

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**

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~~

~~(2) Effective January 1, 2017, "motorized~~ "Motorized 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

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| 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 |

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| 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