

RC 4510.14 - DRIVING UNDER OVI SUSPENSION¹ - 6 POINTS

Level/No. of Offense	Degree of Offense	Incarceration	Fines	Restitution for loss due to accident	Class 7 Suspension (≤ 1 year)	Immobilization	Forfeiture	Impound Plates Required ²
First in 6 years	M-1	3 - 180 days jail or 30 - 180 days HAEM. ³	\$250 - \$1,000	Up to \$5000 if no proof of Δ's FRA	Mandatory	Mandatory 30 days if Δ owns vehicle	No	Mandatory 30 days if Δ owns vehicle
Second in 6 years	M-1	10 days to 1 year jail or 90 days to 1 year HAEM. ³	\$500 - \$2,500	Up to \$5000 if no proof of Δ's FRA	Mandatory	Mandatory 60 days if Δ owns vehicle	No	Mandatory 60 days if Δ owns vehicle
Third or more in 6 years	Misdemeanor	30 days to 1 year jail. No HAEM. ³	\$500 - \$2,500	Up to \$5000 if no proof of Δ's FRA	Mandatory	No	Mandatory if Δ owns vehicle ⁴	Optional if Δ owns vehicle

RC 4510.16 - DRIVING UNDER FRA SUSPENSION/CANCELLATION/NONPAYMENT JUDGMENT^{1&5} - 2 POINTS

Level/No. of Offense (includes prior RC 4510.11 and 4510.111)	Degree of Offense	Incarceration/Community Service	Fines	Restitution for loss due to accident	Class 7 Suspension (≤ 1 year)	Immobilization	Forfeiture	Impound Plates Required ²
First in 3 years	Unclassified misdemeanor	0 - 500 hours community service ⁶	\$0 - \$1,000	Up to \$5000 if no proof of Δ's FRA	Optional	No	No	No
Second in 3 years	Unclassified misdemeanor	0 - 500 hours community service ⁶	\$0 - \$1,000	Up to \$5000 if no proof of Δ's FRA	Optional	Optional 30 days if Δ owns vehicle	No	Optional 30 days if Δ owns vehicle
Third in 3 years	M-1	0 - 180 days	\$0 - \$1,000	Up to \$5000 if no proof of Δ's FRA	Optional	Optional 60 days if Δ owns vehicle	No	Optional 60 days if Δ owns vehicle
Fourth or more in 3 years	M-1	0 - 180 days	\$0 - \$1,000	Up to \$5000 if no proof of Δ's FRA	Optional	No	Optional if Δ owns vehicle ⁴	Optional

RC 4510.21 - FAILURE TO REINSTATE LICENSE¹ - 2 POINTS

Level/No. of Offense	Degree of Offense	Incarceration/Community Service	Fines	Class 7 Suspension (≤ 1 year)	Immobilization	Forfeiture	Impound Plates Required
First or second in 3 years	Unclassified misdemeanor	0 - 500 hours community service ⁶	\$0 - \$1,000	Optional	No	No	No
Third or more in 3 years	M-1	0 - 180 days	\$0 - \$1,000	Optional	No	No	No

RC 4511.203 - WRONGFUL ENTRUSTMENT OF MOTOR VEHICLE - 0 POINTS

Level/No. of Offense	Degree of Offense	Incarceration/Community Service	Fines	Class 7 Suspension (≤ 1 year)	Immobilization	Forfeiture	Impound Plates Required ²
First in 3 years: RC 4511.203(A)(1),(2) or (3)	Unclassified misdemeanor	0 - 500 hours community service ⁶	\$0 - \$1,000	Optional	Optional 30 days	No	Optional 30 days
	RC 4511.203(A)(4) or (5)	M-1					
Second in 3 years RC 4511.203(A)(1),(2) or (3)	Unclassified misdemeanor	0 - 500 hours community service ⁶	\$0 - \$1,000	Optional	Optional 60 days	No	Optional 60 days
	RC 4511.203(A)(4) or (5)	M-1					
Third or more in 3 years RC 4511.203(A)(1),(2), or (3) or RC 4511.203(A)(4) or (5)	M-1	0 - 180 days	\$0 - \$1,000	Optional	No	Optional ⁴	Optional

¹It is an affirmative defense that accused drove because of substantial emergency and no other person was reasonably able to drive in response to the same. RC 4510.04.

²The court may impound the plates of any vehicle registered in the name of the defendant. See RC 4507.02(B)(1) and RC 4507.164.

³HAEM means house arrest with electronic monitoring. Within 60 days, court must issue finding of lack availability of jail space. RC 4510.14(C).

⁴If title to subject vehicle is assigned or transferred, offender may be fined value of vehicle per national automobile dealer's association publications.

⁵It is an affirmative defense that the suspension resulted from the person's failure to respond to a random financial responsibility request, and at the time of the request, the person was in compliance with requirements as shown by proof of financial responsibility then in effect. RC 4510.04.

⁶Defendant may not be sentenced to jail term or community residential sanction. Failure to perform community service may be punished as indirect criminal contempt.

LIMITED DRIVING PRIVILEGES

➤ **Court-Imposed Suspensions** A court may grant limited driving privileges except for:

- The "hard-time" of a class 2, or any portion of a class 1 suspension, for failure to comply, willful fleeing and eluding. RC 2921.331(E).
- The "hard-time" of OVI, OVUAC or ALS. RC 4510.13(A).
- Child endangering involving operating under the influence, and three or more prior/equivalent offenses within six years. RC 2919.22(G).
- Certain moving violations committed by juveniles with three or more prior offenses. RC 4510.31(C)(3).
- The operation of a commercial vehicle by person with suspended driver's license or CDL or commercial motor vehicle disqualification. RC 4506.161.

➤ **Bureau of Motor Vehicles Suspensions** A court may not grant limited driving privileges except for:

- Extension of time, up to 180 days, for offender to reasonably acquire reinstatement fees if payment of fees if is the only impediment to reinstatement. Privileges may be for occupational or "family necessity" only. RC 4510.10(D)(2).
- FRA suspensions as follows:
 - First offense:** only with proof of financial responsibility and compliance with RC 4509.101(A)(5). RC 4509.101(A)(2)(a).
 - Second offense within 5 years:** as above but no privileges allowable for first 15 days of the suspension. RC 4509.101(A)(2)(b).
 - Third or greater offense within 5 years:** no privileges may be granted. RC 4509.101(A)(2)(c).
- Upon an appeal of a twelve point suspension. RC 4510.037(G).
- Upon certain juvenile probationary suspensions by the issuing court upon finding that the person's ability to continue employment, educational or vocational training, or treatment will be seriously affected. RC 4510.31(C)(1).
- For Class D suspensions on Ohio residents for drug convictions from other state or federal court, except during "hard-time" of same. RC 4510.17(E).

➤ **Conditions** In granting limited driving privileges, the court:

- Shall specify the purposes, times and places of the privileges. RC 4510.021(A).
- Shall require the offender to provide proof of financial responsibility. RC 4510.021(E).
- May impose any other reasonable conditions including requiring immobilizing and disabling device and/or restricted plates. RC 4510.021(A),(C).

➤ **Purposes** Privileges may be granted for:

- Occupational, educational, vocational, or medical purposes. RC 4510.021(A)(1).
- Taking driver's or commercial driver's license examination. RC 4510.021(A)(2).
- Attending court-ordered treatment. RC 4510.021(A)(3).
- For juveniles, practice driving with parent, guardian, or custodian in the seat beside the juvenile. RC 4510.021(D).