



Ohio Legislative Service Commission

Final Analysis

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Sub. H.B. 429

131st General Assembly
(As Passed by the General Assembly)

Reps. Antani and Reineke, Duffey, Hackett, Young, Grossman, Baker, Barnes, Anielski, Antonio, Arndt, Ashford, Boyd, Brown, Burkley, Craig, Derickson, Dovilla, Driehaus, Fedor, Hambley, Howse, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Reece, Rogers, Schaffer, Sheehy, K. Smith, Sprague, Thompson

Sens. LaRose, Manning, Bacon, Balderson, Beagle, Brown, Coley, Eklund, Faber, Hottinger, Hughes, Jones, Lehner, Oelslager, Tavares, Thomas, Uecker, Yuko

Effective date: September 14, 2016; Sections 3 and 4 effective January 1, 2017

ACT SUMMARY

- Defines autocycle (for example, the Polaris Slingshot or Campagna T-Rex) for purposes of the Motor Vehicles Law.
- Exempts autocycle operators and passengers from specified equipment requirements that apply to motorcycle operators and passengers, includes an autocycle as an eligible vehicle for specified nonstandard license plates, and applies other regulatory requirements to autocycles.
- Requires an automotive technician or a motor vehicle technician to be an eligible employee under the Ohio Incumbent Workforce Training Voucher Program if the technician satisfies other Program requirements.
- Makes an employer of an automotive technician or a motor vehicle technician an eligible employer under the Program if other requirements for participation are satisfied.
- Revises the definition of "treat" and "treatment" as applied to hazardous waste, to include, in part, neutralization.
- Specifies that for purposes of the definition, rendering hazardous waste for further treatment or disposal does not constitute "treat" or "treatment."

CONTENT AND OPERATION

Regulation of autocycles

Under the act, an "autocycle" means a three-wheeled motorcycle that is manufactured to comply with federal safety requirements for motorcycles and is equipped with safety belts, a steering wheel, and seating that does not require the operator to straddle or sit astride to ride the motorcycle.¹ With regard to autocycles, the act does all of the following:

(1) Establishes a base vehicle registration tax of \$14, which is the same as the base registration tax for motorcycles and cab-enclosed motorcycles;²

(2) Requires an autocycle to display a license plate, in a size prescribed by the Director of Public Safety, on the rear of the vehicle only;³

(3) Allows the owner of an autocycle to apply for POW/MIA awareness license plates;⁴

(4) Allows a retired or honorably discharged veteran of any branch of the U.S. armed forces to obtain veteran license plates for an autocycle;⁵

(5) Specifies that a person who has a valid driver's or commercial driver's license is not required to obtain a motorcycle operator's endorsement in order to operate an autocycle;⁶

(6) For purposes of provisions of law establishing motor vehicle crimes and motor vehicle equipment requirements, specifies that an autocycle is within the definition of motorcycle;⁷ and

(7) Exempts operators of, or passengers in, an autocycle from the following:

¹ R.C. 4501.01(Y).

² R.C. 4503.04(A)(2).

³ R.C. 4503.21(A) and 4503.22.

⁴ R.C. 4503.535.

⁵ R.C. 4503.544.

⁶ R.C. 4507.03(A)(5).

⁷ R.C. 4511.01(C).



--The prohibition against being an operator or passenger on a motorcycle without using safety glasses or other protective eye device;

--The prohibition against operating a motorcycle without a helmet that applies to a motorcycle operator who is under age 18 or who is a novice motorcycle operator (meaning, a person who has held a motorcycle restricted license or endorsement for less than one year);

--The prohibition against a passenger on a motorcycle riding without a helmet when the motorcycle is being operated by a person specified above; and

--The prohibition against operating a motorcycle without a helmet while holding a temporary instruction permit.⁸

Eligibility under the Ohio Incumbent Workforce Training Voucher Program

The act requires that an employee who is an automotive technician or a motor vehicle technician be an eligible employee under the Ohio Incumbent Workforce Training Voucher Program if the employee otherwise satisfies the Program's requirements. Additionally, under the act, an employer of an automotive technician or a motor vehicle technician, including an employer that is a motor vehicle retail service store or a licensed motor vehicle dealer, is an eligible employer if the employer otherwise satisfies the requirements for Program participation. Under the act, an "automotive technician" is an individual who repairs, services, or performs maintenance on motor vehicles or other types of vehicles, including utility vehicles.⁹

Background – Ohio Incumbent Workforce Training Voucher Program

The Ohio Incumbent Workforce Training Voucher Program provides financial assistance to an employer to offset a portion of the costs to upgrade the skills of the employer's incumbent employees. The Program provides a reimbursement to the employer for an eligible training. To be eligible to participate, an employer must operate as a for-profit entity in a state-designated target industry. The automotive industry is a target industry and includes companies involved in the design, development, and manufacture of motor vehicles. Formerly, this designation did not include dealerships or repair shops (those industries dedicated to the selling and maintenance of automobiles following delivery to the end-user).

⁸ R.C. 4511.53(C)(1), (2)(a), and (3).

⁹ Section 5 (amending Sec. 257.30 of Am. Sub. H.B. 64 of the 131st General Assembly).



An eligible employer must also have a facility located in Ohio that has been in continuous operation for the 12 months immediately before applying for the Program. An eligible employee must be directly employed by the employer in an approved business function, earn an hourly wage of at least 150% of the federal minimum wage (currently \$10.88) plus benefits, work at least 25 hours per week, and satisfy age and residency requirements. An employer is able to receive up to \$100,000 in reimbursements per fiscal year through the Program, including up to 50% of the cost of an eligible training and up to \$4,000 per employee in the fiscal year for a single or multiple trainings.¹⁰

Definition of "treat" and "treatment" as applied to hazardous waste

The act revises the definition of "treat" and "treatment" as used in connection with hazardous waste by making three changes to the definition. First, the act includes neutralization, when used in connection with hazardous waste, in the definition and, thus, as a form of treatment. The act then specifies that any method, technique, or process, including neutralization, must be designed to change the physical, chemical, or biological character of hazardous waste, rather than characteristics of the hazardous waste, as required by former law. Finally, the act specifies that rendering the waste for further treatment or disposal does not constitute "treat" or "treatment."¹¹

HISTORY

ACTION	DATE
Introduced	01-13-16
Reported, H. Economic & Workforce Development	02-24-16
Reported, H. Rules & Reference	04-26-16
Passed House (88-5)	05-04-16
Reported, S. Transportation, Commerce & Labor	05-25-16
Passed Senate (33-0)	05-25-16
House concurred in Senate amendments (94-2)	05-25-16

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¹⁰ Development Services Agency, *Ohio Incumbent Workforce Training Voucher Program*, http://development.ohio.gov/bs/bs_wtvp.htm (accessed June 24, 2016).

¹¹ R.C. 3734.01(K).

