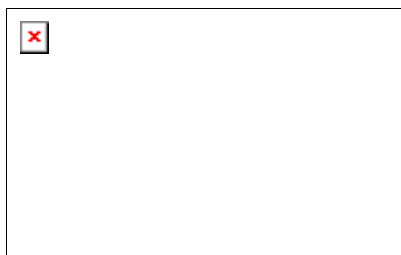


## Guilt by association

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Crackdown on uninsured drivers  
snagging insured relatives, friends

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Mike Munden/Dispatch

**Paul Doran of New Albany -- with his son Brian -- thinks parents who buy cars for their children should know the extent to which they can be held responsible if the children slip up.**

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### Financial Responsibility

From 1993 to 1995, more than 37,000 drivers were charged in Columbus with driving without insurance. Many of the drivers whose licenses were suspended as a result live in Columbus' poorest neighborhoods or most transient areas. Here are the ZIP codes in Columbus with the most license suspensions.

ZIP Code	Suspensions, 1993-95
1. 43207	3,138

**By Michael J. Berens**  
*Dispatch Staff Reporter*

November 17, 1996

New Albany farmer Paul Doran considers himself a responsible father who tries to set an example for his 13 children through honesty and hard work.

Three years ago, he was stunned to learn that the Ohio Bureau of Motor Vehicles considered him irresponsible.

Doran, like many other fathers, had helped his son buy a car. He co-signed the loan for Brian, then 17; registered the 1969 Camaro in his own name; and obtained insurance.

After high school, Brian joined the Marines. His car was stored at the family farm and his insurance canceled. When the Marines delayed his entrance a week, Brian took the car out. Several blocks from home, he hit a patch of ice and struck another car.

The police took a report, and the Dorans paid all damages, including the other driver's insurance deductible.

Brian became a Marine and the Doran family forgot about the accident -- until Mr. Doran learned that state law considered him the responsible driver of the car Brian had wrecked.

"I get this letter in the mail that my license was to be suspended," Mr. Doran said. "I was supposed to take all my license plates to the bureau and give up my drivers license."

2. 43211	2,899
3. 43204	2,764
4. 43224	2,505
5. 43223	2,460
6. 43206	2,322
7. 43228	2,066
8. 43219	1,966
9. 43232	1,950
10. 43201	1,916

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## Columbus' roadway record

In the past five years, Columbus has averaged 40 traffic deaths annually, compared with 60 deaths a year in the 1980s. Safety experts attribute the decrease to traffic-law enforcement, safer vehicles and better medical services. Here is a closer look at the city's traffic record.

YEAR	DEATHS	INJURIES	TOTAL ACCIDENTS
1991	47	8,027	26,102
1992	34	7,973	26,288
1993	41	8,423	25,833
1994	32	8,044	24,747
1995	45	8,561	26,594

Source: Columbus Division of Police

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The letter, from the state Bureau of Motor Vehicles, notified Doran that, as the registered owner of the vehicle, his license would be suspended for 90 days.

"I own a farming business," he said. "I was going to be ruined."

Doran, who breeds champion llamas and operates a hauling business that caters to farmers, relies heavily on his two trailers, two trucks and a car.

He thinks he became an unintended victim of the state's push to get tough on uninsured drivers -- an effort that began in 1992 when Sen. Roy Ray complained about the leniency of insurance laws.

At the time, state law did little to deter or punish uninsured drivers, said Ray, R-Akron. About 20 percent of traffic accidents in the state involved an uninsured driver, he said, and the state needed to send a message that driving without insurance would not be tolerated.

In response to public complaints and to law-enforcement reports showing ever-increasing numbers of uninsured drivers, tougher laws -- carrying longer license suspensions and higher fines -- were enacted.

The crackdown, however, is punishing more than uninsured drivers, *The Dispatch* has found. Parents who buy cars for their children and others are facing fines and license suspensions.

Doran thinks others should know what could happen to them.

He hired attorney Cleve Johnson, who specializes in traffic cases. A year and \$5,000 later, Doran won the case with the argument that he didn't know his son was going to drive the car.

Uninsured drivers are a problem, he acknowledged, and "all of us" pay through higher insurance rates. Yet sometimes the state's system of justice -- so heavily dependent on computers -- fails to recognize the human element, Doran said.

Charles D. Shipley, director of the Ohio Department of Public Safety, said every driver caught without insurance -- including Doran's son -- "makes an excuse." The law

## Safe, not so safe

Each year, the Ohio Insurance Institute calculates the safety records of the state's cities and counties. To do so, the agency divides the number of registered vehicles by the number of accidents. Here is how Ohio's five-largest counties and cities (based on the number of drivers) fared in 1994:

COUNTY	ACCIDENTS TO VEHICLES
Cuyahoga	1 in 37
Franklin	1 in 33
Hamilton	1 in 27
Lucas	1 in 32
Montgomery	1 in 35

CITY	ACCIDENTS TO VEHICLES
Cleveland	1 in 15
Columbus	1 in 24
Cincinnati	1 in 15
Toledo	1 in 17
Dayton	1 in 27

How the counties and major cities contiguous to Franklin County fared:

COUNTY	ACCIDENTS TO VEHICLES
Delaware	1 in 31
Licking	1 in 33

must be tough to be effective, he said.

### Placing a priority on enforcement

The licenses of more than 100,000 Ohio drivers were suspended last year under financial-responsibility laws that require drivers to have insurance, a *Dispatch* computer analysis of state driving records shows.

Leo Skinner, a spokesman for the Department of Public Safety, said the laws are protecting the public from irresponsible drivers and making highways safer.

Statewide this year, at least 50,000 vehicles driven by uninsured drivers have been impounded, records from Ohio's eight-largest court systems show.

James Kura, a lawyer and former director of the Ohio public defender's office, said some of the laws lead to inequities.

One of the most debated issues is the mandatory 90-day license suspension for those caught driving without insurance. The law does not allow judges to grant offenders permission to drive to work and back during suspensions.

Yet other traffic laws give judges that leeway with convicted drunken drivers.

Judge Anne Taylor of Franklin County Municipal Court said traffic laws should be designed to help drivers become legal as quickly as possible. Suspensions without privileges to drive to work favor punishment over justice, she said.

Daniel J. Kelso, president of the Ohio Insurance Institute, disagrees.

Motorists without insurance should never be allowed to drive during a suspension, he said, because it would soften the intent of that law.

Defense attorneys say insurance laws are so tough that penalties are being imposed on drivers who unwittingly drive without insurance.

Divorced or separated people increasingly are falling

Fairfield	1 in 40
Madison	1 in 33
Pickaway	1 in 26
Union	1 in 35

CITY	ACCIDENTS TO VEHICLES
Delaware	1 in 30
Newark	1 in 33
Lancaster	1 in 25
London	1 in 40
Circleville	1 in 32
Marysville	1 in 45

Source: Ohio Insurance Institute

victim to the laws, attorneys say.

Partners who do not share bill-paying responsibilities are most vulnerable. If one fails to pay insurance premiums or renew the policy, for example, the other might drive for weeks or months unaware that the insurance has lapsed.

If caught, the person faces a mandatory 90-day license suspension and steep fines -- plus higher insurance costs, city assistant prosecutors said.

Officials from CHOICES, a domestic-violence support group, and the Legal Aid Society of Columbus say they have seen a small but growing number of such cases.

### **Penalizing the poor**

Insurance laws hit drivers with low incomes hardest, according to a *Dispatch* analysis of 37,148 Franklin County residents charged between 1992 and 1995 with not having insurance.

Nearly 75 percent of Franklin County drivers charged with driving without insurance live in the city's poorest or most transient neighborhoods, an analysis of state driving records and U.S. Census Bureau records shows.

Most of those charged with insurance violations lived on the South Side in the area bounded by Livingston Avenue to the north and Williams Road to the south -- identified by the U.S. Census Bureau as one of Columbus' poorest regions.

West Side neighborhoods inside the Outerbelt and south of W. Broad Street had the second-highest concentration of uninsured drivers -- also among the city's poorest neighborhoods and an area with a high concentration of rental properties.

Other areas hit hard include neighborhoods east of I-71 from the Near East Side north along Cleveland Avenue to the Ohio Expo Center.

Statewide since 1992, more than 500,000 people have been charged with violating financial-responsibility laws. The offenses have ranged from not having insurance to failing to pay damages incurred in traffic accidents, records show.

Ohio ranks as the seventh least-expensive state for insurance premiums, according to the National Association of Insurance Commissioners.

In Columbus last year, the average annual premium was \$712, according to the Ohio Department of Insurance.

But that was still too high for Gregory Knepp. Income -- not disrespect for the law -- was at the root of his offense, he said.

"I had just moved to Ohio," the 35-year-old North Side laborer said. "I was unemployed, couldn't afford insurance, and I needed to get to work."

Knepp was caught driving without insurance when he was stopped for a stop-sign violation. After finding a job, he paid a \$150 fine, including a \$75 penalty to have his license reinstated, and obtained insurance.

"The automobile has become our religion," he said.

### **Paying for another's misdeed**

A woman in handcuffs cried as she was led into the Franklin County jail on Jackson Pike in June.

Months earlier, she had allowed a boyfriend who was unlicensed and uninsured to drive her car. He was caught and jailed.

Because she is the registered owner of the car, the Bureau of Motor Vehicles automatically suspended her license at the time of the boyfriend's arrest.

When she was stopped for not using a turn signal, she showed the officer her license, unaware that it had been suspended.

The woman, who asked that her name not be used, said she had not received notification of the suspension, jail supervisors told *The Dispatch*.

Arresting officers have to rely on a police computer that lists only basic information. It showed that the woman was violating a state order not to drive.

As a result, the woman -- like thousands of other people

in Franklin County each year -- was taken to jail.

Jail deputies said the woman probably didn't know that her boyfriend was uninsured. Even if she'd known, they said, she didn't deserve to go to jail.

"She was crying so hard," a jail supervisor said. "We listened to her story and felt so sorry for her that we took her to the clerk of court and got her out of jail ourselves."

The case later was dismissed on the grounds that the woman didn't know her boyfriend was uninsured.

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[Back](#) to the main *Wheels of Justice* page

