



**Am. H.B. 406**

125th General Assembly  
(As Passed by the House)

**Reps. Wagner, McGregor, Seitz, Setzer, Collier, DeGeeter, Taylor, Otterman, Latta, Allen, Hollister, Chandler, Kearns, Ujvagi, Webster, Gilb, Flowers, Callender, Brown, Willamowski, D. Evans, Buehrer, Aslanides, Barrett, Beatty, Carmichael, Cirelli, Core, Distel, Domenick, C. Evans, Hagan, Hartnett, Harwood, Hughes, Key, Miller, Oelslager, T. Patton, Price, Reidelbach, Reinhard, Schmidt, D. Stewart, Wilson, Wolpert**

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**BILL SUMMARY**

- Prohibits a person from possessing a portable signal preemption device.
- Prohibits a person from using a portable signal preemption device to affect the operation of a traffic control signal.

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**CONTENT AND OPERATION**

**Operation of the bill**

The bill defines a "portable signal preemption device" as a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence (R.C. 4511.121(D)). With respect to these devices, the bill contains two prohibitions.

First, the bill prohibits any person from possessing a portable signal preemption device. 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 portable signal preemption device to affect the operation of the traffic control signal. A violation of this prohibition is a misdemeanor of the first 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 portable signal preemption device 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).<sup>1</sup>

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	02-10-04	p. 1642
Reported, H. Criminal Justice	04-21-04	pp. 1771-1772
Passed House (94-0)	05-04-04	pp. 1811-1812

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<sup>1</sup> 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.)