HOW TO DETERMINE WHICH STATE OFFENSE CODE TO USE FOR A LOCAL TRAFFIC ORDINANCE

Each Court is required to provide an 'Ohio Revised Code Offense & Conviction Code' (aka – 'State Offense Code' or simply 'SOC code') with every traffic offense conviction submitted to the BMV.

The BMV doesn't request, receive or care about the local ordinance number associated with the conviction, and each Court is responsible for selecting and sending the correct SOC code.

STEP 1 - You must have access to the codified ordinances your municipality uses through...

- Either online using American Legal Publishing (this is a paid subscription using https://codelibrary.amlegal.com/regions/oh)

American Legal Publishing

- Or an actual printed book (this book should have the current adopted codes, and not be a book from 1992)

STEP 2 – Locate your specific local traffic ordinance. Note that there are multiple ordinance format schema, and you cannot 'borrow' or otherwise 'adopt' the ordinance of another Municipality.

432.15 RIGHT-OF-WAY AT INTERSECTIONS.

(a) When two vehicles approach or enter an intersection from different streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(b) The right-of-way rule declared in division (a) of this section is modified at through highways and otherwise as stated in this Traffic Code or Ohio R.C. Chapter 4511.

(c) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under R.C. § 4511.991.

(R.C. § 4511.41)

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§ 72.030 RIGHT-OF-WAY AT INTERSECTIONS.

(A) When two vehicles approach or enter an intersection from different streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

(B) The right-of-way rule declared in division (A) of this section is modified at through highways and otherwise as stated in this traffic code or R.C. Chapter 4511.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(D) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under § 70.99(B).

(R.C. § 4511.41) (Rev. 2019)

STEP 3 – Locate the corresponding Ohio Revised Code (ORC/RC). Generally, if a local code mimics a specific section of the Ohio Revised Code (ORC/RC), then the ORC code will appear at the very end of the local code. In the first and second examples, the ORC/RC is 4511.41.

> *NOTE 1* - Some ordinances may define multiple violations, and there can be multiple ORC codes right after each violation description (OVI and DUS are good examples of ordinances having multiple ORC/RC codes throughout the violation description)
SEE- "DRIVING UNDER FINANCIAL RESPONSIBILITY LAW SUSPENSION OR CANCELLATION; DRIVING UNDER A NONPAYMENT OF JUDGMENT SUSPENSION." This ordinance contains 2 types of DUS, each with a different ORC code.

> *NOTE 2* – Your Municipality may have an ordinance that is only local and has no ORC code at the end of it. In this case, you will use SOC 99 - Miscellaneous

> *NOTE 3* – Your PD may be using a code that isn't actually a violation, but rather a description. Unfortunately, this will have to be corrected

STEP 4 – Now that the ORC code is known, you must refer to the BMV site and find that ORC code in the list to figure out which SOC code to use. (so confusing, right?)

BMV site - bmv.ohio.gov/government.aspx
Select Ohio Revised Code Offense & Conviction Code List

Government Site	
Government Resources	+
Tax Distribution	+
Ohio Revised Code Offense & Conviction Code List	+

Ohio Revised Code Offense & Conviction Code List

Last updated: 3/29/2023 *No longer used **New Offense ***Repealed ****Renamed

Code	Moving/ Non-moving	Violation	Points	ORC	Class
01	N	Perjury/False Info	0	2921.11	
02	M	OVI/Alcohol/Liquor/Drugs	6	4511.19A	5

Use Ctrl+F to search for the full ORC number, a partial ORC number, or part of the violation description. It's important to search multiple ways if it is not immediately located when searching for the full ORC number.

Our first example was easy to locate the ORC code –

38	M	FTY Right of Way	2	**4511.41**
				4511.42
				4511.44

And the reason you may have to limit your search, or shorten the ORC code in your search, or try a description instead, is because there are SOC codes that include an entire range of ORC numbers –

67	N	VIO-Equip Regulation	0	4513.03-10,12-19, 201-262,27,29

NOTE - Locating the SOC code also provides you with the standard points to assess and and the suspension class code to use.

NOTE - Column 2 = M/N (this is supposed to reflect whether the violation is moving/non-moving, but it's actually just a reflection of points/no points.) Unfortunately, this designation is NOT the same thing as the MOVING VIOLATION checkbox in the Ordinance Master File. That box should be checked for almost ALL traffic violations, including equipment and licensing. It has nothing to do with points, but has to do with the money the State gets.

In our example, you will use the SOC of 38 in your Mayor's Court Ordinance Master File.