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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 295
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 295's Bill Analysis](#)

Version: As Enacted

Primary Sponsor: Rep. Hoops

Local Impact Statement Procedure Required: No

Maggie West, Senior Budget Analyst

Highlights

- The state may gain a minimal amount of court cost revenue generated annually from nonmoving traffic violations and credited to the Indigent Defense Support Fund (Fund 5DY0).
- Adjudication costs for county and municipal courts and clerks of courts are expected to be marginal, as many violators will opt to sign a guilty plea, waive trial, and pay the clerk of courts in lieu of making a court appearance. It is also likely that the money collected from violators (fines, court costs, and fees) will more or less offset any associated enforcement and adjudication costs.

Detailed Analysis

Low-speed micromobility devices

The bill establishes requirements governing the operation of low-speed micromobility devices, which include electric scooters, certain e-bikes, and seated electric scooters, and generally authorizes the operation of such devices on public streets, highways, sidewalks, shared-use paths, and any portions of roads set aside for the exclusive use of bicycles. A violation of the bill's requirements is a nonmoving traffic violation that is generally a minor misdemeanor that can elevate to either a fourth or third degree misdemeanor depending on the violator's prior record of traffic offense violations. The bill also authorizes certain local authorities and the Department of Natural Resources to regulate or prohibit such devices in their jurisdiction, including requiring that the owner or operator of a low-speed micromobility device rental service or sharing program maintain a specified amount of commercial general liability insurance.

In the case of the commission of a minor misdemeanor, a law enforcement officer generally does not arrest a person, but instead issues a citation. In lieu of making a court

appearance, that person can sign a guilty plea and a waiver of trial provision, as well as pay the fine, court costs, and fees to the clerk of the court, either in person or by mail.

Adjudication costs for county and municipal courts and clerks of courts are expected to be marginal as many violators are likely to have their cases disposed of without going to court. It is also likely that the money collected from a violator will more or less offset any associated enforcement and adjudication costs. Incorporating the use of low-speed micromobility devices within the existing traffic laws is not expected to result in significant additional local law enforcement costs, since it would be part of their ongoing daily patrol operations.

Violation revenues

Under current law, a person committing a minor misdemeanor that is a nonmoving traffic violation of the state's traffic law is required to pay the fine and state and local court costs and fees summarized in Table 1 below.

Financial Penalty Component	Amount Paid by Violator	Recipient of Amount
Fine	Up to \$150, minor misdemeanor fine that varies by local jurisdiction	<ul style="list-style-type: none"> ▪ Retained by county if violation of state law ▪ Retained by municipality or township if violation of local ordinance ▪ Forwarded for deposit into the state Security, Investigations, and Policing Fund (Fund 8400) if violator is cited by the Ohio State Highway Patrol
Local court costs and fees	Varies by local jurisdiction	Generally retained by the county or municipality with subject matter jurisdiction over traffic violations
State court costs	\$10	Deposited in state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0)

Misdemeanor sentences and fines

Table 2 below summarizes current law's jail terms and fines generally for minor, fourth, and third degree misdemeanor offense classifications.

Classification	Fine	Possible Term of Incarceration
Minor Misdemeanor	Up to \$150	None
Misdemeanor 4 th degree	Up to \$250	Jail, not more than 30 days
Misdemeanor 3 rd degree	Up to \$500	Jail, not more than 60 days

Unsafe used tires

The bill narrows the scope of an existing prohibition against the installation of unsafe tires by limiting related provisions in the Consumer Sales Practices Act to passenger vehicles primarily designed for carrying passengers, and excluding multipurpose passenger vehicles and trucks. The practical effect of this provision is that tires that otherwise may have been considered unsafe can now be installed on multipurpose passenger vehicles and trucks. This provision may reduce, to some degree, the work and related annual operating costs that the Attorney General and local criminal and civil justice systems otherwise may have incurred to investigate and enforce violations of the prohibition against the installation of unsafe used tires.