

As Introduced

**130th General Assembly
Regular Session
2013-2014**

H. B. No. 172

Representatives Ruhl, McGregor

Cosponsors: Representatives Cera, Mallory, McClain, Landis, Williams

—

A B I L L

To amend sections 4511.01, 4511.04, 4511.213, and 1
4513.17 to require motor vehicle operators to take 2
certain actions upon approaching a highway 3
maintenance vehicle and to repeal the version of 4
section 4511.01 of the Revised Code that is 5
scheduled to take effect on January 1, 2017. 6

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

Section 1. That sections 4511.01, 4511.04, 4511.213, and 7
4513.17 of the Revised Code be amended to read as follows: 8

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 9
the Revised Code: 10

(A) "Vehicle" means every device, including a motorized 11
bicycle, in, upon, or by which any person or property may be 12
transported or drawn upon a highway, except that "vehicle" does 13
not include any motorized wheelchair, any electric personal 14
assistive mobility device, any device that is moved by power 15
collected from overhead electric trolley wires or that is used 16
exclusively upon stationary rails or tracks, or any device, other 17
than a bicycle, that is moved by human power. 18

(B) "Motor vehicle" means every vehicle propelled or drawn by 19

power other than muscular power or power collected from overhead 20
electric trolley wires, except motorized bicycles, road rollers, 21
traction engines, power shovels, power cranes, and other equipment 22
used in construction work and not designed for or employed in 23
general highway transportation, hole-digging machinery, 24
well-drilling machinery, ditch-digging machinery, farm machinery, 25
and trailers designed and used exclusively to transport a boat 26
between a place of storage and a marina, or in and around a 27
marina, when drawn or towed on a street or highway for a distance 28
of no more than ten miles and at a speed of twenty-five miles per 29
hour or less. 30

(C)(1) Until January 1, 2017, "Motorcycle motorcycle" means 31
every motor vehicle, other than a tractor, having a seat or saddle 32
for the use of the operator and designed to travel on not more 33
than three wheels in contact with the ground, including, but not 34
limited to, motor vehicles known as "motor-driven cycle," "motor 35
scooter," or "motorcycle" without regard to weight or brake 36
horsepower. 37

(2) Effective January 1, 2017, "motorcycle" means every motor 38
vehicle, other than a tractor, having a seat or saddle for the use 39
of the operator and designed to travel on not more than three 40
wheels in contact with the ground, including, but not limited to, 41
motor vehicles known as "motor-driven cycle," "motor scooter," 42
"cab-enclosed motorcycle," or "motorcycle" without regard to 43
weight or brake horsepower. 44

(D) "Emergency vehicle" means emergency vehicles of 45
municipal, township, or county departments or public utility 46
corporations when identified as such as required by law, the 47
director of public safety, or local authorities, and motor 48
vehicles when commandeered by a police officer. 49

(E) "Public safety vehicle" means any of the following: 50

(1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state;

(3) Any motor vehicle when properly identified as required by the director of public safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The state fire marshal shall be designated by the director of public safety as the certifying agency for all public safety vehicles described in division (E)(3) of this section.

(4) Vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to emergency calls in the fire department service when identified as required by the director of public safety.

Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.

(5) Vehicles used by the motor carrier enforcement unit for the enforcement of orders and rules of the public utilities commission as specified in section 5503.34 of the Revised Code.

(F) "School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private, or governmental agency or institution of learning and operated for

the transportation of children to or from a school session or a 82
school function, or owned by a private person and operated for 83
compensation for the transportation of children to or from a 84
school session or a school function, provided "school bus" does 85
not include a bus operated by a municipally owned transportation 86
system, a mass transit company operating exclusively within the 87
territorial limits of a municipal corporation, or within such 88
limits and the territorial limits of municipal corporations 89
immediately contiguous to such municipal corporation, nor a common 90
passenger carrier certified by the public utilities commission 91
unless such bus is devoted exclusively to the transportation of 92
children to and from a school session or a school function, and 93
"school bus" does not include a van or bus used by a licensed 94
child day-care center or type A family day-care home to transport 95
children from the child day-care center or type A family day-care 96
home to a school if the van or bus does not have more than fifteen 97
children in the van or bus at any time. 98

(G) "Bicycle" means every device, other than a device that is 99
designed solely for use as a play vehicle by a child, that is 100
propelled solely by human power upon which a person may ride, and 101
that has two or more wheels, any of which is more than fourteen 102
inches in diameter. 103

(H)(1) Until January 1, 2017, "Motorized motorized bicycle" 104
means any vehicle having either two tandem wheels or one wheel in 105
the front and two wheels in the rear, that is capable of being 106
pedaled and is equipped with a helper motor of not more than fifty 107
cubic centimeters piston displacement that produces no more than 108
one brake horsepower and is capable of propelling the vehicle at a 109
speed of no greater than twenty miles per hour on a level surface. 110

(2) Effective January 1, 2017, "motorized bicycle" or "moped" 111
means any vehicle having either two tandem wheels or one wheel in 112
the front and two wheels in the rear, that may be pedaled, and 113

that is equipped with a helper motor of not more than fifty cubic 114
centimeters piston displacement that produces not more than one 115
brake horsepower and is capable of propelling the vehicle at a 116
speed of not greater than twenty miles per hour on a level 117
surface. 118

(I) "Commercial tractor" means every motor vehicle having 119
motive power designed or used for drawing other vehicles and not 120
so constructed as to carry any load thereon, or designed or used 121
for drawing other vehicles while carrying a portion of such other 122
vehicles, or load thereon, or both. 123

(J) "Agricultural tractor" means every self-propelling 124
vehicle designed or used for drawing other vehicles or wheeled 125
machinery but having no provision for carrying loads independently 126
of such other vehicles, and used principally for agricultural 127
purposes. 128

(K) "Truck" means every motor vehicle, except trailers and 129
semitrailers, designed and used to carry property. 130

(L) "Bus" means every motor vehicle designed for carrying 131
more than nine passengers and used for the transportation of 132
persons other than in a ridesharing arrangement, and every motor 133
vehicle, automobile for hire, or funeral car, other than a taxicab 134
or motor vehicle used in a ridesharing arrangement, designed and 135
used for the transportation of persons for compensation. 136

(M) "Trailer" means every vehicle designed or used for 137
carrying persons or property wholly on its own structure and for 138
being drawn by a motor vehicle, including any such vehicle when 139
formed by or operated as a combination of a "semitrailer" and a 140
vehicle of the dolly type, such as that commonly known as a 141
"trailer dolly," a vehicle used to transport agricultural produce 142
or agricultural production materials between a local place of 143
storage or supply and the farm when drawn or towed on a street or 144

highway at a speed greater than twenty-five miles per hour, and a 145
vehicle designed and used exclusively to transport a boat between 146
a place of storage and a marina, or in and around a marina, when 147
drawn or towed on a street or highway for a distance of more than 148
ten miles or at a speed of more than twenty-five miles per hour. 149

(N) "Semitrailer" means every vehicle designed or used for 150
carrying persons or property with another and separate motor 151
vehicle so that in operation a part of its own weight or that of 152
its load, or both, rests upon and is carried by another vehicle. 153

(O) "Pole trailer" means every trailer or semitrailer 154
attached to the towing vehicle by means of a reach, pole, or by 155
being boomed or otherwise secured to the towing vehicle, and 156
ordinarily used for transporting long or irregular shaped loads 157
such as poles, pipes, or structural members capable, generally, of 158
sustaining themselves as beams between the supporting connections. 159

(P) "Railroad" means a carrier of persons or property 160
operating upon rails placed principally on a private right-of-way. 161

(Q) "Railroad train" means a steam engine or an electric or 162
other motor, with or without cars coupled thereto, operated by a 163
railroad. 164

(R) "Streetcar" means a car, other than a railroad train, for 165
transporting persons or property, operated upon rails principally 166
within a street or highway. 167

(S) "Trackless trolley" means every car that collects its 168
power from overhead electric trolley wires and that is not 169
operated upon rails or tracks. 170

(T) "Explosives" means any chemical compound or mechanical 171
mixture that is intended for the purpose of producing an explosion 172
that contains any oxidizing and combustible units or other 173
ingredients in such proportions, quantities, or packing that an 174
ignition by fire, by friction, by concussion, by percussion, or by 175

a detonator of any part of the compound or mixture may cause such 176
a sudden generation of highly heated gases that the resultant 177
gaseous pressures are capable of producing destructive effects on 178
contiguous objects, or of destroying life or limb. Manufactured 179
articles shall not be held to be explosives when the individual 180
units contain explosives in such limited quantities, of such 181
nature, or in such packing, that it is impossible to procure a 182
simultaneous or a destructive explosion of such units, to the 183
injury of life, limb, or property by fire, by friction, by 184
concussion, by percussion, or by a detonator, such as fixed 185
ammunition for small arms, firecrackers, or safety fuse matches. 186

(U) "Flammable liquid" means any liquid that has a flash 187
point of seventy degrees fahrenheit, or less, as determined by a 188
tagliabue or equivalent closed cup test device. 189

(V) "Gross weight" means the weight of a vehicle plus the 190
weight of any load thereon. 191

(W) "Person" means every natural person, firm, 192
co-partnership, association, or corporation. 193

(X) "Pedestrian" means any natural person afoot. 194

(Y) "Driver or operator" means every person who drives or is 195
in actual physical control of a vehicle, trackless trolley, or 196
streetcar. 197

(Z) "Police officer" means every officer authorized to direct 198
or regulate traffic, or to make arrests for violations of traffic 199
regulations. 200

(AA) "Local authorities" means every county, municipal, and 201
other local board or body having authority to adopt police 202
regulations under the constitution and laws of this state. 203

(BB) "Street" or "highway" means the entire width between the 204
boundary lines of every way open to the use of the public as a 205

thoroughfare for purposes of vehicular travel.	206
(CC) "Controlled-access highway" means every street or	207
highway in respect to which owners or occupants of abutting lands	208
and other persons have no legal right of access to or from the	209
same except at such points only and in such manner as may be	210
determined by the public authority having jurisdiction over such	211
street or highway.	212
(DD) "Private road or driveway" means every way or place in	213
private ownership used for vehicular travel by the owner and those	214
having express or implied permission from the owner but not by	215
other persons.	216
(EE) "Roadway" means that portion of a highway improved,	217
designed, or ordinarily used for vehicular travel, except the berm	218
or shoulder. If a highway includes two or more separate roadways	219
the term "roadway" means any such roadway separately but not all	220
such roadways collectively.	221
(FF) "Sidewalk" means that portion of a street between the	222
curb lines, or the lateral lines of a roadway, and the adjacent	223
property lines, intended for the use of pedestrians.	224
(GG) "Laned highway" means a highway the roadway of which is	225
divided into two or more clearly marked lanes for vehicular	226
traffic.	227
(HH) "Through highway" means every street or highway as	228
provided in section 4511.65 of the Revised Code.	229
(II) "State highway" means a highway under the jurisdiction	230
of the department of transportation, outside the limits of	231
municipal corporations, provided that the authority conferred upon	232
the director of transportation in section 5511.01 of the Revised	233
Code to erect state highway route markers and signs directing	234
traffic shall not be modified by sections 4511.01 to 4511.79 and	235
4511.99 of the Revised Code.	236

(JJ) "State route" means every highway that is designated	237
with an official state route number and so marked.	238
(KK) "Intersection" means:	239
(1) The area embraced within the prolongation or connection	240
of the lateral curb lines, or, if none, the lateral boundary lines	241
of the roadways of two highways that join one another at, or	242
approximately at, right angles, or the area within which vehicles	243
traveling upon different highways that join at any other angle	244
might come into conflict. The junction of an alley or driveway	245
with a roadway or highway does not constitute an intersection	246
unless the roadway or highway at the junction is controlled by a	247
traffic control device.	248
(2) If a highway includes two roadways that are thirty feet	249
or more apart, then every crossing of each roadway of such divided	250
highway by an intersecting highway constitutes a separate	251
intersection. If both intersecting highways include two roadways	252
thirty feet or more apart, then every crossing of any two roadways	253
of such highways constitutes a separate intersection.	254
(3) At a location controlled by a traffic control signal,	255
regardless of the distance between the separate intersections as	256
described in division (KK)(2) of this section:	257
(a) If a stop line, yield line, or crosswalk has not been	258
designated on the roadway within the median between the separate	259
intersections, the two intersections and the roadway and median	260
constitute one intersection.	261
(b) Where a stop line, yield line, or crosswalk line is	262
designated on the roadway on the intersection approach, the area	263
within the crosswalk and any area beyond the designated stop line	264
or yield line constitute part of the intersection.	265
(c) Where a crosswalk is designated on a roadway on the	266
departure from the intersection, the intersection includes the	267

area that extends to the far side of the crosswalk.	268
(LL) "Crosswalk" means:	269
(1) That part of a roadway at intersections ordinarily	270
included within the real or projected prolongation of property	271
lines and curb lines or, in the absence of curbs, the edges of the	272
traversable roadway;	273
(2) Any portion of a roadway at an intersection or elsewhere,	274
distinctly indicated for pedestrian crossing by lines or other	275
markings on the surface;	276
(3) Notwithstanding divisions (LL)(1) and (2) of this	277
section, there shall not be a crosswalk where local authorities	278
have placed signs indicating no crossing.	279
(MM) "Safety zone" means the area or space officially set	280
apart within a roadway for the exclusive use of pedestrians and	281
protected or marked or indicated by adequate signs as to be	282
plainly visible at all times.	283
(NN) "Business district" means the territory fronting upon a	284
street or highway, including the street or highway, between	285
successive intersections within municipal corporations where fifty	286
per cent or more of the frontage between such successive	287
intersections is occupied by buildings in use for business, or	288
within or outside municipal corporations where fifty per cent or	289
more of the frontage for a distance of three hundred feet or more	290
is occupied by buildings in use for business, and the character of	291
such territory is indicated by official traffic control devices.	292
(OO) "Residence district" means the territory, not comprising	293
a business district, fronting on a street or highway, including	294
the street or highway, where, for a distance of three hundred feet	295
or more, the frontage is improved with residences or residences	296
and buildings in use for business.	297

(PP) "Urban district" means the territory contiguous to and including any street or highway which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for a distance of a quarter of a mile or more, and the character of such territory is indicated by official traffic control devices.

(QQ) "Traffic control device" means a flagger, sign, signal, marking, or other device used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or, in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

(RR) "Traffic control signal" means any highway traffic signal by which traffic is alternately directed to stop and permitted to proceed.

(SS) "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

(TT) "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, trackless trolleys, and other devices, either singly or together, while using for purposes of travel any highway or private road open to public travel.

(UU) "Right-of-way" means either of the following, as the context requires:

(1) The right of a vehicle, streetcar, trackless trolley, or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle, streetcar, trackless trolley, or pedestrian approaching from a different direction into its or the

individual's path;	329
(2) A general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.	330 331 332 333 334 335
(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.	336 337
(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.	338 339 340
(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.	341 342 343 344 345 346
(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.	347 348 349
(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.	350 351 352
(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.	353 354 355
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	356 357
(CCC) "Arterial street" means any United States or state	358

numbered route, controlled access highway, or other major radial 359
or circumferential street or highway designated by local 360
authorities within their respective jurisdictions as part of a 361
major arterial system of streets or highways. 362

(DDD) "Ridesharing arrangement" means the transportation of 363
persons in a motor vehicle where such transportation is incidental 364
to another purpose of a volunteer driver and includes ridesharing 365
arrangements known as carpools, vanpools, and buspools. 366

(EEE) "Motorized wheelchair" means any self-propelled vehicle 367
designed for, and used by, a handicapped person and that is 368
incapable of a speed in excess of eight miles per hour. 369

(FFF) "Child day-care center" and "type A family day-care 370
home" have the same meanings as in section 5104.01 of the Revised 371
Code. 372

(GGG) "Multi-wheel agricultural tractor" means a type of 373
agricultural tractor that has two or more wheels or tires on each 374
side of one axle at the rear of the tractor, is designed or used 375
for drawing other vehicles or wheeled machinery, has no provision 376
for carrying loads independently of the drawn vehicles or 377
machinery, and is used principally for agricultural purposes. 378

(HHH) "Operate" means to cause or have caused movement of a 379
vehicle, streetcar, or trackless trolley. 380

(III) "Predicate motor vehicle or traffic offense" means any 381
of the following: 382

(1) A violation of section 4511.03, 4511.051, 4511.12, 383
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 384
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 385
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 386
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 387
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 388
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 389

4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 390
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 391
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 392
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 393

(2) A violation of division (A)(2) of section 4511.17, 394
divisions (A) to (D) of section 4511.51, or division (A) of 395
section 4511.74 of the Revised Code; 396

(3) A violation of any provision of sections 4511.01 to 397
4511.76 of the Revised Code for which no penalty otherwise is 398
provided in the section that contains the provision violated; 399

(4) A Until January 1, 2017, a violation of a municipal 400
ordinance that is substantially similar to any section or 401
provision set forth or described in division (III)(1), (2), or (3) 402
of this section; 403

(5) Effective January 1, 2017, a violation of section 404
4511.214 of the Revised Code; 405

(6) Effective January 1, 2017, a violation of a municipal 406
ordinance that is substantially similar to any section or 407
provision set forth or described in division (III) (1), (2), (3), 408
or (5) of this section. 409

(JJJ) "Road service vehicle" means wreckers, utility repair 410
vehicles, and state, county, and municipal service vehicles 411
equipped with visual signals by means of flashing, rotating, or 412
oscillating lights. 413

(KKK) "Beacon" means a highway traffic signal with one or 414
more signal sections that operate in a flashing mode. 415

(LLL) "Hybrid beacon" means a type of beacon that is 416
intentionally placed in a dark mode between periods of operation 417
where no indications are displayed and, when in operation, 418
displays both steady and flashing traffic control signal 419

indications. 420

(MMM) "Highway traffic signal" means a power-operated traffic 421
control device by which traffic is warned or directed to take some 422
specific action. "Highway traffic signal" does not include a 423
power-operated sign, steadily illuminated pavement marker, warning 424
light, or steady burning electric lamp. 425

(NNN) "Median" means the area between two roadways of a 426
divided highway, measured from edge of traveled way to edge of 427
traveled way, but excluding turn lanes. The width of a median may 428
be different between intersections, between interchanges, and at 429
opposite approaches of the same intersection. 430

(OOO) "Private road open to public travel" means a private 431
toll road or road, including any adjacent sidewalks that generally 432
run parallel to the road, within a shopping center, airport, 433
sports arena, or other similar business or recreation facility 434
that is privately owned but where the public is allowed to travel 435
without access restrictions. "Private road open to public travel" 436
includes a gated toll road but does not include a road within a 437
private gated property where access is restricted at all times, a 438
parking area, a driving aisle within a parking area, or a private 439
grade crossing. 440

(PPP) "Shared-use path" means a bikeway outside the traveled 441
way and physically separated from motorized vehicular traffic by 442
an open space or barrier and either within the highway 443
right-of-way or within an independent alignment. A shared-use path 444
also may be used by pedestrians, including skaters, joggers, users 445
of manual and motorized wheelchairs, and other authorized 446
motorized and non-motorized users. 447

(OOO) "Highway maintenance vehicle" means a vehicle used in 448
snow and ice removal or road surface maintenance, including a snow 449
plow, traffic line striper, road sweeper, mowing machine, asphalt 450

distributing vehicle, or other such vehicle designed for use in 451
specific highway maintenance activities. 452

Sec. 4511.04. (A) Sections 4511.01 to 4511.18, 4511.20 to 453
4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code do 454
not apply to persons, teams, motor vehicles, and other equipment 455
while actually engaged in work upon the surface of a highway 456
within an area designated by traffic control devices, but apply to 457
such persons and vehicles when traveling to or from such work. 458

(B) The driver of a highway maintenance vehicle owned by this 459
state or any political subdivision of this state, while the driver 460
is engaged in the performance of official duties upon a street or 461
highway, provided the highway maintenance vehicle is equipped with 462
flashing lights and such other markings as are required by law and 463
such lights are in operation when the driver and vehicle are so 464
engaged, shall be exempt from criminal prosecution for violations 465
of sections 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 466
4511.31, 4511.33, 4511.35, 4511.66, 4513.02, and 5577.01 to 467
5577.09 of the Revised Code. 468

(C)(1) This section does not exempt a driver of a highway 469
maintenance vehicle from civil liability arising from a violation 470
of section 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 471
4511.31, 4511.33, 4511.35, 4511.66, or 4513.02 or sections 5577.01 472
to 5577.09 of the Revised Code. 473

(2) This section does not exempt the driver of a vehicle that 474
is engaged in the transport of highway maintenance equipment from 475
criminal liability for a violation of sections 5577.01 to 5577.09 476
of the Revised Code. 477

~~(D) As used in this section, "highway maintenance vehicle"~~ 478
~~means a vehicle used in snow and ice removal or road surface~~ 479
~~maintenance, including a snow plow, traffic line striper, road~~ 480
~~sweeper, mowing machine, asphalt distributing vehicle, or other~~ 481

~~such vehicle designed for use in specific highway maintenance activities.~~ 482
483

Sec. 4511.213. (A) The driver of a motor vehicle, upon 484
approaching a stationary public safety vehicle, ~~an~~ emergency 485
vehicle, ~~or a~~ road service vehicle, or a highway maintenance 486
vehicle that is displaying the appropriate visual signals by means 487
of flashing, oscillating, or rotating lights, as prescribed in 488
section 4513.17 of the Revised Code, shall do either of the 489
following: 490

(1) If the driver of the motor vehicle is traveling on a 491
highway that consists of at least two lanes that carry traffic in 492
the same direction of travel as that of the driver's motor 493
vehicle, the driver shall proceed with due caution and, if 494
possible and with due regard to the road, weather, and traffic 495
conditions, shall change lanes into a lane that is not adjacent to 496
that of the stationary public safety vehicle, ~~an~~ emergency 497
vehicle, ~~or a~~ road service vehicle, or a highway maintenance 498
vehicle. 499

(2) If the driver is not traveling on a highway of a type 500
described in division (A)(1) of this section, or if the driver is 501
traveling on a highway of that type but it is not possible to 502
change lanes or if to do so would be unsafe, the driver shall 503
proceed with due caution, reduce the speed of the motor vehicle, 504
and maintain a safe speed for the road, weather, and traffic 505
conditions. 506

(B) This section does not relieve the driver of a public 507
safety vehicle, ~~an~~ emergency vehicle, ~~or a~~ road service vehicle, 508
or a highway maintenance vehicle from the duty to drive with due 509
regard for the safety of all persons and property upon the 510
highway. 511

(C) No person shall fail to drive a motor vehicle in 512

compliance with division (A)(1) or (2) of this section when so 513
required by division (A) of this section. 514

(D)(1) Except as otherwise provided in this division, whoever 515
violates this section is guilty of a minor misdemeanor. If, within 516
one year of the offense, the offender previously has been 517
convicted of or pleaded guilty to one predicate motor vehicle or 518
traffic offense, whoever violates this section is guilty of a 519
misdemeanor of the fourth degree. If, within one year of the 520
offense, the offender previously has been convicted of two or more 521
predicate motor vehicle or traffic offenses, whoever violates this 522
section is guilty of a misdemeanor of the third degree. 523

(2) Notwithstanding section 2929.28 of the Revised Code, upon 524
a finding that a person operated a motor vehicle in violation of 525
division (C) of this section, the court, in addition to all other 526
penalties provided by law, shall impose a fine of two times the 527
usual amount imposed for the violation. 528

Sec. 4513.17. (A) Whenever a motor vehicle equipped with 529
headlights also is equipped with any auxiliary lights or spotlight 530
or any other light on the front thereof projecting a beam of an 531
intensity greater than three hundred candle power, not more than a 532
total of five of any such lights on the front of a vehicle shall 533
be lighted at any one time when the vehicle is upon a highway. 534

(B) Any lighted light or illuminating device upon a motor 535
vehicle, other than headlights, spotlights, signal lights, or 536
auxiliary driving lights, that projects a beam of light of an 537
intensity greater than three hundred candle power, shall be so 538
directed that no part of the beam will strike the level of the 539
roadway on which the vehicle stands at a distance of more than 540
seventy-five feet from the vehicle. 541

(C)(1) Flashing lights are prohibited on motor vehicles, 542
except as a means for indicating a right or a left turn, or in the 543

presence of a vehicular traffic hazard requiring unusual care in 544
approaching, or overtaking or passing. This prohibition does not 545
apply to emergency vehicles, road service vehicles servicing or 546
towing a disabled vehicle, ~~traffic line strippers, snow plows,~~ 547
rural mail delivery vehicles, vehicles as provided in section 548
4513.182 of the Revised Code, ~~department of transportation~~ highway 549
maintenance vehicles, funeral hearses, funeral escort vehicles, 550
and similar equipment operated by the department or local 551
authorities, which shall be equipped with and display, when used 552
on a street or highway for the special purpose necessitating such 553
lights, a flashing, oscillating, or rotating amber light, but 554
shall not display a flashing, oscillating, or rotating light of 555
any other color, nor to vehicles or machinery permitted by section 556
4513.11 of the Revised Code to have a flashing red light. 557

(2) When used on a street or highway, farm machinery and 558
vehicles escorting farm machinery may be equipped with and display 559
a flashing, oscillating, or rotating amber light, and the 560
prohibition contained in division (C)(1) of this section does not 561
apply to such machinery or vehicles. Farm machinery also may 562
display the lights described in section 4513.11 of the Revised 563
Code. 564

(D) Except a person operating a public safety vehicle, as 565
defined in division (E) of section 4511.01 of the Revised Code, or 566
a school bus, no person shall operate, move, or park upon, or 567
permit to stand within the right-of-way of any public street or 568
highway any vehicle or equipment that is equipped with and 569
displaying a flashing red or a flashing combination red and white 570
light, or an oscillating or rotating red light, or a combination 571
red and white oscillating or rotating light; and except a public 572
law enforcement officer, or other person sworn to enforce the 573
criminal and traffic laws of the state, operating a public safety 574
vehicle when on duty, no person shall operate, move, or park upon, 575

or permit to stand within the right-of-way of any street or 576
highway any vehicle or equipment that is equipped with, or upon 577
which is mounted, and displaying a flashing blue or a flashing 578
combination blue and white light, or an oscillating or rotating 579
blue light, or a combination blue and white oscillating or 580
rotating light. 581

(E) This section does not prohibit the use of warning lights 582
required by law or the simultaneous flashing of turn signals on 583
disabled vehicles or on vehicles being operated in unfavorable 584
atmospheric conditions in order to enhance their visibility. This 585
section also does not prohibit the simultaneous flashing of turn 586
signals or warning lights either on farm machinery or vehicles 587
escorting farm machinery, when used on a street or highway. 588

(F) Whoever violates this section is guilty of a minor 589
misdemeanor. 590

Section 2. That existing sections 4511.01, 4511.04, 4511.213, 591
and 4513.17 of the Revised Code are hereby repealed. 592

Section 3. That the version of section 4511.01 of the Revised 593
Code that is scheduled to take effect on January 1, 2017, is 594
hereby repealed. 595