



H.B. 505

127th General Assembly
(As Introduced)

Reps. Batchelder, Flowers, Stebelton, Fessler, Goodwin

BILL SUMMARY

- Requires the Department of Public Safety to formulate, implement, and conduct a pilot project, through June 30, 2009, during which uniformed employees of the Motor Carrier Enforcement Unit, assisted by State Highway Patrol troopers and employees of the Public Utilities Commission, may stop commercial motor vehicles that are registered in a country other than the United States while being operated on the interstate freeways of this state, including the Ohio Turnpike.
- States that the purpose of the pilot project is to enable inspections to be conducted in order to verify compliance with applicable federal law and any relevant treaty and the laws of this state and any rules of the Commission regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements.
- Requires the Director of Public Safety, not later than October 1, 2009, to submit a written report detailing the results of the pilot project, including all relevant statistics and findings and any appropriate recommendations.

CONTENT AND OPERATION

The Public Utilities Commission generally regulates motor carriers under Revised Code Chapters 4919., 4921., and 4923. Within the Department of Public Safety, Division of State Highway Patrol, is the Motor Carrier Enforcement Unit. Administered by the Superintendent of the State Highway Patrol, the Motor Carrier Enforcement Unit is responsible for enforcement of commercial motor vehicle transportation safety, economic, and hazardous materials requirements. Employees of the Motor Carrier Enforcement Unit cooperate with the Public Utilities Commission to enforce compliance with Commission orders and rules, applicable laws under R.C. Chapters 4919., 4921., and 4923., and any other

applicable laws or rules. Uniformed employees of the Unit may stop commercial motor vehicles for the exclusive purpose of inspecting such vehicles to enforce compliance with orders and rules of the Commission. (R.C. 5503.34, not in the bill.)

The bill requires the Department of Public Safety to formulate, implement, and conduct a pilot project during which uniformed employees of the Motor Carrier Enforcement Unit, assisted by State Highway Patrol troopers and employees of the Public Utilities Commission, may stop commercial motor vehicles that are registered in a country other than the United States while being operated on the interstate freeways of this state, including the Ohio Turnpike. The purpose for stopping those commercial motor vehicles is to enable inspections to be conducted in order to verify compliance with applicable federal law and any relevant treaty and the laws of this state and any rules of the Commission regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements in accordance with R.C. Chapters 4919., 4921., and 4923.

Under the bill, when circumstances so warrant, the operator of any such vehicle must be tested for any violation relating to the operation of a commercial motor vehicle while having either (1) a measurable or detectable amount of alcohol or of a controlled substance in the operator's blood, breath, or urine, (2) an alcohol concentration of .04 of one percent or more by whole blood or breath, or (3) an alcohol concentration of .048 of one percent or more by blood serum or blood plasma (R.C. 4506.15(A)(1), (2), and (3), not in the bill). In an appropriate case, the operator must be charged with a violation of whichever of those provisions is applicable. During the pilot project, the operator of a commercial motor vehicle that is registered in a country other than the United States also may be charged with any other violation of the Revised Code or order or rule of the Commission if the operator committed such a violation.

During the pilot project, employees of the Motor Carrier Enforcement Unit, State Highway Patrol troopers, and employees of the Commission are required to enforce compliance with applicable federal law, any relevant treaty, the laws of this state, and any rules of the Commission in the same manner as such compliance currently is enforced relative to commercial motor vehicles that are registered in the United States and their operators.

The pilot project ends on June 30, 2009. Not later than October 1, 2009, the Director of Public Safety is required to submit a written report to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives detailing the results of the pilot project, including all relevant

statistics and findings. The report also must include any recommendations the Director considers appropriate.

HISTORY

ACTION	DATE
Introduced	03-12-08

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