

**As Passed by the House**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 154**

**Representatives Henne, Sheehy**

**Cosponsors: Representatives Stinziano, Grossman, Clyde, Perales, Duffey, Zeltwanger, Smith, K., Brenner, Lepore-Hagan, Fedor, Bishoff, Retherford, Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Driehaus, Leland, Manning, O'Brien, M., O'Brien, S., Patterson, Phillips, Ramos, Rogers, Sprague, Strahorn, Sweeney**

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**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 16  
detector to detect the vehicle: 17

(1) Stop at a clearly marked stop line, but if none, stop 18  
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
<b>Section 2.</b> That existing sections 4511.132 and 4511.27 of	77
the Revised Code are hereby repealed.	78