



## **H.B. 281**

124th General Assembly  
(As Introduced)

**Reps. Barrett, Allen, Key**

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### **BILL SUMMARY**

- Provides that whenever a person is convicted of or pleads guilty to a moving violation, if the court finds that the person committed the offense while using a hand-held mobile telephone, the court, in addition to all other penalties provided by law, must impose a fine of two times the usual amount imposed for the violation.
- Requires the State Highway Patrol to compile monthly data and statistics relating to motor vehicle accidents that troopers investigate and in which the investigating trooper reasonably determines that mobile telephone use by any person involved in the accident was a material factor in the cause of the accident.

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### **CONTENT AND OPERATION**

**Doubling of the fine for a moving violation that is committed while the perpetrator is using a hand-held mobile telephone**

The bill provides that notwithstanding current law governing the maximum amounts that can be imposed for misdemeanor offenses, whenever a person is convicted of or pleads guilty to any offense that is a moving violation, upon a finding that the person committed the offense while using a hand-held mobile telephone, the court, in addition to all other penalties provided by law, is required to impose a fine of two times the usual amount imposed for the violation (R.C. 4511.99(O)(1)).<sup>1</sup> This provision does not apply if the person was using a hand-held mobile telephone to report a situation that was hazardous to motor vehicle

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<sup>1</sup> "Mobile telephone" includes any cellular, analog, wireless, or digital telephone or a similar telecommunications device that is capable of sending or receiving two-way telephone communications without an access line for service (R.C. 4511.99(O)(3)(a)).

travel, a motor vehicle accident, an imminent threat to any person of death or serious physical harm, or any other emergency situation (R.C. 4511.99(O)(2)). Under the bill, a moving violation is any violation of a statute or municipal ordinance for which points are chargeable against the operator's license.

**Compilation of data and statistics by the State Highway Patrol**

Under the bill, the State Highway Patrol monthly must compile data and statistics relating to motor vehicle accidents that troopers investigate and in which an investigating trooper reasonably determines that mobile telephone use by any person involved in an accident was a material factor in the cause of the accident. The State Highway Patrol must make the data and statistics available as any other public record, and the Department of Public Safety or State Highway Patrol may include the data and statistics in any publication that it issues. (R.C. 5503.12.)

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	05-30-01	pp. 488-489

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