



## Two Ohio bills would create new dependency class, experts say

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Mixed in with Gov. John Kasich's budget proposals is a new initiative called "Driving Toward a Safer Ohio," which represents the "most comprehensive changes to Ohio's driving training, testing and safety efforts ever undertaken by the Ohio Department of Public Safety."

At least, that's what John Born, director of the agency, told the Ohio House Finance Committee on Feb. 4.

But despite some of the praise the bill is getting for certain aspects, like creating a law banning texting or distracted driving, others see it as part of a trend that does nothing but create a new dependency class.

House Bill 53 creates new restrictions and adds more requirements for teen and first-time drivers in the state.

For instance, regardless of age, people who don't already have a license must show proof they successfully completed an approved driver education or driver-training course.

But such classes can be expensive — from \$99 for an online course to as much as \$700 for a complete course at a driving school — which is why many drivers wait until after they turn 18 to apply.

Under state law, driver education classes are only required for teens. Anyone 18 years or older can apply for a license, take the written and road tests and, if they pass, get an Ohio driver's license.

During a hearing in the Finance and Appropriation Committee's Transportation Subcommittee, state Rep. Alicia Reece, D-Cincinnati, expressed concern that the new education requirements would increase the cost of private driver training schools. She also noted that many public high schools no longer offer driving classes.

Karhlton Moore, executive director of ODPS's Office of Criminal Justice Services, said he doubted private drivers' education schools would raise rates because they will get a fresh crop of new students through the expanded required training for all new drivers.

Ruth Diehl, of Ruth's Driving Academy in Ashland, supported the increased education requirement, but disputed Moore's assumption.

She told the subcommittee the provision to increase behind-the-wheel training for students by two hours would add about \$100-\$150 to her costs.

"I will be passing that on to the customer," she said. "This will, however, make drivers' education less affordable and therein creates another issue."

So the law creates more customers for companies that offer classes, but not everyone can afford to pay for the new mandate.

That is why H.B. 53 calls for any fines from the new distracted-driving ban to go into a fund to pay for classes for those who cannot afford them.

And that is how a new dependency group is created, Walter Olson, a senior fellow in constitutional studies at the Cato Institute, says. Those who will be on the receiving end of the money will generally be in favor of passing the measure.

"It's very typical to tap the revenue in order to create a new constituency group in order to get support for the law," he said. "Driving instruction services seem to like these kinds of bills."

Mike Morgan said his organization, the Ohio Conference of AAA Clubs, supported the new driver training requirements. But he also suggested that certified driving schools be allowed to conduct the state driving test instead of just the state.

He said the state should not develop its own special driver-education curriculum but instead adopt the National Highway Traffic Safety Administration's Novice Teen Driver Education and Training Administration Standards.

This isn't the only pending bill that seeks to put fine money into a special fund to pay for compliance by some, but not all, the people.

Senate Bill 48 would require anyone under the age of 18 to wear a helmet when riding a bike on a road, even as a passenger. But not just any helmet. It must be an "approved" helmet that "is of good fit and fastened securely on the person's head."

Again, since not everyone can afford a helmet, the \$25 fine for violating the law would go into a special fund to help low-income families buy approved helmets. But that won't happen until one year after the law goes into effect. Only warnings about the law will be issued during that first year.

Greg Lawson, a policy analyst for The Buckeye Institute for Public Policy Solutions, said any fines designed to discourage specific behavior "should not be used to reward special classes."

"It should simply be general revenue," he said.

Lawson called the bike helmet proposal "an example of nanny state do gooderism going way too far in the first place," even before any discussion of how to use revenue generated by fines.

Rather than discussing how to spend the fine money, he said, “the question we should be asking is whether the underlying offense should be a crime at all.”

Olson did see one positive in the way the fine money would be allocated under the bills.

“At least it’s not going to the officers or cities who are writing the tickets,” he said. “That’s the worse way you can set it up.”

Both bills are pending in committees, though House Finance and Appropriations Committee Chairman Rep. Ryan Smith, R-Bidwell, told Gongwer-Ohio the distracted driving and tougher driver education requirements likely will be removed from the transportation budget to allow members more time to consider them.