



Ohio Legislative Service Commission

Bill Analysis

Jeff Grim

H.B. 80

128th General Assembly
(As Introduced)

Reps. Domenick, Harris, Letson, Luckie, Newcomb, Okey, Phillips, Sayre, Yuko

BILL SUMMARY

- Requires that on and after the bill's effective date every new school bus that is acquired by any person to transport school children, persons attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, or children attending a program offered by a Head Start agency must be equipped with a single white strobe light that is located in the middle of the bus roof.
 - Requires the strobe light to be activated by the driver of the bus and remain in operation at all times when the school bus is transferring passengers as described above.
 - Limits the display of a single white strobe light only to school buses.
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CONTENT AND OPERATION

Under current law, every school bus must be equipped with flashing red and amber lights located at the front and rear of the bus in addition to complying with a number of other safety features, including an automatically extending stop warning sign of a type approved by the State Board of Education and various identifying words (R.C. 4511.771(A)(1)). Violation of that requirement is a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one of a number of specified motor vehicle or traffic offenses, the offense is a fourth degree misdemeanor. If, within one year of the offense, the offender previously has been convicted of two or more of the specified motor vehicle or traffic offenses, the offense is a third degree misdemeanor. (R.C. 4511.771(B).)

The bill requires that on and after the bill's effective date, every new school bus that is acquired by any person to transport school children, persons attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, or children attending a program offered by a Head Start agency must be equipped with a single white strobe light that is located in the middle of the bus roof (R.C. 4511.771(A)(2)). The penalty for violating the strobe light requirement is the same as described above for a violation of the existing requirement governing red and amber lights (R.C. 4511.771(B)).

Existing law requires a school bus driver to only actuate flashing red and amber lights and a stop warning sign whenever the bus is stopped or is stopping on the roadway for the purpose of receiving or discharging school children, persons attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, or children attending programs offered by Head Start agencies. It establishes requirements governing when the flashing lights and stop warning sign cannot be used. (R.C. 4511.75(B).)

Under current law, a court or mayor, in addition to and independent of any other penalty provided by law, may impose upon an offender who violates the flashing lights and stop warning sign requirements a class seven suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for not more than one year. When a license is suspended, the court or mayor must cause the offender to deliver the license to the court, and the court or clerk of the court immediately must forward the license to the Registrar of Motor Vehicles together with notice of the court's action. (R.C. 4511.75(F)(2).)

The bill requires the strobe light that is required by the bill for school buses to be activated by the driver of the bus and remain in operation at all times when the school bus is transferring passengers (R.C. 4511.75(B)). The penalty for the improper use of a strobe light is the same as described above for the improper use of red and amber lights under current law (R.C. 4511.75(F)(2)). Additionally, the bill consolidates "any school child, person attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, or child attending a program offered by a head start agency" into a new definition of "passenger" (R.C. 4511.71(G)(3)).

Under existing law, only a public safety vehicle, i.e. fire equipment, a police vehicle, or an ambulance, or a school bus can display a flashing, oscillating, or rotating red light or combination red and white light when being operated, moved, parked on, or allowed to stand within the right-of-way of a public street or highway. Furthermore, existing law limits the display of a flashing, oscillating, or rotating blue light or

combination blue and white light to a vehicle being operated by a public law enforcement officer, or other person sworn to enforce the state criminal and traffic laws, when on duty. (R.C. 4513.17(D)(1) and (2).) A violator of either provision is guilty of a minor misdemeanor on a first offense, a fourth degree misdemeanor on a second offense within one year after the first offense, and a third degree misdemeanor on each subsequent offense within one year after the first offense (R.C. 4513.17(F) by reference to R.C. 4513.99, not in the bill).

Similarly, the bill limits the display of a single white strobe light to school buses. It prohibits anyone, except a person operating a school bus equipped with a single white strobe light as required by the bill, from operating, moving, or parking on or permitting to stand within the right-of-way of any public street or highway any vehicle or equipment that is equipped with and displaying a flashing white light that is not used in combination with a red or blue light as provided in current law. (R.C. 4513.17(D)(3).) The penalty for the use of white strobe lights on vehicles in violation of the bill is the same as described above for violations of the existing prohibitions regarding the use of flashing, oscillating, or rotating lights on vehicles (R.C. 4513.17(F) by reference to R.C. 4513.99, not in the bill).

HISTORY

ACTION	DATE
Introduced	03-18-09

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