



## Ohio Revised Code

### Section 4511.84 Earphones or earplugs on operator prohibited.

Effective: May 22, 2020

Legislation: House Bill 129 - 133rd General Assembly

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(A) As used in this section:

(1) "Earphones" means any device that covers all or a portion of both ears and that does either of the following:

- (a) Through either a physical connection to another device or a wireless connection, provides the listener with radio programs, music, or other information;
- (b) Provides hearing protection.

"Earphones" does not include speakers or other listening devices that are built into protective headgear.

(2) "Earplugs" means any device that can be inserted into one or both ears and that does either of the following:

- (a) Through either a physical connection to another device or a wireless connection, provides the listener with radio programs, music, or other information;
- (b) Provides hearing protection.

(B) No person shall operate a motor vehicle while wearing earphones over, or earplugs in, both ears.

(C) This section does not apply to:

- (1) Any person wearing a hearing aid;
- (2) Law enforcement personnel while on duty;



- (3) Fire department personnel and emergency medical service personnel while on duty;
  - (4) Any person engaged in the operation of equipment for use in the maintenance or repair of any highway;
  - (5) Any person engaged in the operation of refuse collection equipment;
  - (6) Any person wearing earphones or earplugs for hearing protection while operating a motorcycle.
- (D) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
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