

87th House District
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Ways and Means

From the desk of:
Riordan McClain
State Representative

Thank you Chairman Green, Ranking Member Sheehy, and fellow members. I'm pleased to introduce House Bill 129 to you this morning. This legislation is another returning bill from the 132nd GA as it passed 3 times unanimously before failing to be called for a full vote on the Senate floor. Those votes came in House committee, House full floor, and Senate committee.

HB 129 at its core is about two things: freedom and safety. With freedom, comes choice and that is what this bill enables. If enacted, this will offer motorcyclists the choice of whether or not to use hearing protection in the form of earplugs. Under current law in Ohio (4511.84), motorcycle operators are not included in the list of exemptions to earplug and earphone restriction. We simply are adding motorcyclists to that list for hearing protection purposes.

Not being able to wear earplugs causes hearing damage for riders who would otherwise try to minimize the effect of wind noise and protect their hearing with earplugs. The noise from the engine is not the primary contributing factor for hearing loss for motorcyclists, it's the cumulative effect of wind noise as they drive at highway speeds. The CDC defines dangerous decibel levels to be at or above 85 over a period of time. Motorcycle riders experience the equivalent of 80-105 decibels while driving at highway speeds caused by wind noise alone. Allowing operators to wear earplugs while riding protects them from the effects of wind noise while not completely cancelling out all noise. Loud noises such as sirens, car horns, and even conversation with a riding partner is possible while wearing earplugs, it's just the harmful constant wind noise that is greatly diminished.

As I've researched this issue and had many conversations with motorcyclists from all over this state, it's a common misconception within the riding community that this practice is currently legal. Nearly every conversation eventually leads to an admission by the motorcyclist that they have worn earplugs not knowing that it was illegal to do so. This bill would give many Ohioans who ride the opportunity to protect their ears with earplugs while enjoying their riding experience. Earphones which emit sound would continue to remain illegal with this bill, however earplugs would be available to motorcycle riders.

This bill had no opposition last cycle and I urge you to support this bill to give our motorcyclist community the freedom to ride as they desire with the level of protection they choose.

Thank you and I will take questions.