

Sunbury Mayor's Court License Assistance Program

I. Purpose

The License Assistance Program (LAP) provides license restoration assistance to individuals charged with qualifying traffic offenses in the Sunbury Mayor's Court. The program coordinator, through a review of Ohio Bureau of Motor Vehicle records, will assist defendants in identifying the steps needed to reinstate their license. LAP's objective is to empower defendants to obtain a valid driver's license and/or driving privileges.

II. Procedure

A. Assessment/Placement

1. Defendants must be screened and deemed eligible by the LAP Coordinator.
2. Defendant shall agree to the terms and sign the LAP Agreement, which includes:
 - a. Defendant must waive all time limitations in accordance with R.C. 2945.71 and Crim. R. 32.
 - b. Defendant must enter a plea of guilt.
 - c. Defendant shall pay the \$125.00 program fee within thirty (30) days of admission into the program.
 - d. Defendant must have the ability to obtain and maintain insurance coverage within 120 days of admission into the program.
 - e. Defendant must agree to provide monthly progress reports, through email or telephone, to the LAP Coordinator.
3. Defendant enters a plea of guilty, Court accepts into the LAP Program, and sentencing set for after 120 days.
4. Defendants who appear for Court having independently obtained a reinstated driver's license, may still pay the program fee to qualify for LAP.

B. Program Eligibility

1. Defendant must be charged with an unclassified misdemeanor driving under suspension, no operator's license or similar offense.
2. Defendant must not be under suspension from the Bureau of Motor Vehicles because of the following:
 - a. OVI
 - b. ALS
 - c. Drug Conviction
 - d. Vehicular Homicide
 - e. Vehicular Manslaughter
 - f. Hit/Skip violations
 - g. Habitual Alcoholic Designation
 - h. Court Suspension (including those resulting from failure to appear in court)

3. The complaint must not include any of the following:
 - a. Accompanying criminal felony or misdemeanor charges
 - b. Moving violations resulting in an accident (unless damages are covered by insurance or paid in full by the offender)
 - c. Speeding violation over 30 mph
 - d. Speeding in a construction zone
 - e. School zone violations
 - f. More than two accompanying traffic charges (other than Driving Under Suspension for Failure to Reinstate License)
4. Date of offense is not greater than six (6) months from the date of admission.
5. Defendant does not possess a Commercial Driver's License, regardless of the vehicle being operated at the time of offense.
6. Defendant does not have more than three (3) convictions for Driving Under Suspension, Failure to Reinstate, or No Operator's License within the past three (3) years.
7. Defendant has not participated in the program in the past three (3) years unless the Court and prosecutor approve.
8. Defendant must not contest the merits of the citation.
9. Defendant must pay reinstatement fees within 120 days of the arraignment date OR be placed on a repayment plan with OBMV.
10. Defendant must not have any new violations of ORC Chapter 4510 or Sunbury Ordinance Chapter 335 while in the program.

C. Program Outcomes

1. Defendant successfully completes (by reinstating license or obtaining driving privileges prior to 120 days sentencing date) and the charge is dismissed by the prosecutor.
2. Defendant fails to complete within 120 days
 - a. May request a single 30-day extension if reasonable based on the number of steps still required prior to sentencing (Magistrate must grant at sentencing hearing)
 - b. Case proceeds to sentencing on the previous entered guilty plea.
 - i. The \$125.00 program fee will be applied to the fines and costs resulting from the conviction.
 - ii. Conviction reported to BMV (will include the FRA failure if applicable)
3. Defendant fails to comply with program terms prior to sentencing date.
 - a. Court will set an earlier sentencing date, notify the defendant, and proceed with sentencing on the previously entered guilty plea.