

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**S. B. No. 211**

**Senator Hughes**

**Cosponsors: Senators Carey, Miller, D., Seitz**

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**A B I L L**

To amend sections 4510.31 and 4510.311 of the Revised 1  
Code to permit a judge to elect not to suspend the 2  
probationary driver's license of certain juvenile 3  
repeat traffic violators. 4

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

**Section 1.** That sections 4510.31 and 4510.311 of the Revised 5  
Code be amended to read as follows: 6

**Sec. 4510.31.** (A)(1) Except as provided in division (C) of 7  
this section, the registrar of motor vehicles shall suspend the 8  
probationary driver's license, restricted license, or temporary 9  
instruction permit issued to any person when the person has been 10  
convicted of, pleaded guilty to, or been adjudicated in juvenile 11  
court of having committed, prior to the person's eighteenth 12  
birthday, any of the following: 13

(a) Three separate violations of section 2903.06, 2903.08, 14  
2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.20, 4511.201, 15  
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 16  
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised 17  
Code, section 4510.14 of the Revised Code involving a suspension 18  
imposed under section 4511.191 or 4511.196 of the Revised Code, 19

section 2903.04 of the Revised Code in a case in which the person 20  
would have been subject to the sanctions described in division (D) 21  
of that section had the person been convicted of the violation of 22  
that section, former section 2903.07 of the Revised Code, or any 23  
municipal ordinances similarly relating to the offenses referred 24  
to in those sections; 25

(b) One violation of section 4511.19 of the Revised Code or a 26  
substantially similar municipal ordinance; 27

(c) Two separate violations of any of the Revised Code 28  
sections referred to in division (A)(1)(a) of this section, or any 29  
municipal ordinance that is substantially similar to any of those 30  
sections. 31

(2) Any person whose license or permit is suspended under 32  
division (A)(1)(a), (b), or (c) of this section shall mail or 33  
deliver the person's probationary driver's license, restricted 34  
license, or temporary instruction permit to the registrar within 35  
fourteen days of notification of the suspension. The registrar 36  
shall retain the license or permit during the period of the 37  
suspension. A suspension pursuant to division (A)(1)(a) of this 38  
section shall be a class C suspension, a suspension pursuant to 39  
division (A)(1)(b) of this section shall be a class D suspension, 40  
and a suspension pursuant to division (A)(1)(c) of this section 41  
shall be a class E suspension, all for the periods of time 42  
specified in division (B) of section 4510.02 of the Revised Code. 43  
If the person's probationary driver's license, restricted license, 44  
or temporary instruction permit is under suspension on the date 45  
the court imposes sentence upon the person for a violation 46  
described in division (A)(1)(b) of this section, the suspension 47  
shall take effect on the next day immediately following the end of 48  
that period of suspension. If the person is sixteen years of age 49  
or older and pleads guilty to or is convicted of a violation 50  
described in division (A)(1)(b) of this section and the person 51

does not have a current, valid probationary driver's license, 52  
restricted license, or temporary instruction permit, the registrar 53  
shall deny the issuance to the person of a probationary driver's 54  
license, restricted license, driver's license, commercial driver's 55  
license, or temporary instruction permit, as the case may be, for 56  
six months beginning on the date the court imposes sentence upon 57  
the person for the violation. If the person has not attained the 58  
age of sixteen years on the date the court imposes sentence upon 59  
the person for the violation, the period of denial shall commence 60  
on the date the person attains the age of sixteen years. 61

(3) The registrar shall suspend the person's license or 62  
permit under division (A) of this section regardless of whether 63  
the disposition of the case in juvenile court occurred after the 64  
person's eighteenth birthday. 65

(B) The registrar also shall impose a class D suspension for 66  
the period of time specified in division (B)(4) of section 4510.02 67  
of the Revised Code of the temporary instruction permit or 68  
probationary driver's license of any person under the age of 69  
eighteen who has been adjudicated an unruly child, delinquent 70  
child, or juvenile traffic offender for having committed any act 71  
that if committed by an adult would be a drug abuse offense or a 72  
violation of division (B) of section 2917.11 of the Revised Code. 73  
The registrar, in the registrar's discretion, may terminate the 74  
suspension if the child, at the discretion of the court, attends 75  
and satisfactorily completes a drug abuse or alcohol abuse 76  
education, intervention, or treatment program specified by the 77  
court. Any person whose temporary instruction permit or 78  
probationary driver's license is suspended under this division 79  
shall mail or deliver the person's permit or license to the 80  
registrar within fourteen days of notification of the suspension. 81  
The registrar shall retain the permit or license during the period 82  
of the suspension. 83

(C)(1) Except as provided in division (C)(3) of this section, 84  
for any person who is convicted of, pleads guilty to, or is 85  
adjudicated in juvenile court of having committed a second or 86  
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 87  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 88  
4511.75 of the Revised Code or any similar municipal ordinances 89  
and whose license or permit is suspended under division (A)(1)(a) 90  
or (c) of this section, the court in which the second or third 91  
conviction, finding, plea, or adjudication resulting in the 92  
suspension was made, upon petition of the person, may grant the 93  
person limited driving privileges during the period during which 94  
the suspension otherwise would be imposed under division (A)(1)(a) 95  
or (c) of this section if the court finds reasonable cause to 96  
believe that the suspension will seriously affect the person's 97  
ability to continue in employment, educational training, 98  
vocational training, or treatment. In granting the limited driving 99  
privileges, the court shall specify the purposes, times, and 100  
places of the privileges and may impose any other conditions upon 101  
the person's driving a motor vehicle that the court considers 102  
reasonable and necessary. 103

A court that grants limited driving privileges to a person 104  
under this division shall retain the person's probationary 105  
driver's license, restricted license, or temporary instruction 106  
permit during the period the license or permit is suspended and 107  
also during the period for which limited driving privileges are 108  
granted, and shall deliver to the person a permit card, in a form 109  
to be prescribed by the court, setting forth the date on which the 110  
limited driving privileges will become effective, the purposes for 111  
which the person may drive, the times and places at which the 112  
person may drive, and any other conditions imposed upon the 113  
person's use of a motor vehicle. 114

The court immediately shall notify the registrar, in writing, 115

of a grant of limited driving privileges under this division. The 116  
notification shall specify the date on which the limited driving 117  
privileges will become effective, the purposes for which the 118  
person may drive, the times and places at which the person may 119  
drive, and any other conditions imposed upon the person's use of a 120  
motor vehicle. The registrar shall not suspend the probationary 121  
driver's license, restricted license, or temporary instruction 122  
permit of any person pursuant to division (A) of this section 123  
during any period for which the person has been granted limited 124  
driving privileges as provided in this division, if the registrar 125  
has received the notification described in this division from the 126  
court. 127

(2) Except as provided in division (C)(3) of this section, in 128  
any case in which the temporary instruction permit or probationary 129  
driver's license of a person under eighteen years of age has been 130  
suspended under division (A) or (B) of this section or any other 131  
provision of law, the court may grant the person limited driving 132  
privileges for the purpose of the person's practicing of driving 133  
with the person's parent, guardian, or other custodian during the 134  
period of the suspension. Any grant of limited driving privileges 135  
under this division shall comply with division (D) of section 136  
4510.021 of the Revised Code. 137

(3) A court shall not grant limited driving privileges to a 138  
person identified in division (C)(1) or (2) of this section if the 139  
person, within the preceding six years, has been convicted of, 140  
pleaded guilty to, or adjudicated in juvenile court of having 141  
committed three or more violations of one or more of the divisions 142  
or sections set forth in divisions (G)(2)(b) to (g) of section 143  
2919.22 of the Revised Code. 144

(4) In a case in which a person is convicted of, pleads 145  
guilty to, or is adjudicated in juvenile court of having committed 146  
a second or third violation of section 4511.12, 4511.13, 4511.15, 147

4511.20 to 4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 148  
4511.65, or 4511.75 of the Revised Code or any similar municipal 149  
ordinances and the court is required to suspend the person's 150  
license or permit under division (A)(1)(a) or (c) of this section, 151  
the court in which the second or third conviction, finding, plea, 152  
or adjudication resulting in the suspension was made may elect not 153  
to impose the suspension. The court may do so if the person, prior 154  
to the date the court imposes sentence upon the person for the 155  
second or third violation, submits to the court a petition 156  
requesting the court not to impose the prescribed suspension and 157  
describing the reasons why the person believes the suspension 158  
would seriously affect the person's ability to continue in 159  
employment, educational training, vocational training, or 160  
treatment and also submits to the court satisfactory proof showing 161  
that the person successfully completed an advanced juvenile driver 162  
improvement program approved by the registrar under division (B) 163  
of section 4510.311 of the Revised Code after the date the person 164  
committed that second or third violation. 165

(D) If a person who has been granted limited driving 166  
privileges under division (C) of this section is convicted of, 167  
pleads guilty to, or is adjudicated in juvenile court of having 168  
committed, a violation of Chapter 4510. of the Revised Code, or a 169  
subsequent violation of any of the sections of the Revised Code 170  
listed in division (A)(1)(a) of this section or any similar 171  
municipal ordinance during the period for which the person was 172  
granted limited driving privileges, the court that granted the 173  
limited driving privileges shall suspend the person's permit card. 174  
The court or the clerk of the court immediately shall forward the 175  
person's probationary driver's license, restricted license, or 176  
temporary instruction permit together with written notification of 177  
the court's action to the registrar. Upon receipt of the license 178  
or permit and notification, the registrar shall impose a class C 179  
suspension of the person's probationary driver's license, 180

restricted license, or temporary instruction permit for the period 181  
of time specified in division (B)(3) of section 4510.02 of the 182  
Revised Code. The registrar shall retain the license or permit 183  
during the period of suspension, and no further limited driving 184  
privileges shall be granted during that period. 185

(E) No application for a driver's or commercial driver's 186  
license shall be received from any person whose probationary 187  
driver's license, restricted license, or temporary instruction 188  
permit has been suspended under this section until each of the 189  
following has occurred: 190

(1) The suspension period has expired; 191

(2) A temporary instruction permit or commercial driver's 192  
license temporary instruction permit has been issued; 193

(3) The person successfully completes a juvenile driver 194  
improvement program approved by the registrar under division (A) 195  
of section 4510.311 of the Revised Code; 196

(4) The applicant has submitted to the examination for a 197  
driver's license as provided for in section 4507.11 or a 198  
commercial driver's license as provided in Chapter 4506. of the 199  
Revised Code. 200

**Sec. 4510.311.** (A) The registrar of motor vehicles shall 201  
establish standards for juvenile driver improvement programs and 202  
shall approve any programs that meet the established standards. 203  
The standards established by the registrar shall require a minimum 204  
of five hours of classroom instruction, with at least three hours 205  
devoted to driver skill requirements and two hours devoted to 206  
juvenile driver information related to the driving records of 207  
drivers under eighteen years of age, driver perceptions, and the 208  
value of the traffic laws. The standards also shall require a 209  
person whose probationary driver's license was suspended under 210

section 4510.31 of the Revised Code to undertake and pass, as 211  
successful completion of an approved juvenile driver improvement 212  
program, the driver's license examination that a person who holds 213  
a temporary instruction permit is required to undertake and pass 214  
in order to be issued a probationary driver's license. The person 215  
shall pay the applicable fee that is required to accompany an 216  
application for a driver's license as prescribed in division (E) 217  
of section 4507.23 of the Revised Code. The registrar shall 218  
prescribe the requirements for the curriculum to be provided as 219  
well as other program directives. Only those programs approved by 220  
the registrar shall be acceptable for reinstatement of the driving 221  
privileges of a person whose probationary driver's license was 222  
suspended under section 4510.31 of the Revised Code. 223

(B) The registrar shall establish standards for advanced 224  
juvenile driver improvement programs and shall approve any 225  
programs that meet the established standards. The standards 226  
established by the registrar shall require a minimum of two hours 227  
of classroom instruction with a focus on driving physics, vehicle 228  
dynamics, proper vision techniques, and teen driver statistics. 229  
The standards also shall require a minimum of four hours of 230  
emergency driving skills development through "behind-the-wheel" 231  
driving exercises with a focus on vehicle control in emergency and 232  
adverse weather driving situations. The driving exercises shall 233  
include vehicle control in inclement weather conditions, emergency 234  
transition maneuvers, and spin and skid control. The driving 235  
exercises shall take place in a suitable closed-course facility 236  
that is safe and controlled and has adequate run-off areas. The 237  
registrar shall prescribe the requirements for the curriculum to 238  
be provided as well as other program directives and the 239  
requirements and score necessary to pass the course. A person who 240  
attends an advanced juvenile driver improvement program for the 241  
purpose specified in division (C)(4) of section 4510.31 of the 242



Revised Code that meets the standards and requirements prescribed 243  
in this division for such courses and successfully completes the 244  
course shall receive a certificate of completion from the program. 245

**Section 2.** That existing sections 4510.31 and 4510.311 of the 246  
Revised Code are hereby repealed. 247