



Ohio Legislative Service Commission

Bill Analysis

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H.B. 524

128th General Assembly
(As Introduced)

Reps. Phillips, Driehaus, Walter, Okey, Yuko

BILL SUMMARY

- Defines a "mini-truck" as a motor vehicle that has four wheels, is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less, has a total dry weight of 900 to 2,200 pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.
- Establishes the conditions whereby mini-trucks, which are not "street legal" and cannot be operated on the public roads of a state unless the state specifically permits such operation, can be operated on the public roads of this state.
- Permits a local authority, by ordinance or resolution, to authorize the operation of mini-trucks on a public street or highway under its jurisdiction in accordance with the bill and any additional, more stringent requirements the local authority may establish.

CONTENT AND OPERATION

Mini-trucks, generally

A mini-truck is a four-wheel Japanese vehicle that is approximately 10' long by 5' wide, has an enclosed cab, and typically has a bed approximately 6' long; it resembles a pickup truck that has been reduced in size, although perhaps not wholly proportionately. It does not meet federal motor vehicle safety standards and thus cannot be sold as being "street legal" and cannot be operated on the public roads unless

a state specifically permits their operation on its public roads. A mini-truck is legal, however, for off-road operation.

Operation of mini-trucks on public roads

Ohio law does not address the operation of mini-trucks on public roads; therefore they cannot be operated on the public roads of this state. The bill permits the operation of mini-trucks on the public roads of this state by establishing the conditions under which such operation may occur.

Definition of "mini-truck"

The bill defines a "mini-truck" as a motor vehicle that has four wheels, is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters (ccs) or less, has a total dry weight of 900 to 2,200 pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards (R.C. 4501.01(WW)).

Local regulation of mini-trucks

The bill permits a local authority, by ordinance or resolution, to authorize the operation of mini-trucks on a public street or highway under its jurisdiction in accordance with the bill and any additional, more stringent requirements the local authority may establish. If a local authority so authorizes such operation, it must do all of the following:

(1) Require any mini-truck operated on public streets or highways to be equipped with all of the following:

(a) At least two headlights;

(b) At least two tail lights;

(c) Front and rear turn signal lights;

(d) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;

(e) A windshield;

(f) A seat belt for the driver and front passenger;

(g) A parking brake. (R.C. 4511.072(A)(1)(a) to (g).)



(2) Require a vehicle owner who wishes to operate a mini-truck on public streets or highways to submit the vehicle to an inspection conducted by a local law enforcement agency that complies with the safety and equipment inspection requirements the Department of Public Safety has established under existing law (R.C. 4511.072(A)(2));

(3) Permit the operation of a mini-truck on public streets or highways only if it is properly equipped as required under the bill and has passed the required vehicle inspection, is registered and titled in accordance with the current motor vehicle registration and titling laws, and otherwise is operated in accordance with traffic laws of this state and related ordinances, except as to those provisions which by their nature can have no application (R.C. 4511.072(A)(3));

(4) Limit the operation of mini-trucks to streets and highways having an established speed limit not greater than 35 miles per hour (R.C. 4511.072(A)(4)).

A local authority that authorizes the operation of mini-trucks within its jurisdiction must notify the Director of Public Safety, in a manner the Director determines, of the authorization (R.C. 4511.072(B)).

Prohibition relating to the operation of mini-trucks; penalty

The bill prohibits any person from operating a mini-truck upon any street or highway except upon a street or highway having an established speed limit not greater than 35 miles per hour where a local authority has granted permission for such operation in accordance with the bill. This provision does not prohibit a person operating a mini-truck from proceeding across an intersection of a street or highway having a speed limit greater than 35 miles per hour. (R.C. 4511.214(A)(1) and (2).)

A violation of this prohibition generally is a minor misdemeanor.¹ But 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.² If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more of the specified motor vehicle or traffic offenses, the offense is a third-degree misdemeanor.³ (R.C. 4511.99.)

¹ Punishable by a fine of not more than \$150; no jail term is possible.

² Punishable by a fine of not more than \$250, a jail term of not more than 30 days, or both.

³ Punishable by a fine of not more than \$500, a jail term of not more than 60 days, or both.

Vehicle used by an applicant to obtain a driver's license

The Registrar of Motor Vehicles conducts all examinations for temporary instruction permits, driver's licenses, and motorcycle operators' endorsements. In the case of a driver's license, the applicant must give an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle by driving a motor vehicle under the supervision of an examining officer. (R.C. 4507.11(A).)

The bill retains this provision, but provides that for the purpose of giving an actual demonstration of the applicant's ability to exercise ordinary and reasonable control over a vehicle, the applicant must use a vehicle that is able to be operated on any highway in this state. Since under the bill a mini-truck may be operated only within the territorial jurisdiction of the local authority that has authorized its operation on that local authority's public roads, this provision prevents a mini-truck from being used by an applicant to show that the applicant has the ability to exercise ordinary and reasonable control over a vehicle.

Definition of "utility vehicle"

Current law defines a "utility vehicle" as a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities. "Utility vehicle" includes a vehicle with a maximum attainable speed of 20 miles per hour or less that is used exclusively within the boundaries of state parks by state park employees or volunteers for the operation or maintenance of state park facilities. The bill retains this definition, but provides that a utility vehicle in no event is to be used for general transportation. (R.C. 4501.01(VV).)

HISTORY

ACTION	DATE
Introduced	05-24-10

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