

**As Introduced**

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

**S. B. No. 305**

**Senator Hughes**

**Cosponsor: Senator Patton**

—

**A B I L L**

To enact section 2923.241 of the Revised Code to 1  
prohibit designing, building, constructing, 2  
fabricating, modifying, or altering a vehicle to 3  
create or add a hidden compartment, knowing or 4  
having reasonable cause to believe the vehicle 5  
will be used to facilitate a crime, and to 6  
prohibit operating, possessing, or using a vehicle 7  
with a hidden compartment, knowing or having 8  
reasonable cause to believe that the vehicle has 9  
been or will be used to facilitate a crime. 10

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

**Section 1.** That section 2923.241 of the Revised Code be 11  
enacted to read as follows: 12

**Sec. 2923.241.** (A) As used in this section: 13

(1) "Controlled substance" has the same meaning as in section 14  
3719.01 of the Revised Code. 15

(2) "Hidden compartment" means a container, space, or 16  
enclosure that conceals, hides, or otherwise prevents the 17  
discovery of the contents of the container, space, or enclosure. 18  
"Hidden compartment" includes, but is not limited to, any of the 19

following: 20

(a) False, altered, or modified fuel tanks; 21

(b) Any original factory equipment on a vehicle that has been 22  
modified to conceal, hide, or prevent the discovery of the 23  
modified equipment's contents; 24

(c) Any compartment, space, box, or other closed container 25  
that is added or attached to existing compartments, spaces, boxes, 26  
or closed containers integrated or attached to a vehicle. 27

(3) "Vehicle" has the same meaning as in section 4511.01 of 28  
the Revised Code and includes, but is not limited to, a motor 29  
vehicle, commercial tractor, trailer, noncommercial trailer, 30  
semitrailer, mobile home, recreational vehicle, or motor home. 31

(4) "Motor vehicle," "commercial trailer," "trailer," 32  
"noncommercial trailer," "semitrailer," "mobile home," 33  
"recreational vehicle," and "motor home" have the same meanings as 34  
in section 4501.01 of the Revised Code. 35

(B) No person shall knowingly design, build, construct, or 36  
fabricate a vehicle with a hidden compartment, or modify or alter 37  
any portion of a vehicle in order to create or add a hidden 38  
compartment with knowledge or reasonable cause to believe that the 39  
vehicle will be used to facilitate a crime. 40

(C) No person shall knowingly operate, possess, or use a 41  
vehicle with a hidden compartment with knowledge or reasonable 42  
cause to believe that the vehicle has been or will be used to 43  
facilitate a crime. 44

(D) Whoever violates division (B) of this section is guilty 45  
of designing a vehicle with a hidden compartment. Except as 46  
otherwise provided in this division, designing a vehicle with a 47  
hidden compartment is a felony of the fourth degree. If the 48  
offender previously has been convicted of or pleaded guilty to a 49

violation of division (B) of this section, designing a vehicle 50  
with a hidden compartment is a felony of the third degree. 51

(E) Whoever violates division (C) of this section is guilty 52  
of operating a vehicle with a hidden compartment. Except as 53  
otherwise provided in this division, operating a vehicle with a 54  
hidden compartment is a felony of the fourth degree. Except as 55  
otherwise provided in this division, if the offender previously 56  
has been convicted of or pleaded guilty to a violation of division 57  
(C) of this section, operating a vehicle with a hidden compartment 58  
is a felony of the third degree. If the hidden compartment 59  
contains a controlled substance at the time of the offense, 60  
operating a vehicle with a hidden compartment is a felony of the 61  
second degree. 62

(F) This section does not apply to any law enforcement 63  
officer acting in the performance of the law enforcement officer's 64  
duties. 65