

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 740

Representatives Miller, K., Plummer

A BILL

To enact sections 4511.253 and 4511.254 of the
Revised Code to prohibit hooning and being a
spectator at a hooning event.

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

Section 1. That sections 4511.253 and 4511.254 of the
Revised Code be enacted to read as follows:

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Sec. 4511.253. (A) As used in sections 4511.253 and
4511.254 of the Revised Code:

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(1) "Hooning" means operating a motor vehicle in a
reckless or dangerous manner to provoke a reaction from
spectators by speeding; street racing; performing doughnuts,
burnouts, drifting, rapid acceleration, squealing tires, or
engine revving; or allowing passengers to ride partially or
fully outside of the motor vehicle.

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(2) "Instrumentality" has the same meaning as in section
2981.01 of the Revised Code.

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(3) "Participate" means to be either the operator or
passenger of a motor vehicle.

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(4) "Spectator" means an individual who is present at a

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location for the purpose of watching another individual hooning 19
or assisting in the logistics of a hooning event. 20

(B) (1) Except as provided in division (D) of this section, 21
no person shall participate in hooning upon any public road, 22
street, or highway in this state. 23

(2) Except as provided in division (E) of this section, no 24
person shall participate in hooning upon any private property 25
that is open to the general public. 26

(C) (1) Whoever violates division (B) of this section is 27
guilty of hooning, a misdemeanor of the first degree. 28

(2) An offender who operated the vehicle that was involved 29
in the offense shall provide the court with proof of financial 30
responsibility, as defined in section 4509.01 of the Revised 31
Code, for that vehicle. If that offender fails to provide proof 32
of financial responsibility, in addition to any other penalties 33
provided by law, the court may order restitution pursuant to 34
section 2929.28 of the Revised Code in an appropriate amount for 35
any economic loss arising from an accident or collision that was 36
the direct and proximate result of the offense for which the 37
offender is sentenced under this section. 38

(3) In addition to any other penalties provided by law, 39
the court shall impose a class five suspension of the offender's 40
driver's license, commercial driver's license, temporary 41
instruction permit, probationary license, or nonresident 42
operating privilege from the range specified in division (A) (5) 43
of section 4510.02 of the Revised Code. 44

(4) A motor vehicle used in a violation of division (B) of 45
this section is contraband, and is an instrumentality, that is 46
subject to seizure and forfeiture under Chapter 2981. of the 47

Revised Code. 48

(D) Division (B)(1) of this section does not apply to a 49
participant of a motor vehicle race or motor vehicle show when 50
all of the following apply: 51

(1) The race or show is sponsored by a recognized, 52
responsible organization. 53

(2) The race or show is authorized by the applicable 54
political subdivision or state entity with jurisdiction over the 55
location of the race or show. 56

(3) The participant is operating or displaying the motor 57
vehicle within the parameters of the authorization for the race 58
or show. 59

(E) Division (B)(2) of this section does not apply to a 60
participant of a motor vehicle race or motor vehicle show when 61
all of the following apply: 62

(1) The race or show is sponsored by a recognized, 63
responsible organization. 64

(2) The race or show is authorized by the written consent 65
of the owner, operator, or agent thereof of the private property 66
on which the race or show is conducted. 67

(3) The participant is operating or displaying the motor 68
vehicle within the parameters of the authorization for the race 69
or show. 70

(F) The offense established under this section is a strict 71
liability offense and section 2901.20 of the Revised Code does 72
not apply. The designation of this offense as a strict liability 73
offense shall not be construed to imply that any other offense, 74
for which there is no specified degree of culpability, is not a 75

strict liability offense.

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Sec. 4511.254. (A) (1) Except as provided in division (D)
of this section, no person shall be a spectator at a hooning
event upon or alongside any public road, street, or highway in
this state.

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(2) Except as provided in division (E) of this section, no
person shall be a spectator at a hooning event upon or alongside
any private property that is open to the general public.

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(B) Whoever violates this section is guilty of hooning
complicity, an unclassified misdemeanor.

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(C) The offender shall be sentenced pursuant to sections
2929.21 to 2929.28 of the Revised Code, except that the offender
shall not be sentenced to a jail term; shall not be sentenced to
a community residential sanction pursuant to section 2929.26 of
the Revised Code; and, notwithstanding division (A) (2) (a) of
section 2929.28 of the Revised Code, the offender may be fined
up to one thousand dollars.

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(D) Division (A) (1) of this section does not apply to a
spectator at a motor vehicle race or motor vehicle show when
both of the following apply:

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(1) The race or show is sponsored by a recognized,
responsible organization.

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(2) The race or show is authorized by the applicable
political subdivision or state entity with jurisdiction over the
location of the race or show.

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(E) Division (A) (2) of this section does not apply to a
spectator of a motor vehicle race or motor vehicle show when
both of the following apply:

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(1) The race or show is sponsored by a recognized, 104
responsible organization. 105

(2) The race or show is authorized by the written consent 106
of the owner, operator, or agent thereof of the private property 107
on which the race or show is conducted. 108

(F) The offense established under this section is a strict 109
liability offense and section 2901.20 of the Revised Code does 110
not apply. The designation of this offense as a strict liability 111
offense shall not be construed to imply that any other offense, 112
for which there is no specified degree of culpability, is not a 113
strict liability offense. 114