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H.B. 445
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Green and McClain

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SUMMARY

- Clarifies that a motorcycle may have a modulating headlight, provided the headlight meets federal standards, and that the modulating headlight does not violate the Ohio law that generally prohibits flashing lights on a motor vehicle.

DETAILED ANALYSIS

Modulating headlights

The bill clarifies Ohio law to provide that a motorcycle may have a modulating headlight, provided that the headlight meets the headlight and modulation standards established under federal regulations.¹ Current Ohio law specifies that a motorcycle must have at least one, but no more than two headlights and that the headlight(s) must be equipped, mounted and adjusted (for focus and aim) in accordance with regulations prescribed by the Director of Public Safety.² Additionally, the headlight(s) must comply with the color requirements prescribed in federal regulations.³

Ohio law is silent about whether a headlight may modulate. But, flashing lights on a motor vehicle are generally prohibited unless the flashing lights are either a turn signal or hazard light. (A modulating light can appear similar to a flashing light.)⁴ Under federal

¹ R.C. 4513.17(E)(3).

² R.C. 4513.04 and 4513.19(A), not in the bill. Ohio Administrative Code 4501:2-1-09, not in the bill.

³ R.C. 4513.19(B), not in the bill.

⁴ R.C. 4513.17(C)(1). The law also provides exemptions for certain vehicles (e.g., emergency vehicles, public safety vehicles, highway maintenance vehicles, and funeral escort vehicles) when actively engaged in the purpose for which flashing, oscillating, or rotating lights are necessary. R.C. 4513.17(C)(2) and (D).

regulations, “A headlamp on a motorcycle may be activated to modulate either the upper beam or the lower beam from its maximum intensity to a lesser intensity.”⁵ The modulating headlight must meet certain standards with regard to the rate of modulation, the intensity of the headlight bulb, and the modulator equipment. This federal authorization makes a modulating headlight, when it meets the federal standards, generally authorized in Ohio.⁶ Thus, the bill clarifies and aligns Ohio law with federal regulations.

HISTORY

Action	Date
Introduced	12-12-19

H0445-I-133/ar

⁵ 49 Code of Federal Regulations 571.108(S10.17.5).

⁶ When federal law prescribes a motor vehicle safety standard for motor vehicle equipment, if a state or a political subdivision of a state wants to prescribe and enforce a standard for that same type of equipment, the standard must be identical to the federal standard. A state or a political subdivision may, however, prescribe a higher performance requirement for motor vehicles and motor vehicle equipment obtained for the state’s or the political subdivision’s own use. 49 United States Code §30103.