



Ohio Revised Code

Section 4510.10 Reinstatement fees payment plan or payment extension plan.

Effective: April 12, 2021

Legislation: Senate Bill 68 - 133rd General Assembly

(A) As used in this section:

(1) "Reinstatement fees" means the fees that are required under section 4507.1612, 4507.45, 4509.101, 4509.81, 4511.191, 4511.951, or any other provision of the Revised Code, or under a schedule established by the bureau of motor vehicles, in order to reinstate a driver's or commercial driver's license or permit or nonresident operating privilege of an offender under a suspension.

(2) "Indigent" means a person who is a participant in any of the following programs:

(a) The supplemental nutrition assistance program administered by the department of job and family services pursuant to section 5101.54 of the Revised Code;

(b) The medicaid program pursuant to Chapter 5163. of the Revised Code;

(c) The Ohio works first program administered by the department of job and family services pursuant to section 5107.10 of the Revised Code;

(d) The supplemental security income program pursuant to 20 C.F.R. 416.1100;

(e) The United States department of veterans affairs pension benefit program pursuant to 38 U.S.C. 1521.

(B) Reinstatement fees are those fees that compensate the bureau of motor vehicles for suspensions, cancellations, or disqualifications of a person's driving privileges and to compensate the bureau and other agencies in their administration of programs intended to reduce and eliminate threats to public safety through education, treatment, and other activities. The registrar of motor vehicles shall not reinstate a driver's or commercial driver's license or permit or nonresident operating privilege of a person until the person has paid all reinstatement fees and has complied with all conditions for each



suspension, cancellation, or disqualification incurred by that person.

(C) When a municipal court or county court determines in a pending case involving an offender that the offender cannot reasonably pay reinstatement fees due and owing by the offender relative to one or more suspensions that have been or will be imposed by the bureau of motor vehicles or by a court of this state, the court, by order, may do either of the following:

(1) Undertake an installment payment plan or a payment extension plan for the payment of reinstatement fees due and owing to the bureau in that pending case. The court shall establish an installment payment plan or a payment extension plan in accordance with the requirements of divisions (D)(1) and (2) of this section.

(2) Authorize the offender to perform community service in lieu of payment of the reinstatement fees.

A court that authorizes an offender to perform community service in lieu of paying reinstatement fees under this division shall provide the offender with documentation indicating completion of the court-ordered community service when the offender has completed that community service. In addition to complying with all other applicable requirements for reinstatement, other than payment of reinstatement fees, the offender shall provide the documentation of completion to the registrar when seeking reinstatement.

(D) Independent of the provisions of division (C) of this section, an offender who cannot reasonably pay reinstatement fees due and owing by the offender relative to a suspension that has been imposed on the offender may file a petition in the municipal court, county court, or, if the person is under the age of eighteen, the juvenile division of the court of common pleas in whose jurisdiction the person resides or, if the person is not a resident of this state, in the Franklin county municipal court or juvenile division of the Franklin county court of common pleas for an order that does either of the following, in order of preference:

(1) Establishes a reasonable payment plan of not less than fifty dollars per month, to be paid by the offender to the registrar of motor vehicles or an eligible deputy registrar, in all succeeding months until all reinstatement fees required of the offender are paid in full. If the person is making payments



to a deputy registrar, the deputy registrar shall collect a service fee of ten dollars each time the deputy registrar collects a payment to compensate the deputy registrar for services performed under this section. The deputy registrar shall retain eight dollars of the service fee and shall transmit the reinstatement payments, plus two dollars of each service fee, to the registrar in the manner the registrar shall determine.

(2) If the offender, but for the payment of the reinstatement fees, otherwise would be entitled to operate a vehicle in this state or to obtain reinstatement of the offender's operating privileges, permits the offender to operate a motor vehicle, as authorized by the court, until a future date upon which date all reinstatement fees must be paid in full. A payment extension granted under this division shall not exceed one hundred eighty days, and any operating privileges granted under this division shall be solely for the purpose of permitting the offender occupational or "family necessity" privileges in order to enable the offender to reasonably acquire the delinquent reinstatement fees due and owing.

(E) If a municipal court, county court, or juvenile division enters an order of the type described in division (C) or division (D)(1) or (2) of this section, the court, at any time after the issuance of the order, may determine that a change of circumstances has occurred and may amend the order as justice requires, provided that the amended order also shall be an order that is permitted under division (C) or division (D)(1) or (2) of this section.

(F) If a court enters an order of the type described in division (C), (D)(1), (D)(2), or (E) of this section, during the pendency of the order, the offender in relation to whom it applies is not subject to prosecution for failing to pay the reinstatement fees covered by the order.

(G)(1) In addition to divisions (A) to (F) of this section, the registrar, with the approval of the director of public safety and in accordance with Chapter 119. of the Revised Code, may adopt rules that do both of the following:

(a) Permit a person to pay reinstatement fees in installments in accordance with division (G)(2) of this section;

(b) Permit a person who is indigent to apply for and receive a waiver of all reinstatement fees in accordance with division (G)(3) of this section.



(2) The rules governing the bureau of motor vehicles installment plan may contain any of the following provisions:

(a) A schedule establishing a minimum monthly payment amount;

(b) If the person otherwise would have valid driving privileges but for the payment of the reinstatement fees, the registrar may record the person's driving privileges as "valid" so long as the person's installments are current.

(c) If the person's installments are not current, the registrar may record the person's driving privileges as "suspended" or "failure to reinstate," as appropriate.

(d) Any other provision the registrar reasonably may prescribe.

(3) The rules governing the bureau of motor vehicles waiver plan may establish any of the following:

(a) The form of the application;

(b) The documentation required of a person to prove that the person is indigent;

(c) A process for recording the person's driving privileges as "valid" after the waiver of the reinstatement fees;

(d) Any other requirements or procedures the registrar determines are necessary for implementation of the waiver plan.

(H) Reinstatement fees are debts that may be discharged in bankruptcy.