

MODULE 2 - HOW CAN I LOSE MY LICENSE?

Objectives:

1. To learn about certain traffic safety/driving laws.
 2. To understand the penalties if found in violation of these laws.
 3. To learn the importance of being a responsible driver.
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How can I lose my license?

The accumulation of accidents and/or tickets could cause you to lose your license, as well as your insurance coverage. You need to learn about Ohio laws that could affect your driving privileges. Remember, driving is a privilege-not a right!

What is Ohio's Financial Responsibility Law?

One way to lose your license is by failing to meet the requirements of Ohio's Financial Responsibility Law.

The purpose of Ohio's Financial Responsibility Law is to assure compensation to victims where injuries or damages are sustained in a crash. The FR law applies to owners of Ohio registered vehicles, motorists leasing vehicles from licensed dealers and those applying for an operators, commercial, restricted or probationary drivers license.

There are several ways you can meet the FR law requirements. Only one of the following proofs must be maintained:

- Auto liability insurance policy. Although Ohio does not have a compulsory insurance law, many drivers and car owners purchase insurance to satisfy the requirements of the FR law.
- Surety bond of \$30,000 issued by an authorized surety or insurance company.
- Certificate issued by the Ohio Bureau of Motor Vehicles (BMV) indicating that money or government bonds in the amount of \$30,000 is on deposit with the Treasurer of the State.
- Certificate issued by the BMV showing a bond secured by real estate having equity of at least \$60,000.
- Certificate of self-insurance issued by the BMV, available to those with more than 25 vehicles registered in their name or a company's name.

Suppose I ignore the FR law? What's the worst that can happen?

The licenses of thousands of people are suspended each year for failing to comply with the FR law. Repeat offenders can even lose their cars. The penalties for FR law violation depend on the number of offenses within a three- or five-year period. Penalties include:

- Lose drivers license for at least 90 days, up to two years
- Petition the court for limited driving privileges
- License plates and vehicle registration suspension
- License reinstatement fees of \$75-\$500
- \$50 penalty for failing to surrender license, plates or vehicle registration to the BMV
- Requirement to obtain insurance (SR-22 filing or bond). If violator cancels or non-renews insurance (SR-22 filing or bond) within three- or five-year monitoring period, the insurance agent or company will notify the BMV
- Vehicle immobilization and confiscation of plates for 30-60 days for violating FR suspension. Third and subsequent offenses may mean vehicle forfeiture and a five-year moratorium on vehicle registrations

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What about penalty points?

Another way to lose your license is by accumulating too many penalty points on your driving record.

If you're convicted of a traffic violation, you'll be assessed penalty points based on the type of violation. If you have another conviction within two years of the first, the new points are added to the ones you already have.

The specific number of points for various offenses are given below. Keeping all of this information straight may be confusing, but the overall message is clear. The more serious the offense and the more offenses you commit, the more points you get.

The following are the points you can receive for specific violations:

Six-point violations

- Homicide by vehicle
- Operating a motor vehicle while under the influence of alcohol and/or any drug of abuse
- Failure to stop and disclose your identify at the scene of a crash
- Willingly fleeing or eluding a law enforcement officer
- Drag racing
- Operating a motor vehicle without the consent of the owner
- Operating a motor vehicle while your license is under suspension or revocation
- Using a motor vehicle in the commission of a felony, or committing any crime punishable as a felony under Ohio Motor Vehicle Laws

The following are the points you can receive for specific violations:

Four-point violations

- Willful or wanton disregard of the safety of persons or property

Two-point violations

- All moving violations except those pertaining to size limits
- Operating a motor vehicle in violation of a restriction imposed by the Registrar of the Bureau of Motor Vehicles

Speeding violations

Ohio's point system for speed limit violations was revamped under SB 123. The new point system for speeding became effective January 1, 2004.

The new system replaces the sliding scale system that previously took a driver's prior record and speed over the posted limits into consideration.

Under SB 123 a speeding violation may result in four points, two points or no points depending on the posted speed limit and the number of mph by which the speed limit was exceeded.

- Exceeding a speed limit by 30 mph or more results in four points.
- If the speed limit is 55 mph or more, exceeding the limit by more than 10 mph (11–29 mph over the limit) results in two points.
- If the speed limit is less than 55 mph, exceeding the limit by more than 5 mph (6–29 mph over the limit) results in two points.
- Exceeding any speed limit in an amount less than what is stated above results in no points.

Penalties

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A driver accumulating six points will receive a letter from the Registrar of Motor Vehicles indicating the following penalties should 12 or more points be accumulated within a two-year period:

- Suspension of driving privileges for six months
- Proof of financial responsibility must be filed with the Bureau of Motor Vehicles and maintained for three years. Your insurance company will notify the BMV if, within the three-year monitoring period, your policy lapses, is non-renewed or is terminated.
- Upon completion of suspension, a remedial driving course approved by the Director of Public Safety must be taken. The course must include a minimum of 25% of its classroom hours devoted to instruction on driver attitude.
- A new driving test must be taken

Driving under suspension

Operating a motor vehicle while a license is under suspension is a first-degree misdemeanor. If convicted, the driver is subject to a fine of up to \$1,000 or six months in jail, or both. The violator may also be sentenced to an additional one-year drivers license suspension.

Two-point "credit"

A driver who accumulates at least two but no more than 11 points for traffic violations is eligible for a two-point credit by completing an approved remedial driving course. A list of approved schools offering courses is available online at www.dps.state.oh.us/drivingschools.

The two-point "credit" offered through this program doesn't erase any convictions from a person's official driving record and doesn't eliminate any prior convictions that an insurance company may take into consideration in premium assessments. All convictions remain on the driver's record, but the points needed for the 12-point suspension are extended by two.

Point System for Speeding (effective 1/1/04)

Speed limit	1-5 mph over	6-10 mph over	11-29 mph over	30 mph or more over
Below 55 mph	0 points	2 points	2 points	4 points
55 mph or more	0 points	0 points	2 points	4 points

Source: Ohio Department of Public Safety's *Digest of Motor Vehicle Laws*, 11/03

What happens to me if I drink and drive?

Drinking and driving could cost you your license. You must be at least 21 years of age in order to drink or possess any beer, wine or liquor in Ohio. This includes having an open container in a public place.

Sometimes underage people try to buy alcohol with a phony drivers license. It is a felony to make, sell or give away a drivers license to falsify someone's age.

You are penalized if you violate Ohio's liquor laws. And the penalties can increase if you repeat the offenses.

- Drink alcohol while under 18 years of age:
You are punished by juvenile court.
- Drink alcohol while 18-20 years of age:
You can be fined and spend time in jail.
- Use a fake drivers license to buy alcohol:
You may lose your driving privileges.
- Lend your license to someone to buy alcohol:
You could lose your driving privileges, receive a fine and spend time in jail.

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- Drink alcohol in a motor vehicle:
You can be fined and spend time in jail.
- Have an open container of alcohol in a motor vehicle:
You could be fined.

What if I get picked up with alcohol in my blood?

If you are under 21, you can be arrested for a blood alcohol concentration (BAC) that is as small as .02% if you are operating a motor vehicle. You could be facing the following:

- drivers license suspension
- mandatory certified alcohol and drug addiction treatment programs
- points on your driving record
- remedial driving courses before reissuing your license

Can my parents get in trouble?

Your parents face stiff penalties if they allow your friends to drink alcohol, even if their folks say it's OK. Your parents could be given a fine and a jail sentence.

They could also lose some of their belongings. And they can be sued if the underage person who is drunk destroys property or hurts someone.

Advice for parents is to:

- Talk to their children about alcohol and the law
- Be at home when their children have a party, and don't provide alcohol or allow drinking
- Call the local police if underage persons are purchasing or consuming alcohol

Alcohol-related crashes are the leading cause of teenage deaths. Parents' attitudes and behaviors about alcohol influence the attitudes and behaviors of their children.

Can my parents take away my license?

Yes. Your parent (or guardian) has to sign a form accepting liability for your driving when you receive your temporary permit or probationary license. This means they are held responsible for any losses or damage that occurs while you are driving. It is possible to limit your parent's liability if you have your own proof of financial responsibility.

Until you are 18, the parent who signs for you is allowed to take your license or permit away from you, surrender it to the registrar and ask that it be canceled.

This means your parent is no longer liable for your driving and you can no longer drive.

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Module 2 - Quiz

Module 2 - Question 1 of 7:

"Can your parents take away your probationary license?"

A. "Nope. If they could, they would have done it after the first speeding ticket."

Feedback: "Your answer is off. They had to sign for you when you applied for it, accepting liability for your actions while driving. So they can decide to take it away from you and give it back to the registrar."

B. "Yep, because they signed for me when I got it, they can take it away."

Feedback: "Good. According to Ohio law, they are allowed to give it back to the registrar."

Module 2 - Question 2 of 7:

"Can you lose your license for failing to meet the Ohio Financial Responsibility Law requirements?"

A. "You bet. If I can't pay, I can't be behind the wheel."

Feedback: "Nice answer."

B. "No. The courts can fine me but not take away my right to drive."

Feedback: "Wrong. Driving is a privilege, not a right. And the courts can take away your license if you drive without proving you can pay for any losses or damages that might result."

Module 2 - Question 3 of 7:

"What level of blood alcohol concentration is illegal if you're driving and under 21 years of age?"

A. "Anything over 0% will get me arrested."

Feedback: "No, it's not 0% but you're almost right. The BAC is set at .02%."

B. "It's pretty low at .02%."

Feedback: "Right!"

C. "The same as an adult's."

Feedback: "Sorry. The level for young drivers is much lower at .02%."

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Module 2 - Question 4 of 7:

"You're stopped for going 72 mph in a 55-mph zone and this is your second offense. How many points do you get? "

Point System for Speeding (effective 1/1/04)

Speed limit	1-5 mph over	6-10 mph over	11-29 mph over	30 mph or more over
Below 55 mph	0 points	2 points	2 points	4 points
55 mph or more	0 points	0 points	2 points	4 points

A. "Whew! No points yet."

Feedback: "Not so fast. You get 2 points."

B. "I think it's 1 point."

Feedback: "No, you're due for 2 points."

C. "Uh, oh. I'm up to 2 points."

Feedback: "The good news is you got the question right. The bad news is you have 2 points."

Module 2 - Question 5 of 7:

"During an ice storm, you drive 62 mph on a freeway with a posted limit of 65 mph. Can you be cited for driving at that speed on a road that looks like an ice skating rink?"

A. "No way. I might be crazy, but I'm not breaking the law."

Feedback: "Think again. You can be arrested for violating any prima facie speed limit. That means you're still going too fast. It's not safe for existing road conditions, even though 62 mph is under the speed limit. What you need to do in these kind of situations is to slow down or pull off the road."

B. "Yes. I can be arrested for driving at a speed unsafe for existing road conditions, if I live that long."

Feedback: "Great! You can be arrested for violating any prima facie speed limit. That means going faster than what is safe for existing road conditions."

Module 2 - Question 6 of 7:

"Your older brother feels sorry for you and lets you use his drivers license to buy beer. When you get caught buying alcohol illegally, what can happen to your brother?"

A. "Lots of things, all bad. He can lose his license, go to jail, get a fine. Did I leave anything out?"

Feedback: "You're right. Your big bro is in BIG trouble."

B. "Nothing. I'm the one who actually used it and broke the law."

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Feedback: "Wrong. Your brother is still sorry, but for different reasons. You're both facing court dates."

Module 2 - Question 7 of 7:

"The number one cause of teenage deaths is due to crashes as the result of"

A. "Bad weather."

Feedback: "Sorry. Bad weather causes some deaths, but the number one cause is alcohol."

B. "Speeding."

Feedback: "No. Speeding kills lots of teens, but the number one cause is alcohol."

C. "Alcohol."

Feedback: "I'm impressed! That's why Ohio is tough on those who drink and drive, especially teens."

MODULE 2 - HOW CAN I LOSE MY LICENSE?

Module 2 – Teacher Recording Score Sheet

Module 2: How Can I Lose My License?

User Name	Questions:	#1	#2	#3	#4	#5	#6	#7	Date
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