



H.B. 460

125th General Assembly
(As Introduced)

Reps. **Key, Skindell, Carano, S. Smith, Beatty, Allen, Otterman, DeGeeter, Brown**

BILL SUMMARY

- Requires that 50% of all fees paid into the Financial Responsibility Compliance Fund be distributed to the courts to cover costs incurred by the courts in connection with the enforcement of traffic laws.
- Requires that the funds in the Financial Responsibility Compliance Fund be used to cover the costs incurred by the courts in connection with the enforcement of traffic laws.

CONTENT AND OPERATION

Financial Responsibility Compliance Fund

Current law

The Financial Responsibility Law (R.C. 4509.101) prohibits persons from operating, or permitting 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. The driver's license of a violator of the Financial Responsibility Law is subject to various civil penalties including the suspension of the person's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege and the impoundment of the person's license. (R.C. 4509.101(A).)

Under current law, all fees, except court costs, collected under R.C. 4509.101 must be paid into the state treasury to the credit of the Financial Responsibility Compliance Fund. The money in the Fund is required to be used exclusively to cover costs incurred by the Bureau of Motor Vehicles in the administration of the Financial Responsibility Law and any law enforcement

agency employing any peace officer who returns any license, certificate of registration, or license plates to the Registrar, except that the Director of Budget and Management may transfer excess money from the Financial Responsibility Compliance Fund to the State Bureau of Motor Vehicles Fund if the Registrar determines that the amount of money in the Financial Responsibility Compliance Fund exceeds the amount required to cover such costs incurred by the Bureau or law enforcement agency and requires the Director to make the transfer. (R.C. 4509.101(E).)

Operation of the bill

Under the bill, the money in the Financial Responsibility Compliance Fund must also be used to cover the costs incurred by the courts in connection with the enforcement of traffic laws. The bill requires that 50% of the money in the Financial Responsibility Compliance Fund be distributed annually to the courts to cover the administrative and other costs incurred by the courts in the connection with the courts' enforcement of the traffic laws of Ohio and its political subdivisions, which costs are not covered pursuant to any other section of the Revised Code. An individual court is prohibited from receiving money from the Financial Responsibility Compliance Fund in an amount greater than the court expended in that annum in connection with the court's enforcement of the traffic laws, which costs are not otherwise covered. Each court annually must receive a portion of that money in the Financial Responsibility Compliance Fund allocated to the courts, in proportion to the fees, excluding court costs, collected by the court and its traffic violations bureau during a calendar year to the total of all such fees collected by all courts in that calendar year. (R.C. 4509.101(E)(1) and (2).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-13-04	p. 1759

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