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**S. B. No. 19**

**Senator Hughes**

**Cosponsors: Senators Grendell, Kearney, Manning, Patton, Seitz, Wagoner,  
Bacon, Brown, Burke, Daniels, Eklund, Hite, Jones, Jordan, Lehner, Obhof**

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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 to order the 2  
Registrar of Motor Vehicles not to suspend the 3  
probationary driver's license, restricted license, 4  
or temporary instruction permit of certain 5  
juvenile repeat traffic violators, and to require 6  
the Registrar to establish standards for advanced 7  
juvenile driver improvement programs. 8

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

**Section 1.** That sections 4510.31 and 4510.311 of the Revised 9  
Code be amended to read as follows: 10

**Sec. 4510.31.** (A)(1) Except as provided in division (C)(1) or 11  
(2) of this section, the registrar of motor vehicles shall suspend 12  
the probationary driver's license, restricted license, or 13  
temporary instruction permit issued to any person when the person 14  
has been convicted of, pleaded guilty to, or been adjudicated in 15  
juvenile court of having committed, prior to the person's 16  
eighteenth birthday, any of the following: 17

(a) Three separate violations of section 2903.06, 2903.08, 18

2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.20, 4511.201, 19  
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 20  
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised 21  
Code, section 4510.14 of the Revised Code involving a suspension 22  
imposed under section 4511.191 or 4511.196 of the Revised Code, 23  
section 2903.04 of the Revised Code in a case in which the person 24  
would have been subject to the sanctions described in division (D) 25  
of that section had the person been convicted of the violation of 26  
that section, former section 2903.07 of the Revised Code, or any 27  
municipal ordinances similarly relating to the offenses referred 28  
to in those sections; 29

(b) One violation of section 4511.19 of the Revised Code or a 30  
substantially similar municipal ordinance; 31

(c) Two separate violations of any of the Revised Code 32  
sections referred to in division (A)(1)(a) of this section, or any 33  
municipal ordinance that is substantially similar to any of those 34  
sections. 35

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

described in division (A)(1)(b) of this section, the suspension 51  
shall take effect on the next day immediately following the end of 52  
that period of suspension. If the person is sixteen years of age 53  
or older and pleads guilty to or is convicted of a violation 54  
described in division (A)(1)(b) of this section and the person 55  
does not have a current, valid probationary driver's license, 56  
restricted license, or temporary instruction permit, the registrar 57  
shall deny the issuance to the person of a probationary driver's 58  
license, restricted license, driver's license, commercial driver's 59  
license, or temporary instruction permit, as the case may be, for 60  
six months beginning on the date the court imposes sentence upon 61  
the person for the violation. If the person has not attained the 62  
age of sixteen years on the date the court imposes sentence upon 63  
the person for the violation, the period of denial shall commence 64  
on the date the person attains the age of sixteen years. 65

(3) The registrar shall suspend the person's license or 66  
permit under division (A) of this section regardless of whether 67  
the disposition of the case in juvenile court occurred after the 68  
person's eighteenth birthday. 69

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

probationary driver's license is suspended under this division 83  
shall mail or deliver the person's permit or license to the 84  
registrar within fourteen days of notification of the suspension. 85  
The registrar shall retain the permit or license during the period 86  
of the suspension. 87

(C)(1)(a) Except as provided in division (C)~~(3)~~(1)(c) of this 88  
section, for any person who is convicted of, pleads guilty to, or 89  
is adjudicated in juvenile court of having committed a second or 90  
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 91  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 92  
4511.75 of the Revised Code or any similar municipal ordinances 93  
and whose license or permit is suspended under division (A)(1)(a) 94  
or (c) of this section, the court in which the second or third 95  
conviction, finding, plea, or adjudication resulting in the 96  
suspension was made, upon petition of the person, may grant the 97  
person limited driving privileges during the period during which 98  
the suspension otherwise would be imposed under division (A)(1)(a) 99  
or (c) of this section if the court finds reasonable cause to 100  
believe that the suspension will seriously affect the person's 101  
ability to continue in employment, educational training, 102  
vocational training, or treatment. In granting the limited driving 103  
privileges, the court shall specify the purposes, times, and 104  
places of the privileges and may impose any other conditions upon 105  
the person's driving a motor vehicle that the court considers 106  
reasonable and necessary. 107

A court that grants limited driving privileges to a person 108  
under this division shall retain the person's probationary 109  
driver's license, restricted license, or temporary instruction 110  
permit during the period the license or permit is suspended and 111  
also during the period for which limited driving privileges are 112  
granted, and shall deliver to the person a permit card, in a form 113  
to be prescribed by the court, setting forth the date on which the 114

limited driving privileges will become effective, the purposes for 115  
which the person may drive, the times and places at which the 116  
person may drive, and any other conditions imposed upon the 117  
person's use of a motor vehicle. 118

The court immediately shall notify the registrar, in writing, 119  
of a grant of limited driving privileges under this division. The 120  
notification shall specify the date on which the limited driving 121  
privileges will become effective, the purposes for which the 122  
person may drive, the times and places at which the person may 123  
drive, and any other conditions imposed upon the person's use of a 124  
motor vehicle. The registrar shall not suspend the probationary 125  
driver's license, restricted license, or temporary instruction 126  
permit of any person pursuant to division (A) of this section 127  
during any period for which the person has been granted limited 128  
driving privileges as provided in this division, if the registrar 129  
has received the notification described in this division from the 130  
court. 131

~~(2)(b)~~ Except as provided in division (C)~~(3)(1)(c)~~ of this 132  
section, in any case in which the temporary instruction permit or 133  
probationary driver's license of a person under eighteen years of 134  
age has been suspended under division (A) or (B) of this section 135  
or any other provision of law, the court may grant the person 136  
limited driving privileges for the purpose of the person's 137  
practicing of driving with the person's parent, guardian, or other 138  
custodian during the period of the suspension. Any grant of 139  
limited driving privileges under this division shall comply with 140  
division (D) of section 4510.021 of the Revised Code. 141

~~(3)(c)~~ A court shall not grant limited driving privileges to 142  
a person identified in division (C)(1)(a) or ~~(2)(b)~~ of this 143  
section if the person, within the preceding six years, has been 144  
convicted of, pleaded guilty to, or adjudicated in juvenile court 145  
of having committed three or more violations of one or more of the 146

divisions or sections set forth in divisions (G)(2)(b) to (g) of 147  
section 2919.22 of the Revised Code. 148

(2)(a) In a case in which a person is convicted of, pleads 149  
guilty to, or is adjudicated in juvenile court of having 150  
committed, prior to the person's eighteenth birthday, a second or 151  
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 152  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 153  
4511.75 of the Revised Code or any similar municipal ordinances 154  
and division (A)(1)(a) or (c) of this section requires the 155  
registrar of motor vehicles to suspend the person's license or 156  
permit, the court in which the person is convicted of, pleads 157  
guilty to, or is adjudicated of having committed the second or 158  
third violation may elect to order the registrar of motor vehicles 159  
to waive the suspension if all of the following apply: 160

(i) Prior to the date on which the court imposes sentence 161  
upon, or makes an order of disposition for, the person for the 162  
second or third violation, the person submits to the court a 163  
petition requesting the court to order the registrar to waive the 164  
prescribed suspension and describing the reasons why the person 165  
believes the suspension, if imposed, would seriously affect the 166  
person's ability to continue in employment, educational training, 167  
vocational training, or treatment. 168

(ii) Prior to the date specified in division (C)(2)(a)(i) of 169  
this section, the person submits to the court satisfactory proof 170  
showing that the person successfully completed an advanced 171  
juvenile driver improvement program approved by the registrar 172  
under division (B) of section 4510.311 of the Revised Code after 173  
the date the person committed that second or third violation. 174

(iii) Prior to imposing sentence upon, or making an order of 175  
disposition for, the person for the second or third violation, the 176  
court finds reasonable cause to believe that the suspension, if 177  
imposed, would seriously affect the person's ability to continue 178

in employment, educational training, vocational training, or 179  
treatment. 180

(iv) If the court is imposing sentence upon, or making an 181  
order of disposition for, the person for a third violation, the 182  
person did not submit to the court that imposed sentence upon, or 183  
made an order of disposition for, the person for the second 184  
violation a petition of the type described in division 185  
(C)(2)(a)(i) of this section, and the court that imposed sentence 186  
upon, or made an order of disposition for, the person for that 187  
second violation did not order the registrar of motor vehicles to 188  
waive the suspension of the person's license or permit required 189  
under division (A)(1)(c) of this section for the conviction of, 190  
plea of guilty to, or adjudication in juvenile court of having 191  
committed that second violation. 192

(b) If a court elects pursuant to division (C)(2)(a) of this 193  
section to order the registrar of motor vehicles to waive a 194  
suspension that otherwise is required under division (A)(1)(a) or 195  
(c) of this section, the court immediately shall send a written 196  
copy of the order to the registrar. Upon receipt of the written 197  
copy of the order, the registrar shall not suspend pursuant to 198  
division (A)(1)(a) or (c) of this section the probationary 199  
driver's license, restricted license, or temporary instruction 200  
permit of the person who is the subject of the order for the 201  
second or third violation for which the suspension otherwise would 202  
be imposed under that division. 203

(D) If a person who has been granted limited driving 204  
privileges under division (C)(1) of this section is convicted of, 205  
pleads guilty to, or is adjudicated in juvenile court of having 206  
committed, a violation of Chapter 4510. of the Revised Code, or a 207  
subsequent violation of any of the sections of the Revised Code 208  
listed in division (A)(1)(a) of this section or any similar 209  
municipal ordinance during the period for which the person was 210

granted limited driving privileges, the court that granted the 211  
limited driving privileges shall suspend the person's permit card. 212  
The court or the clerk of the court immediately shall forward the 213  
person's probationary driver's license, restricted license, or 214  
temporary instruction permit together with written notification of 215  
the court's action to the registrar. Upon receipt of the license 216  
or permit and notification, the registrar shall impose a class C 217  
suspension of the person's probationary driver's license, 218  
restricted license, or temporary instruction permit for the period 219  
of time specified in division (B)(3) of section 4510.02 of the 220  
Revised Code. The registrar shall retain the license or permit 221  
during the period of suspension, and no further limited driving 222  
privileges shall be granted during that period. 223

(E) No application for a driver's or commercial driver's 224  
license shall be received from any person whose probationary 225  
driver's license, restricted license, or temporary instruction 226  
permit has been suspended under this section until each of the 227  
following has occurred: 228

(1) The suspension period has expired; 229

(2) A temporary instruction permit or commercial driver's 230  
license temporary instruction permit has been issued; 231

(3) The person successfully completes a juvenile driver 232  
improvement program approved by the registrar under division (A) 233  
of section 4510.311 of the Revised Code; 234

(4) The applicant has submitted to the examination for a 235  
driver's license as provided for in section 4507.11 or a 236  
commercial driver's license as provided in Chapter 4506. of the 237  
Revised Code. 238

**Sec. 4510.311. (A)** The registrar of motor vehicles shall 239  
establish standards for juvenile driver improvement programs and 240

shall approve any programs that meet the established standards. 241  
The standards established by the registrar shall require a minimum 242  
of five hours of classroom instruction, with at least three hours 243  
devoted to driver skill requirements and two hours devoted to 244  
juvenile driver information related to the driving records of 245  
drivers under eighteen years of age, driver perceptions, and the 246  
value of the traffic laws. The standards also shall require a 247  
person whose probationary driver's license was suspended under 248  
section 4510.31 of the Revised Code to undertake and pass, as 249  
successful completion of an approved juvenile driver improvement 250  
program, the driver's license examination that a person who holds 251  
a temporary instruction permit is required to undertake and pass 252  
in order to be issued a probationary driver's license. The person 253  
shall pay the applicable fee that is required to accompany an 254  
application for a driver's license as prescribed in division (E) 255  
of section 4507.23 of the Revised Code. The registrar shall 256  
prescribe the requirements for the curriculum to be provided as 257  
well as other program directives. Only those programs approved by 258  
the registrar shall be acceptable for reinstatement of the driving 259  
privileges of a person whose probationary driver's license was 260  
suspended under section 4510.31 of the Revised Code. 261

(B) The registrar shall establish standards for advanced 262  
juvenile driver improvement programs and shall approve any 263  
programs that meet the established standards. The standards 264  
established by the registrar shall require a minimum of two hours 265  
of classroom instruction with a focus on driving physics, vehicle 266  
dynamics, proper vision techniques, and teen driver statistics. 267  
The standards also shall require a minimum of four hours of 268  
emergency driving skills development through "behind-the-wheel" 269  
driving exercises with a focus on vehicle control in emergency and 270  
adverse weather driving situations. The driving exercises shall 271  
include vehicle control in inclement weather conditions, emergency 272

transition maneuvers, and spin and skid control. The driving 273  
exercises shall take place in a suitable closed-course facility 274  
that is safe and controlled and has adequate run-off areas. The 275  
registrar shall prescribe the requirements for the curriculum to 276  
be provided as well as other program directives and the 277  
requirements and score necessary to pass the course. A person who 278  
attends an advanced juvenile driver improvement program for the 279  
purpose specified in division (C)(2) of section 4510.31 of the 280  
Revised Code that meets the standards and requirements prescribed 281  
in this division for such courses and successfully completes the 282  
course shall receive a certificate of completion from the program. 283

**Section 2.** That existing sections 4510.31 and 4510.311 of the 284  
Revised Code are hereby repealed. 285