

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 144**

**Representatives Green, Rogers**

**Cosponsors: Representatives Cera, Smith, K., Lepore-Hagan, Sheehy, Clyde,  
Ashford, Bishoff**

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**A BILL**

To amend sections 4511.01, 4511.213, and 4513.17 of 1  
the Revised Code to require motor vehicle 2  
operators to take certain actions upon 3  
approaching a stationary waste collection 4  
vehicle collecting refuse on a roadside. 5

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

**Section 1.** That sections 4511.01, 4511.213, and 4513.17 of 6  
the Revised Code be amended to read as follows: 7

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 8  
of the Revised Code: 9

(A) "Vehicle" means every device, including a motorized 10  
bicycle, in, upon, or by which any person or property may be 11  
transported or drawn upon a highway, except that "vehicle" does 12  
not include any motorized wheelchair, any electric personal 13  
assistive mobility device, any device that is moved by power 14  
collected from overhead electric trolley wires or that is used 15  
exclusively upon stationary rails or tracks, or any device, 16  
other than a bicycle, that is moved by human power. 17

(B) "Motor vehicle" means every vehicle propelled or drawn 18  
by power other than muscular power or power collected from 19  
overhead electric trolley wires, except motorized bicycles, road 20  
rollers, traction engines, power shovels, power cranes, and 21  
other equipment used in construction work and not designed for 22  
or employed in general highway transportation, hole-digging 23  
machinery, well-drilling machinery, ditch-digging machinery, 24  
farm machinery, and trailers designed and used exclusively to 25  
transport a boat between a place of storage and a marina, or in 26  
and around a marina, when drawn or towed on a street or highway 27  
for a distance of no more than ten miles and at a speed of 28  
twenty-five miles per hour or less. 29

(C) "Motorcycle" means every motor vehicle, other than a 30  
tractor, having a seat or saddle for the use of the operator and 31  
designed to travel on not more than three wheels in contact with 32  
the ground, including, but not limited to, motor vehicles known 33  
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 34  
enclosed motorcycle," or "motorcycle" without regard to weight 35  
or brake horsepower. 36

(D) "Emergency vehicle" means emergency vehicles of 37  
municipal, township, or county departments or public utility 38  
corporations when identified as such as required by law, the 39  
director of public safety, or local authorities, and motor 40  
vehicles when commandeered by a police officer. 41

(E) "Public safety vehicle" means any of the following: 42

(1) Ambulances, including private ambulance companies 43  
under contract to a municipal corporation, township, or county, 44  
and private ambulances and nontransport vehicles bearing license 45  
plates issued under section 4503.49 of the Revised Code; 46

(2) Motor vehicles used by public law enforcement officers 47  
or other persons sworn to enforce the criminal and traffic laws 48  
of the state; 49

(3) Any motor vehicle when properly identified as required 50  
by the director of public safety, when used in response to fire 51  
emergency calls or to provide emergency medical service to ill 52  
or injured persons, and when operated by a duly qualified person 53  
who is a member of a volunteer rescue service or a volunteer 54  
fire department, and who is on duty pursuant to the rules or 55  
directives of that service. The state fire marshal shall be 56  
designated by the director of public safety as the certifying 57  
agency for all public safety vehicles described in division (E) 58  
(3) of this section. 59

(4) Vehicles used by fire departments, including motor 60  
vehicles when used by volunteer fire fighters responding to 61  
emergency calls in the fire department service when identified 62  
as required by the director of public safety. 63

Any vehicle used to transport or provide emergency medical 64  
service to an ill or injured person, when certified as a public 65  
safety vehicle, shall be considered a public safety vehicle when 66  
transporting an ill or injured person to a hospital regardless 67  
of whether such vehicle has already passed a hospital. 68

(5) Vehicles used by the motor carrier enforcement unit 69  
for the enforcement of orders and rules of the public utilities 70  
commission as specified in section 5503.34 of the Revised Code. 71

(F) "School bus" means every bus designed for carrying 72  
more than nine passengers that is owned by a public, private, or 73  
governmental agency or institution of learning and operated for 74  
the transportation of children to or from a school session or a 75

school function, or owned by a private person and operated for 76  
compensation for the transportation of children to or from a 77  
school session or a school function, provided "school bus" does 78  
not include a bus operated by a municipally owned transportation 79  
system, a mass transit company operating exclusively within the 80  
territorial limits of a municipal corporation, or within such 81  
limits and the territorial limits of municipal corporations 82  
immediately contiguous to such municipal corporation, nor a 83  
common passenger carrier certified by the public utilities 84  
commission unless such bus is devoted exclusively to the 85  
transportation of children to and from a school session or a 86  
school function, and "school bus" does not include a van or bus 87  
used by a licensed child day-care center or type A family day- 88  
care home to transport children from the child day-care center 89  
or type A family day-care home to a school if the van or bus 90  
does not have more than fifteen children in the van or bus at 91  
any time. 92

(G) "Bicycle" means every device, other than a device that 93  
is designed solely for use as a play vehicle by a child, that is 94  
propelled solely by human power upon which a person may ride, 95  
and that has two or more wheels, any of which is more than 96  
fourteen inches in diameter. 97

~~(H) (1) Until January 1, 2017, "motorized bicycle" means 98  
any vehicle having either two tandem wheels or one wheel in the 99  
front and two wheels in the rear, that is capable of being 100  
pedaled and is equipped with a helper motor of not more than 101  
fifty cubic centimeters piston displacement that produces no 102  
more than one brake horsepower and is capable of propelling the 103  
vehicle at a speed of no greater than twenty miles per hour on a 104  
level surface. 105~~

<del>(2) Effective January 1, 2017, "motorized</del> <u>"Motorized</u>	106
bicycle" or "moped" means any vehicle having either two tandem	107
wheels or one wheel in the front and two wheels in the rear,	108
that may be pedaled, and that is equipped with a helper motor of	109
not more than fifty cubic centimeters piston displacement that	110
produces not more than one brake horsepower and is capable of	111
propelling the vehicle at a speed of not greater than twenty	112
miles per hour on a level surface.	113
(I) "Commercial tractor" means every motor vehicle having	114
motive power designed or used for drawing other vehicles and not	115
so constructed as to carry any load thereon, or designed or used	116
for drawing other vehicles while carrying a portion of such	117
other vehicles, or load thereon, or both.	118
(J) "Agricultural tractor" means every self-propelling	119
vehicle designed or used for drawing other vehicles or wheeled	120
machinery but having no provision for carrying loads	121
independently of such other vehicles, and used principally for	122
agricultural purposes.	123
(K) "Truck" means every motor vehicle, except trailers and	124
semitrailers, designed and used to carry property.	125
(L) "Bus" means every motor vehicle designed for carrying	126
more than nine passengers and used for the transportation of	127
persons other than in a ridesharing arrangement, and every motor	128
vehicle, automobile for hire, or funeral car, other than a	129
taxicab or motor vehicle used in a ridesharing arrangement,	130
designed and used for the transportation of persons for	131
compensation.	132
(M) "Trailer" means every vehicle designed or used for	133
carrying persons or property wholly on its own structure and for	134

being drawn by a motor vehicle, including any such vehicle when 135  
formed by or operated as a combination of a "semitrailer" and a 136  
vehicle of the dolly type, such as that commonly known as a 137  
"trailer dolly," a vehicle used to transport agricultural 138  
produce or agricultural production materials between a local 139  
place of storage or supply and the farm when drawn or towed on a 140  
street or highway at a speed greater than twenty-five miles per 141  
hour, and a vehicle designed and used exclusively to transport a 142  
boat between a place of storage and a marina, or in and around a 143  
marina, when drawn or towed on a street or highway for a 144  
distance of more than ten miles or at a speed of more than 145  
twenty-five miles per hour. 146

(N) "Semitrailer" means every vehicle designed or used for 147  
carrying persons or property with another and separate motor 148  
vehicle so that in operation a part of its own weight or that of 149  
its load, or both, rests upon and is carried by another vehicle. 150

(O) "Pole trailer" means every trailer or semitrailer 151  
attached to the towing vehicle by means of a reach, pole, or by 152  
being boomed or otherwise secured to the towing vehicle, and 153  
ordinarily used for transporting long or irregular shaped loads 154  
such as poles, pipes, or structural members capable, generally, 155  
of sustaining themselves as beams between the supporting 156  
connections. 157

(P) "Railroad" means a carrier of persons or property 158  
operating upon rails placed principally on a private right-of- 159  
way. 160

(Q) "Railroad train" means a steam engine or an electric 161  
or other motor, with or without cars coupled thereto, operated 162  
by a railroad. 163

(R) "Streetcar" means a car, other than a railroad train, 164  
for transporting persons or property, operated upon rails 165  
principally within a street or highway. 166

(S) "Trackless trolley" means every car that collects its 167  
power from overhead electric trolley wires and that is not 168  
operated upon rails or tracks. 169

(T) "Explosives" means any chemical compound or mechanical 170  
mixture that is intended for the purpose of producing an 171  
explosion that contains any oxidizing and combustible units or 172  
other ingredients in such proportions, quantities, or packing 173  
that an ignition by fire, by friction, by concussion, by 174  
percussion, or by a detonator of any part of the compound or 175  
mixture may cause such a sudden generation of highly heated 176  
gases that the resultant gaseous pressures are capable of 177  
producing destructive effects on contiguous objects, or of 178  
destroying life or limb. Manufactured articles shall not be held 179  
to be explosives when the individual units contain explosives in 180  
such limited quantities, of such nature, or in such packing, 181  
that it is impossible to procure a simultaneous or a destructive 182  
explosion of such units, to the injury of life, limb, or 183  
property by fire, by friction, by concussion, by percussion, or 184  
by a detonator, such as fixed ammunition for small arms, 185  
firecrackers, or safety fuse matches. 186

(U) "Flammable liquid" means any liquid that has a flash 187  
point of seventy degrees fahrenheit, or less, as determined by a 188  
tagliabue or equivalent closed cup test device. 189

(V) "Gross weight" means the weight of a vehicle plus the 190  
weight of any load thereon. 191

(W) "Person" means every natural person, firm, co- 192

partnership, association, or corporation.	193
(X) "Pedestrian" means any natural person afoot.	194
(Y) "Driver or operator" means every person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.	195 196 197
(Z) "Police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.	198 199 200
(AA) "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.	201 202 203
(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.	204 205 206
(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.	207 208 209 210 211 212
(DD) "Private road or driveway" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.	213 214 215 216
(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately	217 218 219 220



but not all such roadways collectively.	221
(FF) "Sidewalk" means that portion of a street between the	222
curb lines, or the lateral lines of a roadway, and the adjacent	223
property lines, intended for the use of pedestrians.	224
(GG) "Laned highway" means a highway the roadway of which	225
is divided into two or more clearly marked lanes for vehicular	226
traffic.	227
(HH) "Through highway" means every street or highway as	228
provided in section 4511.65 of the Revised Code.	229
(II) "State highway" means a highway under the	230
jurisdiction of the department of transportation, outside the	231
limits of municipal corporations, provided that the authority	232
conferred upon the director of transportation in section 5511.01	233
of the Revised Code to erect state highway route markers and	234
signs directing traffic shall not be modified by sections	235
4511.01 to 4511.79 and 4511.99 of the Revised Code.	236
(JJ) "State route" means every highway that is designated	237
with an official state route number and so marked.	238
(KK) "Intersection" means:	239
(1) The area embraced within the prolongation or	240
connection of the lateral curb lines, or, if none, the lateral	241
boundary lines of the roadways of two highways that join one	242
another at, or approximately at, right angles, or the area	243
within which vehicles traveling upon different highways that	244
join at any other angle might come into conflict. The junction	245
of an alley or driveway with a roadway or highway does not	246
constitute an intersection unless the roadway or highway at the	247
junction is controlled by a traffic control device.	248

(2) If a highway includes two roadways that are thirty 249  
feet or more apart, then every crossing of each roadway of such 250  
divided highway by an intersecting highway constitutes a 251  
separate intersection. If both intersecting highways include two 252  
roadways thirty feet or more apart, then every crossing of any 253  
two roadways of such highways constitutes a separate 254  
intersection. 255

(3) At a location controlled by a traffic control signal, 256  
regardless of the distance between the separate intersections as 257  
described in division (KK) (2) of this section: 258

(a) If a stop line, yield line, or crosswalk has not been 259  
designated on the roadway within the median between the separate 260  
intersections, the two intersections and the roadway and median 261  
constitute one intersection. 262

(b) Where a stop line, yield line, or crosswalk line is 263  
designated on the roadway on the intersection approach, the area 264  
within the crosswalk and any area beyond the designated stop 265  
line or yield line constitute part of the intersection. 266

(c) Where a crosswalk is designated on a roadway on the 267  
departure from the intersection, the intersection includes the 268  
area that extends to the far side of the crosswalk. 269

(LL) "Crosswalk" means: 270

(1) That part of a roadway at intersections ordinarily 271  
included within the real or projected prolongation of property 272  
lines and curb lines or, in the absence of curbs, the edges of 273  
the traversable roadway; 274

(2) Any portion of a roadway at an intersection or 275  
elsewhere, distinctly indicated for pedestrian crossing by lines 276  
or other markings on the surface; 277

(3) Notwithstanding divisions (LL) (1) and (2) of this section, there shall not be a crosswalk where local authorities have placed signs indicating no crossing.

(MM) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all times.

(NN) "Business district" means the territory fronting upon a street or highway, including the street or highway, between successive intersections within municipal corporations where fifty per cent or more of the frontage between such successive intersections is occupied by buildings in use for business, or within or outside municipal corporations where fifty per cent or more of the frontage for a distance of three hundred feet or more is occupied by buildings in use for business, and the character of such territory is indicated by official traffic control devices.

(OO) "Residence district" means the territory, not comprising a business district, fronting on a street or highway, including the street or highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business.

(PP) "Urban district" means the territory contiguous to and including any street or highway which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for a distance of a quarter of a mile or more, and the character of such territory is indicated by official traffic control devices.

(QQ) "Traffic control device" means a flagger, sign,

signal, marking, or other device used to regulate, warn, or 307  
guide traffic, placed on, over, or adjacent to a street, 308  
highway, private road open to public travel, pedestrian 309  
facility, or shared-use path by authority of a public agency or 310  
official having jurisdiction, or, in the case of a private road 311  
open to public travel, by authority of the private owner or 312  
private official having jurisdiction. 313

(RR) "Traffic control signal" means any highway traffic 314  
signal by which traffic is alternately directed to stop and 315  
permitted to proceed. 316

(SS) "Railroad sign or signal" means any sign, signal, or 317  
device erected by authority of a public body or official or by a 318  
railroad and intended to give notice of the presence of railroad 319  
tracks or the approach of a railroad train. 320

(TT) "Traffic" means pedestrians, ridden or herded 321  
animals, vehicles, streetcars, trackless trolleys, and other 322  
devices, either singly or together, while using for purposes of 323  
travel any highway or private road open to public travel. 324

(UU) "Right-of-way" means either of the following, as the 325  
context requires: 326

(1) The right of a vehicle, streetcar, trackless trolley, 327  
or pedestrian to proceed uninterruptedly in a lawful manner in 328  
the direction in which it or the individual is moving in 329  
preference to another vehicle, streetcar, trackless trolley, or 330  
pedestrian approaching from a different direction into its or 331  
the individual's path; 332

(2) A general term denoting land, property, or the 333  
interest therein, usually in the configuration of a strip, 334  
acquired for or devoted to transportation purposes. When used in 335

this context, right-of-way includes the roadway, shoulders or 336  
berm, ditch, and slopes extending to the right-of-way limits 337  
under the control of the state or local authority. 338

(VV) "Rural mail delivery vehicle" means every vehicle 339  
used to deliver United States mail on a rural mail delivery 340  
route. 341

(WW) "Funeral escort vehicle" means any motor vehicle, 342  
including a funeral hearse, while used to facilitate the 343  
movement of a funeral procession. 344

(XX) "Alley" means a street or highway intended to provide 345  
access to the rear or side of lots or buildings in urban 346  
districts and not intended for the purpose of through vehicular 347  
traffic, and includes any street or highway that has been 348  
declared an "alley" by the legislative authority of the 349  
municipal corporation in which such street or highway is 350  
located. 351

(YY) "Freeway" means a divided multi-lane highway for 352  
through traffic with all crossroads separated in grade and with 353  
full control of access. 354

(ZZ) "Expressway" means a divided arterial highway for 355  
through traffic with full or partial control of access with an 356  
excess of fifty per cent of all crossroads separated in grade. 357

(AAA) "Thruway" means a through highway whose entire 358  
roadway is reserved for through traffic and on which roadway 359  
parking is prohibited. 360

(BBB) "Stop intersection" means any intersection at one or 361  
more entrances of which stop signs are erected. 362

(CCC) "Arterial street" means any United States or state 363

numbered route, controlled access highway, or other major radial 364  
or circumferential street or highway designated by local 365  
authorities within their respective jurisdictions as part of a 366  
major arterial system of streets or highways. 367

(DDD) "Ridesharing arrangement" means the transportation 368  
of persons in a motor vehicle where such transportation is 369  
incidental to another purpose of a volunteer driver and includes 370  
ridesharing arrangements known as carpools, vanpools, and 371  
buspools. 372

(EEE) "Motorized wheelchair" means any self-propelled 373  
vehicle designed for, and used by, a handicapped person and that 374  
is incapable of a speed in excess of eight miles per hour. 375

(FFF) "Child day-care center" and "type A family day-care 376  
home" have the same meanings as in section 5104.01 of the 377  
Revised Code. 378

(GGG) "Multi-wheel agricultural tractor" means a type of 379  
agricultural tractor that has two or more wheels or tires on 380  
each side of one axle at the rear of the tractor, is designed or 381  
used for drawing other vehicles or wheeled machinery, has no 382  
provision for carrying loads independently of the drawn vehicles 383  
or machinery, and is used principally for agricultural purposes. 384

(HHH) "Operate" means to cause or have caused movement of 385  
a vehicle, streetcar, or trackless trolley. 386

(III) "Predicate motor vehicle or traffic offense" means 387  
any of the following: 388

(1) A violation of section 4511.03, 4511.051, 4511.12, 389  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 390  
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 391  
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 392

4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 393  
4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 394  
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 395  
4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 396  
4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 397  
4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 398  
4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the 399  
Revised Code; 400

(2) A violation of division (A) (2) of section 4511.17, 401  
divisions (A) to (D) of section 4511.51, or division (A) of 402  
section 4511.74 of the Revised Code; 403

(3) A violation of any provision of sections 4511.01 to 404  
4511.76 of the Revised Code for which no penalty otherwise is 405  
provided in the section that contains the provision violated; 406

~~(4) Until January 1, 2017, a violation of a municipal 407  
ordinance that is substantially similar to any section or 408  
provision set forth or described in division (III) (1), (2), or 409  
(3) of this section; 410~~

~~(5) Effective January 1, 2017, a A violation of section 411  
4511.214 of the Revised Code; 412~~

~~(6) Effective January 1, 2017, a (5) A violation of a 413  
municipal ordinance that is substantially similar to any section 414  
or provision set forth or described in division (III) (1), (2), 415  
(3), or ~~(5)~~ (4) of this section. 416~~

(JJJ) "Road service vehicle" means wreckers, utility 417  
repair vehicles, and state, county, and municipal service 418  
vehicles equipped with visual signals by means of flashing, 419  
rotating, or oscillating lights. 420

(KKK) "Beacon" means a highway traffic signal with one or 421

more signal sections that operate in a flashing mode. 422

(LLL) "Hybrid beacon" means a type of beacon that is 423  
intentionally placed in a dark mode between periods of operation 424  
where no indications are displayed and, when in operation, 425  
displays both steady and flashing traffic control signal 426  
indications. 427

(MMM) "Highway traffic signal" means a power-operated 428  
traffic control device by which traffic is warned or directed to 429  
take some specific action. "Highway traffic signal" does not 430  
include a power-operated sign, steadily illuminated pavement 431  
marker, warning light, or steady burning electric lamp. 432

(NNN) "Median" means the area between two roadways of a 433  
divided highway, measured from edge of traveled way to edge of 434  
traveled way, but excluding turn lanes. The width of a median 435  
may be different between intersections, between interchanges, 436  
and at opposite approaches of the same intersection. 437

(OOO) "Private road open to public travel" means a private 438  
toll road or road, including any adjacent sidewalks that 439  
generally run parallel to the road, within a shopping center, 440  
airport, sports arena, or other similar business or recreation 441  
facility that is privately owned but where the public is allowed 442  
to travel without access restrictions. "Private road open to 443  
public travel" includes a gated toll road but does not include a 444  
road within a private gated property where access is restricted 445  
at all times, a parking area, a driving aisle within a parking 446  
area, or a private grade crossing. 447

(PPP) "Shared-use path" means a bikeway outside the 448  
traveled way and physically separated from motorized vehicular 449  
traffic by an open space or barrier and either within the 450



highway right-of-way or within an independent alignment. A 451  
shared-use path also may be used by pedestrians, including 452  
skaters, joggers, users of manual and motorized wheelchairs, and 453  
other authorized motorized and non-motorized users. 454

(QQQ) "Highway maintenance vehicle" means a vehicle used 455  
in snow and ice removal or road surface maintenance, including a 456  
snow plow, traffic line striper, road sweeper, mowing machine, 457  
asphalt distributing vehicle, or other such vehicle designed for 458  
use in specific highway maintenance activities. 459

(RRR) "Waste collection vehicle" means a vehicle used in 460  
the collection of garbage, refuse, trash, or recyclable 461  
materials. 462

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon 463  
approaching a stationary public safety vehicle, emergency 464  
vehicle, road service vehicle, waste collection vehicle, vehicle 465  
used by the public utilities commission to conduct motor vehicle 466  
inspections in accordance with sections 4923.04 and 4923.06 of 467  
the Revised Code, or a highway maintenance vehicle that is 468  
displaying the appropriate visual signals by means of flashing, 469  
oscillating, or rotating lights, as prescribed in section 470  
4513.17 of the Revised Code, shall do either of the following: 471

(1) If the driver of the motor vehicle is traveling on a 472  
highway that consists of at least two lanes that carry traffic 473  
in the same direction of travel as that of the driver's motor 474  
vehicle, the driver shall proceed with due caution and, if 475  
possible and with due regard to the road, weather, and traffic 476  
conditions, shall change lanes into a lane that is not adjacent 477  
to that of the stationary public safety vehicle, emergency 478  
vehicle, road service vehicle, waste collection vehicle, vehicle 479  
used by the public utilities commission to conduct motor vehicle 480

inspections in accordance with sections 4923.04 and 4923.06 of 481  
the Revised Code, or a highway maintenance vehicle. 482

(2) If the driver is not traveling on a highway of a type 483  
described in division (A)(1) of this section, or if the driver 484  
is traveling on a highway of that type but it is not possible to 485  
change lanes or if to do so would be unsafe, the driver shall 486  
proceed with due caution, reduce the speed of the motor vehicle, 487  
and maintain a safe speed for the road, weather, and traffic 488  
conditions. 489

(B) This section does not relieve the driver of a public 490  
safety vehicle, emergency vehicle, road service vehicle, waste 491  
collection vehicle, vehicle used by the public utilities 492  
commission to conduct motor vehicle inspections in accordance 493  
with sections 4923.04 and 4923.06 of the Revised Code, or a 494  
highway maintenance vehicle from the duty to drive with due 495  
regard for the safety of all persons and property upon the 496  
highway. 497

(C) No person shall fail to drive a motor vehicle in 498  
compliance with division (A)(1) or (2) of this section when so 499  
required by division (A) of this section. 500

(D)(1) Except as otherwise provided in this division, 501  
whoever violates this section is guilty of a minor misdemeanor. 502  
If, within one year of the offense, the offender previously has 503  
been convicted of or pleaded guilty to one predicate motor 504  
vehicle or traffic offense, whoever violates this section is 505  
guilty of a misdemeanor of the fourth degree. If, within one 506  
year of the offense, the offender previously has been convicted 507  
of two or more predicate motor vehicle or traffic offenses, 508  
whoever violates this section is guilty of a misdemeanor of the 509  
third degree. 510

(2) Notwithstanding section 2929.28 of the Revised Code, 511  
upon a finding that a person operated a motor vehicle in 512  
violation of division (C) of this section, the court, in 513  
addition to all other penalties provided by law, shall impose a 514  
fine of two times the usual amount imposed for the violation. 515

(E) The offense established under this section is a strict 516  
liability offense and section 2901.20 of the Revised Code does 517  
not apply. The designation of this offense as a strict liability 518  
offense shall not be construed to imply that any other offense, 519  
for which there is no specified degree of culpability, is not a 520  
strict liability offense. 521

**Sec. 4513.17.** (A) Whenever a motor vehicle equipped with 522  
headlights also is equipped with any auxiliary lights or 523  
spotlight or any other light on the front thereof projecting a 524  
beam of an intensity greater than three hundred candle power, 525  
not more than a total of five of any such lights on the front of 526  
a vehicle shall be lighted at any one time when the vehicle is 527  
upon a highway. 528

(B) Any lighted light or illuminating device upon a motor 529  
vehicle, other than headlights, spotlights, signal lights, or 530  
auxiliary driving lights, that projects a beam of light of an 531  
intensity greater than three hundred candle power, shall be so 532  
directed that no part of the beam will strike the level of the 533  
roadway on which the vehicle stands at a distance of more than 534  
seventy-five feet from the vehicle. 535

(C) (1) Flashing lights are prohibited on motor vehicles, 536  
except as a means for indicating a right or a left turn, or in 537  
the presence of a vehicular traffic hazard requiring unusual 538  
care in approaching, or overtaking or passing. This prohibition 539  
does not apply to emergency vehicles, road service vehicles 540

servicing or towing a disabled vehicle, stationary waste 541  
collection vehicles actively collecting garbage, refuse, trash, 542  
or recyclable materials on the roadside, rural mail delivery 543  
vehicles, vehicles as provided in section 4513.182 of the 544  
Revised Code, highway maintenance vehicles, funeral hearses, 545  
funeral escort vehicles, and similar equipment operated by the 546  
department or local authorities, which shall be equipped with 547  
and display, when used on a street or highway for the special 548  
purpose necessitating such lights, a flashing, oscillating, or 549  
rotating amber light, but shall not display a flashing, 550  
oscillating, or rotating light of any other color, nor to 551  
vehicles or machinery permitted by section 4513.11 of the 552  
Revised Code to have a flashing red light. 553

(2) When used on a street or highway, farm machinery and 554  
vehicles escorting farm machinery may be equipped with and 555  
display a flashing, oscillating, or rotating amber light, and 556  
the prohibition contained in division (C) (1) of this section 557  
does not apply to such machinery or vehicles. Farm machinery 558  
also may display the lights described in section 4513.11 of the 559  
Revised Code. 560

(D) Except a person operating a public safety vehicle, as 561  
defined in division (E) of section 4511.01 of the Revised Code, 562  
or a school bus, no person shall operate, move, or park upon, or 563  
permit to stand within the right-of-way of any public street or 564  
highway any vehicle or equipment that is equipped with and 565  
displaying a flashing red or a flashing combination red and 566  
white light, or an oscillating or rotating red light, or a 567  
combination red and white oscillating or rotating light; and 568  
except a public law enforcement officer, or other person sworn 569  
to enforce the criminal and traffic laws of the state, operating 570  
a public safety vehicle when on duty, no person shall operate, 571

move, or park upon, or permit to stand within the right-of-way 572  
of any street or highway any vehicle or equipment that is 573  
equipped with, or upon which is mounted, and displaying a 574  
flashing blue or a flashing combination blue and white light, or 575  
an oscillating or rotating blue light, or a combination blue and 576  
white oscillating or rotating light. 577

(E) This section does not prohibit the use of warning 578  
lights required by law or the simultaneous flashing of turn 579  
signals on disabled vehicles or on vehicles being operated in 580  
unfavorable atmospheric conditions in order to enhance their 581  
visibility. This section also does not prohibit the simultaneous 582  
flashing of turn signals or warning lights either on farm 583  
machinery or vehicles escorting farm machinery, when used on a 584  
street or highway. 585

(F) Whoever violates this section is guilty of a minor 586  
misdemeanor. 587

**Section 2.** That existing sections 4511.01, 4511.213, and 588  
4513.17 of the Revised Code are hereby repealed. 589