

Legal Connections



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"Changes in the law affect us all; staying up to date on these changes can save you time, money and unnecessary headaches."



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GET READY NOW: MAJOR CHANGES AT YOUR OHIO BMV

It's a new "normal" at the Ohio BMV. You used to be able to walk in and walk out with your new driver's license/state ID ("DL/ID") in hand, normally in under 14 minutes, provided you were a US citizen with no driver's license suspensions. All that has changed since July 2, and many BMV customers are very upset. However, don't take your wrath out on the staff; they are obligated to follow the directives that sometimes change weekly (or daily) on how they are supposed to administer the new process.



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So far, probably around 100,000 Ohioans out of the nearly 9 million who have an Ohio DL/ID have had to "navigate" the new requirements. By Oct. 1, 2020, all Ohioans wishing to fly scheduled airlines will need an Ohio-compliant DL/ID or a U.S. passport to fly or enter a federal facility. On their face, the compliant card requirements appear easy enough, and are

easy if you want just a standard or non-compliant DL/ID. This, however, won't get you on a plane, a military base or into most federal facilities.

What do you need for a new compliant Ohio DL/ID? If you want the new Ohio "compliant" REAL ID DL/ID so you can get on a plane without a U.S. passport in hand, you have to produce certain original "source documents", such as a U.S. birth certificate, U.S. passport or passport card, that show your full legal name, U.S. citizenship and date of birth. Next is your social security number and two written proofs of where you currently reside (bank

The change in how states must issue driver licenses and state IDs has been coming for a while. The new Ohio DL/ID law was in part mandated by the 2005 Federal REAL ID Act after 9/11. The federal law was designed to make DL/ID issuance more secure by making them harder for terrorists to obtain and also address the need to make the Ohio DL/ID harder to counterfeit. States have known for nearly 13 years they would have to upgrade their issuance process.

DRIVER LICENSE

Applicants for an Ohio compliant DL-ID card must provide proof of:

- ✓ Full legal name
- ✓ Date of birth
- ✓ Legal presence in the U.S.
- ✓ Social Security number
- ✓ Ohio street address (two documents)
- ✓ Proof of name change

Source: Ohio Bureau of Motor Vehicles, 2018

prepared to have certified copies of all marriage licenses and divorce decrees showing the progression of name changes. As an alternative, securing a passport that matches your current name may be a better option and eliminate the need for documenting all marriages and divorces.

Customer strategies that may lessen the frustration:

1. Use the BMV online DL/ID app. It should help ensure you have all the documents you need for a federally-compliant DL/ID that can get you on a plane or in a federal facility.
2. Find the required source documents you need now even though you have until Oct. 1, 2020 to get your compliant DL/ID. Store them in a secure place where you can easily find them.
3. Get a U.S. passport with your current name.
4. Get to your local BMV early to avoid lines. Most open at 8 am. ■

statement, utility bill, etc. with your name on it).

Anyone who has changed their name through marriage or divorce must be

We asked local attorneys which candidates they prefer in the upcoming judicial election. See the results at www.JudgeTheCandidates.org.

OHIO'S CYBERSECURITY SAFE HARBOR LAW

A business that holds, utilizes or maintains electronic personal information is not only legally required to protect that sensitive information, but is exposed to costly liability for any failure to do so.



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Effective Nov. 2, however, Ohio business and nonprofit entities will have an additional tool to help them mitigate some of that liability. Pursuant to a new law, businesses that access, maintain, communicate or handle electronic personal or restricted information will have an affirmative

defense to a civil action resulting from a data breach if the entity is accused of failing to implement reasonable security controls to prevent the breach.

To prove the affirmative defense, the entity must either:

- Create, maintain and comply with a written cybersecurity program that contains administrative, technical and physical safeguards for the protection of personal information, that meets the design, scale and scope requirements and that reasonably conforms to an industry-

recognized cybersecurity framework listed in Section 1354.03 of the Revised Code; or

- Create, maintain and comply with a written cybersecurity program that contains administrative, technical and physical safeguards for the protection of both personal information and restricted information that meets the design, scale and scope requirements and that reasonably conforms to an industry recognized cybersecurity framework listed in Section 1354.03 of the Revised Code.

The cybersecurity program must be designed to do all of the following with respect to the information meant to be

protected:

- Protect the security and confidentiality of the information.
- Protect against any anticipated threats or hazards to the security or integrity of the information.
- Protect against unauthorized access to and acquisition of the information that is likely to result in a material risk of identity theft or other fraud to the individual to whom the information relates.

Full text available at cbalaw.org/news. ■



NOVEMBER 27 (3:00-4:30pm @ Grange Insurance, 671 S. High St., Columbus, OH 43206)

Hear from three retiring judges as they reflect upon 70 combined years on the bench and 124 years in practice. CLE will be followed by a cocktail reception.



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