

As Passed by the House

**128th General Assembly
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Sub. H. B. No. 204

Representatives Letson, Slesnick

**Cosponsors: Representatives Harris, Mallory, Dodd, Winburn, Yuko,
Skindell, Domenick, Balderson, McClain, Ruhl, Zehringer, Adams, R., Beck,
Bolon, Bubb, Combs, Derickson, Dyer, Evans, Gardner, Garland, Gerberry,
Harwood, Luckie, Mecklenborg, Patten, Pillich, Pryor, Sears, Stewart, Uecker,
Ujvagi**

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A B I L L

To amend sections 4507.05, 4510.12, 4511.53, 4511.69, 1
and 4513.03 of the Revised Code to permit a 2
motorcycle operator to back the motorcycle into an 3
angled parking space, to codify the restrictions 4
that apply to a person who operates a motorcycle 5
pursuant to a motorcycle temporary instruction 6
permit, to clarify the penalties for operating a 7
motorcycle without having either a motorcycle 8
endorsement or the proper restricted license, and 9
to provide generally that lighted daytime running 10
lights satisfy the requirement that motor vehicles 11
display lighted lights at any time when the 12
vehicle's windshield wipers are in use because of 13
precipitation on the windshield. 14

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

Section 1. That sections 4507.05, 4510.12, 4511.53, 4511.69, 15
and 4513.03 of the Revised Code be amended to read as follows: 16

Sec. 4507.05. (A) The registrar of motor vehicles, or a 17
deputy registrar, upon receiving an application for a temporary 18
instruction permit and a temporary instruction permit 19
identification card for a driver's license from any person who is 20
at least fifteen years six months of age, may issue such a permit 21
and identification card entitling the applicant to drive a motor 22
vehicle, other than a commercial motor vehicle, upon the highways 23
under the following conditions: 24

(1) If the permit is issued to a person who is at least 25
fifteen years six months of age, but less than sixteen years of 26
age: 27

(a) The permit and identification card are in the holder's 28
immediate possession; 29

(b) The holder is accompanied by an eligible adult who 30
actually occupies the seat beside the permit holder and does not 31
have a prohibited concentration of alcohol in the whole blood, 32
blood serum or plasma, breath, or urine as provided in division 33
(A) of section 4511.19 of the Revised Code; 34

(c) The total number of occupants of the vehicle does not 35
exceed the total number of occupant restraining devices originally 36
installed in the motor vehicle by its manufacturer, and each 37
occupant of the vehicle is wearing all of the available elements 38
of a properly adjusted occupant restraining device. 39

(2) If the permit is issued to a person who is at least 40
sixteen years of age: 41

(a) The permit and identification card are in the holder's 42
immediate possession; 43

(b) The holder is accompanied by a licensed operator who is 44
at least twenty-one years of age, is actually occupying a seat 45
beside the driver, and does not have a prohibited concentration of 46

alcohol in the whole blood, blood serum or plasma, breath, or 47
urine as provided in division (A) of section 4511.19 of the 48
Revised Code; 49

(c) The total number of occupants of the vehicle does not 50
exceed the total number of occupant restraining devices originally 51
installed in the motor vehicle by its manufacturer, and each 52
occupant of the vehicle is wearing all of the available elements 53
of a properly adjusted occupant restraining device. 54

(B) The registrar or a deputy registrar, upon receiving from 55
any person an application for a temporary instruction permit and 56
temporary instruction permit identification card to operate a 57
motorcycle or motorized bicycle, may issue such a permit and 58
identification card entitling the applicant, while having the 59
permit and identification card in the applicant's immediate 60
possession, to drive a motorcycle under the restrictions 61
prescribed in section 4511.53 of the Revised Code, or to drive a 62
motorized bicycle under restrictions determined by the registrar. 63
A temporary instruction permit and temporary instruction permit 64
identification card to operate a motorized bicycle may be issued 65
to a person fourteen or fifteen years old. 66

(C) Any permit and identification card issued under this 67
section shall be issued in the same manner as a driver's license, 68
upon a form to be furnished by the registrar. A temporary 69
instruction permit to drive a motor vehicle other than a 70
commercial motor vehicle shall be valid for a period of one year. 71

(D) Any person having in the person's possession a valid and 72
current driver's license or motorcycle operator's license or 73
endorsement issued to the person by another jurisdiction 74
recognized by this state is exempt from obtaining a temporary 75
instruction permit for a driver's license, but shall submit to the 76
regular examination in obtaining a driver's license or motorcycle 77
operator's endorsement in this state. 78

(E) The registrar may adopt rules governing the use of 79
temporary instruction permits and temporary instruction permit 80
identification cards. 81

(F)(1) No holder of a permit issued under division (A) of 82
this section shall operate a motor vehicle upon a highway or any 83
public or private property used by the public for purposes of 84
vehicular travel or parking in violation of the conditions 85
established under division (A) of this section. 86

(2) Except as provided in division (F)(2) of this section, no 87
holder of a permit that is issued under division (A) of this 88
section and that is issued on or after July 1, 1998, and who has 89
not attained the age of eighteen years, shall operate a motor 90
vehicle upon a highway or any public or private property used by 91
the public for purposes of vehicular travel or parking between the 92
hours of midnight and six a.m. 93

The holder of a permit issued under division (A) of this 94
section on or after July 1, 1998, who has not attained the age of 95
eighteen years, may operate a motor vehicle upon a highway or any 96
public or private property used by the public for purposes of 97
vehicular travel or parking between the hours of midnight and six 98
a.m. if, at the time of such operation, the holder is accompanied 99
by the holder's parent, guardian, or custodian, and the parent, 100
guardian, or custodian holds a current valid driver's or 101
commercial driver's license issued by this state, is actually 102
occupying a seat beside the permit holder, and does not have a 103
prohibited concentration of alcohol in the whole blood, blood 104
serum or plasma, breath, or urine as provided in division (A) of 105
section 4511.19 of the Revised Code. 106

(G)(1) Notwithstanding any other provision of law to the 107
contrary, no law enforcement officer shall cause the operator of a 108
motor vehicle being operated on any street or highway to stop the 109
motor vehicle for the sole purpose of determining whether each 110

occupant of the motor vehicle is wearing all of the available 111
elements of a properly adjusted occupant restraining device as 112
required by division (A) of this section, or for the sole purpose 113
of issuing a ticket, citation, or summons if the requirement in 114
that division has been or is being violated, or for causing the 115
arrest of or commencing a prosecution of a person for a violation 116
of that requirement. 117

(2) Notwithstanding any other provision of law to the 118
contrary, no law enforcement officer shall cause the operator of a 119
motor vehicle being operated on any street or highway to stop the 120
motor vehicle for the sole purpose of determining whether a 121
violation of division (F)(2) of this section has been or is being 122
committed or for the sole purpose of issuing a ticket, citation, 123
or summons for such a violation or for causing the arrest of or 124
commencing a prosecution of a person for such violation. 125

(H) As used in this section: 126

(1) "Eligible adult" means any of the following: 127

(a) An instructor of a driver training course approved by the 128
department of public safety; 129

(b) Any of the following persons who holds a current valid 130
driver's or commercial driver's license issued by this state: 131

(i) A parent, guardian, or custodian of the permit holder; 132

(ii) A person twenty-one years of age or older who acts in 133
loco parentis of the permit holder. 134

(2) "Occupant restraining device" has the same meaning as in 135
section 4513.263 of the Revised Code. 136

(I) Whoever violates division (F)(1) or (2) of this section 137
is guilty of a minor misdemeanor. 138

Sec. 4510.12. (A)(1) No person, except those expressly 139

exempted under sections 4507.03, 4507.04, and 4507.05 of the 140
Revised Code, shall operate any motor vehicle upon a public road 141
or highway or any public or private property used by the public 142
for purposes of vehicular travel or parking in this state unless 143
the person has a valid driver's license issued under Chapter 4507. 144
of the Revised Code or a commercial driver's license issued under 145
Chapter 4506. of the Revised Code. 146

(2) No person, except a person expressly exempted under 147
sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall 148
operate any motorcycle upon a public road or highway or any public 149
or private property used by the public for purposes of vehicular 150
travel or parking in this state unless the person has a valid 151
license as a motorcycle operator that was issued upon application 152
by the registrar of motor vehicles under Chapter 4507. of the 153
Revised Code. The license shall be in the form of an endorsement, 154
as determined by the registrar, upon a driver's or commercial 155
driver's license, if the person has a valid license to operate a 156
motor vehicle or commercial motor vehicle, or in the form of a 157
restricted license as provided in section 4507.14 of the Revised 158
Code, if the person does not have a valid license to operate a 159
motor vehicle or commercial motor vehicle. 160

(B) Whoever violates this section is guilty of operating a 161
motor vehicle without a valid license and shall be punished as 162
follows: 163

(1) If the trier of fact finds that the offender never has 164
held a valid driver's or commercial driver's license issued by 165
this state or any other jurisdiction, or, in a case involving the 166
operation of a motorcycle by the offender, the trier of fact finds 167
at the time of such operation the offender did not have a valid 168
license as a motorcycle operator, either in the form of an 169
endorsement upon a driver's or commercial driver's license or in 170

the form of a restricted license, the offense is an unclassified 171
misdemeanor. The offender may be fined up to one thousand dollars 172
and pursuant to division (B) of section 2929.27 of the Revised 173
Code additionally may be ordered to serve a term of community 174
service of up to five hundred hours. 175

(2)(a) Subject to division (B)(2)(b) of this section, if the 176
offender's driver's or commercial driver's license or permit or, 177
in a case involving the operation of a motorcycle by the offender, 178
the offender's driver's or commercial driver's license bearing the 179
motorcycle endorsement or the offender's restricted license was 180
expired at the time of the offense, the offense is a minor 181
misdemeanor. 182

(b) If the offender previously was convicted of or pleaded 183
guilty to three or more violations of this section or a 184
substantially equivalent municipal ordinance within the past three 185
years, the offense is a misdemeanor of the first degree. 186

(C) The court shall not impose a license suspension for a 187
first violation of this section or if more than three years have 188
passed since the offender's last violation of this section or a 189
substantially equivalent municipal ordinance. 190

(D) If the offender was convicted of or pleaded guilty to one 191
or more violations of this section or a substantially equivalent 192
municipal ordinance within the past three years, and if the 193
offender's license was expired for more than six months at the 194
time of the offense, the court shall impose a class seven 195
suspension of the offender's ~~driver~~ driver's license, commercial 196
driver's license, temporary instruction permit, probationary 197
license, or nonresident operating privilege from the range 198
specified in division (A)(7) of section 4510.02 of the Revised 199
Code. 200

Sec. 4511.53. (A) For purposes of this section, "snowmobile" 201

has the same meaning as given that term in section 4519.01 of the Revised Code. 202
203

(B) No person operating a bicycle shall ride other than upon 204
or astride the permanent and regular seat attached thereto or 205
carry any other person upon such bicycle other than upon a firmly 206
attached and regular seat thereon, and no person shall ride upon a 207
bicycle other than upon such a firmly attached and regular seat. 208

No person operating a motorcycle shall ride other than upon 209
or astride the permanent and regular seat or saddle attached 210
thereto, or carry any other person upon such motorcycle other than 211
upon a firmly attached and regular seat or saddle thereon, and no 212
person shall ride upon a motorcycle other than upon such a firmly 213
attached and regular seat or saddle. 214

No person shall ride upon a motorcycle that is equipped with 215
a saddle other than while sitting astride the saddle, facing 216
forward, with one leg on each side of the motorcycle. 217

No person shall ride upon a motorcycle that is equipped with 218
a seat other than while sitting upon the seat. 219

No person operating a bicycle shall carry any package, 220
bundle, or article that prevents the driver from keeping at least 221
one hand upon the handle bars. 222

No bicycle or motorcycle shall be used to carry more persons 223
at one time than the number for which it is designed and equipped, 224
nor shall any motorcycle be operated on a highway when the handle 225
bars or grips are more than fifteen inches higher than the seat or 226
saddle for the operator. 227

No person shall operate or be a passenger on a snowmobile or 228
motorcycle without using safety glasses or other protective eye 229
device. No person who is under the age of eighteen years, or who 230
holds a motorcycle operator's endorsement or license bearing a 231
"novice" designation that is currently in effect as provided in 232

section 4507.13 of the Revised Code, shall operate a motorcycle on 233
a highway, or be a passenger on a motorcycle, unless wearing a 234
protective helmet on the person's head, and no other person shall 235
be a passenger on a motorcycle operated by such a person unless 236
similarly wearing a protective helmet. The helmet, safety glasses, 237
or other protective eye device shall conform with ~~regulations~~ 238
~~prescribed and promulgated~~ rules adopted by the director of public 239
safety. The provisions of this paragraph or a violation thereof 240
shall not be used in the trial of any civil action. 241

(C)(1) No person shall operate a motorcycle with a valid 242
temporary instruction permit and temporary instruction permit 243
identification card issued by the registrar of motor vehicles 244
pursuant to section 4507.05 of the Revised Code unless the person, 245
at the time of such operation, is wearing on the person's head a 246
protective helmet that conforms with rules adopted by the 247
director. 248

(2) No person shall operate a motorcycle with a valid 249
temporary instruction permit and temporary instruction permit 250
identification card issued by the registrar pursuant to section 251
4507.05 of the Revised Code in any of the following circumstances: 252

(a) At any time when lighted lights are required by division 253
(A)(1) of section 4513.03 of the Revised Code; 254

(b) While carrying a passenger; 255

(c) On any limited access highway. 256

(D) Nothing in this section shall be construed as prohibiting 257
the carrying of a child in a seat or trailer that is designed for 258
carrying children and is firmly attached to the bicycle. 259

~~(D)~~(E) Except as otherwise provided in this division, whoever 260
violates this section is guilty of a minor misdemeanor. If, within 261
one year of the offense, the offender previously has been 262
convicted of or pleaded guilty to one predicate motor vehicle or 263

traffic offense, whoever violates this section is guilty of a 264
misdemeanor of the fourth degree. If, within one year of the 265
offense, the offender previously has been convicted of two or more 266
predicate motor vehicle or traffic offenses, whoever violates this 267
section is guilty of a misdemeanor of the third degree. 268

Sec. 4511.69. (A) Every vehicle stopped or parked upon a 269
roadway where there is an adjacent curb shall be stopped or parked 270
with the right-hand wheels of the vehicle parallel with and not 271
more than twelve inches from the right-hand curb, unless it is 272
impossible to approach so close to the curb; in such case the stop 273
shall be made as close to the curb as possible and only for the 274
time necessary to discharge and receive passengers or to load or 275
unload merchandise. Local authorities by ordinance may permit 276
angle parking on any roadway under their jurisdiction, except that 277
angle parking shall not be permitted on a state route within a 278
municipal corporation unless an unoccupied roadway width of not 279
less than twenty-five feet is available for free-moving traffic. 280

(B) Local authorities by ordinance may permit parking of 281
vehicles with the left-hand wheels adjacent to and within twelve 282
inches of the left-hand curb of a one-way roadway. 283

(C) ~~No~~ (1) Except as provided in division (C)(2) of this 284
section, no vehicle or trackless trolley shall be stopped or 285
parked on a road or highway with the vehicle or trackless trolley 286
facing in a direction other than the direction of travel on that 287
side of the road or highway. 288

(2) The operator of a motorcycle may back the motorcycle into 289
an angled parking space so that when the motorcycle is parked it 290
is facing in a direction other than the direction of travel on the 291
side of the road or highway. 292

(D) Notwithstanding any statute or any rule, resolution, or 293
ordinance adopted by any local authority, air compressors, 294

tractors, trucks, and other equipment, while being used in the 295
construction, reconstruction, installation, repair, or removal of 296
facilities near, on, over, or under a street or highway, may stop, 297
stand, or park where necessary in order to perform such work, 298
provided a flagperson is on duty or warning signs or lights are 299
displayed as may be prescribed by the director of transportation. 300

(E) Special parking locations and privileges for persons with 301
disabilities that limit or impair the ability to walk, also known 302
as handicapped parking spaces or disability parking spaces, shall 303
be provided and designated by all political subdivisions and by 304
the state and all agencies and instrumentalities thereof at all 305
offices and facilities, where parking is provided, whether owned, 306
rented, or leased, and at all publicly owned parking garages. The 307
locations shall be designated through the posting of an elevated 308
sign, whether permanently affixed or movable, imprinted with the 309
international symbol of access and shall be reasonably close to 310
exits, entrances, elevators, and ramps. All elevated signs posted 311
in accordance with this division and division (C) of section 312
3781.111 of the Revised Code shall be mounted on a fixed or 313
movable post, and the distance from the ground to the top edge of 314
the sign shall measure five feet. If a new sign or a replacement 315
sign designating a special parking location is posted on or after 316
October 14, 1999, there also shall be affixed upon the surface of 317
that sign or affixed next to the designating sign a notice that 318
states the fine applicable for the offense of parking a motor 319
vehicle in the special designated parking location if the motor 320
vehicle is not legally entitled to be parked in that location. 321

(F)(1) No person shall stop, stand, or park any motor vehicle 322
at special parking locations provided under division (E) of this 323
section or at special clearly marked parking locations provided in 324
or on privately owned parking lots, parking garages, or other 325
parking areas and designated in accordance with that division, 326

unless one of the following applies: 327

(a) The motor vehicle is being operated by or for the 328
transport of a person with a disability that limits or impairs the 329
ability to walk and is displaying a valid removable windshield 330
placard or special license plates; 331

(b) The motor vehicle is being operated by or for the 332
transport of a handicapped person and is displaying a parking card 333
or special handicapped license plates. 334

(2) Any motor vehicle that is parked in a special marked 335
parking location in violation of division (F)(1)(a) or (b) of this 336
section may be towed or otherwise removed from the parking 337
location by the law enforcement agency of the political 338
subdivision in which the parking location is located. A motor 339
vehicle that is so towed or removed shall not be released to its 340
owner until the owner presents proof of ownership of the motor 341
vehicle and pays all towing and storage fees normally imposed by 342
that political subdivision for towing and storing motor vehicles. 343
If the motor vehicle is a leased vehicle, it shall not be released 344
to the lessee until the lessee presents proof that that person is 345
the lessee of the motor vehicle and pays all towing and storage 346
fees normally imposed by that political subdivision for towing and 347
storing motor vehicles. 348

(3) If a person is charged with a violation of division 349
(F)(1)(a) or (b) of this section, it is an affirmative defense to 350
the charge that the person suffered an injury not more than 351
seventy-two hours prior to the time the person was issued the 352
ticket or citation and that, because of the injury, the person 353
meets at least one of the criteria contained in division (A)(1) of 354
section 4503.44 of the Revised Code. 355

(G) When a motor vehicle is being operated by or for the 356
transport of a person with a disability that limits or impairs the 357

ability to walk and is displaying a removable windshield placard 358
or a temporary removable windshield placard or special license 359
plates, or when a motor vehicle is being operated by or for the 360
transport of a handicapped person and is displaying a parking card 361
or special handicapped license plates, the motor vehicle is 362
permitted to park for a period of two hours in excess of the legal 363
parking period permitted by local authorities, except where local 364
ordinances or police rules provide otherwise or where the vehicle 365
is parked in such a manner as to be clearly a traffic hazard. 366

(H) No owner of an office, facility, or parking garage where 367
special parking locations are required to be designated in 368
accordance with division (E) of this section shall fail to 369
properly mark the special parking locations in accordance with 370
that division or fail to maintain the markings of the special 371
locations, including the erection and maintenance of the fixed or 372
movable signs. 373

(I) Nothing in this section shall be construed to require a 374
person or organization to apply for a removable windshield placard 375
or special license plates if the parking card or special license 376
plates issued to the person or organization under prior law have 377
not expired or been surrendered or revoked. 378

(J)(1) Whoever violates division (A) or (C) of this section 379
is guilty of a minor misdemeanor. 380

(2)(a) Whoever violates division (F)(1)(a) or (b) of this 381
section is guilty of a misdemeanor and shall be punished as 382
provided in division (J)(2)(a) and (b) of this section. Except as 383
otherwise provided in division (J)(2)(a) of this section, an 384
offender who violates division (F)(1)(a) or (b) of this section 385
shall be fined not less than two hundred fifty nor more than five 386
hundred dollars. An offender who violates division (F)(1)(a) or 387
(b) of this section shall be fined not more than one hundred 388
dollars if the offender, prior to sentencing, proves either of the 389

following to the satisfaction of the court: 390

(i) At the time of the violation of division (F)(1)(a) of 391
this section, the offender or the person for whose transport the 392
motor vehicle was being operated had been issued a removable 393
windshield placard that then was valid or special license plates 394
that then were valid but the offender or the person neglected to 395
display the placard or license plates as described in division 396
(F)(1)(a) of this section. 397

(ii) At the time of the violation of division (F)(1)(b) of 398
this section, the offender or the person for whose transport the 399
motor vehicle was being operated had been issued a parking card 400
that then was valid or special handicapped license plates that 401
then were valid but the offender or the person neglected to 402
display the card or license plates as described in division 403
(F)(1)(b) of this section. 404

(b) In no case shall an offender who violates division 405
(F)(1)(a) or (b) of this section be sentenced to any term of 406
imprisonment. 407

An arrest or conviction for a violation of division (F)(1)(a) 408
or (b) of this section does not constitute a criminal record and 409
need not be reported by the person so arrested or convicted in 410
response to any inquiries contained in any application for 411
employment, license, or other right or privilege, or made in 412
connection with the person's appearance as a witness. 413

The clerk of the court shall pay every fine collected under 414
division (J)(2) of this section to the political subdivision in 415
which the violation occurred. Except as provided in division 416
(J)(2) of this section, the political subdivision shall use the 417
fine moneys it receives under division (J)(2) of this section to 418
pay the expenses it incurs in complying with the signage and 419
notice requirements contained in division (E) of this section. The 420

political subdivision may use up to fifty per cent of each fine it 421
receives under division (J)(2) of this section to pay the costs of 422
educational, advocacy, support, and assistive technology programs 423
for persons with disabilities, and for public improvements within 424
the political subdivision that benefit or assist persons with 425
disabilities, if governmental agencies or nonprofit organizations 426
offer the programs. 427

(3) Whoever violates division (H) of this section shall be 428
punished as follows: 429

(a) Except as otherwise provided in division (J)(3) of this 430
section, the offender shall be issued a warning. 431

(b) If the offender previously has been convicted of or 432
pleaded guilty to a violation of division (H) of this section or 433
of a municipal ordinance that is substantially similar to that 434
division, the offender shall not be issued a warning but shall be 435
fined not more than twenty-five dollars for each parking location 436
that is not properly marked or whose markings are not properly 437
maintained. 438

(K) As used in this section: 439

(1) "Handicapped person" means any person who has lost the 440
use of one or both legs or one or both arms, who is blind, deaf, 441
or so severely handicapped as to be unable to move without the aid 442
of crutches or a wheelchair, or whose mobility is restricted by a 443
permanent cardiovascular, pulmonary, or other handicapping 444
condition. 445

(2) "Person with a disability that limits or impairs the 446
ability to walk" has the same meaning as in section 4503.44 of the 447
Revised Code. 448

(3) "Special license plates" and "removable windshield 449
placard" mean any license plates or removable windshield placard 450
or temporary removable windshield placard issued under section 451

4503.41 or 4503.44 of the Revised Code, and also mean any 452
substantially similar license plates or removable windshield 453
placard or temporary removable windshield placard issued by a 454
state, district, country, or sovereignty. 455

Sec. 4513.03. (A) ~~Every~~ Except as otherwise provided in 456
division (A)(3) of this section, every vehicle, other than a 457
motorized bicycle, operated upon a street or highway within this 458
state shall display lighted lights and illuminating devices as 459
required by sections 4513.04 to 4513.37 of the Revised Code during 460
all of the following times: 461

(1) The time from sunset to sunrise; 462

(2) At any other time when, due to insufficient natural light 463
or unfavorable atmospheric conditions, persons, vehicles, and 464
substantial objects on the highway are not discernible at a 465
distance of one thousand feet ahead; 466

(3) At any time when the windshield wipers of the vehicle are 467
in use because of precipitation on the windshield; provided, that 468
this requirement is satisfied if a vehicle displays lighted 469
daytime running lights as those lights are described in federal 470
motor vehicle safety standard number one hundred eight, 49 C.F.R. 471
571.108, as amended, and at the time of such display of lighted 472
daytime running lights division (A)(1) or (2) of this section does 473
not apply. 474

Every motorized bicycle shall display at such times lighted 475
lights meeting the rules adopted by the director of public safety 476
under section 4511.521 of the Revised Code. No motor vehicle, 477
during any time specified in this section, shall be operated upon 478
a street or highway within this state using only parking lights as 479
illumination. 480

Whenever in such sections a requirement is declared as to the 481

distance from which certain lamps and devices shall render objects 482
visible, or within which such lamps or devices shall be visible, 483
such distance shall be measured upon a straight level unlighted 484
highway under normal atmospheric conditions unless a different 485
condition is expressly stated. 486

Whenever in such sections a requirement is declared as to the 487
mounted height of lights or devices, it shall mean from the center 488
of such light or device to the level ground upon which the vehicle 489
stands. 490

(B) Notwithstanding any provision of law to the contrary, no 491
law enforcement officer shall cause the operator of a vehicle 492
being operated upon a street or highway within this state to stop 493
the vehicle solely because the officer observes that a violation 494
of division (A)(3) of this section has been or is being committed 495
or for the sole purpose of issuing a ticket, citation, or summons 496
for a violation of that division, or causing the arrest of or 497
commencing a prosecution of a person for a violation of that 498
division. 499

(C) Whoever violates this section is guilty of a minor 500
misdemeanor. 501

Section 2. That existing sections 4507.05, 4510.12, 4511.53, 502
4511.69, and 4513.03 of the Revised Code are hereby repealed. 503

Section 3. Section 4513.03 of the Revised Code is presented 504
in this act as a composite of the section as amended by both Am. 505
Sub. H.B. 1 and Am. Sub. H.B. 2 of the 128th General Assembly. The 506
General Assembly, applying the principle stated in division (B) of 507
section 1.52 of the Revised Code that amendments are to be 508
harmonized if reasonably capable of simultaneous operation, finds 509
that the composite is the resulting version of the section in 510
effect prior to the effective date of the section as presented in 511

this act.

512