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H.B. 492*
136th General Assembly

Bill Analysis

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Version: As Reported by Senate Judiciary

Primary Sponsors: Reps. Ray and Abrams

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SUMMARY

- Expands the offense of interfering with an officer who is arresting an offender for a violation of a criminal traffic or vehicle equipment law so that it applies to circumstances in which a person interferes with an arrest made under any law specified in Title 45 of the Revised Code or a substantially equivalent municipal ordinance.
- Increases the penalty for this offense from a minor misdemeanor to a second degree misdemeanor.
- Creates a new offense that prohibits a vehicle operator or passenger from refusing to disclose the person's name, address, or date of birth when requested by a peace officer who reasonably suspects that the person has committed a violation of any offense in Title 45 of the Revised Code or a substantially equivalent municipal ordinance.
- Limits the scope of the prohibition by explicitly specifying that an operator or passenger is not required to do either of the following:
  - Answer any questions beyond that person's name, address, or date of birth; or
  - Answer a question that would reveal that person's age or date of birth if age is an element of the crime that the person is suspected of committing.
- Specifies that the penalty for this new offense is a fourth degree misdemeanor.

DETAILED ANALYSIS

* This analysis was prepared before the report of the Senate Judiciary Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

Interfering with an offender's arrest under motor vehicle laws

Under current law, a person is prohibited from resisting, hindering, obstructing, or abusing ("interfering with") any sheriff, constable, or other official who is attempting to arrest an offender under various criminal traffic and vehicle equipment laws. Furthermore, a person is prohibited from interfering with any person charged under any of those laws with the enforcement of the law relative to public highways.[1]

The bill expands this offense in three ways. First, it expands the offense to circumstances in which a person interferes with an arrest made under any law specified in Title 45 of the Revised Code, which, in addition to criminal traffic and vehicle equipment laws, governs:

1. General motor vehicle laws such as vehicle registrations and titles, driver's licenses, driver's education, and motor vehicle insurance;
2. Motor vehicle dealers;
3. Laws governing aircraft;
4. Laws governing port authorities and ferries; and
5. Other motor vehicle and transportation-related laws.

Next, it also applies the interference offense to any municipal ordinance that is substantially equivalent to laws specified in Title 45. Finally, the bill further expands the offense so that it applies to resisting, hindering, obstructing, or abusing any peace officer, instead of only a sheriff, constable, or other official.

The bill increases the penalty for this interference offense from a minor misdemeanor to a second degree misdemeanor.[2]

Refusal to disclose personal information

The bill creates a new offense that prohibits a vehicle[3] operator and any passenger from refusing to disclose the person's name, address, or date of birth when requested by a peace officer who reasonably suspects that the person has committed a violation of any offense contained in Title 45 of the Revised Code or a substantially equivalent municipal ordinance.

However, the bill limits the scope of the prohibition in two ways. First, it explicitly specifies that the bill does not require an operator or a passenger to answer any questions beyond that person's name, address, or date of birth. Second, it limits the scope of the prohibition by explicitly specifying that it is not a violation of the prohibition if the operator or passenger refuses to

[1] Specifically, R.C. 4511.01 through 4511.78, 4511.99, and 4513.01 through 4513.37, not in the bill.

[2] R.C. 4513.36(B) and (D)(1).

[3] The prohibition applies to operators and passengers of a motor vehicle but not nonmotorized vehicles (e.g., a bicycle or horse drawn vehicle). It also applies to operators and passengers of streetcars, trackless trolleys, under-speed vehicles (e.g., golf carts), motorized bicycles or mopeds, motor-driven cycles or motor scooters, all-purpose vehicles, utility vehicles, mini-trucks, snowmobiles, watercraft, and aircraft. R.C. 4513.36(C)(1).

answer a question that would reveal that person's age or date of birth if age is an element of the crime that the person is suspected of committing.

The bill specifies that the penalty for this new offense is a fourth degree misdemeanor.[4]

Related offenses in current law

The offenses addressed in the bill are similar to three additional offenses in current law, namely obstructing official business, obstructing justice, and failure to disclose personal information. Although each of these offenses can be distinguished from the offenses found in the bill, a prosecutor will ultimately decide which offense is applicable given the facts of each case. Below is a description of these offenses.

Obstruction official business: A person, without privilege to do so and with purpose of obstructing or delaying the performance by a public official of any authorized act within the public official's official capacity, is prohibited from hampering or impeding the public official in the performance of the official's lawful duties. The penalty for obstructing official business is a misdemeanor of the second degree. However, if the violation creates a risk of physical harm to any person, obstructing official business is a fifth degree felony.[5]

Obstructing justice: A person, with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for a crime or to assist another to benefit from the commission of a crime, is prohibited from taking certain actions, including, in part:

- Harboring or concealing the other person;
- Warning the other person of impending discovery or apprehension; or
- Preventing or obstructing any person, by means of force, intimidation, or deception, from performing any act to aid in the discovery, apprehension, or prosecution of the other person.

The penalty for this offense varies depending on the penalty for the underlying crime.[6]

Failure to disclose personal information: A person who is in a public place, is prohibited from refusing to disclose the person's name, address, or date of birth when requested by a law enforcement officer who reasonably suspects that the person is either:

- Committing, has committed, or is about to commit a criminal offense; or
- Witnessed any of the following:
  - An offense of violence that would constitute a felony under Ohio law;
  - A felony offense that causes or results in or creates a substantial risk of serious physical harm to another person or to property;

[4] R.C. 4513.36(C) and (D)(2).

[5] R.C. 2921.31, not in the bill.

[6] R.C. 2921.32, not in the bill.

- Any attempt or conspiracy to commit or complicity in committing any offense specified in (1) or (2) above; or
- Any conduct reasonably indicating that offenses specified in (1) or (2) above, or complicity described in (3) above, has been, is being, or is about to be committed.

The penalty for failure to disclose personal information is a fourth degree misdemeanor.[7]

HISTORY

Action	Date
Introduced	10-01-25
Reported, H. Public Safety	11-12-25
Passed House (59-21)	11-19-25
Reported, S. Judiciary	---

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[7] R.C. 2921.29, not in the bill.