A BILL

To amend section 4511.44 and to enact section 4511.433 of the Revised Code to require drivers to yield the right of way to any other vehicle that is parking in or exiting an angled or parallel parking space on a public road.

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

Section 1. That section 4511.44 be amended and section 4511.433 of the Revised Code be enacted to read as follows:

Sec. 4511.433. (A) As used in this section:

(1) "Angled parking space" means a space on a public road that is marked or signed for angled parking that is not parallel to a curb or an edge of that road.

(2) "Parallel park" means to park parallel or approximately parallel to a curb or an edge of a public road in the direction of authorized traffic movement.

(3) "Parallel parking space" means a space on a public road that is marked or signed for parallel parking, or a space where parallel parking is otherwise authorized on a public road.

(4) "Public road" means all public highways, roads, and
streets in the state, whether maintained by a state agency or any other governmental agency.

(B) No operator of a motor vehicle shall fail to yield the right-of-way to any other vehicle whose operator is both complying with section 4511.38 of the Revised Code and is attempting to do either of the following:

(1) Lawfully parallel park in or exit a parallel parking space;

(2) Lawfully park in or exit an angled parking space.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(D) The offense established by this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or trackless trolley about to enter or cross a highway from any place other than another roadway shall yield the right of way to all traffic approaching on the roadway to be entered or crossed.
(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

(C) Division (A) of this section does not apply to a person who is operating a motor vehicle in the manner described in divisions (B)(1) and (2) of section 4511.433 of the Revised Code.

Section 2. That existing section 4511.44 of the Revised Code is hereby repealed.