



Senate Judiciary
Committee

Witness Form

Today's Date 12/11/23

Name: Theresa Smith

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Shaker Heights, Ohio 44120

Telephone: 440-810-0133

Organization Representing: _____

Testifying on Bill Number: SB 37

Testimony: Verbal Written Both

Testifying As: Proponent Opponent Interested Party

Are you a Registered Lobbyist? Yes No

Special Requests: _____

Testimony in Support of SB 37
(Name: Theresa Smith)
Senate Judiciary Committee
(Date: December 13, 2023)

Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee, thank you for the opportunity to provide testimony in support of Senate Bill 37.

My name is Theresa Smith. I am a 65 year-old, African American woman and receive less than \$1,000 each month from Social Security. I want to tell you about what happened when my driver's license was suspended. I do not want other people to go through the ordeal that I experienced.

In 2021 I was at a friend's house late one night and fell asleep. While I was asleep, he took my car without my permission and got into an accident. He did not have a license or insurance. Because he was driving my car, the other driver filed a crash report with the BMV against me. They alleged \$1,600 in property damage. I had a valid license and insurance but I was held responsible. The BMV suspended my license because I never got notice of the security suspension so could not negotiate a resolution with either driver. The BMV also gave me a noncompliance suspension because the person driving my car did not have insurance and my insurance did not cover him.

In fact, I did not find out about the suspension until months after the accident when I went to the BMV to renew my vehicle registration. They told me I had to call the other driver to work out payment for damages and had to get an SR-22 bond before I could get my license back. I initially agreed to make monthly payments to the other driver but did not sign any agreement. After about 6 months, they said I owed double the original amount and would have to pay \$3,300 because of bodily injury. That was the first time they ever alleged someone was hurt in the accident. The police report did not support their story. That's when I realized I needed a lawyer and called Legal Aid.

My lawyer tried to negotiate with the other driver's insurance company, tried reporting fraudulent activity to the Ohio Department of Insurance, and tried advocating to the BMV that I was not responsible or at fault. None of these efforts worked. My lawyer said I could file bankruptcy as a last resort and eventually that is what I had to do.

I try to do the right thing. I follow the law. I worked all my life. I just retired earlier this year after working as a receptionist for my church. But when my license was suspended, I was overwhelmed with stress. I was facing impossible choices. I either had to drive to work or lose my job. I had to give up shopping for the food I preferred and go where other people would take me. My health was at risk from my diabetes because I worried about getting to my doctor's appointments. And then my landlord threatened to tow my car. Under my lease, I could not park a car with expired tags at my building. But I could not renew my vehicle registration until I resolved the suspension.

Legal Aid helped me file for bankruptcy, and I was able to get my license and registration renewed just in time. I did not have to pay a reinstatement fee because I qualified for the amnesty program based on getting food stamps. If I had to wait much longer, my license would have expired and I would have to take my driving test again. And my car would have been towed. But even still, I am having a hard time financially. No bank will loan me money because of the bankruptcy. My credit is ruined. And I am struggling every day to pay for the SR-22 bond that I am required to keep for three years because of the

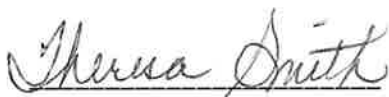
noncompliance suspension. At first the SR-22 cost me \$130 a month. When I moved to a new city, the insurance company increased it to \$500 a month. I could not afford such a high price and looked for another company. I then got SR-22 coverage for \$113 each month. But, after 6 months it went up and now I am paying \$184 per month. When I asked why it increased, they could not tell me.

I have to pay for this insurance because I have to be able to drive. I live alone, I care for others who need help, and I do not want to live in fear of being pulled over and getting suspended again. I am so tired from all of this stress. I cannot go through it again.

SB 37 would help people in my situation by getting rid of security suspensions and getting rid of the SR-22 requirement for noncompliance suspensions. The way the law works now, people just give up and drive illegally because it's so hard and so expensive to resolve their suspension. And then there is a domino effect if they get into an accident or get pulled over for even a minor issue, and the problems and costs pile up. The law makes it so hard for people who want to be legal to solve their problem, that they just give up. This new law could make it easier for people to do what is right.

Sincerely,

Theresa Smith

A handwritten signature in cursive script that reads "Theresa Smith". The signature is written in dark ink and is positioned above a horizontal line.

(Signature)

3331 Sutton Rd.

Shaker Heights, Ohio 44120