

**As Introduced**

**128th General Assembly  
Regular Session  
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**H. B. No. 338**

**Representatives Book, Uecker**

**Cosponsors: Representatives Evans, Domenick, Harwood, Okey, Bolon**

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**A B I L L**

To enact section 4510.73 of the Revised Code to 1  
allow, in certain circumstances, all issues 2  
concerning a person's driver's license to be 3  
litigated in a single court. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4510.73 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 4510.73.** (A) It is the intent of this section to allow 7  
all issues concerning driver's licenses to be litigated in a 8  
single forum, not to eliminate any forum venue in existence on the 9  
effective date of this section. 10

(B) Notwithstanding any provision of the Revised Code to the 11  
contrary, any court whose jurisdiction has been invoked under this 12  
chapter or any other chapter of the Revised Code regarding a 13  
driver's license matter, other than a matter involving a 14  
commercial driver's license, is hereby conferred concurrent 15  
jurisdiction to adjudicate all issues and appeals regarding that 16  
driver's license matter, including issues of validity, suspension, 17  
and, with regard to any suspension imposed by the bureau of motor 18  
vehicles, driving privileges. Nothing in this section shall be 19

construed as applying to any issue involving a commercial driver's 20  
license, except that a court may adjudicate an issue that does not 21  
relate to a commercial driver's license but involves a holder of a 22  
commercial driver's license so long as the court does not alter 23  
the status of that holder's commercial driver's license. In the 24  
event that another court has obtained jurisdiction over one or 25  
more driver's license suspensions imposed by the bureau involving 26  
the same driver's license holder, that jurisdiction may not be 27  
divested by an action filed under this section unless that court 28  
transfers its jurisdiction over that holder's driver's license 29  
issue by issuance of a court order. 30

(C)(1) The court's jurisdiction over a particular driver's 32  
license issue may be invoked by a motion, appeal, or petition 33  
filed by a holder of a driver's license. Any such motion, appeal, 34  
or petition shall state the issue with respect to which the 35  
court's jurisdiction is invoked. 36

(2) When a court's jurisdiction over a driver's license issue 37  
is properly invoked, that court shall adjudicate all issues and 38  
appeals brought before the court regarding that issue, unless the 39  
motion, appeal, or petition is withdrawn. 40

(D) Any court whose jurisdiction is invoked under this 41  
section shall have the discretionary authority to issue a stay of 42  
any suspension pending resolution of the matters before the court. 43  
This provision does not alter or eliminate any automatic stay 44  
provision provided for elsewhere in the Revised Code. 45

(E) Any court whose jurisdiction is invoked under this 46  
section, in its discretion, may order the bureau to renew the 47  
holder's driver's license pending resolution of the matters before 48  
the court, provided that the license is not more than six months 49  
expired prior to the date of application for renewal. The court, 50  
in its discretion, also may order the bureau to renew the holder's 51

driver's license in its final judgment, provided that the license 52  
is not more than six months expired prior to the date of 53  
application for renewal. 54

(F) If jurisdiction is invoked under this section in a court 55  
of common pleas or county court, the prosecuting attorney of the 56  
county in which the case is pending shall represent the registrar 57  
in the proceedings; provided, that if the driver's license holder 58  
resides in a municipal corporation that lies within the 59  
jurisdiction of a county court, the city director of law, village 60  
solicitor, or similar chief legal officer of the municipal 61  
corporation shall represent the registrar in the proceedings. In a 62  
municipal court, the registrar shall be represented in the 63  
resulting proceedings as provided in section 1901.34 of the 64  
Revised Code. At the election of the registrar, the attorney 65  
general may enter the proceedings at any time and henceforth 66  
represent the registrar in the case. 67

(G) Either party may appeal the final judgment of the court. 68  
Any such appeal shall be taken as provided in section 1901.30 or 69  
1907.30 of the Revised Code and shall conform with Chapter 2505. 70  
of the Revised Code. 71