



H.B. 504

127th General Assembly
(As Introduced)

Reps. Batchelder, Stebelton, Boyd, Webster

BILL SUMMARY

- Requires a child whose probationary driver's license is suspended under certain provisions and who is granted limited driving privileges to complete successfully a juvenile driver improvement program prior to exercising the limited driving privileges.

CONTENT AND OPERATION

Current law

Probationary driver's licenses, generally

Current law prohibits the issuance of any driver's license to a person under 18 years of age, but provides that a probationary (driver's) license may be issued to a person over age 16 and that a restricted license may be issued to a person who is 14 or 15 years of age upon proof of hardship satisfactory to the Registrar of Motor Vehicles (R.C. 4507.071(A) and (F)). A probationary license is defined as "the license issued to any person between 16 and 18 years of age to operate a motor vehicle." (R.C. 4507.01(A).) A special type of driver's license, it is subject not only to the prohibitions and other restrictions applicable to all drivers' licenses, but also to additional prohibitions and restrictions. For example, an applicant for a driver's license who is under the age of 18 must present satisfactory evidence of having successfully completed an approved driver education or training course (R.C. 4507.21(B)(1)), and no probationary license may be issued to any person who is under the age of 18 and has been adjudicated an unruly or delinquent child or a juvenile traffic offender for having committed any act that would be a drug offense if committed by an adult (R.C. 4507.08(A)).

Suspension of a probationary driver's license

Probationary driver's licenses are subject to special suspension provisions. For example, if a child who holds a probationary driver's license holder commits

two speeding violations (or any two minor traffic violations), after the second violation the Registrar is required to suspend the child's license for three months. (R.C. 4510.31(A)(2) and 4510.02(B)(5).)

Limited driving privileges

Under current law, a court may grant limited driving privileges to a child who has two or three moving violations (but no OVI violations) within a two-year period, unless the child has been convicted of three or more OVI or alcohol-related violations in the preceding six years. The court may grant the child limited driving privileges during the suspension period if the court finds reasonable cause to believe that the suspension will seriously affect the person's ability to continue in employment, educational training, vocational training, or treatment. The court must specify the purposes, times, and places of the privileges and may impose any other conditions upon the child's driving of a motor vehicle that the court considers reasonable and necessary. (R.C. 4510.31(C)(1) and (3).)

A court that grants a child limited driving privileges must retain the child's license or permit during the suspension period, including the period during which the limited driving privileges are granted, and must issue a permit card to the child. The permit card must include the date on which the privileges become effective, the purposes for which the child may drive, the times and places at which the child may drive, and any other conditions that the court imposes upon the child's use of a motor vehicle. (R.C. 4510.31(C)(1).)

Juvenile driver improvement programs

Current law requires the Registrar to establish standards for juvenile driver improvement programs and to approve any programs that meet the established standards. The standards must require a minimum of five hours of classroom instruction, with at least three hours devoted to driver skill requirements and two hours devoted to juvenile driver information related to the driving records of drivers under eighteen years of age, driver perceptions, and the value of the traffic laws. The Registrar is required to prescribe the requirements for the curriculum to be provided as well as other program directives. Only those programs that the Registrar approves are acceptable for reinstatement of the driving privileges of a child whose probationary driver's license was suspended under the provisions contained in the bill. (R.C. 4510.311.)

Changes made by the bill

The bill retains the limited driving privileges provisions of current law but provides that as a condition of any grant by a court of such driving privileges, the court must require the child to successfully complete a juvenile driver

improvement program approved by the Registrar before exercising the limited driving privileges. The bill specifically prohibits any court from administering any such juvenile driver improvement program. (R.C. 4510.31(C)(1).)

The bill also specifies that a grant of limited driving privileges to a child under the bill must be conditioned upon the child's having the permit card and proof of successful completion of the juvenile improvement program in the child's possession whenever the child is exercising the limited driving privileges (R.C. 4513.31(C)(1)).

The bill requires the Registrar to prescribe the form for proof of having successfully completed the juvenile improvement program. Only those programs approved by the Registrar are acceptable for reinstatement of the driving privileges of a child whose probationary driver's license was suspended under the provisions contained in the bill and for exercising limited driving privileges under those provisions. (R.C. 4510.311.)

HISTORY

ACTION	DATE
Introduced	03-12-08

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