

AN ACT

To enact section 4511.714 of the Revised Code to prohibit the operation of a motor vehicle on or onto any location that is temporarily covered by a rise in water level, to impose on an offender a financial sanction of up to \$2,000 for the cost of the person's rescue, payable to the person's rescuer, and to designate this act the "Allan H. Anderson, Jr. Act."

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 4511.714 of the Revised Code be enacted to read as follows:

Sec. 4511.714. (A) No person shall operate a vehicle on or onto a public street or highway that is temporarily covered by a rise in water level, including groundwater or an overflow of water, and that is clearly marked by a sign that specifies that the road is closed due to the rise in water level and that any person who uses the closed portion of the road may be fined up to two thousand dollars.

(B) A person who is issued a citation for a violation of division (A) of this section is not permitted to enter a written plea of guilty and waive the person's right to contest the citation in court, but instead must appear in person in the proper court to answer the charge.

(C)(1) Whoever violates division (A) of this section is guilty of a minor misdemeanor.

(2) In addition to the financial sanctions authorized or required under section 2929.28 of the Revised Code and to any costs otherwise authorized or required under any provision of law, the court imposing the sentence upon an offender who is convicted of or pleads guilty to a violation of division (A) of this section shall order the offender to reimburse one or more rescuers for the cost any such rescuer incurred in rescuing the person, excluding any cost of transporting the rescued person to a hospital or other facility for treatment of injuries, up to a cumulative maximum of two thousand dollars. If more than one rescuer was involved in the emergency

response, the court shall allocate the reimbursement proportionately, according to the cost each rescuer incurred. A financial sanction imposed under this section is a judgment in favor of the rescuer and, subject to a determination of indigency under division (B) of section 2929.28 of the Revised Code, a rescuer may collect the financial sanction in the same manner as provided in section 2929.28 of the Revised Code.

(D) As used in this section:

(1) "Emergency medical service organization," "firefighting agency," and "private fire company" have the same meanings as in section 9.60 of the Revised Code.

(2) "Rescuer" means a state agency, political subdivision, firefighting agency, private fire company, or emergency medical service organization.

Section 2. This act shall be known as the "Allan H. Anderson, Jr. Act."

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Am. S. B. No. 106

130th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____