



Judicial Impact Statement

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SB 160 – Community service for license reinstatement fees

SB 160

Sen. Williams

Title Information

To amend section 4510.10 of the Revised Code to allow a court to authorize completion of a community service program in lieu of payment of driver's license reinstatement fees when the court determines that an offender cannot reasonably pay the fees.

Background

Under Ohio law, there are 53 reasons for which a person's driver's license can be suspended, including dropping out of school, stealing gasoline, driving under the influence, and failing to make child support payments. In order to reinstate a suspended license, the driver must pay to the Bureau of Motor Vehicles a reinstatement fee, which can range, depending on the infraction that resulted in the suspension, from \$15 (for a warrant-block suspension) to \$600 (third non-compliance offense within five years). Judges frequently see people who have multiple suspensions, owing over \$1,000 in reinstatement fees alone. While the Bureau of Motor Vehicles allows drivers to pay these fees on a repayment plan, many people are unable to afford even these reduced monthly payments. HB 160 would permit courts to authorize the performance of community service in lieu of paying reinstatement fees.

Judicial Impact

While judges understand the intent behind the bill, and recognize that many Ohioans have difficulty in meeting the obligations of even the Bureau of Motor Vehicles' reduced payment plan, there are practical concerns over requiring courts to oversee community service programs for the repayment of amounts owed to another state agency. HB 160 could add to the administrative burden placed on courts by requiring court staff to supervise the completion of community service and to coordinate with the BMV on compliance. Reinstatement fees belong to the BMV, and accordingly the BMV, not the courts, should be responsible not only for collecting them, but also for determining whether, and how, community service can be performed in lieu of those fees. Accordingly, judges would prefer the bill be amended so that the BMV, and not the courts, is responsible for overseeing and administering a community-service-based repayment plan.

Conclusion

Ohio's judges support the intent behind the bill, but do not believe courts should be tasked with overseeing alternative payment options for amounts owed to other state agencies. The BMV should be tasked with allowing and administering community service performance in lieu of paying reinstatement fees.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.