



Ohio Legislative Service Commission

Sub. Bill Comparative Synopsis

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H.B. 388

131st General Assembly

(H. Armed Services, Veterans Affairs, and Public Safety)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1253-8)
Conditions imposed by the court upon granting unlimited driving privileges	No provision.	Clarifies that when the court grants unlimited driving privileges with an IID to a first-time offender, the court may impose any reasonable conditions other than conditions that restrict the driving privileges in terms of purpose, time, or place (<i>R.C. 4510.022(A)(3) and (C)(2)(a)</i>).
Suspension of a jail term when unlimited driving privileges are granted	No provision. No provision.	When a court grants unlimited driving privileges with an IID to a first-time offender, requires the court to suspend any jail term imposed for the OVI offense. Specifies that the court retains jurisdiction over the first-time offender until the expiration of the period of suspension imposed for the OVI offense and requires the court to order the first-time offender to serve the jail term if, during the period of suspension, the offender violates any

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		term or condition of the order that granted unlimited driving privileges. (R.C. 4510.022(C)(2)(c) and 4511.19(G)(1)(a) and (H).)
Rolling retests	Specifies that a person who is granted limited or unlimited driving privileges subject to the condition that the person use an IID is not required to conduct "rolling retests" (i.e. to breathe into the IID after the vehicle has been started in order to retest the concentration of alcohol in the person's breath) (R.C. 4510.43(D)).	No provision.
Certificate of installation	No provision.	Requires the Director of Public Safety to establish a certificate of installation, and requires the manufacturer of immobilizing or disabling devices to use the certificate for purposes of certifying the proper installation of such a device (R.C. 2951.02(C)(3), 4510.022(D)(1), 4510.13(F)(2), 4510.17(E)(5)(b), and 4510.43(A)(5)).
Device installation inspections	No provision.	Requires the Director of Public Safety to adopt rules governing procedures for confirming and inspecting the installation of immobilizing or disabling devices, and allows the Department to reject a manufacturer's application for a license if the manufacturer has a history of failing to properly install immobilizing or disabling devices (R.C. 4510.43(A)(5) and 4510.45(A)(4)(b)).
Records of the disposition of OVI cases	Requires any court with jurisdiction over cases involving OVI offenses to retain a record of each such case, including the offense charged, information on prior OVI offenses committed by the alleged offender, the results of any chemical test taken by the alleged offender, the	No provision.

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	<p>disposition of the case, and the penalties imposed.</p> <p>Requires the Ohio Supreme Court to produce a report that summarizes all such records submitted during the previous calendar year and to make the report available to the public. (<i>R.C. 4511.199.</i>)</p>	No provision.
Report on the effect of the bill	Requires the Registrar of Motor Vehicles to study the effect of the bill on the number of IIDs installed in Ohio, the number of drunk driving accidents and deaths, and the recidivism rate for OVI offenses and to issue a report (<i>Section 3</i>).	Instead, requires the Director of Public Safety to conduct the study and issue the report (<i>Section 3</i>).
Corrective change	No provision.	Modifies the process by which an offender who is required to use an IID as a condition of the offender's community control sanction must obtain a restricted driver's license so that the process is the same process that applies in any other circumstance in which an offender is required to use an IID under the bill (<i>R.C. 2951.02(C)</i>).

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