

As Passed by the House

136th General Assembly

Regular Session

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Sub. H. B. No. 492

Representatives Ray, Abrams

**Cosponsors: Representatives Miller, K., Hall, T., Willis, Bird, Brennan, Daniels,
Deeter, Dovilla, Ghanbari, Hiner, Holmes, Johnson, LaRe, Mathews, A., Robb
Blasdel, Santucci, Schmidt, Sigrist, Williams, Young**

To amend section 4513.36 of the Revised Code to	1
expand the prohibition against interfering with	2
arrest to all motor vehicle-related laws and	3
require drivers and passengers to disclose their	4
name, address, and date of birth to a peace	5
officer on request.	6

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

Section 1. That section 4513.36 of the Revised Code be	7
amended to read as follows:	8

Sec. 4513.36. (A) <u>As used in this section, "peace officer"</u>	9
<u>has the same meaning as in section 2935.01 of the Revised Code.</u>	10

(B) <u>No person shall resist, hinder, obstruct, or abuse any</u>	11
<u>sheriff, constable, or other official peace officer while that</u>	12
<u>official peace officer is attempting to arrest offenders under</u>	13
<u>an offender for a violation of any provision of sections 4511.01</u>	14
<u>to 4511.78, 4511.99, and 4513.01 to 4513.37 section contained in</u>	15
<u>Title XLV of the Revised Code or a violation of a municipal</u>	16
<u>ordinance that is substantially equivalent to any section</u>	17
<u>contained in Title XLV of the Revised Code. No person shall</u>	18

~~interfere with any person charged under any provision of any of~~ 19
~~those sections with the enforcement of the law relative to~~ 20
~~public highways.~~ 21

~~(B)~~ (C) (1) (a) No operator of a motor vehicle, streetcar, 22
trackless trolley, motorcycle, under-speed vehicle, motorized 23
bicycle or moped, motor-driven cycle or motor scooter, all- 24
purpose vehicle, utility vehicle, mini-truck, snowmobile, 25
watercraft, or aircraft shall refuse to disclose the operator's 26
name, address, or date of birth when requested by a peace 27
officer who reasonably suspects that the operator has committed 28
a violation of any section contained in Title XLV of the Revised 29
Code or a violation of a municipal ordinance that is 30
substantially equivalent to any section contained in Title XLV 31
of the Revised Code. 32

(b) No passenger of a motor vehicle, streetcar, trackless 33
trolley, motorcycle, under-speed vehicle, motorized bicycle or 34
moped, motor-driven cycle or motor scooter, all-purpose vehicle, 35
utility vehicle, mini-truck, snowmobile, watercraft, or aircraft 36
shall refuse to disclose the passenger's name, address, or date 37
of birth when requested by a peace officer who reasonably 38
suspects that the passenger has committed a violation of any 39
section contained in Title XLV of the Revised Code or a 40
violation of a municipal ordinance that is substantially 41
equivalent to any section contained in Title XLV of the Revised 42
Code. 43

(2) Nothing in division (C) (1) of this section requires an 44
operator or a passenger to answer any questions beyond that 45
operator's or passenger's name, address, or date of birth. 46

(3) It is not a violation of division (C) (1) of this 47
section for an operator or passenger to refuse to answer a 48

question that would reveal that operator's or passenger's age or 49
date of birth if age is an element of the crime that the 50
operator or passenger is suspected of committing. 51

(D) (1) Whoever violates division (B) of this section is 52
guilty of a ~~minor~~-misdemeanor of the second degree. 53

(2) Whoever violates division (C) (1) of this section is 54
guilty of a misdemeanor of the fourth degree. 55

Section 2. That existing section 4513.36 of the Revised 56
Code is hereby repealed. 57