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Chairman Ghanbari, Vice Chair Plummer, and Ranking Member Thomas, and Members of the House Homeland Security Committee, thank you for the opportunity to give sponsor testimony on Senate Bill 37. Some members of the Committee might remember this bill as Senate Bill 301 from the 134<sup>th</sup> General Assembly. This bill makes a number of changes involving driver's license suspension penalties.

There is no question that driving is crucial for daily life for most Ohioans. Outside of city centers, it is difficult to rely solely on public transportation, and using Lyft or Uber becomes expensive very quickly. Under current Ohio law, there are almost 70 violations that can result in someone losing their driver's license. Unfortunately, these penalties often impact low-income individuals and families the hardest. Imagine a person is convicted of something that has nothing to do with driving, for example drug possession, and has their driver's license suspended. Just like that, their ability to drive to work, take their child to school, go to a medical appointment, or pick up groceries has been severely diminished, if not completely vanished. Now this person has been put in the impossible scenario of deciding whether to comply with the penalty or to take the risk of incurring more penalties so they can simply complete necessary daily tasks. Though no one should be using drugs, losing your license over possession is likely to cause more problems in the long run than operate as a deterrent that is beneficial to society.

Senate Bill 37 does not make any changes to driver's license suspensions when the violations involve driving. We are only looking at offenses that are unrelated to a person's ability to drive. Let's look at two major elements of the bill.

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The first is in regards to drug abuse offenses. The bill removes the possibility of a driver's license suspension for drug abuse offenses unless a vehicle was used in the furtherance of a crime. If you're using a vehicle to traffic drugs, then your license can still be suspended. However, if it's simple possession you will not lose your license. Moreover, if your license is currently suspended for a drug offense that would not cause you to lose your license once the bill has been enacted then you can apply to have the suspension lifted.

The second deals with failure to provide proof of insurance. Current law is particular nasty in the sense that the reinstatement fees and suspension durations ratchet up over the course of a five-year look-back period. Reinstatement fees can become as high as \$600 and result in suspensions as long as two years. You can also wind up having your vehicle impounded. It is understandable if your first reaction amounts to, "don't break the law and this won't be an issue". That's easy enough for us to say, but we're also not living in poverty. If you're making \$15/hour that \$600 penalty just wiped out two weeks of wages after taxes. With rent to pay, and possibly children to feed, it's obvious there is a temptation to try and fly under the radar to make ends meet. In the end, we do want penalties for people who are driving uninsured. However, we want those penalties to be commensurate with the crime and allow people to get back on their feet. Thus the bill drops the lookback period down to a year. This should make a

serious dent in the debt trap problem that exists under current law for all but the worst offenders.

We would be remiss if we didn't point out one subtle, yet insidious, aspect of reform in this space: justice vs. revenue. By reducing penalties and fines, it is likely there will be some revenue loss to municipal courts, clerks of court, and the Bureau of Motor Vehicles. Some have had concern that this will negatively impact courts, for example, that were otherwise self-sufficient due, in part, to these fines and fees. We can appreciate self-sufficiency; however, we cannot countenance injustice as a means to fund our public institutions. We'd both be more than happy to appropriate money in the budget to these institutions to remove the perverse incentive of opposing reform to preserve or enhance revenue streams.

The goal of Senate Bill 37 is not to eliminate consequences for people's actions, but our current system of penalties often sets people up for failure without a chance to make better choices for themselves. If passed, SB 37 could help people restore and reform their lives instead of entangling them in a lifetime of fees and excessive penalties. Senate Bill 37 had eight hearings and passed unanimously out of the Senate Judiciary Committee as well as on the Senate Floor. It has supporters as diverse as Americans for Tax Reform and Americans for Prosperity to the Ohio Poverty Law Center and the ACLU. Thank you, Chairman Ghanbari and Members of the Committee. We would be happy to answer any questions you may have.