

As Reported by the House Transportation and Public Safety Committee

133rd General Assembly

Regular Session

2019-2020

Am. H. B. No. 550

Representative Hoops

Cosponsor: Representative Sheehy

A BILL

To amend sections 4508.08 and 4513.17 of the
Revised Code to make changes to the laws related
to the motorcycle safety and education program
and to clarify that a motorcycle may have a
modulating headlight that meets federal
standards.

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

Section 1. That sections 4508.08 and 4513.17 of the
Revised Code be amended to read as follows:

Sec. 4508.08. There is hereby created in the department of
public safety the motorcycle safety and education program. The
director of public safety shall administer the program in
accordance with the following guidelines:

(A) (1) The program shall include courses of instruction
conducted at vocational schools, community colleges, or other
suitable locations, by instructors who have obtained
certification in the manner and form prescribed by the director.
The courses shall meet standards established in rules adopted by
the department in accordance with Chapter 119. of the Revised

Code. The courses may include instruction for novice motorcycle operators, instruction in motorist awareness and alcohol and drug awareness, and any other kind of instruction the director considers appropriate. A reasonable tuition fee, as determined by the director, may be charged. The director may authorize private organizations or corporations to offer courses without tuition fee restrictions, but such entities are not eligible for reimbursement of expenses or subsidies from the motorcycle safety and education fund created in section 4501.13 of the Revised Code.

(2) The director shall do both of the following:

(a) Authorize private organizations or corporations to offer any nationally recognized motorcycle operator training courses or curriculum and any course established in accordance with division (A) (1) of this section;

(b) Permit an applicant for a motorcycle operator's endorsement or a restricted license that permits only the operation of a motorcycle who has completed any motorcycle operator training course or curriculum as authorized in division (A) (2) (a) of this section successfully within the preceding sixty days to be eligible for the examination waiver as described in division (B) (1) of section 4507.11 of the Revised Code.

(B) In addition to courses of instruction, the program may include provisions for equipment purchases, marketing and promotion, improving motorcycle license testing procedures, and any other provisions the director considers appropriate.

(C) The director shall evaluate the program every two years and shall periodically inspect the facilities, equipment,

and procedures used in the courses of instruction. 48

(D) The director shall appoint at least one training 49
specialist who shall oversee the operation of the program, 50
establish courses of instruction, and supervise instructors. The 51
training specialist shall be a licensed motorcycle operator and 52
shall obtain certification in the manner and form prescribed by 53
the director. 54

(E) The director may contract with other public agencies 55
or with private organizations or corporations to assist in 56
administering the program. 57

(F) Notwithstanding any provision of Chapter 102. of the 58
Revised Code, the director, in order to administer the program, 59
may participate in a motorcycle manufacturer's motorcycle loan 60
program. 61

(G) The director shall contract with an insurance company 62
or companies authorized to do business in this state to purchase 63
a policy or policies of insurance with respect to the 64
establishment or administration, or any other aspect of the 65
operation of the program. 66

(H) A private organization or corporation that offers any 67
nationally recognized motorcycle operator training course or 68
curriculum is not required to use the end-of-course skills 69
evaluation used by a course established in accordance with 70
division (A)(1) of this section if the evaluation used by the 71
private organization or corporation meets or exceeds the 72
requirements of the evaluation authorized by the director under 73
this section. 74

(I) An instructor for a nationally recognized motorcycle 75
operator training course or curriculum offered by an authorized 76

private organization or corporation shall obtain certification 77
in the manner and form prescribed by the director under division 78
(A) (1) of this section and in accordance with the rules adopted 79
by the director. However, the director shall not require an 80
instructor for a nationally recognized motorcycle operator 81
training course or curriculum to participate in the state 82
instructor training curriculum if both of the following apply: 83

(1) The instructor has completed the training required by 84
the authorized private organization or corporation and the 85
training meets or exceeds the state instructor training 86
curriculum. 87

(2) The instructor has met all other state requirements 88
for certification. 89

Sec. 4513.17. (A) Whenever a motor vehicle equipped with 90
headlights also is equipped with any auxiliary lights or 91
spotlight or any other light on the front thereof projecting a 92
beam of an intensity greater than three hundred candle power, 93
not more than a total of five of any such lights on the front of 94
a vehicle shall be lighted at any one time when the vehicle is 95
upon a highway. 96

(B) Any lighted light or illuminating device upon a motor 97
vehicle, other than headlights, spotlights, signal lights, or 98
auxiliary driving lights, that projects a beam of light of an 99
intensity greater than three hundred candle power, shall be so 100
directed that no part of the beam will strike the level of the 101
roadway on which the vehicle stands at a distance of more than 102
seventy-five feet from the vehicle. 103

(C) (1) Flashing lights are prohibited on motor vehicles, 104
except as a means for indicating a right or a left turn, or in 105

the presence of a vehicular traffic hazard requiring unusual 106
care in approaching, or overtaking or passing. ~~This~~ 107

(2) The prohibition established in division (C)(1) of this 108
section does not apply to emergency any of the following: 109

(a) Emergency vehicles, road service vehicles servicing or 110
towing a disabled vehicle, stationary waste collection vehicles 111
actively collecting garbage, refuse, trash, or recyclable 112
materials on the roadside, rural mail delivery vehicles, 113
vehicles as provided in section 4513.182 of the Revised Code, 114
highway maintenance vehicles, funeral hearses, funeral escort 115
vehicles, and similar equipment operated by the department or 116
local authorities, ~~which shall be provided such vehicles are~~ 117
equipped with and display, when used on a street or highway for 118
the special purpose necessitating such lights, a flashing, 119
oscillating, or rotating amber light, but shall not display a 120
flashing, oscillating, or rotating light of any other color, ~~nor~~ 121
~~to vehicles;~~ 122

(b) Vehicles or machinery permitted by section 4513.11 of 123
the Revised Code to have a flashing red light. 124

~~(2) When used on a street or highway, farm~~ (c) Farm 125
machinery and vehicles escorting farm machinery ~~may be, provided~~ 126
such machinery and vehicles are equipped with and display, when 127
used on a street or highway, a flashing, oscillating, or 128
rotating amber light, ~~and the prohibition contained in division~~ 129
~~(C)(1) of this section does not apply to such machinery or~~ 130
~~vehicles.~~ Farm machinery also may display the lights described 131
in section 4513.11 of the Revised Code. 132

(D)(1) Except a person operating a public safety vehicle, 133
as defined in division (E) of section 4511.01 of the Revised 134

Code, or a school bus, no person shall operate, move, or park 135
upon, or permit to stand within the right-of-way of any public 136
street or highway any vehicle or equipment that is equipped with 137
and displaying a flashing red or a flashing combination red and 138
white light, or an oscillating or rotating red light, or a 139
combination red and white oscillating or rotating light;~~and~~ 140
~~except.~~ 141

(2) Except a public law enforcement officer, or other 142
person sworn to enforce the criminal and traffic laws of the 143
state, operating a public safety vehicle when on duty, no person 144
shall operate, move, or park upon, or permit to stand within the 145
right-of-way of any street or highway any vehicle or equipment 146
that is equipped with, or upon which is mounted, and displaying 147
a flashing blue or a flashing combination blue and white light, 148
or an oscillating or rotating blue light, or a combination blue 149
and white oscillating or rotating light. 150

(E) This section does not prohibit the use of ~~warning any~~ 151
of the following: 152

(1) The warning lights required by law or the simultaneous 153
flashing of turn signals on disabled vehicles or on vehicles 154
being operated in unfavorable atmospheric conditions in order to 155
enhance their visibility. ~~This section also does not prohibit~~ 156
~~the;~~ 157

(2) The simultaneous flashing of turn signals or warning 158
lights either on farm machinery or vehicles escorting farm 159
machinery, when used on a street or highway; 160

(3) A modulating headlight on a motorcycle, provided the 161
headlight and the modulation comply with the federal motor 162
vehicle safety standards set forth in 49 C.F.R. 571.108. 163

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| (F) Whoever violates this section is guilty of a minor | 164 |
| misdemeanor. | 165 |
| Section 2. That existing sections 4508.08 and 4513.17 of | 166 |
| the Revised Code are hereby repealed. | 167 |