Ohio Legislative Service Commission

Bill Analysis

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H.B. 333

129th General Assembly
(As Introduced)

Rep. Young

BILL SUMMARY

- Permits a person who is not a citizen of the United States and has not been granted permanent residency but who is in this country legally, is a temporary resident of this state, and has a valid, unexpired driver's or commercial driver's license or license to operate a motorcycle issued by the person's country of residence to operate a motor vehicle or motorcycle in this state during the one-week period immediately preceding the initial date on the documents establishing the person's legal presence.
- Provides that if such a person wishes to continue operating in this state a motor vehicle or motorcycle after the end of that one-week period, the person must obtain a nonrenewable driver's license.
- Permits a nonrenewable license to extend not more than ten days beyond the duration of the applicant's temporary residence in this state.
- Establishes a four-tiered, prorated schedule for the fees charged for nonrenewable driver's licenses and motorcycle endorsements.

CONTENT AND OPERATION

Operation in this state of a motor vehicle by a legal alien

Nonrenewable driver's license issued to a nonresident

A person who is not a citizen of the United States and who has not been granted permanent residency[1] but nonetheless is in this country legally and is in Ohio for a

[1] Permanent residency is indicated by issuance to the person of federal form I-551, commonly known as a "Green Card."

temporary period of time may apply for a nonrenewable license. The bill provides that a nonrenewable license expires on the tenth day after the date listed on the person's legal presence documentation or on the same date in the fourth year after the date the nonrenewable license is issued, whichever comes first.[2] Current law provides that a nonrenewable license expires on the same date listed on the person's legal presence documentation or on the same date in the fourth year after the date the nonrenewable license is issued, whichever comes first.

The Registrar of Motor Vehicles has adopted rules governing nonrenewable licenses for temporary residents. The bill requires the rules to include a provision that specifies that no nonrenewable license may extend more than ten days beyond the duration of the applicant's temporary residence in this state.[3] Current law requires the rules to include a provision that specifies that no nonrenewable license may extend beyond the duration of the applicant's temporary residence in this state.

One-week grace period for a nonresident to obtain a nonrenewable driver's license

Subject to certain exemptions, current law prohibits any person from operating any motor vehicle or motorcycle upon a public road or highway or any public or private property used by the public for purposes of vehicular travel or parking in this state unless the person has a valid driver's or commercial driver's license or a valid motorcycle operator's license or endorsement issued by this state.[4] Under the bill, it is not a violation of this prohibition if a person who is a temporary resident of this state is operating a motor vehicle within one week immediately preceding the initial date on the documents establishing the person's legal presence in the United States, and is able to present both of the following:

(1) A valid, unexpired driver's or commercial driver's license or license to operate a motorcycle, if applicable, issued by the person's country of residence;

(2) Valid documentation of legal presence accepted by the Registrar of Motor Vehicles under existing law.[5]

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[2] R.C. 4507.09(E).

[3] R.C. 4507.09(E)(1) and Ohio Administrative Code 4501:1-1-37(A)(1).

[4] R.C. 4510.12(A)(1) and (2). Nonresidents who are permitted to drive upon the highways of their own states are granted a nonresident operating privilege and may drive upon this state's highways. R.C. 4507.04, not in the bill. The term "state" includes the territories and federal districts of the United States and the provinces of Canada. R.C. 4501.01(Z), not in the bill.

[5] R.C. 4510.12(B)(1) and (2).

Effect of the above-described changes

The effect of the changes is that under the bill, a temporary resident who is in this country legally and has a valid, unexpired driver's or commercial driver's license or license to operate a motorcycle issued by the person's country of residence may operate a motor vehicle or motorcycle in this state during the one-week period immediately preceding the initial date on the documents establishing the person's legal presence; such operation would not violate Ohio law. If the person wishes to continue operating a motor vehicle or motorcycle after the end of that one-week period, the person must obtain a nonrenewable driver's license.

Fees for a nonrenewable driver's license

The bill establishes a prorated schedule for the fees charged for nonrenewable driver's licenses or motorcycle endorsements. Each such application submitted by a temporary resident must be accompanied by the applicable transaction fees specified in current law, prorated based on the dates of the person's legal presence documentation, as follows:

(1) One-fourth of the applicable fees for a license or endorsement issued for a period of one year or less;

(2) One-half of the applicable fees for a license or endorsement issued for a period of more than one year but not more than two years;

(3) Three-fourths of the applicable fees for a license or endorsement issued for a period of more than two years but not more than three years;

(4) The entire sum of the applicable fees for a license or endorsement issued for a period of more than three years but not more than four years.[6]

The Registrar is required to collect and pay all such fees proportionally in the same manner established in current law for driver's licenses and motorcycle endorsements.[7]

HISTORY

ACTION	DATE
Introduced	09-27-11

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[6] R.C. 4507.23(J)(1)(a) to (d).

[7] R.C. 4507.23(J)(2).