



**H.B. 542**

127th General Assembly  
(As Introduced)

Reps. J. Stewart, Gardner, J. McGregor, J. Otterman, Wachtmann,  
Batchelder

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**BILL SUMMARY**

- Eliminates the requirement that a remedial driving instruction course must require its students to attend at least 50% of the course in person and the provision that prohibits the Director of Public Safety from approving any such course if it permits its students to take more than 50% of the course in any other manner, including via video teleconferencing or the Internet.

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**CONTENT AND OPERATION**

**The driver's license points system and remedial driving instruction courses**

When a person pleads guilty to or is convicted of a moving traffic offense, the Registrar of Motor Vehicles is required to charge a number of points against that person's driver's license. The number of points charged varies, from two points for violations such as speeding, failure to stop at a stop sign, failure to signal, etc., to six points for serious offenses such as OVI and vehicular homicide. When the total number of points charged against a person's license exceeds five, the Registrar must send the person a warning letter (R.C. 4510.037(A)). When the total number of points charged against a person's license within any two-year period beginning on the date of the first conviction within the two-year period equals 12 or more, the Registrar must send a written notice to the person, informing the person that the person's driver's license will be suspended for six months. The notice also must inform the person of the actions the person must take if the person wishes to appeal the suspension. (R.C. 4510.037(B).)

Any person who has at least 2 but fewer than 12 points charged against the person's driver's license may enroll in a remedial driving instruction course that has been approved by the Director of Public Safety. Upon the person's completion of such a course, the person may apply to the Registrar for a credit of two points

on the person's driving record. Upon receipt of the application and proof of completion of the approved remedial driving instruction course, the Registrar is required to approve the two-point credit. The Registrar cannot approve any credits for a person who completes a remedial driving instruction course pursuant to a judge's order. (R.C. 4510.037(C)(1).) The Registrar may approve only one two-point credit in any three-year period for a person, and a person is limited to a maximum of five two-point credits during that person's lifetime (R.C. 4510.037(C)(2)).

Under current law, in order for the Director to approve a remedial driving instruction course, the course must require its students to attend at least 50% of the course in person. The Director is specifically prohibited from approving any remedial driving instruction course that permits its students to take more than 50% of the course in any other manner, including via video teleconferencing or the Internet. (R.C. 4510.037(L).)

### **Reinstatement requirements after certain driver's license suspensions**

Current law provides that any person whose driver's or commercial driver's license or permit is suspended under the driver's license points system, under the provisions relating to the offense of operating a vehicle after underage alcohol consumption,<sup>1</sup> or for violation of a municipal ordinance that is substantially equivalent to that state offense is not eligible to retain the license or to have the driving privileges reinstated until each of the following has occurred:

(1) The person successfully completes a remedial driving instruction course approved by the Director. The course must devote at least 25% of its total number of hours of instruction to instruction on driver attitude and at least another 25% of the remaining hours of instruction to instruction in the area of alcohol and drugs and the operation of vehicles.

(2) The Registrar examines the person and finds the person to be qualified to operate a motor vehicle.

(3) The person gives and maintains proof of financial responsibility. (R.C. 4510.038(A)(1) to (3).)

Any remedial driving instruction course the Director approves under these provisions must require its students to attend at least 50% of the course in person. The Director cannot approve any such course if it permits its students to take more than 50% of the course in any other manner, including via video teleconferencing or the Internet. (R.C. 4510.038(B).)

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<sup>1</sup> R.C. 4511.19(B) and (H).

**Changes made by the bill**

The bill retains all of the above provisions except for (1) the requirement that a student attend at least 50% of a remedial driving instruction course in person, and (2) the prohibition against the Director's approving any such course if it permits its students to take more than 50% of the course in any other manner, including via video teleconferencing or the Internet (R.C. 4510.037(L) and 4510.038(B)).

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**HISTORY**

ACTION	DATE
Introduced	04-29-08

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