

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 389

Senator Schaffer

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A B I L L

To enact section 4511.714 of the Revised Code to 1
prohibit the operation of a motor vehicle on or 2
onto any location that is temporarily covered by a 3
rise in water level and to impose on an offender a 4
financial sanction of up to \$2,000 for the cost of 5
the person's rescue, payable to the person's 6
rescuer. 7

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

Section 1. That section 4511.714 of the Revised Code be 8
enacted to read as follows: 9

Sec. 4511.714. (A) No person shall operate a vehicle on or 10
onto a public street or highway that is temporarily covered by a 11
rise in water level, including groundwater or an overflow of 12
water, and that is clearly marked as being closed due to the rise 13
in water level.

(B) A person who is issued a citation for a violation of 14
division (A) of this section is not permitted to enter a written 15
plea of guilty and waive the person's right to contest the 16
citation in court, but instead must appear in person in the proper 17
court to answer the charge. 18

(C)(1) Whoever violates division (A) of this section is 19

guilty of a minor misdemeanor. 20

(2) In addition to the financial sanctions authorized or 21
required under section 2929.28 of the Revised Code and to any 22
costs otherwise authorized or required under any provision of law, 23
the court imposing sentence upon an offender who is convicted of 24
or pleads guilty to a violation of division (A) of this section 25
shall order the offender to reimburse one or more rescuers for the 26
cost any such rescuer incurred in rescuing the person, excluding 27
any cost of transporting the rescued person to a hospital or other 28
facility for treatment of injuries, up to a cumulative maximum of 29
two thousand dollars. If more than one rescuer was involved in the 30
emergency response, the court shall allocate the reimbursement 31
proportionately, according to the cost each rescuer incurred. A 32
financial sanction imposed under this section is a judgment in 33
favor of the rescuer and, subject to a determination of indigency 34
under division (B) of section 2929.28 of the Revised Code, a 35
rescuer may collect the financial sanction in the same manner as 36
provided in section 2929.28 of the Revised Code. 37

(D) As used in this section: 38

(1) "Emergency medical service organization," "firefighting 39
agency," and "private fire company" have the same meanings as in 40
section 9.60 of the Revised Code. 41

(2) "Rescuer" means a state agency, political subdivision, 42
firefighting agency, private fire company, or emergency medical 43
service organization. 44