

**As Passed by the House**

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

**H. B. No. 172**

**Representatives Ruhl, McGregor**

**Cosponsors: Representatives Cera, Mallory, McClain, Landis, Williams,  
Adams, R., Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck,  
Boose, Brown, Buchy, Budish, Burkley, Butler, Celebrezze, Clyde,  
Damschroder, Derickson, Dovilla, Driehaus, Duffey, Green, Grossman,  
Hackett, Hall, Hayes, Heard, Johnson, Letson, Milkovich, O'Brien, Patmon,  
Patterson, Phillips, Pillich, Rogers, Rosenberger, Slaby, Stinziano, Winburn  
Speaker Batchelder**

—

**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 51  
contract to a municipal corporation, township, or county, and 52  
private ambulances and nontransport vehicles bearing license 53  
plates issued under section 4503.49 of the Revised Code; 54

(2) Motor vehicles used by public law enforcement officers or 55  
other persons sworn to enforce the criminal and traffic laws of 56  
the state; 57

(3) Any motor vehicle when properly identified as required by 58  
the director of public safety, when used in response to fire 59  
emergency calls or to provide emergency medical service to ill or 60  
injured persons, and when operated by a duly qualified person who 61  
is a member of a volunteer rescue service or a volunteer fire 62  
department, and who is on duty pursuant to the rules or directives 63  
of that service. The state fire marshal shall be designated by the 64  
director of public safety as the certifying agency for all public 65  
safety vehicles described in division (E)(3) of this section. 66

(4) Vehicles used by fire departments, including motor 67  
vehicles when used by volunteer fire fighters responding to 68  
emergency calls in the fire department service when identified as 69  
required by the director of public safety. 70

Any vehicle used to transport or provide emergency medical 71  
service to an ill or injured person, when certified as a public 72  
safety vehicle, shall be considered a public safety vehicle when 73  
transporting an ill or injured person to a hospital regardless of 74  
whether such vehicle has already passed a hospital. 75

(5) Vehicles used by the motor carrier enforcement unit for 76  
the enforcement of orders and rules of the public utilities 77  
commission as specified in section 5503.34 of the Revised Code. 78

(F) "School bus" means every bus designed for carrying more 79  
than nine passengers that is owned by a public, private, or 80  
governmental agency or institution of learning and operated for 81  
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 298  
including any street or highway which is built up with structures 299  
devoted to business, industry, or dwelling houses situated at 300  
intervals of less than one hundred feet for a distance of a 301  
quarter of a mile or more, and the character of such territory is 302  
indicated by official traffic control devices. 303

(QQ) "Traffic control device" means a flagger, sign, signal, 304  
marking, or other device used to regulate, warn, or guide traffic, 305  
placed on, over, or adjacent to a street, highway, private road 306  
open to public travel, pedestrian facility, or shared-use path by 307  
authority of a public agency or official having jurisdiction, or, 308  
in the case of a private road open to public travel, by authority 309  
of the private owner or private official having jurisdiction. 310

(RR) "Traffic control signal" means any highway traffic 311  
signal by which traffic is alternately directed to stop and 312  
permitted to proceed. 313

(SS) "Railroad sign or signal" means any sign, signal, or 314  
device erected by authority of a public body or official or by a 315  
railroad and intended to give notice of the presence of railroad 316  
tracks or the approach of a railroad train. 317

(TT) "Traffic" means pedestrians, ridden or herded animals, 318  
vehicles, streetcars, trackless trolleys, and other devices, 319  
either singly or together, while using for purposes of travel any 320  
highway or private road open to public travel. 321

(UU) "Right-of-way" means either of the following, as the 322  
context requires: 323

(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;

(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.

(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.

(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.

(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.

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.

(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.

(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is

prohibited.	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 numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	358 359 360 361 362
(DDD) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where such transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.	363 364 365 366
(EEE) "Motorized wheelchair" means any self-propelled vehicle designed for, and used by, a handicapped person and that is incapable of a speed in excess of eight miles per hour.	367 368 369
(FFF) "Child day-care center" and "type A family day-care home" have the same meanings as in section 5104.01 of the Revised Code.	370 371 372
(GGG) "Multi-wheel agricultural tractor" means a type of agricultural tractor that has two or more wheels or tires on each side of one axle at the rear of the tractor, is designed or used for drawing other vehicles or wheeled machinery, has no provision for carrying loads independently of the drawn vehicles or machinery, and is used principally for agricultural purposes.	373 374 375 376 377 378
(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	379 380
(III) "Predicate motor vehicle or traffic offense" means any of the following:	381 382
(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213,	383 384

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

(000) "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 maintenance, including a snow plow, traffic line striper, road sweeper, mowing machine, asphalt distributing vehicle, or other such vehicle designed for use in specific highway maintenance activities.~~

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

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

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

(B) This section does not relieve the driver of a public safety vehicle, ~~an~~ emergency vehicle, ~~or a~~ road service vehicle, or a highway maintenance vehicle from the duty to drive with due

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