



Ohio Legislative Service Commission

Bill Analysis

Linda S. Crawford

S.B. 36

129th General Assembly
(As Introduced)

Sens. Hughes, Bacon, LaRose, Lehner, Sawyer, Schaffer

BILL SUMMARY

- Allows emergency personnel in certain public safety vehicles, when a motor vehicle operator fails to yield the right-of-way to the public safety vehicle, to report that violation and other traffic law violations and establishes the governing procedures for issuance of a citation or warning.

CONTENT AND OPERATION

The bill grants emergency personnel in certain public safety vehicles limited authority to report traffic violations. Under the bill, when a motor vehicle operator fails to yield the right-of-way to a public safety vehicle and impedes the emergency response, any emergency personnel in the public safety vehicle may report the license plate number (including the number of a temporary tag) and a general description of the vehicle and of the operator of the vehicle to the appropriate law enforcement agency. The emergency personnel also may report any other apparent traffic law violations occurring at the same time; for example, emergency personnel would be able to report if the operator of the vehicle not only fails to yield the right-of-way, but also appears to be speeding or runs a red light.¹

When a law enforcement agency receives a report from emergency personnel operating a public safety vehicle, the agency must conduct an investigation to attempt to determine or confirm the identity of the vehicle operator. If the identity of the operator is established, the reporting of the license plate number of the vehicle establishes probable cause for the law enforcement agency to issue a citation for the failure of the motor vehicle operator to yield the right-of-way to a public safety vehicle.

¹ R.C. 4511.454(A).

However, if the emergency personnel reported other apparent traffic law violations or if the identity of the vehicle operator cannot be established, the law enforcement agency must issue a warning to the vehicle owner or the person who leased or rented the vehicle at the time of the alleged violation.²

The bill allows emergency personnel in ambulances, law enforcement vehicles, properly identified volunteer rescue or fire vehicles, and fire department vehicles to make the reports of traffic law violations. However, personnel operating a public safety vehicle used by the motor carrier enforcement unit for the enforcement of orders and rules of the Public Utilities Commission are not permitted to file a report of a traffic law violation under the bill.³

HISTORY

ACTION	DATE
Introduced	02-01-11

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² R.C. 4511.454(B).

³ R.C. 4511.01(E), not in the bill, and 4511.454(C)(2).

