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# OHIO LEGISLATIVE SERVICE COMMISSION

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**S.B. 68**  
**133<sup>rd</sup> General Assembly**

## Bill Analysis

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**Version:** As Passed by the Senate

**Primary Sponsor:** Sen. Williams

Margaret E. Marcy, Attorney

### SUMMARY

- Authorizes a court to allow an offender to complete a community service program in lieu of paying driver's license reinstatement fees when the court determines the offender cannot reasonably pay those fees.
- Authorizes the Registrar of Motor Vehicles to adopt rules to create a reinstatement fee waiver plan through which an indigent person may apply for and receive a waiver of all reinstatement fees.

### DETAILED ANALYSIS

#### Community service in lieu of driver's license reinstatement fees

The bill authorizes a municipal or county court to allow an offender to perform community service in lieu of paying driver's license reinstatement fees when the court determines that the offender cannot reasonably pay those fees.<sup>1</sup> When an offender completes the community service, the bill requires the court to provide documentation of that completion. The bill also requires an offender who is seeking license reinstatement to present that documentation to the Registrar of Motor Vehicles.<sup>2</sup>

Under current law, payment of reinstatement fees is required before the Registrar will reinstate a suspended driver's license. The Registrar is prohibited from reinstating a driver's license until the person has paid all reinstatement fees and has complied with all other conditions (typically court-mandated) for each license suspension.<sup>3</sup> Currently, when a municipal

<sup>1</sup> The bill also applies to reinstatement fees for a commercial driver's license or permit or nonresident operating privilege.

<sup>2</sup> R.C. 4510.10(C)(2).

<sup>3</sup> R.C. 4510.10(A) and (B).

or county court determines that an offender cannot reasonably pay reinstatement fees, the court may establish an installment payment plan or a payment extension plan for the offender.<sup>4</sup>

### **Reinstatement fee waiver plan**

The bill authorizes the Registrar, with the Director of Public Safety's approval, to adopt rules creating a reinstatement fee waiver plan managed by the Bureau of Motor Vehicles. The plan permits an indigent person (as determined by a state public defender) to apply for and receive a waiver of all reinstatement fees. The rules creating the plan may establish any of the following:

1. The form of the application;
2. The documentation required to prove the applicant is indigent;
3. A process for recording the applicant's driving privileges as "valid" after the waiver of the reinstatement fees; and
4. Any other requirements or procedures the Registrar determines are necessary for implementation of the plan.<sup>5</sup>

Under current law, the Registrar is authorized to create a reinstatement fee installment plan managed by the BMV, similar to the court-managed reinstatement fee installment payment plan.<sup>6</sup>

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## **HISTORY**

Action	Date
Introduced	02-26-19
Reported, S. Local Gov't, Public Safety & Veterans Affairs	05-23-19
Passed Senate (32-0)	05-29-19

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<sup>4</sup> R.C. 4510.10(C)(1) and (D) through (F).

<sup>5</sup> R.C. 4510.10(A)(2), (G)(1)(b), and (G)(3).

<sup>6</sup> R.C. 4510.10(G)(1)(a) and (G)(2).