

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 148**

**Representative Brinkman**

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**A BILL**

To amend section 4511.44 and to enact section 1  
4511.433 of the Revised Code to require drivers 2  
to yield the right of way to any other vehicle 3  
that is parking in or exiting an angled or 4  
parallel parking space on a public road. 5

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

**Section 1.** That section 4511.44 be amended and section 6  
4511.433 of the Revised Code be enacted to read as follows: 7

**Sec. 4511.433.** (A) As used in this section: 8

(1) "Angled parking space" means a space on a public road 9  
that is marked or signed for angled parking that is not parallel 10  
to a curb or an edge of that road. 11

(2) "Parallel park" means to park parallel or 12  
approximately parallel to a curb or an edge of a public road in 13  
the direction of authorized traffic movement. 14

(3) "Parallel parking space" means a space on a public 15  
road that is marked or signed for parallel parking, or a space 16  
where parallel parking is otherwise authorized on a public road. 17

(4) "Public road" means all public highways, roads, and 18

streets in the state, whether maintained by a state agency or 19  
any other governmental agency. 20

(B) No operator of a motor vehicle shall fail to yield the 21  
right-of-way to any other vehicle whose operator is both 22  
complying with section 4511.38 of the Revised Code and is 23  
attempting to do either of the following: 24

(1) Lawfully parallel park in or exit a parallel parking 25  
space; 26

(2) Lawfully park in or exit an angled parking space. 27

(C) Except as otherwise provided in this division, whoever 28  
violates this section is guilty of a minor misdemeanor. If, 29  
within one year of the offense, the offender previously has been 30  
convicted of or pleaded guilty to one predicate motor vehicle or 31  
traffic offense, whoever violates this section is guilty of a 32  
misdemeanor of the fourth degree. If, within one year of the 33  
offense, the offender previously has been convicted of two or 34  
more predicate motor vehicle or traffic offenses, whoever 35  
violates this section is guilty of a misdemeanor of the third 36  
degree. 37

(D) The offense established by this section is a strict 38  
liability offense and section 2901.20 of the Revised Code does 39  
not apply. The designation of this offense as a strict liability 40  
offense shall not be construed to imply that any other offense, 41  
for which there is no specified degree of culpability, is not a 42  
strict liability offense. 43

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or 44  
trackless trolley about to enter or cross a highway from any 45  
place other than another roadway shall yield the right of way to 46  
all traffic approaching on the roadway to be entered or crossed. 47

(B) Except as otherwise provided in this division, whoever 48  
violates this section is guilty of a minor misdemeanor. If, 49  
within one year of the offense, the offender previously has been 50  
convicted of or pleaded guilty to one predicate motor vehicle or 51  
traffic offense, whoever violates this section is guilty of a 52  
misdemeanor of the fourth degree. If, within one year of the 53  
offense, the offender previously has been convicted of two or 54  
more predicate motor vehicle or traffic offenses, whoever 55  
violates this section is guilty of a misdemeanor of the third 56  
degree. 57

If the offender commits the offense while distracted and 58  
the distracting activity is a contributing factor to the 59  
commission of the offense, the offender is subject to the 60  
additional fine established under section 4511.991 of the 61  
Revised Code. 62

(C) Division (A) of this section does not apply to a 63  
person who is operating a motor vehicle in the manner described 64  
in divisions (B)(1) and (2) of section 4511.433 of the Revised 65  
Code. 66

**Section 2.** That existing section 4511.44 of the Revised 67  
Code is hereby repealed. 68