

Millions of suspended licenses clog courts, fail to curb bad drivers

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DAYTON — The current mishmash of dozens of Ohio laws regulating drivers licenses is trapping tens of thousands of drivers who don't have dangerous driving records in a quagmire of increasing — and in many cases unpayable — fines, court costs and reinstatement fees.

In addition, Ohio Sen. Peggy Lehner said, the system is not particularly effective at keeping dangerous drivers off the road.

After the Dayton Daily News began examining the proliferation of license suspensions last year Lehner, a Kettering Republican, sat down with local officials to see what could be done to fix the system.

“Most of us left there with our heads spinning,” Montgomery County Sheriff Phillip Plummer said of the Jan. 7 meeting.

“The intent of license suspensions was to get bad drivers off the road,” Plummer said. “But there are so many sanctions now, some of them counterproductive.”

Ohio has 46 categories of license suspensions on the books. A Daily News analysis of data from the Ohio Department of Public Safety from 2006 to 2009 found that driving without insurance accounted for about 39 percent of the 9.9 million license suspensions. (It was 47 percent in the Dayton area). The other driving-related categories accounted for only 36 percent. That leaves 25 percent that lose their license for reasons that result from something other than a driving infraction.

And the system, judges and police say, creates a tremendous amount of repeat offending.

In 2009 alone, the newspaper analysis found, the state had more than 2.6 million suspensions and 7.35 million licensed drivers. In Montgomery, Greene, Warren and Miami counties, almost 223,000 license suspensions amounted to just under one for every three of the 694,000 licensed drivers.

The ratio was much higher in Montgomery County, where the more than 167,000 suspensions amounted to almost one for every two licensed drivers.

Vandalia police Chief Douglas Knight said his officers regularly see drivers with multiple suspensions.

“It's not uncommon for them to say to the officer that they knew they'd let their insurance lapse or knew they hadn't paid their reinstatement fees because they just didn't have the money,” Knight said.

The resulting hundreds of thousands of suspensions have hammered those counties' court systems.

Statewide, 615,736 suspensions were issued for nonpayment of child support in the four years. Under federal law, states like Ohio have no choice but to require license suspensions as part of the penalties

for delinquent child support payments. Critics argue that the penalty is counterproductive: Taking away a person's transportation won't necessarily help them pay their child support, they say.

The president of the Association of Municipal/County Court Judges said his organization wants to work with Lehner to redesign the laws, at least those that can be changed.

"These cases are taking a considerable amount of time that could be devoted to more serious criminal offenders," said Clermont County Municipal Court Judge Jim Shriver.

Dayton Municipal Presiding Judge John Pickrel said the suspended license cases have a "very significant" impact on the court.

"If we could streamline things, we wouldn't see the same people coming back again and again," Pickrel said. "It would free up resources and allow people to keep working without running the risk of getting arrested."

Pickrel argues judges need discretion in sifting through the cases. He suggested giving judges the power to divert drivers entangled in fines, court costs and reinstatement fees to community service, a payment plan or limited driving privileges.

Judges, he said, would then have more time to look at the drivers with multiple cases of drunken driving, moving violations and other risky behavior.

One out of five traffic fatalities nationally involve a driver on a suspended license or no license, according to AAA data.

"They are the ones that cause most of our accidents and a great many of our deaths," said Lt. Larry Faulkner, who oversees traffic enforcement for Dayton. "The high-risk drivers don't have a history of responsibility or good judgment."

Lehner agrees the system needs to differentiate between dangerous drivers and the rest.

"You have people who are really dangerous drivers, who are a threat to us all by being on the road," she said. "And then you have those people who are caught up in this whole tangled web of license suspension, can't afford to pay the fines, so they keep on driving, then they get another one because they get picked up for maybe running a stop sign. And these things mount and mount and mount."

The state legislature may have actually contributed to the problem, she said.

"In the state budget two years ago, we raised the fines instead of raising taxes," Lehner said. "So in raising fines we have made it more difficult for people to get legal and pay off those court costs."

Vandalia police Lt. Harry Busse said those who lose their licenses sometimes face a "paperwork nightmare" to regain them. In addition, he said, the fines, court costs and reinstatement fees can snowball.

"It's as if we have created a new debtors prison," Busse said.

If a driver can't pay a \$1,000 fine, he or she won't be able to pay a \$1,500 fine, Lehner said. And nobody's got room — or the money — to throw hundreds of thousands of unlicensed drivers in jail.

If truly dangerous drivers were really treated "severely and taken off the road so they're not out there killing people," then safety would be improved, she said.

"But if we try to treat everyone the same way, we simply do not have the jails. Our jails are full as they are."

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