly weapon: 2151.354, 2152.19, 15  
2152.21, 2913.02, 4507.20, 4509.101, 4509.17, 4509.24, 4509.40, 16  
4510.037, 4510.05, 4510.06, 4510.15, 4510.22, 4510.23, 4510.31, 17  
4510.32, 4511.203, 4511.205, 4511.251, 4511.75, 4549.02, 18  
4549.021, and 5743.99. 19

(B) "Deadly weapon" has the same meaning as in section 20  
2923.11 of the Revised Code. 21

(C) "Drug of abuse" has the same meaning as in section 22  
4511.181 of the Revised Code. 23

(D) "Complete amnesty" means a waiver of reinstatement 24  
fees. 25

(E) "Driver's license or permit" does not include a 26  
commercial driver's license or permit. 27

(F) "Indigent" means a person who is a participant in any 28  
of the following programs: 29

(1) The supplemental nutrition assistance program 30  
administered by the department of job and family services 31  
pursuant to section 5101.54 of the Revised Code; 32

(2) The medicaid program pursuant to Chapter 5163. of the 33  
Revised Code; 34

(3) The Ohio works first program administered by the 35  
department of job and family services pursuant to section 36  
5107.10 of the Revised Code; 37

(4) The supplemental security income program pursuant to 38  
20 C.F.R. 416.1100; 39

(5) The United States department of veterans affairs 40  
pension benefit program pursuant to 38 U.S.C. 1521. 41

(G) "Permanent driver's license reinstatement fee debt 42  
reduction and amnesty program" or "program" means the program 43  
established in section 4510.102 of the Revised Code and 44  
administered by the director of public safety. 45

**Sec. 4510.102.** Not later than ninety days after the 46  
effective date of this section, the director of public safety 47  
shall establish a permanent driver's license reinstatement fee 48  
debt reduction and amnesty program. The program shall have two 49  
phases. The eligibility for phase one is described in section 50  
4510.103 of the Revised Code and the eligibility for phase two 51  
is described in section 4510.104 of the Revised Code. 52

**Sec. 4510.103.** (A) Under the first phase of the program, 53  
both of the following apply: 54

(1) A person whose driver's license or permit has been 55  
suspended as a result of one or more eligible offenses is 56  
eligible for driver's license reinstatement fee debt reduction 57  
if all of the following apply: 58

(a) The eligible offense or offenses occurred prior to the 59  
effective date of this section. 60

(b) At least eighteen months have expired since the end of 61  
the period of suspension ordered by the court for at least one 62  
suspension; 63

(c) The person is not indigent. 64

(2) A person whose driver's license or permit has been 65  
suspended as a result of one or more eligible offenses is 66  
eligible for complete amnesty if both of the following apply: 67

<u>(a) The eligible offense or offenses occurred prior to the</u>	68
<u>effective date of this section.</u>	69
<u>(b) The person is indigent and can demonstrate proof of</u>	70
<u>indigence by providing documentation in a form approved by the</u>	71
<u>director of public safety.</u>	72
<u>(B) The director shall grant reinstatement fee debt</u>	73
<u>reduction in the first phase of the program to a person who is</u>	74
<u>eligible under division (A)(1) of this section as follows:</u>	75
<u>(1) If the person owes reinstatement fees for multiple</u>	76
<u>eligible offenses, the person shall pay either the lowest</u>	77
<u>reinstatement fee owed for those offenses or ten per cent of the</u>	78
<u>total amount owed for those offenses, whichever amount is</u>	79
<u>greater.</u>	80
<u>(2) If the person owes reinstatement fees for one eligible</u>	81
<u>offense, the person shall pay one-half of the reinstatement fee</u>	82
<u>owed for that offense.</u>	83
<u>(C) The director shall grant complete amnesty in the first</u>	84
<u>phase of the program to a person eligible under division (A)(2)</u>	85
<u>of this section.</u>	86
<u>(D) A person who has received either a reduction or</u>	87
<u>complete amnesty of reinstatement fees under the first phase of</u>	88
<u>the program is not eligible for a subsequent reduction or</u>	89
<u>complete amnesty of reinstatement fees through the second phase</u>	90
<u>of the program.</u>	91
<u>(E) (1) Under the first phase of the program, the director</u>	92
<u>shall include, as part of the reduction or complete amnesty for</u>	93
<u>an eligible participant, the reinstatement fees for any</u>	94
<u>suspension that is the result of an eligible offense that</u>	95
<u>occurred prior to the effective date of this section, regardless</u>	96

of whether the person has completed the term of the suspension 97  
ordered by the court. The director shall not include, as part of 98  
the reduction or complete amnesty under the first phase of the 99  
program, the reinstatement fees for any suspension that is the 100  
result of an eligible offense that occurs after the effective 101  
date of this section. 102

(2) A participant in the first phase of the program who is 103  
granted a reduction or complete amnesty shall complete the term 104  
of the driver's license or permit suspension for any eligible 105  
offense, as required by the court. 106

**Sec. 4510.104.** (A) Under the second phase of the program, 107  
both of the following apply: 108

(1) A person whose driver's license or permit has been 109  
suspended as a result of one or more eligible offenses is 110  
eligible for driver's license reinstatement fee debt reduction, 111  
if all of the following apply: 112

(a) The person was not eligible for participation in the 113  
first phase of the program. 114

(b) The person did not participate in the first phase of 115  
the program and has not participated in the second phase of the 116  
program. 117

(c) The eligible offense or offenses occurred after the 118  
effective date of this section. 119

(d) At least eighteen months have expired since the end of 120  
the period of suspension ordered by the court for at least one 121  
of the suspensions. 122

(e) The person is not indigent. 123

(2) A person whose driver's license or permit has been 124

suspended as a result of one or more eligible offenses is 125  
eligible for complete amnesty, if all of the following apply: 126

(a) The person was not eligible for participation in the 127  
first phase of the program. 128

(b) The person did not participate in the first phase of 129  
the program and has not participated in the second phase of the 130  
program. 131

(c) The eligible offense or offenses occurred after the 132  
effective date of this section. 133

(d) The person is indigent and can demonstrate proof of 134  
indigence by providing documentation in a form approved by the 135  
director of public safety. 136

(B) The director shall grant reinstatement fee debt 137  
reduction in the second phase of the program to a person who is 138  
eligible under division (A)(1) of this section as follows: 139

(1) If the person owes reinstatement fees for multiple 140  
eligible offenses, the person shall pay either the lowest 141  
reinstatement fee owed for those offenses or ten per cent of the 142  
total amount owed for those offenses, whichever amount is 143  
greater. 144

(2) If the person owes reinstatement fees for one eligible 145  
offense, the person shall pay one-half of the reinstatement fee 146  
owed for that offense. 147

(C) The director shall grant complete amnesty in the 148  
second phase of the program to a person eligible under division 149  
(A)(2) of this section. 150

(D) A person who has received either a reduction or 151  
complete amnesty of reinstatement fees under the second phase of 152

the program is not eligible for a subsequent reduction or 153  
complete amnesty of reinstatement fees through the program. 154

(E)(1) Under the second phase of the program, the director 155  
shall include, as part of the reduction or complete amnesty for 156  
an eligible participant, the reinstatement fees for any 157  
suspension that is the result of an eligible offense that 158  
occurred after the effective date of this section but prior to 159  
the date the person becomes enrolled in the program, regardless 160  
of whether the person has completed the term of the suspension 161  
ordered by the court. The director shall not include, as part of 162  
the reduction or complete amnesty under the second phase of the 163  
program, the reinstatement fees for any suspension that is the 164  
result of an eligible offense that occurred prior to the 165  
effective date of this section. 166

(2) A participant in the second phase of the program who 167  
is granted a reduction or complete amnesty shall complete the 168  
term of the driver's license or permit suspension for any 169  
eligible offense, as required by the court. 170

(3) No driver's license or permit suspension that is 171  
imposed as a result of an otherwise eligible offense that is 172  
committed on or after the date a person becomes enrolled in the 173  
program is eligible for a reduction or complete amnesty through 174  
the program. 175

**Sec. 4510.105.** (A) When a participant in the program is 176  
eligible for driver's license reinstatement, the participant 177  
shall provide proof of financial responsibility in accordance 178  
with section 4509.45 of the Revised Code prior to such 179  
reinstatement. 180

(B) If a person is eligible for reinstatement fee debt 181

reduction under either section 4510.103 or 4510.104 of the 182  
Revised Code and the person does not or is unable to pay the 183  
remaining reinstatement fees in full, the director of public 184  
safety shall place the person on a payment plan for the 185  
repayment of the remaining reinstatement fees. The director also 186  
may include in the payment plan any reinstatement fees owed by 187  
the person that are the result of offenses that are not eligible 188  
for the program. Any person who is placed on a payment plan 189  
under this section shall pay not less than twenty-five dollars 190  
per month in all succeeding months until all the reinstatement 191  
fees required under the program or otherwise are paid in full. 192

(C) Payments may be made by regular mail, online, or in 193  
person at the bureau of motor vehicles or any deputy registrar 194  
office. If a person makes a payment in person, the person also 195  
shall pay the deputy registrar service fee or the bureau of 196  
motor vehicles service fee equal to the amount established under 197  
section 4510.10 of the Revised Code. 198

**Sec. 4510.106.** (A) The director of public safety shall 199  
send an automatic notice either by regular mail or by electronic 200  
mail, if an electronic mail address is available, enrolling a 201  
person into the first phase of the program when all of the 202  
following apply: 203

(1) The person's driver's license has been suspended for 204  
at least one eligible offense that occurred prior to the 205  
effective date of this section. 206

(2) At least eighteen months have expired since the end of 207  
the period of suspension ordered by the court for at least one 208  
eligible offense. 209

(3) The person owes reinstatement fees. 210



<u>(4) The person has not previously received notice under</u>	211
<u>this division.</u>	212
<u>After the initial notice, the director may send additional</u>	213
<u>notices regarding participation in the program as the director</u>	214
<u>determines appropriate.</u>	215
<u>(B) The notice required under division (A) of this section</u>	216
<u>shall contain all of the following:</u>	217
<u>(1) A statement that the person has been enrolled into the</u>	218
<u>program and may either begin making installment payments or may</u>	219
<u>submit proof of indigency.</u>	220
<u>(2) A statement listing what outstanding reinstatement</u>	221
<u>fees are being reduced with the corresponding eligible offenses</u>	222
<u>under the program.</u>	223
<u>(3) A statement that twenty-five dollars is the minimum</u>	224
<u>installment payment.</u>	225
<u>(4) A statement explaining that the person may be eligible</u>	226
<u>for a full waiver of the reinstatement fees if the person can</u>	227
<u>demonstrate proof of indigence.</u>	228
<u>(5) A statement explaining that the person needs to</u>	229
<u>complete any term of suspension ordered by the court, if not</u>	230
<u>already completed, before the person's driver's license may be</u>	231
<u>reinstated.</u>	232
<u>(6) Any other information necessary to explain the program</u>	233
<u>and its requirements, including a list of the documents required</u>	234
<u>to prove indigence.</u>	235
<u>(C) The director shall send an automatic notice either by</u>	236
<u>regular mail or by electronic mail, if an electronic mail</u>	237
<u>address is available, enrolling a person into the second phase</u>	238

<u>of the program when all of the following apply:</u>	239
<u>(1) The person's driver's license has been suspended for</u>	240
<u>at least one eligible offense that occurred after the effective</u>	241
<u>date of this section.</u>	242
<u>(2) At least eighteen months have expired since the end of</u>	243
<u>the period of suspension ordered by the court for at least one</u>	244
<u>eligible offense.</u>	245
<u>(3) The person was not eligible for participation in the</u>	246
<u>first phase of the program and has not participated in the</u>	247
<u>second phase of the program.</u>	248
<u>(4) The person owes reinstatement fees.</u>	249
<u>(5) The person has not previously received notice under</u>	250
<u>this division.</u>	251
<u>After the initial notice, the director may send additional</u>	252
<u>notices regarding participation in the program as the director</u>	253
<u>determines appropriate.</u>	254
<u>(D) The notice required under division (C) of this section</u>	255
<u>shall contain all of the following:</u>	256
<u>(1) A statement that the person has been enrolled into the</u>	257
<u>program and may either begin making installment payments or may</u>	258
<u>submit proof of indigency.</u>	259
<u>(2) A statement listing what outstanding reinstatement</u>	260
<u>fees are being reduced with the corresponding eligible offenses</u>	261
<u>under the program.</u>	262
<u>(3) A statement that twenty-five dollars is the minimum</u>	263
<u>installment payment.</u>	264
<u>(4) A statement explaining that the person may be eligible</u>	265

for a full waiver of the reinstatement fees if the person can 266  
demonstrate proof of indigence. 267

(5) A statement explaining that the person needs to 268  
complete any term of suspension ordered by the court, if not 269  
already completed, before the person's driver's license may be 270  
reinstated. 271

(6) Any other information necessary to explain the program 272  
and its requirements, including a list of the documents required 273  
to prove indigence. 274

**Sec. 4510.107.** (A) (1) Prior to sending the notification 275  
under division (A) or (C) of section 4510.106 of the Revised 276  
Code, the director of public safety may search the bureau of 277  
motor vehicle records or the office of vital statistics records 278  
to verify the person's last known address, whether the person is 279  
still a resident of this state, and whether the person is still 280  
living or deceased. 281

(2) If the director discovers that the person is deceased, 282  
the director may remove the person's name and any associated 283  
debts owed to the department of public safety from the records 284  
kept by the department regarding such debts. 285

(B) Any person who believes that the person is eligible 286  
for the program but who has not received a notice from the 287  
director may submit an application for the program by regular 288  
mail, online, or in person at the bureau of motor vehicles or 289  
any deputy registrar office. The director shall determine the 290  
eligibility of the applicant. If a person applies in person, the 291  
person shall pay the deputy registrar service fee or the bureau 292  
of motor vehicles service fee equal to the amount established 293  
under section 4503.038 of the Revised Code. 294

Sec. 4510.108. (A) The director of public safety shall 295  
conduct public service announcements regarding the permanent 296  
driver's license reinstatement fee debt reduction and amnesty 297  
program that includes a description of the program and its 298  
requirements. In addition, the director shall make such 299  
information available on the department of public safety's and 300  
the bureau of motor vehicle's web sites. 301

(B) The director shall establish a toll-free telephone 302  
number by which a person may receive information about the 303  
program and the person's eligibility for the program. The toll- 304  
free telephone number shall be listed as part of the public 305  
service announcements and on the department and bureau web 306  
sites. 307

(C) The director shall adopt rules in accordance with 308  
Chapter 119. of the Revised Code in order to establish any 309  
requirements and procedures necessary to administer and 310  
implement the program. 311