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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 30  
134<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 30's Bill Analysis](#)

**Version:** As Passed by the House

**Primary Sponsors:** Reps. Wiggam and Kick

**Local Impact Statement Procedure Required:** No

Maggie West, Senior Budget Analyst

### Highlights

- The state may gain at most a minimal amount of court cost revenue annually, apportioned between certain state funds.<sup>1</sup>
- There may be a minimal at most annual gain in fine, fee, and court cost revenue distributed pursuant to state law between counties, municipalities, and townships.
- The bill is unlikely to result in any discernible ongoing effect on traffic law enforcement and adjudication costs.

### Detailed Analysis

The bill clarifies and restructures the law regarding slow-moving vehicles, and revises the lighting and reflective material requirements applicable to animal-drawn vehicles. Specifically, the bill requires certain animal-drawn vehicles to have a yellow flashing lamp mounted on either the top most portion of the rear of the vehicle or on the top of the vehicle at all times, and during the period between sunset and sunrise, at least one white lamp on the front and two red lamps (or one red lamp and two red reflectors) at the rear. The bill specifies that the micro-prism reflective tape used on animal-drawn vehicles can only be red, amber, white, or silver in color (under current law, black and gray reflective tape are also options).

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<sup>1</sup>The state funds include the Indigent Defense Support Fund (Fund 5DY0), the Victims of Crime/Reparations Fund (Fund 4020), the Drug Law Enforcement Fund (Fund 5ET0), and the Justice Program Services Fund (Fund 4P60).

## Enforcement and adjudication

The bill's changes may result in a minimal at most annual increase in the number of citations written in certain jurisdictions for failure to comply with animal-drawn vehicle requirements. Under continuing law, a violation of the state's slow-moving vehicle law is a minor misdemeanor. 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, either in person, by mail, or online (where available) can waive their right to contest the offense before the court or jury, and pay the total amount of the fine and court costs and fees to the clerk of the court.

For calendar year 2018, the Bureau of Motor Vehicles reported 42 slow-moving vehicle violation convictions. The number specific to animal-drawn vehicles is not readily apparent from the available data. In the event that there is an increase in the number of such violations subsequent to the bill's enactment, there may be a no more than minimal annual gain in fine, fee, and court cost revenue collected and distributed pursuant to state law between the state, counties, municipalities, and townships. The bill is unlikely to result in any discernible ongoing effect on traffic law enforcement and adjudication costs.

### Violation revenues

Under current law, a person who violates animal-driven vehicle requirements is guilty of a minor misdemeanor moving violation of the state's traffic law and required to pay a fine and a mix of state and local court costs and fees. The fine, fees, and court costs specific to a moving violation are summarized in the table below. A minor misdemeanor does not carry a possible term of incarceration.

| Fine, Fees, and Costs for Animal-Drawn Vehicle Violations |   |  |
|---|---|--|
| 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"> <li>▪ Retained by county if violation of state law</li> <li>▪ Retained by municipality or township if violation of local ordinance</li> <li>▪ Forwarded for deposit into the state Security, Investigations, and Policing Fund (Fund 8400) if violator is cited by the Ohio State Highway Patrol</li> </ul>       |
| 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*  | \$37.50   | Deposited in state treasury as follows: <ul style="list-style-type: none"> <li>▪ \$25 to the Indigent Defense Support Fund (Fund 5DY0)</li> <li>▪ \$9 to the Victims of Crime/Reparations Fund (Fund 4020)</li> <li>▪ \$3.40 to the Drug Law Enforcement Fund (Fund 5ET0)</li> <li>▪ 10¢ to the Justice Program Services Fund (Fund 4P60)</li> </ul> |

\*An additional \$1.50 in state court costs is distributed to the county or municipal indigent drivers' alcohol treatment fund under the control of the county or municipality in which the sentencing court is located.