

As Introduced

**127th General Assembly
Regular Session
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H. B. No. 593

Representative Uecker

Cosponsors: Representatives Evans, Combs, DeGeeter

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A B I L L

To amend section 4510.12 of the Revised Code to 1
clarify the penalties for operating a motorcycle 2
without having either a motorcycle endorsement or 3
the proper restricted license. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4510.12 of the Revised Code be 5
amended to read as follows: 6

Sec. 4510.12. (A)(1) No person, except those expressly 7
exempted under sections 4507.03, 4507.04, and 4507.05 of the 8
Revised Code, shall operate any motor vehicle upon a public road 9
or highway or any public or private property used by the public 10
for purposes of vehicular travel or parking in this state unless 11
the person has a valid driver's license issued under Chapter 4507. 12
of the Revised Code or a commercial driver's license issued under 13
Chapter 4506. of the Revised Code. 14

(2) No person, except a person expressly exempted under 15
sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall 16
operate any motorcycle upon a public road or highway or any public 17
or private property used by the public for purposes of vehicular 18
travel or parking in this state unless the person has a valid 19

license as a motorcycle operator that was issued upon application 20
by the registrar of motor vehicles under Chapter 4507. of the 21
Revised Code. The license shall be in the form of an endorsement, 22
as determined by the registrar, upon a driver's or commercial 23
driver's license, if the person has a valid license to operate a 24
motor vehicle or commercial motor vehicle, or in the form of a 25
restricted license as provided in section 4507.14 of the Revised 26
Code, if the person does not have a valid license to operate a 27
motor vehicle or commercial motor vehicle. 28

(B) Whoever violates this section is guilty of operating a 29
motor vehicle without a valid license and shall be punished as 30
follows: 31

(1) If the trier of fact finds that the offender never has 32
held a valid driver's or commercial driver's license issued by 33
this state or any other jurisdiction, or, in a case involving the 34
operation of a motorcycle by the offender, the trier of fact finds 35
at the time of such operation the offender did not have a valid 36
license as a motorcycle operator, either in the form of an 37
endorsement upon a driver's or commercial driver's license or in 38
the form of a restricted license, the offense is a misdemeanor of 39
the first degree. 40

(2)(a) Subject to division (B)(2)(b) of this section, if the 41
offender's driver's or commercial driver's license or permit or, 42
in a case involving the operation of a motorcycle by the offender, 43
the offender's driver's or commercial driver's license bearing the 44
motorcycle endorsement or the offender's restricted license was 45
expired at the time of the offense for no more than six months, 46
the offense is a minor misdemeanor ~~and if.~~ If the offender's 47
driver's or commercial driver's license or permit or, in a case 48
involving the operation of a motorcycle by the offender, the 49
offender's driver's or commercial driver's license bearing the 50
motorcycle endorsement or the offender's restricted license was 51

expired at the time of the offense for more than six months, the 52
offense is a misdemeanor of the fourth degree. 53

(b)(i) If the offender previously was convicted of or pleaded 54
guilty to one violation of this section or a substantially 55
equivalent municipal ordinance within the past three years, the 56
offense is a misdemeanor of the third degree. 57

(ii) If the offender previously was convicted of or pleaded 58
guilty to two violations of this section or a substantially 59
equivalent municipal ordinance within the past three years, the 60
offense is a misdemeanor of the second degree. 61

(iii) If the offender previously was convicted of or pleaded 62
guilty to three or more violations of this section or a 63
substantially equivalent municipal ordinance within the past three 64
years, the offense is a misdemeanor of the first degree. 65

(C) The court shall not impose a license suspension for a 66
first violation of this section or if more than three years have 67
passed since the offender's last violation of this section or a 68
substantially equivalent municipal ordinance. 69

(D) If the offender was convicted of or pleaded guilty to one 70
or more violations of this section or a substantially equivalent 71
municipal ordinance within the past three years, and if the 72
offender's license was expired for more than six months at the 73
time of the offense, the court shall impose a class seven 74
suspension of the offender's driver license, commercial driver's 75
license, temporary instruction permit, probationary license, or 76
nonresident operating privilege from the range specified in 77
division (A)(7) of section 4510.02 of the Revised Code. 78

Section 2. That existing section 4510.12 of the Revised Code 79
is hereby repealed. 80