



Ohio Legislative Service Commission

Bill Analysis

Linda S. Crawford

S.B. 174

128th General Assembly
(As Introduced)

Sens. Fedor and Wagoner, D. Miller, R. Miller, Turner, Schiavoni, Morano, Wilson, Sawyer, Goodman, Gibbs, Patton, Gillmor, Schuring, Smith, Strahorn, Cafaro, Kearney, Hughes

BILL SUMMARY

- Requires a motor vehicle overtaking a bicycle to maintain a safe passing distance between the motor vehicle and bicycle of not less than three feet.
- Eliminates the current requirement for the operator of an overtaken vehicle, including a bicycle, to give way to the right in favor of the overtaking vehicle at the latter's audible signal.

CONTENT AND OPERATION

In general, current law requires the operator of a vehicle or trackless trolley when overtaking another vehicle or trackless trolley that is proceeding in the same direction to: (1) signal to the vehicle or trackless trolley to be overtaken, (2) pass to the left at a safe distance, and (3) not again drive to the right side of the roadway until safely clear of the overtaken vehicle or trackless trolley. The bill establishes that when a motor vehicle overtakes a bicycle, the safe passing distance is not less than three feet. (R.C. 4511.27(A)(1).)

Also under current law, the operator of an overtaken vehicle, including a bicycle, must (1) give way to the right in favor of the overtaking vehicle at the latter's audible signal (except when overtaking and passing on the right is permitted) and (2) not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle. The bill eliminates the requirement for the operator of an overtaken vehicle to give way to the right in favor of the overtaking vehicle at the latter's audible signal. (R.C. 4511.27(A)(2).)

Violation of the provisions related to overtaking and passing vehicles generally is a minor misdemeanor, but may be a fourth- or third-degree misdemeanor if, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one or more specified motor vehicle or traffic offenses.

HISTORY

ACTION	DATE
Introduced	09-29-09

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