

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 145

Representative Henne

**Cosponsors: Representatives Antonio, Brenner, Fedor, Sykes, Duffey,
Stebelton, Wachtmann, Foley, Stinziano, Rogers**

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A B I L L

To amend sections 4511.132 and 4511.27 of the Revised 1
Code to provide that when a motor vehicle passes a 2
bicycle the safe passing distance to the left is 3
three feet, and to alter the protocol for 4
proceeding into an intersection that has 5
malfunctioning traffic lights. 6

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

Section 1. That sections 4511.132 and 4511.27 of the Revised 7
Code be amended to read as follows: 8

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 9
trackless trolley who approaches an intersection where traffic is 10
controlled by traffic control signals shall do all of the 11
following, if the signal facing the driver ~~either~~ exhibits no 12
colored lights or colored lighted arrows ~~or~~, exhibits a 13
combination of such lights or arrows that fails to clearly 14
indicate the assignment of right-of-way, or the signals are 15
otherwise malfunctioning, including the failure of a vehicle 16
detector to detect the vehicle: 17

(1) Stop at a clearly marked stop line, but if none, stop 18

before entering the crosswalk on the near side of the 19
intersection, or, if none, stop before entering the intersection; 20

(2) Yield the right-of-way to all vehicles, streetcars, or 21
trackless trolleys in the intersection or approaching on an 22
intersecting road, if the vehicles, streetcars, or trackless 23
trolleys will constitute an immediate hazard during the time the 24
driver is moving across or within the intersection or junction of 25
roadways; 26

(3) Exercise ordinary care while proceeding through the 27
intersection. 28

(B) Except as otherwise provided in this division, whoever 29
violates this section is guilty of a minor misdemeanor. If, within 30
one year of the offense, the offender previously has been 31
convicted of or pleaded guilty to one predicate motor vehicle or 32
traffic offense, whoever violates this section is guilty of a 33
misdemeanor of the fourth degree. If, within one year of the 34
offense, the offender previously has been convicted of two or more 35
predicate motor vehicle or traffic offenses, whoever violates this 36
section is guilty of a misdemeanor of the third degree. 37

Sec. 4511.27. (A) The following rules govern the overtaking 38
and passing of vehicles or trackless trolleys proceeding in the 39
same direction: 40

(1) The operator of a vehicle or trackless trolley overtaking 41
another vehicle or trackless trolley proceeding in the same 42
direction shall, except as provided in division (A)(3) of this 43
section, signal to the vehicle or trackless trolley to be 44
overtaken, shall pass to the left thereof at a safe distance, and 45
shall not again drive to the right side of the roadway until 46
safely clear of the overtaken vehicle or trackless trolley. When a 47
motor vehicle or trackless trolley overtakes and passes a bicycle, 48
the safe passing distance to the left shall be not less than three 49

feet. 50

(2) Except when overtaking and passing on the right is 51
permitted, the operator of an overtaken vehicle shall give way to 52
the right in favor of the overtaking vehicle at the latter's 53
audible signal, and the operator shall not increase the speed of 54
the operator's vehicle until completely passed by the overtaking 55
vehicle. 56

(3) The operator of a vehicle or trackless trolley overtaking 57
and passing another vehicle or trackless trolley proceeding in the 58
same direction on a divided highway as defined in section 4511.35 59
of the Revised Code, a limited access highway as defined in 60
section 5511.02 of the Revised Code, or a highway with four or 61
more traffic lanes, is not required to signal audibly to the 62
vehicle or trackless trolley being overtaken and passed. 63

(B) Except as otherwise provided in this division, whoever 64
violates this section is guilty of a minor misdemeanor. If, within 65
one year of the offense, the offender previously has been 66
convicted of or pleaded guilty to one predicate motor vehicle or 67
traffic offense, whoever violates this section is guilty of a 68
misdemeanor of the fourth degree. If, within one year of the 69
offense, the offender previously has been convicted of two or more 70
predicate motor vehicle or traffic offenses, whoever violates this 71
section is guilty of a misdemeanor of the third degree. 72

Section 2. That existing sections 4511.132 and 4511.27 of the 73
Revised Code are hereby repealed. 74