

4501:1-2-06 **Procedures for the surrender of suspended certificates of registration, license plates, and driver's licenses and procedures for reinstatement.**

~~(A) If any driver or owner surrenders his certificate of registration, license plates, or driver's license to a court pursuant to division (B) of section 4509.101 of the Revised Code, the court shall transmit the certificate of registration, license plates, or driver's license to the registrar of motor vehicles for further disposition.~~

~~(B)~~(A) The following procedures shall be followed for any driver or owner who fails to comply with a court order issued pursuant to division (B) of section 4509.101 of the Revised Code directing the surrender of his certificate of registration, license plates, or driver's license and to any driver or owner who fails to show proof of financial responsibility to the registrar of motor vehicles as required upon random selection, after a motor vehicle accident, upon issuance of a traffic ticket, or in conjunction with a motor vehicle inspection pursuant to ~~division (A)(3)(d), (C)(3)(d), or (E)(3)(d), respectively,~~section 4509.101 of the Revised Code:

- (1) The registrar shall send a written notice to the last known address of the driver or owner at his last known address~~that~~. ~~The notice shall be on a form prescribed by the registrar and:~~
 - (a) Shall inform the driver or owner that his or her certificate of registration, license plates, ~~or~~ driver's license, or all of them, are suspended;
 - (b) Shall direct the driver or owner to surrender his or her certificate of registration, license plates, ~~or~~ driver's license, or all of them, to the bureau of motor vehicles;
 - (c) Shall state the duration of the suspension;
 - (d) May give notice of the driver's or owner's right, if any, to request a hearing or appeal the suspension and surrender determination; and
 - (e) May contain any other information the registrar may prescribe.
- (2) Upon receipt of notice, the driver or owner shall immediately surrender his or her certificate of registration, license plates, ~~or~~ driver's license, or all of them in accordance with the registrar's notice by transmitting them to the bureau of motor vehicles at the address specified in the notice.
- (3) The registrar may cause such information about the notice and directive to surrender as he deems appropriate to be entered in the law enforcement automated data system (LEADS).

(4) If the suspension is a random selection suspension under division (A) (3) (c) of section 4509.101 of the Revised Code, no peace officer shall confiscate the license, certificate of registration, or registration plates.

~~(4)~~(5) ~~Any~~ Except for random selection suspensions, any peace officer who, in the performance of his duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and registration plates are under an order of impoundment, pursuant to section 4509.101 of the Revised Code, may confiscate such license, certificate of registration, and registration plates, and return them to the registrar.

~~(5)~~(6) If the driver or owner does not make a timely and voluntary surrender, the registrar may designate and authorize employees of the bureau of motor vehicles to obtain the surrender of certificates of registration, license plates, or driver's license directly from the driver or owner.

~~(E)~~(B) Upon receipt of any certificates of registration, license plates, or driver's licenses surrendered in accordance with this rule, the registrar shall destroy them pursuant to sections 4503.232 and ~~4507.54~~4510.52 of the Revised Code.

~~(D)~~(C) ~~If any driver's license suspension and order of surrender results from a court order, the registrar shall record the length of the suspension in accordance with that order. In all other instances the~~ The registrar shall determine the length of any driver's license suspension based upon the records of the bureau of motor vehicles. The registrar shall not restore any driver's license until the suspension period has expired and any reinstatement requirements have been met.

~~(E)~~(D) The registrar shall determine from the records of the bureau of motor vehicles the amount of the financial responsibility reinstatement fee in accordance with division (A)(5)(a) of section 4509.101 of the Revised Code.

~~(F)~~(E) The registrar shall determine from the records of the bureau of motor vehicles whether the driver or owner is required to pay a financial responsibility nonvoluntary compliance fee in accordance with division (A) (5) (b) of section 4509.101 of the Revised Code and the amount of that fee, if any, for failure to comply with any order or notice requiring the surrender of his certificate of registration, license plates, or driver's license.

~~(G)~~(F) The registrar shall not restore any operating privileges or registration rights or return any license, certificate of registration, or license plates unless the rights are not subject to suspension or revocation under any other law and unless the person,

in addition to complying with all other conditions required by law for reinstatement of the operating privileges or registration rights, complies with all of the following:

- (1) Pays a financial responsibility reinstatement fee as determined by the registrar in accordance with this rule;
- (2) Pays the financial responsibility nonvoluntary compliance fee, if any, as determined by the registrar in accordance with this rule; and
- (3) Files and maintains proof of financial responsibility in accordance with paragraph (B) of rule 4501:1-2-01 of the Administrative Code.

~~(H)~~(G) When the period of any driver's license suspension has expired and the person has complied with all requirements of paragraph ~~(G)~~(F) of this rule, the registrar shall authorize the person to obtain a driver's license. The authorization shall be conditioned upon any other applicable requirement prescribed by law, including the requirement that the person submit to a driver's license examination if ~~his~~the driver's suspended driver's license has been expired for six months or more.

~~(H)~~(H) The registrar shall authorize any person whose certificate of registration or license plates ~~which~~that have been suspended to apply for a certificate of registration or license plates upon the registrar's determination that the person has complied with paragraph ~~(G)~~(F) of this rule.

Effective:

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Certification

Date

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