

Sub. H.B. 119
L-133-0058-3

Topic: Adds (1) failure to control and (2) passing a stopped school bus to distracted driving law

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "4511.202,"; 1
after "4511.205," insert "4511.75," 2

In line 4 of the title, after "law" insert "and to add the 3
offenses of failure to control and passing a stopped school bus to 4
the distracted driving law" 5

In line 5, after "sections" insert "4511.202,"; after 6
"4511.205," insert "4511.75," 7

After line 6, insert: 8

"**Sec. 4511.202.** (A) No person shall operate a motor vehicle, 9
trackless trolley, streetcar, agricultural tractor, or 10
agricultural tractor that is towing, pulling, or otherwise drawing 11
a unit of farm machinery on any street, highway, or property open 12
to the public for vehicular traffic without being in reasonable 13
control of the vehicle, trolley, streetcar, agricultural tractor, 14
or unit of farm machinery. 15

(B) Whoever violates this section is guilty of operating a 16
motor vehicle or agricultural tractor without being in control of 17
it, a minor misdemeanor. 18

(C) If the offender commits the offense while distracted and 19
the distracting activity is a contributing factor to the 20
commission of the offense, the offender is subject to the 21
additional fine established under section 4511.991 of the Revised 22
Code." 23

After line 147, insert: 24

"**Sec. 4511.75.** (A) The driver of a vehicle, streetcar, or 25
 trackless trolley upon meeting or overtaking from either direction 26
 any school bus stopped for the purpose of receiving or discharging 27
 any school child, person attending programs offered by community 28
 boards of mental health and county boards of developmental 29
 disabilities, or child attending a program offered by a head start 30
 agency, shall stop at least ten feet from the front or rear of the 31
 school bus and shall not proceed until such school bus resumes 32
 motion, or until signaled by the school bus driver to proceed. 33

It is no defense to a charge under this division that the 34
 school bus involved failed to display or be equipped with an 35
 automatically extended stop warning sign as required by division 36
 (B) of this section. 37

(B) Every school bus shall be equipped with amber and red 38
 visual signals meeting the requirements of section 4511.771 of the 39
 Revised Code, and an automatically extended stop warning sign of a 40
 type approved by the state board of education, which shall be 41
 actuated by the driver of the bus whenever but only whenever the 42
 bus is stopped or stopping on the roadway for the purpose of 43
 receiving or discharging school children, persons attending 44
 programs offered by community boards of mental health and county 45
 boards of developmental disabilities, or children attending 46
 programs offered by head start agencies. A school bus driver shall 47

not actuate the visual signals or the stop warning sign in 48
designated school bus loading areas where the bus is entirely off 49
the roadway or at school buildings when children or persons 50
attending programs offered by community boards of mental health 51
and county boards of developmental disabilities are loading or 52
unloading at curbside or at buildings when children attending 53
programs offered by head start agencies are loading or unloading 54
at curbside. The visual signals and stop warning sign shall be 55
synchronized or otherwise operated as required by rule of the 56
board. 57

(C) Where a highway has been divided into four or more 58
traffic lanes, a driver of a vehicle, streetcar, or trackless 59
trolley need not stop for a school bus approaching from the 60
opposite direction which has stopped for the purpose of receiving 61
or discharging any school child, persons attending programs 62
offered by community boards of mental health and county boards of 63
developmental disabilities, or children attending programs offered 64
by head start agencies. The driver of any vehicle, streetcar, or 65
trackless trolley overtaking the school bus shall comply with 66
division (A) of this section. 67

(D) School buses operating on divided highways or on highways 68
with four or more traffic lanes shall receive and discharge all 69
school children, persons attending programs offered by community 70
boards of mental health and county boards of developmental 71
disabilities, and children attending programs offered by head 72
start agencies on their residence side of the highway. 73

(E) No school bus driver shall start the driver's bus until 74
after any child, person attending programs offered by community 75
boards of mental health and county boards of developmental 76
disabilities, or child attending a program offered by a head start 77

agency who may have alighted therefrom has reached a place of 78
safety on the child's or person's residence side of the road. 79

(F)(1) Whoever violates division (A) of this section may be 80
fined an amount not to exceed five hundred dollars. A person who 81
is issued a citation for a violation of division (A) of this 82
section is not permitted to enter a written plea of guilty and 83
waive the person's right to contest the citation in a trial but 84
instead must appear in person in the proper court to answer the 85
charge. 86

(2) In addition to and independent of any other penalty 87
provided by law, the court or mayor may impose upon an offender 88
who violates this section a class seven suspension of the 89
offender's driver's license, commercial driver's license, 90
temporary instruction permit, probationary license, or nonresident 91
operating privilege from the range specified in division (A)(7) of 92
section 4510.02 of the Revised Code. When a license is suspended 93
under this section, the court or mayor shall cause the offender to 94
deliver the license to the court, and the court or clerk of the 95
court immediately shall forward the license to the registrar of 96
motor vehicles, together with notice of the court's action. 97

(3) If the offender commits the offense while distracted and 98
the distracting activity is a contributing factor to the 99
commission of the offense, the offender is subject to the 100
additional fine established under section 4511.991 of the Revised 101
Code. 102

(G) As used in this section: 103

(1) "Head start agency" has the same meaning as in section 104
3301.32 of the Revised Code. 105

(2) "School bus," as used in relation to children who attend 106

a program offered by a head start agency, means a bus that is 107
 owned and operated by a head start agency, is equipped with an 108
 automatically extended stop warning sign of a type approved by the 109
 state board of education, is painted the color and displays the 110
 markings described in section 4511.77 of the Revised Code, and is 111
 equipped with amber and red visual signals meeting the 112
 requirements of section 4511.771 of the Revised Code, irrespective 113
 of whether or not the bus has fifteen or more children aboard at 114
 any time. "School bus" does not include a van owned and operated 115
 by a head start agency, irrespective of its color, lights, or 116
 markings." 117

In line 185, after "4511.132," insert "4511.202," 118

In line 191, strike through "or" 119

In line 192, after "4511.73" insert ", or 4511.75" 120

In line 240, after "sections" insert "4511.202, "; after 121
 "4511.205," insert "4511.75," 122

The motion was _____ agreed to.