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Substitute Senate Bill 37 Helping Ohioans Return to the Road

A person's ability to pay a fine or a fee should not determine whether they are free to drive. Substitute Senate Bill 37, sponsored by Senator Louis Blessing, III (R-Colerain Twp) and Senator Catherine Ingram (D-Cincinnati) **eliminates and revises Ohio policies to remove financial barriers to returning to the road in Ohio.** With the passage of this legislation, Ohio would join more than 20 other states that have already moved away from these debt-related penalties. The measure passed unanimously through the Ohio Senate on May 22, 2024.

According to the report, "[Road to Nowhere: Debt-Related Driver's License Suspensions in Ohio](#)," published by the Legal Aid Society of Cleveland:

- Ohio drivers face more than 3 million debt-related suspensions annually.
- Debt-related suspensions substantially burden Ohio communities with an average outstanding total debt each year of over \$920 million.
- Administrative fees collected by the BMV to reinstate a driver's license after a suspension can exceed \$600 for driving without insurance.
- Debt-related suspensions cost residents of Ohio's highest-poverty zip codes an average of \$7.9 million each year.
- Ohio zip codes with the highest percentages of people of color foot the largest portion of the bill, costing residents an average of \$12 million each year.

When a state's public policy acts as a barrier to a person reaching their full potential, the long-term consequences impact individuals, families, and their communities at large. A valid driver's license is essential to participating in Ohio's economy and earning the money necessary to resolve existing debt.

Transportation obstacles have long been a significant factor in unemployment. With studies showing that eighty-six percent of Americans drive to work in their own vehicles, losing the ability to drive legally negatively impacts Ohio's workforce. Those who choose to drive to work illegally are subsequently penalized further as they compile new suspensions for driving without a license. They fall deeper in debt as the fees pile on, and Ohio businesses lose employees.

According to [a recent report](#) by researchers at the Federal Reserve Bank of Cleveland and Cleveland State University, debt-related driver's license suspensions could be keeping a sizable portion of Ohioans from finding and maintaining employment. In 2020, 1.66 million Ohioans had an active debt-related suspension. If half of them abide by the suspension, then about 830,000 Ohioans would not be able to drive to work, which could prevent them from repaying the debt or being part of the labor force.

Throughout the Senate Judiciary Committee process, Senators heard from 33 proponent witnesses ranging from legal aid societies to employment advocates to local government representatives to conservative groups. They all saw the benefits of passing Senate Bill 37.

Sub. Senate Bill 37 as passed by the Senate proposes to do the following:

- Eliminates the driver's license suspension for failure to pay a court fine or fee and requires the Registrar of Motor Vehicles to automatically remove any driver's license suspensions or motor vehicle registration suspensions imposed by the Registrar for failure to pay a court fine or fee. Requires those courts to lift any driver's license suspensions previously imposed for failure to pay a court fine or fee.
- Authorizes a person whose driver's license is suspended for failure to pay child support to file a motion with a court with jurisdiction over the child support order for limited driving privileges in all circumstances, not just when the motion is made during contempt proceedings as under current law. These provisions are similar to those passed by the Ohio House in HB 29.
- Regarding the imposition of increased penalties for multiple violations of the offense of operating a motor vehicle without proof of financial responsibility, reduces the lookback period from five years to one year within which repeat violations must occur.
- Eliminates the suspension of motor vehicle registration rights and impoundment of a motor vehicle's certificate of registration and license plates as penalties for operating a motor vehicle without proof of financial responsibility but retains a driver's license suspension as a penalty.
- Reduces the amount of time from either three or five years down to one year that a person whose license was suspended for failure to provide proof of financial responsibility must continually file such proof after the offense (a.k.a., an SR-22 certificate). Currently, the SR-22 certificate can also lead to a high-risk driver classification which may increase a driver's insurance rates from 9 to 40 percent for 3 to 5 years.
- Requires the Registrar to remove any remaining driver's license suspensions associated with the Financial Responsibility Random Verification Program (which was repealed through H.B. 62 of the 133rd General Assembly).
- Removes the possible penalty of a driver's license suspension for a drug abuse offense, unless the offense occurs under the same circumstances as an OVI-offense or the offense relates to causing others to use, manufacture, or traffic a drug of abuse and the offender used a vehicle to further the commission of the offense.
- Removes a driver's license suspension or a denial of the opportunity to obtain a driver's license as possible penalties for a student who is habitually truant from school.

The Ohio Poverty Law Center and our partners call on the Ohio House of Representatives to move forward with passage of Substitute Senate Bill 37 before the end of the year to ensure driver's license suspensions are limited to those convictions related to dangerous driving.

The Ohio Poverty Law Center's mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working and raising their families in poverty.