

**As Reported by the Senate Public Safety, Local Government and
Veterans Affairs Committee**

**130th General Assembly
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Sub. S. B. No. 97

Senator Hughes

Cosponsors: Senators Patton, LaRose

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A B I L L

To amend section 4511.45 and to enact section 1
4511.454 of the Revised Code to allow emergency 2
personnel in public safety vehicles to report 3
traffic law violations under certain 4
circumstances. 5

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

Section 1. That section 4511.45 be amended and section 6
4511.454 of the Revised Code be enacted to read as follows: 7

Sec. 4511.45. (A)(1) Upon the approach of a public safety 8
vehicle or coroner's vehicle, equipped with at least one flashing, 9
rotating or oscillating light visible under normal atmospheric 10
conditions from a distance of five hundred feet to the front of 11
the vehicle and the driver is giving an audible signal by siren, 12
exhaust whistle, or bell, no driver of any other vehicle shall 13
fail to yield the right-of-way, immediately drive if practical to 14
a position parallel to, and as close as possible to, the right 15
edge or curb of the highway clear of any intersection, and stop 16
and remain in that position until the public safety vehicle or 17
coroner's vehicle has passed, except when otherwise directed by a 18

police officer. 19

(2) Upon the approach of a public safety vehicle or coroner's 20
vehicle, as stated in division (A)(1) of this section, no operator 21
of any streetcar or trackless trolley shall fail to immediately 22
stop the streetcar or trackless trolley clear of any intersection 23
and keep it in that position until the public safety vehicle or 24
coroner's vehicle has passed, except when otherwise directed by a 25
police officer. 26

(B) This section does not relieve the driver of a public 27
safety vehicle or coroner's vehicle from the duty to drive with 28
due regard for the safety of all persons and property upon the 29
highway. 30

(C) This section applies to a coroner's vehicle only when the 31
vehicle is operated in accordance with section 4513.171 of the 32
Revised Code. As used in this section, "coroner's vehicle" means a 33
vehicle used by a coroner, deputy coroner, or coroner's 34
investigator that is equipped with a flashing, oscillating, or 35
rotating red or blue light and a siren, exhaust whistle, or bell 36
capable of giving an audible signal. 37

(D) Except as otherwise provided in this division or in 38
section 4511.454 of the Revised Code, whoever violates division 39
(A)(1) or (2) of this section is guilty of a misdemeanor of the 40
fourth degree on a first offense. On a second offense within one 41
year after the first offense, the person is guilty of a 42
misdemeanor of the third degree, and, on each subsequent offense 43
within one year after the first offense, the person is guilty of a 44
misdemeanor of the second degree. 45

Sec. 4511.454. (A) When the failure of a motor vehicle 46
operator to yield the right-of-way to a public safety vehicle as 47
required by division (A) of section 4511.45 of the Revised Code 48

impedes the ability of the public safety vehicle to respond to an 49
emergency, any emergency personnel in the public safety vehicle 50
may report the license plate number and a general description of 51
the vehicle and of the operator of the vehicle to the law 52
enforcement agency exercising jurisdiction over the area where the 53
alleged violation occurred. Any such emergency personnel also may 54
report any other apparent violation of the traffic laws of this 55
state occurring at the same time. 56

(B)(1) Upon receipt of a report under this section, the law 57
enforcement agency may conduct an investigation to attempt to 58
determine or confirm the identity of the operator of the vehicle 59
at the time of the alleged violation. 60

(2) If the identity of the operator at the time of an alleged 61
violation of division (A) of section 4511.45 of the Revised Code 62
is established, the reporting of the license plate number of the 63
vehicle shall establish probable cause for the law enforcement 64
agency to issue a citation for a violation of that section. 65
However, if the operator has not previously been issued a written 66
warning for a violation of division (A) of section 4511.45 of the 67
Revised Code based on a report filed under this section, the law 68
enforcement agency shall issue a written warning to the operator. 69
Upon issuing a written warning under this division, the law 70
enforcement agency shall notify the registrar of motor vehicles 71
that a written warning has been issued under this division. The 72
registrar shall retain a record of the issuance of a written 73
warning. 74

(3) In the case of other reported apparent traffic law 75
violations or if the identity of the operator of the vehicle at 76
the time of the alleged violation cannot be established, the law 77
enforcement agency may issue a written warning to the person who 78
owned the vehicle at the time of the alleged violation, except in 79

the case of a leased or rented vehicle, any written warning shall 80
be issued to the person who leased or rented the vehicle at the 81
time of the alleged violation. 82

(C) Whoever violates division (A) of section 4511.45 of the 83
Revised Code based on a report filed under this section is guilty 84
of a minor misdemeanor and shall be fined one hundred fifty 85
dollars if both of the following apply: 86

(1) The person's identity was established by the law 87
enforcement agency; 88

(2) The person previously has been issued a written warning 89
under division (B)(2) of this section. 90

(D) As used in this section: 91

(1) "License plate" includes any temporary license placard 92
issued under section 4503.182 of the Revised Code or similar law 93
of another jurisdiction. 94

(2) "Public safety vehicle" does not include a vehicle used 95
by a public law enforcement officer or other person sworn to 96
enforce the criminal and traffic laws of the state or a vehicle 97
used by the motor carrier enforcement unit for the enforcement of 98
orders and rules of the public utilities commission. 99

Section 2. That existing section 4511.45 of the Revised Code 100
is hereby repealed. 101