



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 550
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 550's Bill Analysis](#)

Version: As Reported by House Transportation and Public Safety

Primary Sponsor: Rep. Hoops

Local Impact Statement Procedure Required: No

Maggie West, Senior Budget Analyst

Highlights

- The state may lose a no more than minimal amount of locally collected court cost revenue credited annually to the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020).
- Certain political subdivisions may experience some annual reduction in the number of minor misdemeanor traffic-related equipment violations, as well as a corresponding revenue loss in the form of court costs, fees, and fines.

Detailed Analysis

The bill clarifies that a motorcycle may have a modulating headlight that meets federal standards and makes changes to the laws related to the motorcycle safety and education program.

Modulating headlights

While existing law generally prohibits the use of flashing lights other than turn signals or hazard lights, it is silent as to whether a motorcycle headlight may modulate, or vary in intensity. The Ohio State Highway Patrol does not stop motorcyclists for having a modulating headlight, as their internal policies specify that such lights are permissible. However, anecdotal evidence suggests that some local law enforcement is stopping such motorcyclists for having flashing lights.

For reporting purposes, a violation of the prohibition against having flashing lights on a motor vehicle is an equipment regulation violation that is combined with other equipment regulation-related offenses. There were 23,893 equipment regulation convictions in 2018, the number of those that were motorcyclists with a modulating headlight is uncertain.

To the extent that citations may have otherwise been issued under existing law, the bill may result in a no more than minimal savings effect for county and municipal courts, as they would no longer have to dispose of such cases. Under existing law, a violation of the prohibition against having flashing lights on a motor vehicle is a minor misdemeanor and a nonmoving violation. 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 that is on the citation and pay the total amount of the fine, fees, and costs at the clerk of the court or mail the citation and payment to the clerk of the court.

Any decrease in cases would also result in a corresponding, likely no more than minimal, loss of state and local court cost, fee, and fine revenue. The fines and court costs and fees for a violation of the prohibition against having flashing lights on a motor vehicle are summarized in the table below.

| Fine, Court Costs, and Fees Generally for Flashing Lights on a Motor Vehicle Violation | | |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 | \$19 | Deposited in state treasury as follows: <ul style="list-style-type: none"> ▪ \$10 to the Indigent Defense Support Fund (Fund 5DY0) ▪ \$9 to the Victims of Crime/Reparations Fund (Fund 4020) |

*The bill will not affect Fund 8400 since the Ohio State Highway Patrol does not issue citations to motorcyclists with modulating headlights.

Since existing law does not explicitly prohibit a motorcycle from having a modulating headlight and certain jurisdictions already permit it, the bill's net fiscal effect for the state and its political subdivisions is likely to be no more than minimal annually, with political subdivisions in which law enforcement is currently issuing citations more likely to be impacted.

Motorcycle safety and education

The bill's motorcycle safety and education provisions have no discernible fiscal effect on the state or its political subdivisions. The bill allows a private organization or company offering a nationally recognized motorcycle safety and education program to use a final end-of-course skills examination that is different from the Department of Public Safety (DPS) final examination, provided their examination meets or exceeds DPS requirements but requires an instructor for such a program to continue to be certified by DPS.