

**As Reported by the House Transportation, Public Safety and  
Homeland Security Committee**

**129th General Assembly  
Regular Session  
2011-2012**

**Am. H. B. No. 316**

**Representatives Rosenberger, Landis**

**Cosponsors: Representatives Brenner, Bubp, Butler, Gerberry, Gonzales,  
Johnson, Letson, Ruhl**

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**A B I L L**

To amend section 4511.53 of the Revised Code to 1  
prohibit motorcycle handlebars from being higher 2  
than the shoulders of the operator when the 3  
operator is seated in the operator's seat or 4  
saddle. 5

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

**Section 1.** That section 4511.53 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 4511.53.** (A) For purposes of this section, "snowmobile" 8  
has the same meaning as given that term in section 4519.01 of the 9  
Revised Code. 10

(B) No person operating a bicycle shall ride other than upon 11  
or astride the permanent and regular seat attached thereto or 12  
carry any other person upon such bicycle other than upon a firmly 13  
attached and regular seat thereon, and no person shall ride upon a 14  
bicycle other than upon such a firmly attached and regular seat. 15

No person operating a motorcycle shall ride other than upon 16

or astride the permanent and regular seat or saddle attached 17  
thereto, or carry any other person upon such motorcycle other than 18  
upon a firmly attached and regular seat or saddle thereon, and no 19  
person shall ride upon a motorcycle other than upon such a firmly 20  
attached and regular seat or saddle. 21

No person shall ride upon a motorcycle that is equipped with 22  
a saddle other than while sitting astride the saddle, facing 23  
forward, with one leg on each side of the motorcycle. 24

No person shall ride upon a motorcycle that is equipped with 25  
a seat other than while sitting upon the seat. 26

No person operating a bicycle shall carry any package, 27  
bundle, or article that prevents the driver from keeping at least 28  
one hand upon the ~~handle bars~~ handlebars. 29

No bicycle or motorcycle shall be used to carry more persons 30  
at one time than the number for which it is designed and equipped, 31  
~~nor shall any. No motorcycle shall~~ be operated on a highway when 32  
the ~~handle bars or grips are more than fifteen inches~~ handlebars 33  
rise higher than the shoulders of the operator when the operator 34  
is seated in the operator's seat or saddle for the operator. 35

No person shall operate or be a passenger on a snowmobile or 36  
motorcycle without using safety glasses or other protective eye 37  
device. No person who is under the age of eighteen years, or who 38  
holds a motorcycle operator's endorsement or license bearing a 39  
"novice" designation that is currently in effect as provided in 40  
section 4507.13 of the Revised Code, shall operate a motorcycle on 41  
a highway, or be a passenger on a motorcycle, unless wearing a 42  
protective helmet on the person's head, and no other person shall 43  
be a passenger on a motorcycle operated by such a person unless 44  
similarly wearing a protective helmet. The helmet, safety glasses, 45  
or other protective eye device shall conform with rules adopted by 46  
the director of public safety. The provisions of this paragraph or 47

a violation thereof shall not be used in the trial of any civil 48  
action. 49

(C)(1) No person shall operate a motorcycle with a valid 50  
temporary instruction permit and temporary instruction permit 51  
identification card issued by the registrar of motor vehicles 52  
pursuant to section 4507.05 of the Revised Code unless the person, 53  
at the time of such operation, is wearing on the person's head a 54  
protective helmet that conforms with rules adopted by the 55  
director. 56

(2) No person shall operate a motorcycle with a valid 57  
temporary instruction permit and temporary instruction permit 58  
identification card issued by the registrar pursuant to section 59  
4507.05 of the Revised Code in any of the following circumstances: 60

(a) At any time when lighted lights are required by division 61  
(A)(1) of section 4513.03 of the Revised Code; 62

(b) While carrying a passenger; 63

(c) On any limited access highway. 64

(D) Nothing in this section shall be construed as prohibiting 65  
the carrying of a child in a seat or trailer that is designed for 66  
carrying children and is firmly attached to the bicycle. 67

(E) Except as otherwise provided in this division, whoever 68  
violates this section is guilty of a minor misdemeanor. If, within 69  
one year of the offense, the offender previously has been 70  
convicted of or pleaded guilty to one predicate motor vehicle or 71  
traffic offense, whoever violates this section is guilty of a 72  
misdemeanor of the fourth degree. If, within one year of the 73  
offense, the offender previously has been convicted of two or more 74  
predicate motor vehicle or traffic offenses, whoever violates this 75  
section is guilty of a misdemeanor of the third degree. 76

**Section 2.** That existing section 4511.53 of the Revised Code 77

is hereby repealed.

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