

USE OF THE INDIGENT DRIVER ALCOHOL TREATMENT FUND (IDAT)  
FACT SHEET<sup>1</sup>

An IDAT fund is meant to cover the cost of mandatory substance abuse treatment for indigent OVI offenders and indigent juvenile traffic offenders who have a diagnosis of alcohol or drug abuse or dependence. Each county is required to establish an indigent drivers' alcohol treatment fund and a juvenile indigent drivers alcohol treatment fund (ORC § 4511.191(H)(1)).

**Where does the money come from?**

IDAT receives:

- \$37.50 from each driver's license reinstatement fee (ORC § 4511.191(F)).
- \$25 from each fine for first OVI in 6 years; \$50 from each fine for second OVI in 6 years (ORC §4511.19(G)(5)(c))
- \$1.50 for every moving violation conviction (ORC § 2949.094)
- \$25 for each fine imposed for a violation of a municipal OVI ordinance (ORC § 4511.193)
- \$50 for each immobilization fee (ORC § 4503.235)

**Who administers IDAT funds?**

ORC 4511.191(H)(3) requires that the local ADAS or ADAMHS Board administer the IDAT program of the court by determining the most suitable program to meet the offender's needs in fulfilling court-ordered treatment.

**How can funds be used?**

IDAT funds may only be used to pay for the cost of an alcohol and drug addiction assessment or treatment program attended by an OVI offender who is ordered into treatment and is determined by the judge not to have the means to pay for attendance at the program. This includes:

- *To pay for transportation to and from court-ordered services*
- *To pay for the portion of a Driver Intervention Program (DIP) that involves assessment (DIPs are considered an educational alternative to treatment and any portion of a DIP that does not include assessment and/or treatment cannot be funded through IDAT)*

A court, in consultation with the local Board, may declare a surplus if the IDAT funds under the control of the court are more than sufficient to satisfy the purpose for which the fund was established. The amount of the surplus may be used for alcohol/drug abuse assessment and treatment of persons who are charged with committing a non-OVI criminal offense or with being a delinquent child or juvenile traffic offender if:

- a) The court determines that substance abuse was a factor leading to the criminal, delinquent, or juvenile traffic activity and
- b) The court determines the person is unable to pay the cost of the alcohol and drug abuse assessment and treatment.

**How can surplus monies be used?**

If the court declares a surplus of the IDAT fund, the court may use the funds:

- *To pay for all or part of the cost of purchasing electronic continuous alcohol monitoring devices that are used in conjunction with a treatment program, including devices for house arrest as long as they also monitor alcohol*
- *To transfer to the IDAT fund of another court in the same county or to the local ADAS or ADAMHS Board*
- *To pay for the costs of staffing, equipment, training, drug testing, supplies, and any other expenses of any certified specialized docket program*

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<sup>1</sup> Italicized portions represent changes to statute from (2014) HB 483 and (2021) HB 110. Updated September 8, 2022.

*Similarly, a court may declare a surplus of IDAM funds, and transfer surplus monies to the IDAT fund.*

