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Rep DeGeeter introduces driver's license bill to assist Ohio courts

COLUMBUS - State Rep. Timothy J. DeGeeter, D-Parma provided sponsor testimony to a House Committee last week on bi-partisan legislation he and State Rep. Jim Hughes, R-Clintonville introduced together to allow courts to assist individuals before the court in certain pending Driving Under Suspension (DUS) cases.

Specifically, House Bill 303 would amend state law to clarify that Ohio courts, in pending driving under suspension cases, can order driver's license reinstatement fees to be paid in installments to the Bureau of Motor Vehicles (BMV). Prior to this year, courts had such authority.

The Ohio General Assembly previously created a BMV Installment Payment Plan that took effect January 1, 2004. Under this Plan, the legislature enabled Ohioans to become restored to "Issued License" status, and then be granted limited driving privileges while they were making reinstatement fee payments to the BMV in installment when there was a pending DUS case.

At the end of 2006, the General Assembly enacted legislation amending the BMV Installment Payment Plan to allow for individuals with no pending case before the court to petition for an order to make payments in installments to the BMV. However, that legislation also deleted language in existing law which provided the courts' authority to order the installment payment plan option in a pending DUS case.

This may have been inadvertent; but that payment plan option in pending cases had been valuable for both courts and prosecutors to allow for more individuals to become valid licensed drivers with auto insurance when having such cases on the court dockets. As a result, Ohio courts' authority to order installment payments in pending cases has become somewhat unclear.

"There is a flaw or oversight in current law that needs to be corrected. The main goal of House Bill 303 is to get more individuals back to valid driver's license status, to obtain auto insurance, and ensure to reinstatement fees are timely paid to the BMV," DeGeeter said. "This is good government initiative for Ohio courts in that we seek to ensure that drivers on Ohio's highways and roadways are valid license status and have obtained required auto insurance."

The need for this legislation, which is supported by the Ohio Judicial Conference and the Ohio Department of Public Safety, was brought to Rep. DeGeeter's attention by Judge Kenneth Spanagel of the Parma Municipal Court.

"This bill is important because it corrects a glaring mistake in Ohio law," Spanagel said. "Judges must have the freedom to ensure punishments are enforced fairly, and this legislation does just that."

Currently House Bill 303 is pending in the House Homeland Security, Infrastructure and Veteran's Affairs Committee where it awaits further hearings.

