

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 152

Senator Huffman, M.

A BILL

To amend section 4509.101 of the Revised Code to
alter the penalties related to the failure to
maintain motor vehicle insurance, to require the
Lima Municipal Court to establish a pilot
program governing the repayment of driver's
license reinstatement and court fees, and to
make an appropriation.

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

Section 1. That section 4509.101 of the Revised Code be
amended to read as follows:

Sec. 4509.101. (A) (1) No person shall operate, or permit
the operation of, a motor vehicle in this state, unless proof of
financial responsibility is maintained continuously throughout
the registration period with respect to that vehicle, or, in the
case of a driver who is not the owner, with respect to that
driver's operation of that vehicle.

(2) Whoever violates division (A) (1) of this section shall
be subject to the following civil penalties:

(a) Subject to divisions (A) (2) (b) and (c) of this
section, a class (F) suspension of the person's driver's

license, commercial driver's license, temporary instruction 20
permit, probationary license, or nonresident operating privilege 21
for the period of time specified in division (B) (6) of section 22
4510.02 of the Revised Code and impoundment of the person's 23
license. 24

(b) If, within five years of the violation, the person's 25
operating privileges are again suspended and the person's 26
license again is impounded for a violation of division (A) (1) of 27
this section, a class ~~C~~E suspension of the person's driver's 28
license, commercial driver's license, temporary instruction 29
permit, probationary license, or nonresident operating privilege 30
for the period of time specified in division (B) ~~(3)~~(5) of 31
section 4510.02 of the Revised Code. The court may grant limited 32
driving privileges to the person only if the person presents 33
proof of financial responsibility and has complied with division 34
(A) (5) of this section, and no court may grant limited driving 35
privileges for the first fifteen days of the suspension. 36

(c) If, within five years of the violation, the person's 37
operating privileges are suspended and the person's license is 38
impounded two or more times for a violation of division (A) (1) 39
of this section, a class ~~B~~D suspension of the person's driver's 40
license, commercial driver's license, temporary instruction 41
permit, probationary license, or nonresident operating privilege 42
for the period of time specified in division (B) ~~(2)~~(4) of 43
section 4510.02 of the Revised Code. The court may grant limited 44
driving privileges to the person only if the person presents 45
proof of financial responsibility and has complied with division 46
(A) (5) of this section, except that no court may grant limited 47
driving privileges for the first thirty days of the suspension. 48

(d) In addition to the suspension of an owner's license 49

under division (A) (2) (a), (b), or (c) of this section, the 50
suspension of the rights of the owner to register the motor 51
vehicle and the impoundment of the owner's certificate of 52
registration and license plates until the owner complies with 53
division (A) (5) of this section. 54

(3) A person to whom this state has issued a certificate 55
of registration for a motor vehicle or a license to operate a 56
motor vehicle or who is determined to have operated any motor 57
vehicle or permitted the operation in this state of a motor 58
vehicle owned by the person shall be required to verify the 59
existence of proof of financial responsibility covering the 60
operation of the motor vehicle or the person's operation of the 61
motor vehicle under any of the following circumstances: 62

(a) The person or a motor vehicle owned by the person is 63
involved in a traffic accident that requires the filing of an 64
accident report under section 4509.06 of the Revised Code. 65

(b) The person receives a traffic ticket indicating that 66
proof of the maintenance of financial responsibility was not 67
produced upon the request of a peace officer or state highway 68
patrol trooper made in accordance with division (D) (2) of this 69
section. 70

(c) Whenever, in accordance with rules adopted by the 71
registrar, the person is randomly selected by the registrar and 72
requested to provide such verification. 73

(4) An order of the registrar that suspends and impounds a 74
license or registration, or both, shall state the date on or 75
before which the person is required to surrender the person's 76
license or certificate of registration and license plates. The 77
person is deemed to have surrendered the license or certificate 78

of registration and license plates, in compliance with the 79
order, if the person does either of the following: 80

(a) On or before the date specified in the order, 81
personally delivers the license or certificate of registration 82
and license plates, or causes the delivery of the items, to the 83
registrar; 84

(b) Mails the license or certificate of registration and 85
license plates to the registrar in an envelope or container 86
bearing a postmark showing a date no later than the date 87
specified in the order. 88

(5) Except as provided in division (A) (6) or (L) of this 89
section, the registrar shall not restore any operating 90
privileges or registration rights suspended under this section, 91
return any license, certificate of registration, or license 92
plates impounded under this section, or reissue license plates 93
under section 4503.232 of the Revised Code, if the registrar 94
destroyed the impounded license plates under that section, or 95
reissue a license under section 4510.52 of the Revised Code, if 96
the registrar destroyed the suspended license under that 97
section, unless the rights are not subject to suspension or 98
revocation under any other law and unless the person, in 99
addition to complying with all other conditions required by law 100
for reinstatement of the operating privileges or registration 101
rights, complies with all of the following: 102

(a) Pays to the registrar or an eligible deputy registrar 103
a financial responsibility reinstatement fee of one hundred 104
dollars ~~for the first violation of division (A) (1) of this~~ 105
~~section, three hundred dollars for a second violation of that~~ 106
~~division, and six hundred dollars for a third or subsequent~~ 107
~~violation of that division;~~ 108

(b) If the person has not voluntarily surrendered the 109
license, certificate, or license plates in compliance with the 110
order, pays to the registrar or an eligible deputy registrar a 111
financial responsibility nonvoluntary compliance fee in an 112
amount, not to exceed fifty dollars, determined by the 113
registrar; 114

(c) Files and continuously maintains proof of financial 115
responsibility under sections 4509.44 to 4509.65 of the Revised 116
Code; 117

(d) Pays a deputy registrar a service fee of ten dollars 118
to compensate the deputy registrar for services performed under 119
this section. The deputy registrar shall retain eight dollars of 120
the service fee and shall transmit the reinstatement fee, any 121
nonvoluntary compliance fee, and two dollars of the service fee 122
to the registrar in the manner the registrar shall determine. 123

(6) If the registrar issues an order under division (A) (2) 124
of this section resulting from the failure of a person to 125
respond to a financial responsibility random verification 126
request under division (A) (3) (c) of this section and the person 127
successfully maintains an affirmative defense to a violation of 128
section 4510.16 of the Revised Code or is determined by the 129
registrar or a deputy registrar to have been in compliance with 130
division (A) (1) of this section at the time of the initial 131
financial responsibility random verification request, the 132
registrar shall do both of the following: 133

(a) Terminate the order of suspension or impoundment; 134

(b) Restore the operating privileges and registration 135
rights of the person without payment of the fees established in 136
divisions (A) (5) (a) and (b) of this section and without a 137

requirement to file proof of financial responsibility. 138

(B) (1) Every party required to file an accident report 139
under section 4509.06 of the Revised Code also shall include 140
with the report a document described in division (G) (1) (a) of 141
this section or shall present proof of financial responsibility 142
through use of an electronic wireless communications device as 143
permitted by division (G) (1) (b) of this section. 144

If the registrar determines, within forty-five days after 145
the report is filed, that an operator or owner has violated 146
division (A) (1) of this section, the registrar shall do all of 147
the following: 148

(a) Order the impoundment, with respect to the motor 149
vehicle involved, required under division (A) (2) (d) of this 150
section, of the certificate of registration and license plates 151
of any owner who has violated division (A) (1) of this section; 152

(b) Order the suspension required under division (A) (2) 153
(a), (b), or (c) of this section of the license of any operator 154
or owner who has violated division (A) (1) of this section; 155

(c) Record the name and address of the person whose 156
certificate of registration and license plates have been 157
impounded or are under an order of impoundment, or whose license 158
has been suspended or is under an order of suspension; the 159
serial number of the person's license; the serial numbers of the 160
person's certificate of registration and license plates; and the 161
person's social security account number, if assigned, or, where 162
the motor vehicle is used for hire or principally in connection 163
with any established business, the person's federal taxpayer 164
identification number. The information shall be recorded in such 165
a manner that it becomes a part of the person's permanent 166

record, and assists the registrar in monitoring compliance with 167
the orders of suspension or impoundment. 168

(d) Send written notification to every person to whom the 169
order pertains, at the person's last known address as shown on 170
the records of the bureau. The person, within ten days after the 171
date of the mailing of the notification, shall surrender to the 172
registrar, in a manner set forth in division (A) (4) of this 173
section, any certificate of registration and registration plates 174
under an order of impoundment, or any license under an order of 175
suspension. 176

(2) The registrar shall issue any order under division (B) 177
(1) of this section without a hearing. Any person adversely 178
affected by the order, within ten days after the issuance of the 179
order, may request an administrative hearing before the 180
registrar, who shall provide the person with an opportunity for 181
a hearing in accordance with this paragraph. A request for a 182
hearing does not operate as a suspension of the order. The scope 183
of the hearing shall be limited to whether the person in fact 184
demonstrated to the registrar proof of financial responsibility 185
in accordance with this section. The registrar shall determine 186
the date, time, and place of any hearing, provided that the 187
hearing shall be held, and an order issued or findings made, 188
within thirty days after the registrar receives a request for a 189
hearing. If requested by the person in writing, the registrar 190
may designate as the place of hearing the county seat of the 191
county in which the person resides or a place within fifty miles 192
of the person's residence. The person shall pay the cost of the 193
hearing before the registrar, if the registrar's order of 194
suspension or impoundment is upheld. 195

(C) Any order of suspension or impoundment issued under 196

this section or division (B) of section 4509.37 of the Revised 197
Code may be terminated at any time if the registrar determines 198
upon a showing of proof of financial responsibility that the 199
operator or owner of the motor vehicle was in compliance with 200
division (A)(1) of this section at the time of the traffic 201
offense, motor vehicle inspection, or accident that resulted in 202
the order against the person. A determination may be made 203
without a hearing. This division does not apply unless the 204
person shows good cause for the person's failure to present 205
satisfactory proof of financial responsibility to the registrar 206
prior to the issuance of the order. 207

(D)(1) For the purpose of enforcing this section, every 208
peace officer is deemed an agent of the registrar. 209

(a) Except as provided in division (D)(1)(b) of this 210
section, any peace officer who, in the performance of the peace 211
officer's duties as authorized by law, becomes aware of a person 212
whose license is under an order of suspension, or whose 213
certificate of registration and license plates are under an 214
order of impoundment, pursuant to this section, may confiscate 215
the license, certificate of registration, and license plates, 216
and return them to the registrar. 217

(b) Any peace officer who, in the performance of the peace 218
officer's duties as authorized by law, becomes aware of a person 219
whose license is under an order of suspension, or whose 220
certificate of registration and license plates are under an 221
order of impoundment resulting from failure to respond to a 222
financial responsibility random verification, shall not, for 223
that reason, arrest the owner or operator or seize the vehicle 224
or license plates. Instead, the peace officer shall issue a 225
citation for a violation of section 4510.16 of the Revised Code 226

specifying the circumstances as failure to respond to a 227
financial responsibility random verification. 228

(2) A peace officer shall request the owner or operator of 229
a motor vehicle to produce proof of financial responsibility in 230
a manner described in division (G) of this section at the time 231
the peace officer acts to enforce the traffic laws of this state 232
and during motor vehicle inspections conducted pursuant to 233
section 4513.02 of the Revised Code. 234

(3) A peace officer shall indicate on every traffic ticket 235
whether the person receiving the traffic ticket produced proof 236
of the maintenance of financial responsibility in response to 237
the officer's request under division (D) (2) of this section. The 238
peace officer shall inform every person who receives a traffic 239
ticket and who has failed to produce proof of the maintenance of 240
financial responsibility that the person must submit proof to 241
the traffic violations bureau with any payment of a fine and 242
costs for the ticketed violation or, if the person is to appear 243
in court for the violation, the person must submit proof to the 244
court. 245

(4) (a) If a person who has failed to produce proof of the 246
maintenance of financial responsibility appears in court for a 247
ticketed violation, the court may permit the defendant to 248
present evidence of proof of financial responsibility to the 249
court at such time and in such manner as the court determines to 250
be necessary or appropriate. In a manner prescribed by the 251
registrar, the clerk of courts shall provide the registrar with 252
the identity of any person who fails to submit proof of the 253
maintenance of financial responsibility pursuant to division (D) 254
(3) of this section. 255

(b) If a person who has failed to produce proof of the 256

maintenance of financial responsibility also fails to submit 257
that proof to the traffic violations bureau with payment of a 258
fine and costs for the ticketed violation, the traffic 259
violations bureau, in a manner prescribed by the registrar, 260
shall notify the registrar of the identity of that person. 261

(5) (a) Upon receiving notice from a clerk of courts or 262
traffic violations bureau pursuant to division (D) (4) of this 263
section, the registrar shall order the suspension of the license 264
of the person required under division (A) (2) (a), (b), or (c) of 265
this section and the impoundment of the person's certificate of 266
registration and license plates required under division (A) (2) 267
(d) of this section, effective thirty days after the date of the 268
mailing of notification. The registrar also shall notify the 269
person that the person must present the registrar with proof of 270
financial responsibility in accordance with this section, 271
surrender to the registrar the person's certificate of 272
registration, license plates, and license, or submit a statement 273
subject to section 2921.13 of the Revised Code that the person 274
did not operate or permit the operation of the motor vehicle at 275
the time of the offense. Notification shall be in writing and 276
shall be sent to the person at the person's last known address 277
as shown on the records of the bureau of motor vehicles. The 278
person, within fifteen days after the date of the mailing of 279
notification, shall present proof of financial responsibility, 280
surrender the certificate of registration, license plates, and 281
license to the registrar in a manner set forth in division (A) 282
(4) of this section, or submit the statement required under this 283
section together with other information the person considers 284
appropriate. 285

If the registrar does not receive proof or the person does 286
not surrender the certificate of registration, license plates, 287

and license, in accordance with this division, the registrar 288
shall permit the order for the suspension of the license of the 289
person and the impoundment of the person's certificate of 290
registration and license plates to take effect. 291

(b) In the case of a person who presents, within the 292
fifteen-day period, proof of financial responsibility, the 293
registrar shall terminate the order of suspension and the 294
impoundment of the registration and license plates required 295
under division (A) (2) (d) of this section and shall send written 296
notification to the person, at the person's last known address 297
as shown on the records of the bureau. 298

(c) Any person adversely affected by the order of the 299
registrar under division (D) (5) (a) or (b) of this section, 300
within ten days after the issuance of the order, may request an 301
administrative hearing before the registrar, who shall provide 302
the person with an opportunity for a hearing in accordance with 303
this paragraph. A request for a hearing does not operate as a 304
suspension of the order. The scope of the hearing shall be 305
limited to whether, at the time of the hearing, the person 306
presents proof of financial responsibility covering the vehicle 307
and whether the person is eligible for an exemption in 308
accordance with this section or any rule adopted under it. The 309
registrar shall determine the date, time, and place of any 310
hearing; provided, that the hearing shall be held, and an order 311
issued or findings made, within thirty days after the registrar 312
receives a request for a hearing. If requested by the person in 313
writing, the registrar may designate as the place of hearing the 314
county seat of the county in which the person resides or a place 315
within fifty miles of the person's residence. Such person shall 316
pay the cost of the hearing before the registrar, if the 317
registrar's order of suspension or impoundment under division 318

(D) (5) (a) or (b) of this section is upheld. 319

(6) A peace officer may charge an owner or operator of a 320
motor vehicle with a violation of section 4510.16 of the Revised 321
Code when the owner or operator fails to show proof of the 322
maintenance of financial responsibility pursuant to a peace 323
officer's request under division (D) (2) of this section, if a 324
check of the owner or operator's driving record indicates that 325
the owner or operator, at the time of the operation of the motor 326
vehicle, is required to file and maintain proof of financial 327
responsibility under section 4509.45 of the Revised Code for a 328
previous violation of this chapter. 329

(7) Any forms used by law enforcement agencies in 330
administering this section shall be prescribed, supplied, and 331
paid for by the registrar. 332

(8) No peace officer, law enforcement agency employing a 333
peace officer, or political subdivision or governmental agency 334
that employs a peace officer shall be liable in a civil action 335
for damages or loss to persons arising out of the performance of 336
any duty required or authorized by this section. 337

(9) As used in this section, "peace officer" has the 338
meaning set forth in section 2935.01 of the Revised Code. 339

(E) All fees, except court costs, fees paid to a deputy 340
registrar, and those portions of the financial responsibility 341
reinstatement fees as otherwise specified in this division, 342
collected under this section shall be paid into the state 343
treasury to the credit of the public safety - highway purposes 344
fund established in section 4501.06 of the Revised Code and used 345
to cover costs incurred by the bureau in the administration of 346
this section and sections 4503.20, 4507.212, and 4509.81 of the 347

Revised Code, and by any law enforcement agency employing any 348
peace officer who returns any license, certificate of 349
registration, and license plates to the registrar pursuant to 350
division (C) of this section. 351

Of each financial responsibility reinstatement fee the 352
registrar collects pursuant to division (A) (5) (a) of this 353
section or receives from a deputy registrar under division (A) 354
(5) (d) of this section, the registrar shall deposit twenty-five 355
dollars of each one-hundred-dollar reinstatement fee, ~~fifty-~~ 356
~~dollars of each three hundred-dollar reinstatement fee, and one-~~ 357
~~hundred dollars of each six hundred-dollar reinstatement fee~~ 358
into the state treasury to the credit of the indigent defense 359
support fund created by section 120.08 of the Revised Code. 360

(F) Chapter 119. of the Revised Code applies to this 361
section only to the extent that any provision in that chapter is 362
not clearly inconsistent with this section. 363

(G) (1) (a) The registrar, court, traffic violations bureau, 364
or peace officer may require proof of financial responsibility 365
to be demonstrated by use of a standard form prescribed by the 366
registrar. If the use of a standard form is not required, a 367
person may demonstrate proof of financial responsibility under 368
this section by presenting to the traffic violations bureau, 369
court, registrar, or peace officer any of the following 370
documents or a copy of the documents: 371

(i) A financial responsibility identification card as 372
provided in section 4509.103 of the Revised Code; 373

(ii) A certificate of proof of financial responsibility on 374
a form provided and approved by the registrar for the filing of 375
an accident report required to be filed under section 4509.06 of 376

the Revised Code; 377

(iii) A policy of liability insurance, a declaration page 378
of a policy of liability insurance, or liability bond, if the 379
policy or bond complies with section 4509.20 or sections 4509.49 380
to 4509.61 of the Revised Code; 381

(iv) A bond or certification of the issuance of a bond as 382
provided in section 4509.59 of the Revised Code; 383

(v) A certificate of deposit of money or securities as 384
provided in section 4509.62 of the Revised Code; 385

(vi) A certificate of self-insurance as provided in 386
section 4509.72 of the Revised Code. 387

(b) A person also may present proof of financial 388
responsibility under this section to the traffic violations 389
bureau, court, registrar, or peace officer through use of an 390
electronic wireless communications device as specified under 391
section 4509.103 of the Revised Code. 392

(2) If a person fails to demonstrate proof of financial 393
responsibility in a manner described in division (G)(1) of this 394
section, the person may demonstrate proof of financial 395
responsibility under this section by any other method that the 396
court or the bureau, by reason of circumstances in a particular 397
case, may consider appropriate. 398

(3) A motor carrier certificated by the interstate 399
commerce commission or by the public utilities commission may 400
demonstrate proof of financial responsibility by providing a 401
statement designating the motor carrier's operating authority 402
and averring that the insurance coverage required by the 403
certificating authority is in full force and effect. 404

(4) (a) A finding by the registrar or court that a person 405
is covered by proof of financial responsibility in the form of 406
an insurance policy or surety bond is not binding upon the named 407
insurer or surety or any of its officers, employees, agents, or 408
representatives and has no legal effect except for the purpose 409
of administering this section. 410

(b) The preparation and delivery of a financial 411
responsibility identification card or any other document 412
authorized to be used as proof of financial responsibility and 413
the generation and delivery of proof of financial responsibility 414
to an electronic wireless communications device that is 415
displayed on the device as text or images does not do any of the 416
following: 417

(i) Create any liability or estoppel against an insurer or 418
surety, or any of its officers, employees, agents, or 419
representatives; 420

(ii) Constitute an admission of the existence of, or of 421
any liability or coverage under, any policy or bond; 422

(iii) Waive any defenses or counterclaims available to an 423
insurer, surety, agent, employee, or representative in an action 424
commenced by an insured or third-party claimant upon a cause of 425
action alleged to have arisen under an insurance policy or 426
surety bond or by reason of the preparation and delivery of a 427
document for use as proof of financial responsibility or the 428
generation and delivery of proof of financial responsibility to 429
an electronic wireless communications device. 430

(c) Whenever it is determined by a final judgment in a 431
judicial proceeding that an insurer or surety, which has been 432
named on a document or displayed on an electronic wireless 433

communications device accepted by a court or the registrar as 434
proof of financial responsibility covering the operation of a 435
motor vehicle at the time of an accident or offense, is not 436
liable to pay a judgment for injuries or damages resulting from 437
such operation, the registrar, notwithstanding any previous 438
contrary finding, shall forthwith suspend the operating 439
privileges and registration rights of the person against whom 440
the judgment was rendered as provided in division (A) (2) of this 441
section. 442

(H) In order for any document or display of text or images 443
on an electronic wireless communications device described in 444
division (G) (1) of this section to be used for the demonstration 445
of proof of financial responsibility under this section, the 446
document or words or images shall state the name of the insured 447
or obligor, the name of the insurer or surety company, and the 448
effective and expiration dates of the financial responsibility, 449
and designate by explicit description or by appropriate 450
reference all motor vehicles covered which may include a 451
reference to fleet insurance coverage. 452

(I) For purposes of this section, "owner" does not include 453
a licensed motor vehicle leasing dealer as defined in section 454
4517.01 of the Revised Code, but does include a motor vehicle 455
renting dealer as defined in section 4549.65 of the Revised 456
Code. Nothing in this section or in section 4509.51 of the 457
Revised Code shall be construed to prohibit a motor vehicle 458
renting dealer from entering into a contractual agreement with a 459
person whereby the person renting the motor vehicle agrees to be 460
solely responsible for maintaining proof of financial 461
responsibility, in accordance with this section, with respect to 462
the operation, maintenance, or use of the motor vehicle during 463
the period of the motor vehicle's rental. 464

(J) The purpose of this section is to require the maintenance of proof of financial responsibility with respect to the operation of motor vehicles on the highways of this state, so as to minimize those situations in which persons are not compensated for injuries and damages sustained in motor vehicle accidents. The general assembly finds that this section contains reasonable civil penalties and procedures for achieving this purpose.

(K) Nothing in this section shall be construed to be subject to section 4509.78 of the Revised Code.

(L) (1) The registrar may terminate any suspension imposed under this section and not require the owner to comply with divisions (A) (5) (a), (b), and (c) of this section if the registrar with or without a hearing determines that the owner of the vehicle has established by clear and convincing evidence that all of the following apply:

(a) The owner customarily maintains proof of financial responsibility.

(b) Proof of financial responsibility was not in effect for the vehicle on the date in question for one of the following reasons:

(i) The vehicle was inoperable.

(ii) The vehicle is operated only seasonally, and the date in question was outside the season of operation.

(iii) A person other than the vehicle owner or driver was at fault for the lapse of proof of financial responsibility through no fault of the owner or driver.

(iv) The lapse of proof of financial responsibility was

caused by excusable neglect under circumstances that are not 493
likely to recur and do not suggest a purpose to evade the 494
requirements of this chapter. 495

(2) The registrar may grant an owner or driver relief for 496
a reason specified in division (L)(1)(b)(i) or (ii) of this 497
section whenever the owner or driver is randomly selected to 498
verify the existence of proof of financial responsibility for 499
such a vehicle. However, the registrar may grant an owner or 500
driver relief for a reason specified in division (L)(1)(b)(iii) 501
or (iv) of this section only if the owner or driver has not 502
previously been granted relief under division (L)(1)(b)(iii) or 503
(iv) of this section. 504

(M) The registrar shall adopt rules in accordance with 505
Chapter 119. of the Revised Code that are necessary to 506
administer and enforce this section. The rules shall include 507
procedures for the surrender of license plates upon failure to 508
maintain proof of financial responsibility and provisions 509
relating to reinstatement of registration rights, acceptable 510
forms of proof of financial responsibility, the use of an 511
electronic wireless communications device to present proof of 512
financial responsibility, and verification of the existence of 513
financial responsibility during the period of registration. 514

(N)(1) When a person utilizes an electronic wireless 515
communications device to present proof of financial 516
responsibility, only the evidence of financial responsibility 517
displayed on the device shall be viewed by the registrar, peace 518
officer, employee or official of the traffic violations bureau, 519
or the court. No other content of the device shall be viewed for 520
purposes of obtaining proof of financial responsibility. 521

(2) When a person provides an electronic wireless 522

communications device to the registrar, a peace officer, an 523
employee or official of a traffic violations bureau, or the 524
court, the person assumes the risk of any resulting damage to 525
the device unless the registrar, peace officer, employee, or 526
official, or court personnel purposely, knowingly, or recklessly 527
commits an action that results in damage to the device. 528

(O) A suspension of a driver's license under this section 529
shall be concurrent with any other period of suspension imposed 530
by the bureau of motor vehicles or any court. 531

Section 2. That existing section 4509.101 of the Revised 532
Code is hereby repealed. 533

Section 3. (A) As used in this section: 534

(1) "Eligible offense" means an offense under any of the 535
following Revised Code sections when the offense is a 536
misdemeanor and if the offense, an essential element of the 537
offense, the basis of the charge, or any underlying offense did 538
not involve a deadly weapon: 2907.24, 2913.02, 2919.22, 2923.01, 539
2925.03, 2925.04, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 540
2925.31, 2925.32, 2925.36, 2925.37, 2935.27, 4507.16, 4507.20, 541
4509.101, 4509.17, 4509.24, 4509.40, 4510.037, 4510.05, 4510.06, 542
4510.11, 4510.12, 4510.14, 4510.15, 4510.21, 4510.22, 4510.23, 543
4511.19, 4511.194, 4511.203, 4511.205, 4511.251, 4511.75, 544
4549.02, 4549.021, and 5743.99. 545

(2) "Deadly weapon" has the same meaning as in section 546
2923.11 of the Revised Code. 547

(3) "Driver's license or permit" does not include a 548
commercial driver's license or permit. 549

(B) Not later than July 1, 2019, the Lima Municipal Court 550
of Allen County, in conjunction with the Registrar of Motor 551

Vehicles, shall establish a pilot program to waive a portion of 552
eligible applicants' driver's license reinstatement and court 553
fees. The Court shall entitle the pilot program the State- 554
assisted Financial Compromise Program. The Program shall 555
terminate on December 31, 2019. 556

(C) (1) During the period the Program is in operation, a 557
person may apply to the Court to participate in the Program. 558

(2) To be eligible to participate in the Program, the 559
person shall demonstrate all of the following: 560

(a) The person's driver's license or permit is currently 561
suspended as a result of an eligible offense or offenses. 562

(b) The person has completed all other Court-ordered or 563
Registrar-required sanctions related to the eligible offense or 564
offenses, except for the complete payment of driver's license 565
reinstatement and court fees necessary for driver's license 566
reinstatement. 567

(c) The person owes at least one thousand dollars in 568
reinstatement and court fees related to the eligible offense or 569
offenses. 570

(3) An applicant shall submit to the Court with the 571
application documentation demonstrating that the applicant meets 572
the eligibility requirements. 573

(D) (1) Upon receipt of the the application, the Court 574
shall request the applicant's abstract from the Bureau of Motor 575
Vehicles. Not later than seven days after the Court requests the 576
abstract, the Bureau shall provide the abstract as requested 577
with a statement indicating any remaining requirements imposed 578
by the Registrar for driver's license reinstatement. 579

(2) If the abstract indicates that the applicant's 580
driver's license or permit has been suspended by another court, 581
the Lima Municipal Court shall request the case abstract from 582
the other court and any other information necessary to determine 583
if there are any other remaining requirements imposed by the 584
other court for driver's license reinstatement. 585

(E) The Court shall review the information received under 586
divisions (C) and (D) of this section and shall determine 587
whether the applicant is eligible to participate in the Program. 588
The Court shall do one of the following not later than seventy 589
days after the date on which the information is received: 590

(1) If the Court determines that the applicant is 591
eligible, notify the applicant in writing that the applicant 592
shall pay five hundred dollars of the applicant's reinstatement 593
and court fee balance to the Court. 594

If the applicant fails to pay the required amount within a 595
time period determined by the Court, the applicant may reapply 596
to the Court for participation in the Program. The applicant 597
shall not reapply for participation more than once during the 598
time period in which the Program is in operation. 599

(2) If the Court determines that the applicant is not 600
eligible, notify the applicant in writing of that determination. 601
A letter of ineligibility does not prohibit that person from 602
reapplying. However, the person shall not reapply for 603
participation more than once during the time period in which the 604
Program is in operation. 605

(F) The Court shall provide for the assignment of Court 606
costs and fees paid under division (E)(1) of this section in the 607
manner provided in section 2949.111 of the Revised Code. If the 608

payment involves more than one case, the Court shall determine 609
to which case or cases the payment applies. 610

(G) The Court shall issue an order reinstating the 611
applicant's driver's license and waiving any remaining 612
reinstatement and court fees owed by the applicant if the 613
applicant has fulfilled all obligations required under division 614
(E) (1) of this section. 615

(H) The Court shall conduct a public service announcement 616
regarding the Program that includes a description of the Program 617
and its requirements. In addition, the Court shall make such 618
information available on its web site. 619

(I) The Court shall establish any additional requirements, 620
conditions, or procedures necessary to administer and implement 621
this section. 622

(J) Not later than ninety days after termination of the 623
Program, the Court shall submit a report to the Speaker of the 624
House of Representatives, the President of the Senate, and the 625
Ohio Supreme Court, detailing the effects of the Program. 626

Section 4. All items in this section are hereby 627
appropriated as designated out of any moneys in the state 628
treasury to the credit of the designated fund. For all 629
appropriations made in this act, those in the first column are 630
for fiscal year 2020 and those in the second column are for 631
fiscal year 2021. The appropriations made in this act are in 632
addition to any other appropriations made for the FY 2020-FY 633
2021 biennium. 634

DPS DEPARTMENT OF PUBLIC SAFETY 635

Dedicated Purpose Fund Group 636

5US0	762322	Driver's License			637
		Restoration	\$ 50,000	\$ 0	638
TOTAL DPF Dedicated Purpose Fund					639
Group			\$ 50,000	\$ 0	640
TOTAL ALL BUDGET FUND GROUPS					641

DRIVER'S LICENSE RESTORATION 642

On July 1, 2019, or as soon as possible thereafter, the 643
Director of Budget and Management shall transfer \$50,000 cash 644
from the General Revenue Fund to the Driver's License 645
Restoration Fund (Fund 5US0), which is hereby created in the 646
state treasury. 647

For every eligible applicant for the State-assisted 648
Financial Compromise Program that pays the required \$500 to the 649
Lima Municipal Court pursuant by Section 3 of this act, the 650
Bureau of Motor Vehicles may use \$500 of the foregoing 651
appropriation item 762322, Driver's License Restoration, to 652
support operations of the Bureau of Motor Vehicles. 653

Section 5. Within the limits set forth in this act, the 654
Director of Budget and Management shall establish accounts 655
indicating the source and amount of funds for each appropriation 656
made in this act, and shall determine the form and manner in 657
which appropriation accounts shall be maintained. Expenditures 658
from appropriations contained in this act shall be accounted for 659
as though made in the main operating appropriations act of the 660
133rd General Assembly. 661

The appropriations made in this act are subject to all 662
provisions of the main operating appropriations act of the 133rd 663
General Assembly that are generally applicable to such 664
appropriations. 665