

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. C. R. No. 27

Senator Seitz

Cosponsors: Senators Eklund, Skindell

CONCURRENT RESOLUTION

To declare that the Ohio General Assembly is opposed 1
to the enactment of a state law, pursuant to a 2
federal mandate, which would require the 3
suspension or revocation of the driver's license 4
of any individual convicted of any violation of 5
the federal Controlled Substances Act or another 6
drug law; to urge the Governor of Ohio to submit a 7
written certification stating the Governor's 8
opposition to such a law along with this 9
resolution to the United States Secretary of 10
Transportation; and accordingly to prevent the 11
United States Secretary of Transportation from 12
withholding a specified percentage of federal 13
transportation apportionments pursuant to 23 14
U.S.C. 159. 15

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):

WHEREAS, Pursuant to 23 U.S.C. 159, the United States 16
Secretary of Transportation is required to withhold eight per cent 17
of a state's highway-related funds unless that state either enacts 18
and enforces a law requiring a six-month suspension or revocation 19
of the driver's license of any individual convicted of any 20

violation of the Controlled Substances Act or other drug law, or 21
the Governor of the state submits written certifications by the 22
Governor and the state legislature that both are opposed to the 23
enactment and enforcement of such a law; and 24

WHEREAS, After the careful examination of this mandate, the 25
Ohio General Assembly hereby determines that the enactment of a 26
law requiring the suspension or revocation of the driver's license 27
of an individual based upon a drug offense regardless of whether 28
the offense is related to the operation of a motor vehicle would 29
needlessly strain limited state financial and manpower resources 30
as well as unnecessarily increase the paperwork and bureaucracy of 31
the state government; and 32

WHEREAS, The granting or withholding of driving privileges is 33
and has always been a prerogative of the states to decide for 34
themselves, not for the federal government to decide, and the 35
state of Ohio has already enacted sufficient laws to deter illegal 36
drug activity; now therefore be it 37

RESOLVED, That we, the members of the 130th General Assembly 38
of the State of Ohio, in adopting this resolution, declare our 39
opposition to the federal government mandating that the states 40
enact and enforce a law that provides for the suspension or 41
revocation of the driver's license of an individual based upon a 42
conviction of a drug offense; and be it further 43

RESOLVED, That we, the members of the 130th General Assembly 44
of the State of Ohio, urge Governor John R. Kasich to submit 45
written certification to the United States Secretary of 46
Transportation expressing his opposition to this federal mandate 47
along with a written certification that the Ohio General Assembly 48
has adopted this resolution; and be it further 49

RESOLVED, That the Clerk of the Senate transmit duly 50
authenticated copies of this resolution to Governor John R. 51

Kasich, the members of the Ohio congressional delegation, and the 52
Secretary of the United States Department of Transportation. 53