



H.B. 406

125th General Assembly

(As Introduced)

Reps. Wagner, McGregor, Seitz, Setzer, Collier, DeGeeter, Taylor, Otterman, Latta, Allen, Hollister, Chandler, Kearns, Ujvagi, Webster, Gilb, Flowers

BILL SUMMARY

- Prohibits a person from possessing a mobile infrared transmitter if certain conditions are present.
- Prohibits a person from using a mobile infrared transmitter to affect the operation of a traffic control signal.

CONTENT AND OPERATION

Operation of the bill

The bill defines a "mobile infrared transmitter" as any device or mechanism that emits infrared signals with the purpose of affecting the operation of a traffic control signal (R.C. 4511.121(D)). With respect to these transmitters, the bill contains two prohibitions.

First, the bill prohibits any person from possessing a mobile infrared transmitter if all of the following apply:

- (a) The transmitter is readily accessible to a power source.
- (b) The transmitter is in operable condition.
- (c) The person is located in the near vicinity of a traffic control signal so that the transmitter is capable of affecting the operation of the traffic control signal.

A violation of this prohibition is a misdemeanor of the fourth degree (R.C. 4511.121(A)(1) and (C)).

Second, the bill prohibits a person from using a mobile infrared transmitter to affect the operation of the traffic control signal. A violation of this prohibition is a misdemeanor of the second degree. (R.C. 4511.121(A)(2) and (C).)

Persons to whom the bill's prohibitions do not apply

The bill specifies that the bill's prohibitions against possessing or using a mobile infrared transmitter do not apply to persons in the following categories (R.C. 4511.121(B)):

(1) Any person acting in an official capacity on behalf of the state or local authority having jurisdiction over a traffic control signal;

(2) A person while occupying a public safety vehicle as defined in R.C. 4511.01(E)(1), (2), (3), or (4).¹

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-10-04	p. 1642

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¹ R.C. 4511.01(E)(1), (2), (3), and (4) define "public safety vehicle" as any of the following (1) ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under R.C. 4503.49, (2) motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state, (3) any motor vehicle when properly identified as required by the Director of Public Safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service, or (4) vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to emergency calls in the fire department service when identified as required by the Director of Public Safety. (R.C. 4511.121(B)(2), referencing R.C. 4511.01(E)(1), (2), (3), or (4), not in the bill.)

