

As Introduced

**127th General Assembly
Regular Session
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S. B. No. 129

Senator Schuler

Cosponsors: Senators Gardner, Spada

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A B I L L

To enact section 4513.66 of the Revised Code to 1
permit local law enforcement agencies and fire 2
departments to remove motor vehicles from the 3
roadway after a motor vehicle accident and to 4
provide immunity to local law enforcement agencies 5
and fire personnel for the removal of damaged or 6
inoperable vehicles from roadways. 7

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

Section 1. That section 4513.66 of the Revised Code be 8
enacted to read as follows: 9

Sec. 4513.66. (A) If a motor vehicle accident occurs on any 10
highway, public street, or other property open to the public for 11
purposes of vehicular travel and if any motor vehicle, cargo, or 12
personal property that has been damaged or spilled as a result of 13
the motor vehicle accident is blocking the highway, street, or 14
other property or is otherwise endangering public safety, the 15
sheriff of the county, or the chief of police of the municipal 16
corporation, township, or township police district, in which the 17
accident occurred, a state highway patrol trooper, or the chief of 18
the fire department having jurisdiction where the accident 19
occurred may, without consent of the owner but with the approval 20

of the law enforcement agency conducting any investigation of the 21
accident, remove the motor vehicle, cargo, or personal property 22
from the portion of the highway, public street, or property 23
ordinarily used for vehicular travel on the highway, public 24
street, or other property open to the public for purposes of 25
vehicular travel. 26

(B)(1) Except as provided in division (B)(2) or (3) of this 27
section, no sheriff , deputy sheriff, chief of police or police 28
officer of a municipal corporation, township, or township police 29
district, state highway patrol trooper, chief of a fire 30
department, or fire fighter who authorizes or participates in the 31
removal of any motor vehicle, cargo, or personal property as 32
authorized by division (A) of this section is liable in civil 33
damages for any injury, death, or loss to person or property that 34
results from the removal of that motor vehicle, cargo, or personal 35
property. 36

(2) Division (B)(1) of this section does not apply to any 37
person involved in the removal of a motor vehicle, cargo, or 38
personal property pursuant to division (A) of this section if that 39
removal causes or contributes to the release of a hazardous 40
material or to structural damage to the roadway. 41

(3) Division (B)(1) of this section does not apply to a 42
private tow truck operator or towing company. 43

(C) As used in this section, "hazardous material" has the 44
same meaning as in section 2305.232 of the Revised Code. 45