



S.B. 123

127th General Assembly
(As Introduced)

Sens. D. Miller, Smith, Cafaro, R. Miller

BILL SUMMARY

- Requires that vehicles display lighted lights during hours of actual work within a construction zone and provides that the requirement to display lights applies only when signs giving notice are erected by the Director of Transportation, a board of county commissioners, or a board of township trustees in accordance with the Director's specifications and when a violation occurs during hours of actual work within the construction zone.

CONTENT AND OPERATION

When vehicles must display lighted lights; penalty for violation

Current law generally requires a motor vehicle to display lights and illuminating devices prescribed by law for that class of vehicle during the following times:

(1) From sunset to sunrise;

(2) At any other time when there are unfavorable atmospheric conditions or when natural light is insufficient to render substantial objects discernible at a distance of 1,000 feet ahead (R.C. 4513.03).

Current law specifies that the requirement to display lights is not fulfilled by the use of only parking lights.

In addition to the current requirements, the bill requires vehicles to display their respective lighted lights and illuminating devices during hours of actual work within a construction zone if signs giving notice of that requirement have been erected on the authority of the Director of Transportation, a board of county commissioners, or a board of township trustees (R.C. 4511.98 and

4513.03(A)(1)(c)).¹ Under the bill, the signs also must notify drivers that increased penalties apply for violating this requirement. The increased penalty and the requirement to display lighted lights are effective only when the signs meet the Director of Transportation's guidelines and design specifications and when a violation occurs during hours of actual work within the construction zone (R.C. 4511.98).

The bill adds that the requirement to display lights also is not fulfilled by using daytime running lamps only and defines daytime running lights by reference to the applicable federal motor vehicle safety standard. Typically, these are lights that are automatically activated when a car is started or put in gear. (R.C. 4513.03(B) and (E).)

Violators are guilty of a minor misdemeanor on a first offense; a second such offense within one year after the first offense is a fourth degree misdemeanor; and each subsequent offense within one year after the first offense is a third degree misdemeanor (R.C. 4513.03(F)).²

The driver's license of a person who pleads guilty to or is convicted of a traffic law violation involving a *moving* motor vehicle, such as speeding, is assessed a number of points by the Registrar of Motor Vehicles. The assessments range from two points for less serious violations to six points for more serious violations. The accumulation of 12 points against a person's driver's license within a period of two years results in the suspension of that license for a period of six months. Moving violations with no specific points assigned are two-point violations. The bill specifies that no points are to be assessed under the general two-point moving violation provision if a driver fails to turn on his or her lights while driving during hours of actual work in a construction zone that has been properly marked by the necessary signs (R.C. 4510.036(C)(13)).

Signage requirements

Under the bill, the Director of Transportation must adopt rules governing the posting of signs advising motorists of the bill's requirements. The rules must

¹ By cross-reference to R.C. 5501.27, "construction zone" means "that lane or portion of a street or highway open to vehicular traffic and adjacent to a lane, berm, or shoulder of a street or highway within which lane, berm, or shoulder construction, reconstruction, resurfacing, or any other work of a repair or maintenance nature, including public utility work, is being conducted, commencing with the point where the first worker or piece of equipment is located and ending where the last worker or piece of equipment is located."

² The penalty for a violation of this requirement is covered by the motor vehicle equipment "catchall" penalty provision (R.C. 4513.99, not in the bill).

include guidelines to determine which areas are appropriate for the signs, based on such factors as the duration of work or volume of traffic on the street or highway. (R.C. 5501.27.)

HISTORY

ACTION	DATE
Introduced	03-20-07

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