

As Introduced

131st General Assembly

Regular Session

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H. B. No. 154

Representatives Henne, Sheehy

**Cosponsors: Representatives Stinziano, Grossman, Clyde, Perales, Duffey,
Zeltwanger, Smith, K., Brenner, Lepore-Hagan, Fedor**

A BILL

To amend sections 4511.132 and 4511.27 of the
Revised Code to provide that when a motor
vehicle passes a bicycle the safe passing
distance to the left is three feet, and to alter
the protocol for proceeding into an intersection
that has malfunctioning traffic lights.

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

Section 1. That sections 4511.132 and 4511.27 of the
Revised Code be amended to read as follows:

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or
trackless trolley who approaches an intersection where traffic
is controlled by traffic control signals shall do all of the
following, if the signal facing the driver ~~either~~ exhibits no
colored lights or colored lighted arrows ~~or~~, exhibits a
combination of such lights or arrows that fails to clearly
indicate the assignment of right-of-way, or the signals are
otherwise malfunctioning, including the failure of a vehicle
detector to detect the vehicle:

(1) Stop at a clearly marked stop line, but if none, stop

before entering the crosswalk on the near side of the 19
intersection, or, if none, stop before entering the 20
intersection; 21

(2) Yield the right-of-way to all vehicles, streetcars, or 22
trackless trolleys in the intersection or approaching on an 23
intersecting road, if the vehicles, streetcars, or trackless 24
trolleys will constitute an immediate hazard during the time the 25
driver is moving across or within the intersection or junction 26
of roadways; 27

(3) Exercise ordinary care while proceeding through the 28
intersection. 29

(B) Except as otherwise provided in this division, whoever 30
violates this section is guilty of a minor misdemeanor. If, 31
within one year of the offense, the offender previously has been 32
convicted of or pleaded guilty to one predicate motor vehicle or 33
traffic offense, whoever violates this section is guilty of a 34
misdemeanor of the fourth degree. If, within one year of the 35
offense, the offender previously has been convicted of two or 36
more predicate motor vehicle or traffic offenses, whoever 37
violates this section is guilty of a misdemeanor of the third 38
degree. 39

Sec. 4511.27. (A) The following rules govern the 40
overtaking and passing of vehicles or trackless trolleys 41
proceeding in the same direction: 42

(1) The operator of a vehicle or trackless trolley 43
overtaking another vehicle or trackless trolley proceeding in 44
the same direction shall, except as provided in division (A)(3) 45
of this section, signal to the vehicle or trackless trolley to 46
be overtaken, shall pass to the left thereof at a safe distance, 47

and shall not again drive to the right side of the roadway until 48
safely clear of the overtaken vehicle or trackless trolley. When 49
a motor vehicle or trackless trolley overtakes and passes a 50
bicycle, the safe passing distance to the left shall be not less 51
than three feet. 52

(2) Except when overtaking and passing on the right is 53
permitted, the operator of an overtaken vehicle shall give way 54
to the right in favor of the overtaking vehicle at the latter's 55
audible signal, and the operator shall not increase the speed of 56
the operator's vehicle until completely passed by the overtaking 57
vehicle. 58

(3) The operator of a vehicle or trackless trolley 59
overtaking and passing another vehicle or trackless trolley 60
proceeding in the same direction on a divided highway as defined 61
in section 4511.35 of the Revised Code, a limited access highway 62
as defined in section 5511.02 of the Revised Code, or a highway 63
with four or more traffic lanes, is not required to signal 64
audibly to the vehicle or trackless trolley being overtaken and 65
passed. 66

(B) Except as otherwise provided in this division, whoever 67
violates this section is guilty of a minor misdemeanor. If, 68
within one year of the offense, the offender previously has been 69
convicted of or pleaded guilty to one predicate motor vehicle or 70
traffic offense, whoever violates this section is guilty of a 71
misdemeanor of the fourth degree. If, within one year of the 72
offense, the offender previously has been convicted of two or 73
more predicate motor vehicle or traffic offenses, whoever 74
violates this section is guilty of a misdemeanor of the third 75
degree. 76

Section 2. That existing sections 4511.132 and 4511.27 of 77

the Revised Code are hereby repealed.