

**AUDITOR OF STATE BULLETIN 97-007**  
**APRIL 14, 1997**

TO: ALL MUNICIPAL COURT CLERKS  
ALL COUNTY COURT CLERKS  
ALL JUVENILE COURT CLERKS  
ALL INDEPENDENT PUBLIC ACCOUNTANTS

SUBJECT: COLLECTION OF FEE FOR ADMINISTERING ELECTRONIC LICENSE  
FORFEITURE PROGRAM

The purpose of this Auditor of State Bulletin is to inform all municipal, county and juvenile court clerks regarding the collection of a \$15 court fee for administering the Ohio Bureau of Motor Vehicles' (BMV) electronic license forfeiture program.

Effective November 19, 1996, Am. Sub. S.B. 121 amended Ohio Rev. Code § 4507.168 and required that courts collect a \$15 processing fee for the cost of the BMV's administration of the State's electronic drivers license forfeiture program. Because § 4 of Am. Sub. S.B. 121 provided the BMV with a stay from enacting some portions of the bill, several courts have questioned whether it is still necessary to collect the \$15 processing fee. In addition, our Office is aware that the courts have received a notice from the BMV dated December 9, 1996 advising that it is not necessary to collect this fee until May 19, 1997.

After researching the various sections of Am. Sub. S.B. 121, we concluded that the stay provided for in § 4 of the bill delays by six months portions of the bill concerning issuing or transferring certificates of registration for motor vehicles. The provisions in the bill regarding collecting the \$15 fee for electronic license forfeitures are not included in this six-month stay. Because this provision is not affected by the six-month stay in § 4 of the bill, these provisions became effective on November 19, 1996. As a result, the newly enacted bill does require courts to collect the \$15 fee and transmit the money monthly to the BMV. However, our Office will not issue any noncompliance citations or Findings for Recovery if municipal, county or juvenile courts have relied on the BMV's December 9, 1996 letter.

If you have any questions concerning this bulletin, please contact the Legal Division at (614) 752-8683 or (800) 282-0370.