

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 548**

**Representative McClain**

**Cosponsors: Representatives Becker, Thompson, Hood, Hambley, Riedel, Dean,  
Wiggam, Retherford, Seitz, Lipps**

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**A BILL**

To amend section 4511.84 of the Revised Code to 1  
permit a person to wear earplugs for hearing 2  
protection while operating a motorcycle. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4511.84 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 4511.84.** (A) No person shall operate a motor vehicle 6  
while wearing earphones over, or earplugs in, both ears. As used 7  
in this section, "earphones" means any headset, radio, tape 8  
player, or other similar device that provides the listener with 9  
radio programs, music, or other recorded information through a 10  
device attached to the head and that covers all or a portion of 11  
both ears. "Earphones" does not include speakers or other 12  
listening devices that are built into protective headgear. 13

(B) This section does not apply to: 14

(1) Any person wearing a hearing aid; 15

(2) Law enforcement personnel while on duty; 16

(3) Fire department personnel and emergency medical service personnel while on duty;	17 18
(4) Any person engaged in the operation of equipment for use in the maintenance or repair of any highway;	19 20
(5) Any person engaged in the operation of refuse collection equipment;	21 22
<u>(6) Any person wearing earplugs for hearing protection while operating a motorcycle.</u>	23 24
(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.	25 26 27 28 29 30 31 32 33 34
<b>Section 2.</b> That existing section 4511.84 of the Revised Code is hereby repealed.	35 36