



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 646

132nd General Assembly
(As Introduced)

Reps. Brown and Scherer, Sweeney, Kent, Riedel, Thompson, R. Smith, Patterson, Leland, K. Smith

BILL SUMMARY

- Enhances the penalty for failing to stop for a stopped school bus if the offender has a prior violation within a five-year period.
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CONTENT AND OPERATION

Background: failure to stop for a stopped school bus

Under current law, a driver must stop for a school bus when both of the following apply:

- The driver meets or overtakes the school bus, from either direction; and
- The school bus is picking up or dropping off a school child, a child attending a Head Start program, or a person attending programs offered by a community board of mental health or a county board of developmental disabilities.

The driver must stop at least ten feet from the bus. The driver may not proceed until either the bus moves, or the bus driver signals the driver to proceed. If a highway is divided into four or more lanes, and a driver approaches a school bus from the opposite direction, the driver does not have to stop.¹

¹ R.C. 4511.75(A) and (C).

A driver who violates this requirement may be fined up to \$500, and may be subject to a class seven driver's license suspension (not to exceed one year). The court also must assess two points on the offender's license.²

Penalty enhancement

The bill enhances the penalty for a violation that occurs within five years of a prior violation by **requiring** a court to assess four points on the offender's license. Also, the court **must** impose either, or both, of the following:

- A fine of \$1,000;
- A class five suspension (six months to three years) of the offender's license.

Current law, unchanged by the bill, states that the following apply to all offenders, regardless of whether there were prior violations:

- A person who is issued a citation may not enter a guilty plea and waive the person's right to contest the citation in trial; instead, the person must appear in person before the court; and
- If an offender's license is suspended, the offender must deliver the license to the proper court, and the court must forward the license to the Registrar of Motor Vehicles.³

HISTORY

ACTION	DATE
Introduced	05-14-18

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² R.C. 4510.02(A)(7), not in the bill; R.C. 4510.036(C)(16), 4511.75(A) and (F)(1).

³ R.C. 4510.02(A)(5), not in the bill; R.C. 4510.036(C)(12), R.C. 4511.75(F)(2).

