

As Introduced

**129th General Assembly
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S. B. No. 272

Senator Eklund

Cosponsors: Senators Lehner, Seitz

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A B I L L

To amend sections 4507.09, 4507.23, and 4510.12 of 1
the Revised Code to establish, under certain 2
circumstances, a grace period and prorated fees 3
when a temporary resident applies for a 4
nonrenewable driver's license. 5

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

Section 1. That sections 4507.09, 4507.23, and 4510.12 of the 6
Revised Code be amended to read as follows: 7

Sec. 4507.09. (A) Except as provided in division (B) of this 8
section, every driver's license issued to a resident of this state 9
expires on the birthday of the applicant in the fourth year after 10
the date it is issued and every driver's license issued to a 11
temporary resident expires in accordance with rules adopted by the 12
registrar of motor vehicles. In no event shall any license be 13
issued for a period longer than four years and ninety days. 14

Subject to the requirements of section 4507.12 of the Revised 15
Code, every driver's license issued to a resident is renewable at 16
any time prior to its expiration and any license of a temporary 17
resident is nonrenewable. A nonrenewable license may be replaced 18
with a new license within ninety days prior to its expiration in 19

accordance with division (E) of this section. No refund shall be 20
made or credit given for the unexpired portion of the driver's 21
license that is renewed. The registrar of motor vehicles shall 22
notify each person whose driver's license has expired within 23
forty-five days after the date of expiration. Notification shall 24
be made by regular mail sent to the person's last known address as 25
shown in the records of the bureau of motor vehicles. Failure to 26
provide such notification shall not be construed as a renewal or 27
extension of any license. For the purposes of this section, the 28
date of birth of any applicant born on the twenty-ninth day of 29
February shall be deemed to be the first day of March in any year 30
in which there is no twenty-ninth day of February. 31

(B) Every driver's license or renewal of a driver's license 32
issued to an applicant who is sixteen years of age or older, but 33
less than twenty-one years of age, expires on the twenty-first 34
birthday of the applicant, except that an applicant who applies no 35
more than thirty days before the applicant's twenty-first birthday 36
shall be issued a license in accordance with division (A) of this 37
section. 38

(C) Each person licensed as a driver under this chapter shall 39
notify the registrar of any change in the person's address within 40
ten days following that change. The notification shall be in 41
writing on a form provided by the registrar and shall include the 42
full name, date of birth, license number, county of residence, 43
social security number, and new address of the person. 44

(D) No driver's license shall be renewed when renewal is 45
prohibited by division (A) of section 4507.091 of the Revised 46
Code. 47

(E) A nonrenewable license may be replaced with a new license 48
within ninety days prior to its expiration upon the applicant's 49
presentation of documentation verifying the applicant's legal 50
presence in the United States. A nonrenewable license expires on 51

the ~~same~~ tenth day after the date listed on the legal presence 52
documentation, or on the same date in the fourth year after the 53
date the nonrenewable license is issued, whichever comes first. A 54
nonrenewable license is not transferable, and the applicant may 55
not rely on it to obtain a driver's license in another state. 56

In accordance with Chapter 119. of the Revised Code, the 57
registrar of motor vehicles shall adopt rules governing 58
nonrenewable licenses for temporary residents. At a minimum, the 59
rules shall include provisions specifying all of the following: 60

(1) That no nonrenewable license may extend more than ten 61
days beyond the duration of the applicant's temporary residence in 62
this state; 63

(2) That no nonrenewable license may be replaced by a new 64
license unless the applicant provides acceptable documentation of 65
the person's identity and of the applicant's continued temporary 66
residence in this state; 67

(3) That no nonrenewable license is valid to apply for a 68
driver's license in any other state; 69

(4) That every nonrenewable license may contain any security 70
features that the registrar prescribes. 71

Sec. 4507.23. (A) Except as provided in division (I) of this 72
section, each application for a temporary instruction permit and 73
examination shall be accompanied by a fee of five dollars. 74

(B) Except as provided in ~~division~~ divisions (I) and (J) of 75
this section, each application for a driver's license made by a 76
person who previously held such a license and whose license has 77
expired not more than two years prior to the date of application, 78
and who is required under this chapter to give an actual 79
demonstration of the person's ability to drive, shall be 80
accompanied by a fee of three dollars in addition to any other 81

fees. 82

(C)(1) Except as provided in divisions (E) ~~and~~, (I), and (J) 83
of this section, each application for a driver's license, or 84
motorcycle operator's endorsement, or renewal of a driver's 85
license shall be accompanied by a fee of six dollars. 86

(2) Except as provided in ~~division~~ divisions (I) and (J) of 87
this section, each application for a duplicate driver's license 88
shall be accompanied by a fee of seven dollars and fifty cents. 89
The duplicate driver's licenses issued under this section shall be 90
distributed by the deputy registrar in accordance with rules 91
adopted by the registrar of motor vehicles. 92

(D) Except as provided in division (I) of this section, each 93
application for a motorized bicycle license or duplicate thereof 94
shall be accompanied by a fee of two dollars and fifty cents. 95

(E) Except as provided in ~~division~~ divisions (I) and (J) of 96
this section, each application for a driver's license or renewal 97
of a driver's license that will be issued to a person who is less 98
than twenty-one years of age shall be accompanied by whichever of 99
the following fees is applicable: 100

(1) If the person is sixteen years of age or older, but less 101
than seventeen years of age, a fee of seven dollars and 102
twenty-five cents; 103

(2) If the person is seventeen years of age or older, but 104
less than eighteen years of age, a fee of six dollars; 105

(3) If the person is eighteen years of age or older, but less 106
than nineteen years of age, a fee of four dollars and seventy-five 107
cents; 108

(4) If the person is nineteen years of age or older, but less 109
than twenty years of age, a fee of three dollars and fifty cents; 110

(5) If the person is twenty years of age or older, but less 111

than twenty-one years of age, a fee of two dollars and twenty-five cents. 112
113

(F) Neither the registrar nor any deputy registrar shall 114
charge a fee in excess of one dollar and fifty cents for 115
laminating a driver's license, motorized bicycle license, or 116
temporary instruction permit identification cards as required by 117
sections 4507.13 and 4511.521 of the Revised Code. A deputy 118
registrar laminating a driver's license, motorized bicycle 119
license, or temporary instruction permit identification cards 120
shall retain the entire amount of the fee charged for lamination, 121
less the actual cost to the registrar of the laminating materials 122
used for that lamination, as specified in the contract executed by 123
the bureau for the laminating materials and laminating equipment. 124
The deputy registrar shall forward the amount of the cost of the 125
laminating materials to the registrar for deposit as provided in 126
this section. 127

(G) Except as provided in ~~division~~ divisions (I) and (J) of 128
this section, each transaction described in divisions (A), (B), 129
(C), (D), and (E) of this section shall be accompanied by an 130
additional fee of twelve dollars. The additional fee is for the 131
purpose of defraying the department of public safety's costs 132
associated with the administration and enforcement of the motor 133
vehicle and traffic laws of Ohio. 134

(H) At the time and in the manner provided by section 4503.10 135
of the Revised Code, the deputy registrar shall transmit the fees 136
collected under divisions (A), (B), (C), (D), and (E), those 137
portions of the fees specified in and collected under division 138
(F), and the additional fee under division (G) of this section to 139
the registrar. The registrar shall pay two dollars and fifty cents 140
of each fee collected under divisions (A), (B), (C)(1) and (2), 141
(D), and (E)(1) to (4) of this section, and the entire fee 142
collected under division (E)(5) of this section, into the state 143

highway safety fund established in section 4501.06 of the Revised Code, and such fees shall be used for the sole purpose of supporting driver licensing activities. The registrar also shall pay five dollars of each fee collected under division (C)(2) of this section and the entire fee collected under division (G) of this section into the state highway safety fund created in section 4501.06 of the Revised Code. The remaining fees collected by the registrar under this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code.

(I) A disabled veteran who has a service-connected disability rated at one hundred per cent by the veterans' administration may apply to the registrar or a deputy registrar for the issuance to that veteran, without the payment of any fee prescribed in this section, of any of the following items:

- (1) A temporary instruction permit and examination;
- (2) A new, renewal, or duplicate driver's or commercial driver's license;
- (3) A motorcycle operator's endorsement;
- (4) A motorized bicycle license or duplicate thereof;
- (5) Lamination of a driver's license, motorized bicycle license, or temporary instruction permit identification card as provided in division (F) of this section.

An application made under division (I) of this section shall be accompanied by such documentary evidence of disability as the registrar may require by rule.

(J)(1) Each application for a nonrenewable driver's license or motorcycle operator's endorsement issued to a temporary resident shall be accompanied by applicable transaction fees under division (B), (C), or (E) and division (G) of this section,

<u>prorated based on the dates of the person's legal presence</u>	174
<u>documentation, according to the following schedule:</u>	175
<u>(a) One-fourth of the applicable fees for a license or</u>	176
<u>endorsement issued for a period of one year or less;</u>	177
<u>(b) One-half of the applicable fees for a license or</u>	178
<u>endorsement issued for a period of more than one year but not more</u>	179
<u>than two years;</u>	180
<u>(c) Three-fourths of the applicable fees for a license or</u>	181
<u>endorsement issued for a period of more than two years but not</u>	182
<u>more than three years;</u>	183
<u>(d) The entire sum of the applicable fees for a license or</u>	184
<u>endorsement issued for a period of more than three years but not</u>	185
<u>more than four years.</u>	186
<u>(2) The registrar shall collect and pay the fees under</u>	187
<u>division (J) of this section proportionally in the same manner</u>	188
<u>established in division (H) of this section.</u>	189
Sec. 4510.12. (A)(1) No person, except those expressly	190
exempted under sections 4507.03, 4507.04, and 4507.05 of the	191
Revised Code, shall operate any motor vehicle upon a public road	192
or highway or any public or private property used by the public	193
for purposes of vehicular travel or parking in this state unless	194
the person has a valid driver's license issued under Chapter 4507.	195
of the Revised Code or a commercial driver's license issued under	196
Chapter 4506. of the Revised Code.	197
(2) No person, except a person expressly exempted under	198
sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall	199
operate any motorcycle upon a public road or highway or any public	200
or private property used by the public for purposes of vehicular	201
travel or parking in this state unless the person has a valid	202
license as a motorcycle operator that was issued upon application	203

by the registrar of motor vehicles under Chapter 4507. of the 204
Revised Code. The license shall be in the form of an endorsement, 205
as determined by the registrar, upon a driver's or commercial 206
driver's license, if the person has a valid license to operate a 207
motor vehicle or commercial motor vehicle, or in the form of a 208
restricted license as provided in section 4507.14 of the Revised 209
Code, if the person does not have a valid license to operate a 210
motor vehicle or commercial motor vehicle. 211

(B) Upon the request or motion of the prosecuting authority, 212
a noncertified copy of the law enforcement automated data system 213
report or a noncertified copy of a record of the registrar of 214
motor vehicles that shows the name, date of birth, and social 215
security number of a person charged with a violation of division 216
(A)(1) or (2) of this section may be admitted into evidence as 217
prima-facie evidence that the person did not have either a valid 218
driver's or commercial driver's license at the time of the alleged 219
violation of division (A)(1) of this section or a valid license as 220
a motorcycle operator either in the form of an endorsement upon a 221
driver's or commercial driver's license or a restricted license at 222
the time of the alleged violation of division (A)(2) of this 223
section. The person charged with a violation of division (A)(1) or 224
(2) of this section may offer evidence to rebut this prima-facie 225
evidence. 226

(C) It is not a violation of division (A) of this section if 227
a person who is a temporary resident of this state is operating a 228
motor vehicle within one week immediately preceding the initial 229
date on the documents establishing the person's legal presence, 230
and is able to present both of the following: 231

(1) A valid, unexpired driver's or commercial driver's 232
license or license to operate a motorcycle, if applicable, issued 233
by the person's country of residence; 234

(2) Valid documentation of legal presence accepted by the 235

registrar of motor vehicles under section 4507.09 of the Revised Code. 236
237

(D) Whoever violates this section is guilty of operating a 238
motor vehicle or motorcycle without a valid license and shall be 239
punished as follows: 240

(1) If the trier of fact finds that the offender never has 241
held a valid driver's or commercial driver's license issued by 242
this state or any other jurisdiction, or, in a case involving the 243
operation of a motorcycle by the offender, if the offender has 244
never held a valid license as a motorcycle operator, either in the 245
form of an endorsement upon a driver's or commercial driver's 246
license or in the form of a restricted license, except as 247
otherwise provided in this division, the offense is an 248
unclassified misdemeanor. When the offense is an unclassified 249
misdemeanor, the offender shall be sentenced pursuant to sections 250
2929.21 to 2929.28 of the Revised Code, except that the offender 251
shall not be sentenced to a jail term; the offender shall not be 252
sentenced to a community residential sanction pursuant to section 253
2929.26 of the Revised Code; notwithstanding division (A)(2)(a) of 254
section 2929.28 of the Revised Code, the offender may be fined up 255
to one thousand dollars; and, notwithstanding division (A)(3) of 256
section 2929.27 of the Revised Code, the offender may be ordered 257
pursuant to division (C) of that section to serve a term of 258
community service of up to five hundred hours. The failure of an 259
offender to complete a term of community service imposed by the 260
court may be punished as indirect criminal contempt under division 261
(A) of section 2705.02 of the Revised Code that may be filed in 262
the underlying case. If the offender previously has been convicted 263
of or pleaded guilty to any violation of this section or a 264
substantially equivalent municipal ordinance, the offense is a 265
misdemeanor of the first degree. 266

(2) If the offender's driver's or commercial driver's license 267

or permit or, in a case involving the operation of a motorcycle by 268
the offender, the offender's driver's or commercial driver's 269
license bearing the motorcycle endorsement or the offender's 270
restricted license was expired at the time of the offense, except 271
as otherwise provided in this division, the offense is a minor 272
misdemeanor. If, within three years of the offense, the offender 273
previously has been convicted of or pleaded guilty to two or more 274
violations of this section or a substantially equivalent municipal 275
ordinance, the offense is a misdemeanor of the first degree. 276

~~(D)~~(E) The court shall not impose a license suspension for a 277
first violation of this section or if more than three years have 278
passed since the offender's last violation of this section or a 279
substantially equivalent municipal ordinance. 280

~~(E)~~(F) If the offender is sentenced under division ~~(C)~~(D)(2) 281
of this section, if within three years of the offense the offender 282
previously was convicted of or pleaded guilty to one or more 283
violations of this section or a substantially equivalent municipal 284
ordinance, and if the offender's license was expired for more than 285
six months at the time of the offense, the court may impose a 286
class seven suspension of the offender's driver's license, 287
commercial driver's license, temporary instruction permit, 288
probationary license, or nonresident operating privilege from the 289
range specified in division (A)(7) of section 4510.02 of the 290
Revised Code. 291

Section 2. That existing sections 4507.09, 4507.23, and 292
4510.12 of the Revised Code are hereby repealed. 293