

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 390**

**Representative Setzer**

**Cosponsor: Representative Miller**

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**A B I L L**

To amend sections 4511.07, 4511.132, 4511.27, 1  
4511.55, and 4511.56 of the Revised Code to revise 2  
certain laws as they relate to bicycle operation. 3

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

**Section 1.** That sections 4511.07, 4511.132, 4511.27, 4511.55, 4  
and 4511.56 of the Revised Code be amended to read as follows: 5

**Sec. 4511.07.** (A) Sections 4511.01 to 4511.78, 4511.99, and 6  
4513.01 to 4513.37 of the Revised Code do not prevent local 7  
authorities from carrying out the following activities with 8  
respect to streets and highways under their jurisdiction and 9  
within the reasonable exercise of the police power: 10

(1) Regulating the stopping, standing, or parking of 11  
vehicles, trackless trolleys, and streetcars; 12

(2) Regulating traffic by means of police officers or traffic 13  
control devices; 14

(3) Regulating or prohibiting processions or assemblages on 15  
the highways; 16

(4) Designating particular highways as one-way highways and 17  
requiring that all vehicles, trackless trolleys, and streetcars on 18

the one-way highways be moved in one specific direction;	19
(5) Regulating the speed of vehicles, streetcars, and trackless trolleys in public parks;	20 21
(6) Designating any highway as a through highway and requiring that all vehicles, trackless trolleys, and streetcars stop before entering or crossing a through highway, or designating any intersection as a stop intersection and requiring all vehicles, trackless trolleys, and streetcars to stop at one or more entrances to the intersection;	22 23 24 25 26 27
(7) Regulating or prohibiting vehicles and trackless trolleys from passing to the left of safety zones;	28 29
(8) Regulating the operation of bicycles; provided that no such regulation shall be <del>fundamentally</del> inconsistent with the uniform rules of the road prescribed by this chapter and that no such regulation shall prohibit the use of bicycles on any public street or highway except as provided in section 4511.051 of the Revised Code;	30 31 32 33 34 35
(9) Requiring the registration and licensing of bicycles, including the requirement of a registration fee for residents of the local authority;	36 37 38
(10) Regulating the use of certain streets by vehicles, streetcars, or trackless trolleys.	39 40
(B) No ordinance or regulation enacted under division (A)(4), (5), (6), (7), (8), or (10) of this section shall be effective until signs giving notice of the local traffic regulations are posted upon or at the entrance to the highway or part of the highway affected, as may be most appropriate.	41 42 43 44 45
(C) Every ordinance, resolution, or regulation enacted under division (A)(1) of this section shall be enforced in compliance with section 4511.071 of the Revised Code, unless the local	46 47 48

authority that enacted it also enacted an ordinance, resolution, 49  
or regulation pursuant to division (A) of section 4521.02 of the 50  
Revised Code that specifies that a violation of it shall not be 51  
considered a criminal offense, in which case the ordinance, 52  
resolution, or regulation shall be enforced in compliance with 53  
Chapter 4521. of the Revised Code. 54

**Sec. 4511.132.** (A) The driver of a vehicle, streetcar, or 55  
trackless trolley who approaches an intersection where traffic is 56  
controlled by traffic control signals shall do all of the 57  
following, if the signal facing the driver either exhibits no 58  
colored lights or colored lighted arrows or exhibits a combination 59  
of such lights or arrows that fails to clearly indicate the 60  
assignment of right-of-way or if the signals are otherwise 61  
inoperative, including due to failure of a vehicle detector to 62  
detect the vehicle: 63

(1) Stop at a clearly marked stop line, but if none, stop 64  
before entering the crosswalk on the near side of the 65  
intersection, or, if none, stop before entering the intersection; 66

(2) Yield the right-of-way to all vehicles, streetcars, or 67  
trackless trolleys in the intersection or approaching on an 68  
intersecting road, if the vehicles, streetcars, or trackless 69  
trolleys will constitute an immediate hazard during the time the 70  
driver is moving across or within the intersection or junction of 71  
roadways; 72

(3) Exercise ordinary care while proceeding through the 73  
intersection. 74

(B) Except as otherwise provided in this division, whoever 75  
violates this section is guilty of a minor misdemeanor. If, within 76  
one year of the offense, the offender previously has been 77  
convicted of or pleaded guilty to one predicate motor vehicle or 78  
traffic offense, whoever violates this section is guilty of a 79

misdemeanor of the fourth degree. If, within one year of the 80  
offense, the offender previously has been convicted of two or more 81  
predicate motor vehicle or traffic offenses, whoever violates this 82  
section is guilty of a misdemeanor of the third degree. 83

**Sec. 4511.27.** (A) The following rules govern the overtaking 84  
and passing of vehicles or trackless trolleys proceeding in the 85  
same direction: 86

(1) The operator of a vehicle or trackless trolley overtaking 87  
another vehicle or trackless trolley proceeding in the same 88  
direction shall, except as provided in division (A)(3) of this 89  
section, signal to the vehicle or trackless trolley to be 90  
overtaken, shall pass to the left thereof at a safe distance, and 91  
shall not again drive to the right side of the roadway until 92  
safely clear of the overtaken vehicle or trackless trolley. When 93  
the operator of a vehicle or trackless trolley overtakes a bicycle 94  
or other slow vehicle, the operator shall pass at a distance of 95  
not less than three feet between the vehicle or trackless trolley 96  
and the bicycle or other slow vehicle. 97

(2) ~~Except when overtaking and passing on the right is~~ 98  
~~permitted, the~~ The operator of an overtaken vehicle ~~shall give way~~ 99  
~~to the right in favor of the overtaking vehicle at the latter's~~ 100  
~~audible signal, and the operator~~ shall not increase the speed of 101  
the operator's vehicle until completely passed by the overtaking 102  
vehicle. 103

(3) The operator of a vehicle or trackless trolley overtaking 104  
and passing another vehicle or trackless trolley proceeding in the 105  
same direction on a divided highway as defined in section 4511.35 106  
of the Revised Code, a limited access highway as defined in 107  
section 5511.02 of the Revised Code, or a highway with four or 108  
more traffic lanes, is not required to signal audibly to the 109  
vehicle or trackless trolley being overtaken and passed. 110

(B) Except as otherwise provided in this division, whoever 111  
violates this section is guilty of a minor misdemeanor. If, within 112  
one year of the offense, the offender previously has been 113  
convicted of or pleaded guilty to one predicate motor vehicle or 114  
traffic offense, whoever violates this section is guilty of a 115  
misdemeanor of the fourth degree. If, within one year of the 116  
offense, the offender previously has been convicted of two or more 117  
predicate motor vehicle or traffic offenses, whoever violates this 118  
section is guilty of a misdemeanor of the third degree. 119

**Sec. 4511.55.** (A) Every person operating a bicycle upon a 120  
roadway shall ~~ride as near to the right side of the roadway as~~ 121  
~~practicable obeying~~ obey all traffic rules applicable to vehicles 122  
~~and exercising due care when passing a standing vehicle or one~~ 123  
~~proceeding in the same direction~~ except those provisions which, by 124  
their nature, can have no application. 125

(B) Persons riding bicycles or motorcycles upon a roadway 126  
shall ride not more than two abreast in a single lane, except on 127  
paths or parts of roadways set aside for the exclusive use of 128  
bicycles or motorcycles. 129

(C) ~~This section does not require a person operating a A~~ 130  
~~bicycle to ride at the edge of the roadway when it is unreasonable~~ 131  
~~or unsafe to do so. Conditions that may require riding away from~~ 132  
~~the edge of the roadway include~~ that is operated at less than the 133  
prevailing speed of traffic shall be operated in accordance with 134  
division (B) of section 4511.25 of the Revised Code except when 135  
reasonably necessary to avoid conditions that do not permit the 136  
bicycle to be so operated, including the presence of fixed or 137  
moving objects, parked or moving vehicles, surface hazards, 138  
pedestrians, or animals, ~~or if it otherwise is unsafe or~~ 139  
~~impracticable to do so, including if the lane is too narrow for~~ 140  
the bicycle and an overtaking vehicle to travel safely side by 141

side within the lane, or when it otherwise is unsafe or not 142  
practicable to operate the bicycle in accordance with division (B) 143  
of section 4511.25 of the Revised Code. 144

(D) Except as otherwise provided in this division, whoever 145  
violates this section is guilty of a minor misdemeanor. If, within 146  
one year of the offense, the offender previously has been 147  
convicted of or pleaded guilty to one predicate motor vehicle or 148  
traffic offense, whoever violates this section is guilty of a 149  
misdemeanor of the fourth degree. If, within one year of the 150  
offense, the offender previously has been convicted of two or more 151  
predicate motor vehicle or traffic offenses, whoever violates this 152  
section is guilty of a misdemeanor of the third degree. 153

**Sec. 4511.56.** (A) Every bicycle when in use at the times 154  
specified in section 4513.03 of the Revised Code, shall be 155  
equipped with the following: 156

(1) A lamp mounted on the front of either the bicycle or the 157  
operator that shall emit a white light visible from a distance of 158  
at least five hundred feet to the front and three hundred feet to 159  
the sides. A generator-powered lamp that emits light only when the 160  
bicycle is moving may be used to meet this requirement. 161

(2) A red reflector on the rear that shall be visible from 162  
all distances from one hundred feet to six hundred feet to the 163  
rear when directly in front of lawful lower beams of head lamps on 164  
a motor vehicle; 165

(3) A lamp emitting either flashing or steady red light 166  
visible from a distance of five hundred feet to the rear shall be 167  
used in addition to the red reflector. If the red lamp performs as 168  
a reflector in that it is visible as specified in division (A)(2) 169  
of this section, the red lamp may serve as the reflector and a 170  
separate reflector is not required. 171

(B) Additional lamps and reflectors may be used in addition 172  
to those required under division (A) of this section, except that 173  
red lamps and red reflectors shall not be used on the front of the 174  
bicycle and white lamps and white reflectors shall not be used on 175  
the rear of the bicycle. 176

(C) A bicycle may be equipped with a device capable of giving 177  
an audible signal, except that a bicycle shall not be equipped 178  
with nor shall any person use upon a bicycle any siren or whistle. 179

(D) Every bicycle ~~shall be equipped with an adequate brake~~ 180  
when used on a street or highway shall be equipped with an 181  
adequate brake or brakes that will enable its operator to stop the 182  
bicycle within fifteen feet from a speed of ten miles per hour on 183  
dry, level, clean pavement. 184

(E) Except as otherwise provided in this division, whoever 185  
violates this section is guilty of a minor misdemeanor. If, within 186  
one year of the offense, the offender previously has been 187  
convicted of or pleaded guilty to one predicate motor vehicle or 188  
traffic offense, whoever violates this section is guilty of a 189  
misdemeanor of the fourth degree. If, within one year of the 190  
offense, the offender previously has been convicted of two or more 191  
predicate motor vehicle or traffic offenses, whoever violates this 192  
section is guilty of a misdemeanor of the third degree. 193

**Section 2.** That existing sections 4511.07, 4511.132, 4511.27, 194  
4511.55, and 4511.56 of the Revised Code are hereby repealed. 195