

**As Reported by the House Transportation, Public Safety, and  
Homeland Security Committee**

**130th General Assembly  
Regular Session  
2013-2014**

**Am. S. B. No. 137**

**Senator Patton**

**Cosponsors: Senators Gardner, Balderson, Manning, Beagle, Brown,  
Eklund, Hughes, Kearney, LaRose, Oelslager, Schiavoni, Smith, Tavares,  
Turner, Widener**

**Representative Ruhl**

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**A B I L L**

To amend sections 4511.01, 4511.04, 4511.213, and 1  
4513.17 to require motor vehicle operators to take 2  
certain actions upon approaching a highway 3  
maintenance vehicle, or a stationary vehicle used 4  
by the Public Utilities Commission to conduct 5  
motor vehicle inspections, to repeal the version 6  
of section 4511.01 of the Revised Code that is 7  
scheduled to take effect on January 1, 2017, and 8  
to declare an emergency. 9

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

**Section 1.** That sections 4511.01, 4511.04, 4511.213, and 10  
4513.17 of the Revised Code be amended to read as follows: 11

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. of 12  
the Revised Code: 13

(A) "Vehicle" means every device, including a motorized 14  
bicycle, in, upon, or by which any person or property may be 15

transported or drawn upon a highway, except that "vehicle" does 16  
not include any motorized wheelchair, any electric personal 17  
assistive mobility device, any device that is moved by power 18  
collected from overhead electric trolley wires or that is used 19  
exclusively upon stationary rails or tracks, or any device, other 20  
than a bicycle, that is moved by human power. 21

(B) "Motor vehicle" means every vehicle propelled or drawn by 22  
power other than muscular power or power collected from overhead 23  
electric trolley wires, except motorized bicycles, road rollers, 24  
traction engines, power shovels, power cranes, and other equipment 25  
used in construction work and not designed for or employed in 26  
general highway transportation, hole-digging machinery, 27  
well-drilling machinery, ditch-digging machinery, farm machinery, 28  
and trailers designed and used exclusively to transport a boat 29  
between a place of storage and a marina, or in and around a 30  
marina, when drawn or towed on a street or highway for a distance 31  
of no more than ten miles and at a speed of twenty-five miles per 32  
hour or less. 33

(C)(1) Until January 1, 2017, "Motorcycle motorcycle" means 34  
every motor vehicle, other than a tractor, having a seat or saddle 35  
for the use of the operator and designed to travel on not more 36  
than three wheels in contact with the ground, including, but not 37  
limited to, motor vehicles known as "motor-driven cycle," "motor 38  
scooter," or "motorcycle" without regard to weight or brake 39  
horsepower. 40

(2) Effective January 1, 2017, "motorcycle" means every motor 41  
vehicle, other than a tractor, having a seat or saddle for the use 42  
of the operator and designed to travel on not more than three 43  
wheels in contact with the ground, including, but not limited to, 44  
motor vehicles known as "motor-driven cycle," "motor scooter," 45  
"cab-enclosed motorcycle," or "motorcycle" without regard to 46  
weight or brake horsepower. 47

(D) "Emergency vehicle" means emergency vehicles of 48  
municipal, township, or county departments or public utility 49  
corporations when identified as such as required by law, the 50  
director of public safety, or local authorities, and motor 51  
vehicles when commandeered by a police officer. 52

(E) "Public safety vehicle" means any of the following: 53

(1) Ambulances, including private ambulance companies under 54  
contract to a municipal corporation, township, or county, and 55  
private ambulances and nontransport vehicles bearing license 56  
plates issued under section 4503.49 of the Revised Code; 57

(2) Motor vehicles used by public law enforcement officers or 58  
other persons sworn to enforce the criminal and traffic laws of 59  
the state; 60

(3) Any motor vehicle when properly identified as required by 61  
the director of public safety, when used in response to fire 62  
emergency calls or to provide emergency medical service to ill or 63  
injured persons, and when operated by a duly qualified person who 64  
is a member of a volunteer rescue service or a volunteer fire 65  
department, and who is on duty pursuant to the rules or directives 66  
of that service. The state fire marshal shall be designated by the 67  
director of public safety as the certifying agency for all public 68  
safety vehicles described in division (E)(3) of this section. 69

(4) Vehicles used by fire departments, including motor 70  
vehicles when used by volunteer fire fighters responding to 71  
emergency calls in the fire department service when identified as 72  
required by the director of public safety. 73

Any vehicle used to transport or provide emergency medical 74  
service to an ill or injured person, when certified as a public 75  
safety vehicle, shall be considered a public safety vehicle when 76  
transporting an ill or injured person to a hospital regardless of 77  
whether such vehicle has already passed a hospital. 78

(5) Vehicles used by the motor carrier enforcement unit for 79  
the enforcement of orders and rules of the public utilities 80  
commission as specified in section 5503.34 of the Revised Code. 81

(F) "School bus" means every bus designed for carrying more 82  
than nine passengers that is owned by a public, private, or 83  
governmental agency or institution of learning and operated for 84  
the transportation of children to or from a school session or a 85  
school function, or owned by a private person and operated for 86  
compensation for the transportation of children to or from a 87  
school session or a school function, provided "school bus" does 88  
not include a bus operated by a municipally owned transportation 89  
system, a mass transit company operating exclusively within the 90  
territorial limits of a municipal corporation, or within such 91  
limits and the territorial limits of municipal corporations 92  
immediately contiguous to such municipal corporation, nor a common 93  
passenger carrier certified by the public utilities commission 94  
unless such bus is devoted exclusively to the transportation of 95  
children to and from a school session or a school function, and 96  
"school bus" does not include a van or bus used by a licensed 97  
child day-care center or type A family day-care home to transport 98  
children from the child day-care center or type A family day-care 99  
home to a school if the van or bus does not have more than fifteen 100  
children in the van or bus at any time. 101

(G) "Bicycle" means every device, other than a device that is 102  
designed solely for use as a play vehicle by a child, that is 103  
propelled solely by human power upon which a person may ride, and 104  
that has two or more wheels, any of which is more than fourteen 105  
inches in diameter. 106

(H)(1) Until January 1, 2017, "Motorized motorized bicycle" 107  
means any vehicle having either two tandem wheels or one wheel in 108  
the front and two wheels in the rear, that is capable of being 109  
pedaled and is equipped with a helper motor of not more than fifty 110

cubic centimeters piston displacement that produces no more than 111  
one brake horsepower and is capable of propelling the vehicle at a 112  
speed of no greater than twenty miles per hour on a level surface. 113

(2) Effective January 1, 2017, "motorized bicycle" or "moped" 114  
means any vehicle having either two tandem wheels or one wheel in 115  
the front and two wheels in the rear, that may be pedaled, and 116  
that is equipped with a helper motor of not more than fifty cubic 117  
centimeters piston displacement that produces not more than one 118  
brake horsepower and is capable of propelling the vehicle at a 119  
speed of not greater than twenty miles per hour on a level 120  
surface. 121

(I) "Commercial tractor" means every motor vehicle having 122  
motive power designed or used for drawing other vehicles and not 123  
so constructed as to carry any load thereon, or designed or used 124  
for drawing other vehicles while carrying a portion of such other 125  
vehicles, or load thereon, or both. 126

(J) "Agricultural tractor" means every self-propelling 127  
vehicle designed or used for drawing other vehicles or wheeled 128  
machinery but having no provision for carrying loads independently 129  
of such other vehicles, and used principally for agricultural 130  
purposes. 131

(K) "Truck" means every motor vehicle, except trailers and 132  
semitrailers, designed and used to carry property. 133

(L) "Bus" means every motor vehicle designed for carrying 134  
more than nine passengers and used for the transportation of 135  
persons other than in a ridesharing arrangement, and every motor 136  
vehicle, automobile for hire, or funeral car, other than a taxicab 137  
or motor vehicle used in a ridesharing arrangement, designed and 138  
used for the transportation of persons for compensation. 139

(M) "Trailer" means every vehicle designed or used for 140  
carrying persons or property wholly on its own structure and for 141

being drawn by a motor vehicle, including any such vehicle when 142  
formed by or operated as a combination of a "semitrailer" and a 143  
vehicle of the dolly type, such as that commonly known as a 144  
"trailer dolly," a vehicle used to transport agricultural produce 145  
or agricultural production materials between a local place of 146  
storage or supply and the farm when drawn or towed on a street or 147  
highway at a speed greater than twenty-five miles per hour, and a 148  
vehicle designed and used exclusively to transport a boat between 149  
a place of storage and a marina, or in and around a marina, when 150  
drawn or towed on a street or highway for a distance of more than 151  
ten miles or at a speed of more than twenty-five miles per hour. 152

(N) "Semitrailer" means every vehicle designed or used for 153  
carrying persons or property with another and separate motor 154  
vehicle so that in operation a part of its own weight or that of 155  
its load, or both, rests upon and is carried by another vehicle. 156

(O) "Pole trailer" means every trailer or semitrailer 157  
attached to the towing vehicle by means of a reach, pole, or by 158  
being boomed or otherwise secured to the towing vehicle, and 159  
ordinarily used for transporting long or irregular shaped loads 160  
such as poles, pipes, or structural members capable, generally, of 161  
sustaining themselves as beams between the supporting connections. 162

(P) "Railroad" means a carrier of persons or property 163  
operating upon rails placed principally on a private right-of-way. 164

(Q) "Railroad train" means a steam engine or an electric or 165  
other motor, with or without cars coupled thereto, operated by a 166  
railroad. 167

(R) "Streetcar" means a car, other than a railroad train, for 168  
transporting persons or property, operated upon rails principally 169  
within a street or highway. 170

(S) "Trackless trolley" means every car that collects its 171  
power from overhead electric trolley wires and that is not 172

operated upon rails or tracks. 173

(T) "Explosives" means any chemical compound or mechanical 174  
mixture that is intended for the purpose of producing an explosion 175  
that contains any oxidizing and combustible units or other 176  
ingredients in such proportions, quantities, or packing that an 177  
ignition by fire, by friction, by concussion, by percussion, or by 178  
a detonator of any part of the compound or mixture may cause such 179  
a sudden generation of highly heated gases that the resultant 180  
gaseous pressures are capable of producing destructive effects on 181  
contiguous objects, or of destroying life or limb. Manufactured 182  
articles shall not be held to be explosives when the individual 183  
units contain explosives in such limited quantities, of such 184  
nature, or in such packing, that it is impossible to procure a 185  
simultaneous or a destructive explosion of such units, to the 186  
injury of life, limb, or property by fire, by friction, by 187  
concussion, by percussion, or by a detonator, such as fixed 188  
ammunition for small arms, firecrackers, or safety fuse matches. 189

(U) "Flammable liquid" means any liquid that has a flash 190  
point of seventy degrees fahrenheit, or less, as determined by a 191  
tagliabue or equivalent closed cup test device. 192

(V) "Gross weight" means the weight of a vehicle plus the 193  
weight of any load thereon. 194

(W) "Person" means every natural person, firm, 195  
co-partnership, association, or corporation. 196

(X) "Pedestrian" means any natural person afoot. 197

(Y) "Driver or operator" means every person who drives or is 198  
in actual physical control of a vehicle, trackless trolley, or 199  
streetcar. 200

(Z) "Police officer" means every officer authorized to direct 201  
or regulate traffic, or to make arrests for violations of traffic 202  
regulations. 203

(AA) "Local authorities" means every county, municipal, and	204
other local board or body having authority to adopt police	205
regulations under the constitution and laws of this state.	206
(BB) "Street" or "highway" means the entire width between the	207
boundary lines of every way open to the use of the public as a	208
thoroughfare for purposes of vehicular travel.	209
(CC) "Controlled-access highway" means every street or	210
highway in respect to which owners or occupants of abutting lands	211
and other persons have no legal right of access to or from the	212
same except at such points only and in such manner as may be	213
determined by the public authority having jurisdiction over such	214
street or highway.	215
(DD) "Private road or driveway" means every way or place in	216
private ownership used for vehicular travel by the owner and those	217
having express or implied permission from the owner but not by	218
other persons.	219
(EE) "Roadway" means that portion of a highway improved,	220
designed, or ordinarily used for vehicular travel, except the berm	221
or shoulder. If a highway includes two or more separate roadways	222
the term "roadway" means any such roadway separately but not all	223
such roadways collectively.	224
(FF) "Sidewalk" means that portion of a street between the	225
curb lines, or the lateral lines of a roadway, and the adjacent	226
property lines, intended for the use of pedestrians.	227
(GG) "Laned highway" means a highway the roadway of which is	228
divided into two or more clearly marked lanes for vehicular	229
traffic.	230
(HH) "Through highway" means every street or highway as	231
provided in section 4511.65 of the Revised Code.	232
(II) "State highway" means a highway under the jurisdiction	233

of the department of transportation, outside the limits of 234  
municipal corporations, provided that the authority conferred upon 235  
the director of transportation in section 5511.01 of the Revised 236  
Code to erect state highway route markers and signs directing 237  
traffic shall not be modified by sections 4511.01 to 4511.79 and 238  
4511.99 of the Revised Code. 239

(JJ) "State route" means every highway that is designated 240  
with an official state route number and so marked. 241

(KK) "Intersection" means: 242

(1) The area embraced within the prolongation or connection 243  
of the lateral curb lines, or, if none, the lateral boundary lines 244  
of the roadways of two highways that join one another at, or 245  
approximately at, right angles, or the area within which vehicles 246  
traveling upon different highways that join at any other angle 247  
might come into conflict. The junction of an alley or driveway 248  
with a roadway or highway does not constitute an intersection 249  
unless the roadway or highway at the junction is controlled by a 250  
traffic control device. 251

(2) If a highway includes two roadways that are thirty feet 252  
or more apart, then every crossing of each roadway of such divided 253  
highway by an intersecting highway constitutes a separate 254  
intersection. If both intersecting highways include two roadways 255  
thirty feet or more apart, then every crossing of any two roadways 256  
of such highways constitutes a separate intersection. 257

(3) At a location controlled by a traffic control signal, 258  
regardless of the distance between the separate intersections as 259  
described in division (KK)(2) of this section: 260

(a) If a stop line, yield line, or crosswalk has not been 261  
designated on the roadway within the median between the separate 262  
intersections, the two intersections and the roadway and median 263  
constitute one intersection. 264

(b) Where a stop line, yield line, or crosswalk line is 265  
designated on the roadway on the intersection approach, the area 266  
within the crosswalk and any area beyond the designated stop line 267  
or yield line constitute part of the intersection. 268

(c) Where a crosswalk is designated on a roadway on the 269  
departure from the intersection, the intersection includes the 270  
area that extends to the far side of the crosswalk. 271

(LL) "Crosswalk" means: 272

(1) That part of a roadway at intersections ordinarily 273  
included within the real or projected prolongation of property 274  
lines and curb lines or, in the absence of curbs, the edges of the 275  
traversable roadway; 276

(2) Any portion of a roadway at an intersection or elsewhere, 277  
distinctly indicated for pedestrian crossing by lines or other 278  
markings on the surface; 279

(3) Notwithstanding divisions (LL)(1) and (2) of this 280  
section, there shall not be a crosswalk where local authorities 281  
have placed signs indicating no crossing. 282

(MM) "Safety zone" means the area or space officially set 283  
apart within a roadway for the exclusive use of pedestrians and 284  
protected or marked or indicated by adequate signs as to be 285  
plainly visible at all times. 286

(NN) "Business district" means the territory fronting upon a 287  
street or highway, including the street or highway, between 288  
successive intersections within municipal corporations where fifty 289  
per cent or more of the frontage between such successive 290  
intersections is occupied by buildings in use for business, or 291  
within or outside municipal corporations where fifty per cent or 292  
more of the frontage for a distance of three hundred feet or more 293  
is occupied by buildings in use for business, and the character of 294  
such territory is indicated by official traffic control devices. 295

(OO) "Residence district" means the territory, not comprising 296  
a business district, fronting on a street or highway, including 297  
the street or highway, where, for a distance of three hundred feet 298  
or more, the frontage is improved with residences or residences 299  
and buildings in use for business. 300

(PP) "Urban district" means the territory contiguous to and 301  
including any street or highway which is built up with structures 302  
devoted to business, industry, or dwelling houses situated at 303  
intervals of less than one hundred feet for a distance of a 304  
quarter of a mile or more, and the character of such territory is 305  
indicated by official traffic control devices. 306

(QQ) "Traffic control device" means a flagger, sign, signal, 307  
marking, or other device used to regulate, warn, or guide traffic, 308  
placed on, over, or adjacent to a street, highway, private road 309  
open to public travel, pedestrian facility, or shared-use path by 310  
authority of a public agency or official having jurisdiction, or, 311  
in the case of a private road open to public travel, by authority 312  
of the private owner or 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 animals, 321  
vehicles, streetcars, trackless trolleys, and other devices, 322  
either singly or together, while using for purposes of travel any 323  
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, or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle, streetcar, trackless trolley, or pedestrian approaching from a different direction into its or the individual's path;

(2) A general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.

(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.

(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.

(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.

(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.

(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is

prohibited.	358
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	359 360
(CCC) "Arterial street" means any United States or state numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	361 362 363 364 365
(DDD) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where such transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.	366 367 368 369
(EEE) "Motorized wheelchair" means any self-propelled vehicle designed for, and used by, a handicapped person and that is incapable of a speed in excess of eight miles per hour.	370 371 372
(FFF) "Child day-care center" and "type A family day-care home" have the same meanings as in section 5104.01 of the Revised Code.	373 374 375
(GGG) "Multi-wheel agricultural tractor" means a type of agricultural tractor that has two or more wheels or tires on each side of one axle at the rear of the tractor, is designed or used for drawing other vehicles or wheeled machinery, has no provision for carrying loads independently of the drawn vehicles or machinery, and is used principally for agricultural purposes.	376 377 378 379 380 381
(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	382 383
(III) "Predicate motor vehicle or traffic offense" means any of the following:	384 385
(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213,	386 387

4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29,	388
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36,	389
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43,	390
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452,	391
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511,	392
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59,	393
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70,	394
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73,	395
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;	396
(2) A violation of division (A)(2) of section 4511.17,	397
divisions (A) to (D) of section 4511.51, or division (A) of	398
section 4511.74 of the Revised Code;	399
(3) A violation of any provision of sections 4511.01 to	400
4511.76 of the Revised Code for which no penalty otherwise is	401
provided in the section that contains the provision violated;	402
(4) <del>A</del> <u>Until January 1, 2017, a violation of a municipal</u>	403
ordinance that is substantially similar to any section or	404
provision set forth or described in division (III)(1), (2), or (3)	405
of this section;	406
<u>(5) Effective January 1, 2017, a violation of section</u>	407
<u>4511.214 of the Revised Code;</u>	408
<u>(6) Effective January 1, 2017, a violation of a municipal</u>	409
<u>ordinance that is substantially similar to any section or</u>	410
<u>provision set forth or described in division (III) (1), (2), (3),</u>	411
<u>or (5) of this section.</u>	412
(JJJ) "Road service vehicle" means wreckers, utility repair	413
vehicles, and state, county, and municipal service vehicles	414
equipped with visual signals by means of flashing, rotating, or	415
oscillating lights.	416
(KKK) "Beacon" means a highway traffic signal with one or	417
more signal sections that operate in a flashing mode.	418

(LLL) "Hybrid beacon" means a type of beacon that is 419  
intentionally placed in a dark mode between periods of operation 420  
where no indications are displayed and, when in operation, 421  
displays both steady and flashing traffic control signal 422  
indications. 423

(MMM) "Highway traffic signal" means a power-operated traffic 424  
control device by which traffic is warned or directed to take some 425  
specific action. "Highway traffic signal" does not include a 426  
power-operated sign, steadily illuminated pavement marker, warning 427  
light, or steady burning electric lamp. 428

(NNN) "Median" means the area between two roadways of a 429  
divided highway, measured from edge of traveled way to edge of 430  
traveled way, but excluding turn lanes. The width of a median may 431  
be different between intersections, between interchanges, and at 432  
opposite approaches of the same intersection. 433

(OOO) "Private road open to public travel" means a private 434  
toll road or road, including any adjacent sidewalks that generally 435  
run parallel to the road, within a shopping center, airport, 436  
sports arena, or other similar business or recreation facility 437  
that is privately owned but where the public is allowed to travel 438  
without access restrictions. "Private road open to public travel" 439  
includes a gated toll road but does not include a road within a 440  
private gated property where access is restricted at all times, a 441  
parking area, a driving aisle within a parking area, or a private 442  
grade crossing. 443

(PPP) "Shared-use path" means a bikeway outside the traveled 444  
way and physically separated from motorized vehicular traffic by 445  
an open space or barrier and either within the highway 446  
right-of-way or within an independent alignment. A shared-use path 447  
also may be used by pedestrians, including skaters, joggers, users 448  
of manual and motorized wheelchairs, and other authorized 449  
motorized and non-motorized users. 450

(000) "Highway maintenance vehicle" means a vehicle used in 451  
snow and ice removal or road surface maintenance, including a snow 452  
plow, traffic line striper, road sweeper, mowing machine, asphalt 453  
distributing vehicle, or other such vehicle designed for use in 454  
specific highway maintenance activities. 455

**Sec. 4511.04.** (A) Sections 4511.01 to 4511.18, 4511.20 to 456  
4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code do 457  
not apply to persons, teams, motor vehicles, and other equipment 458  
while actually engaged in work upon the surface of a highway 459  
within an area designated by traffic control devices, but apply to 460  
such persons and vehicles when traveling to or from such work. 461

(B) The driver of a highway maintenance vehicle owned by this 462  
state or any political subdivision of this state, while the driver 463  
is engaged in the performance of official duties upon a street or 464  
highway, provided the highway maintenance vehicle is equipped with 465  
flashing lights and such other markings as are required by law and 466  
such lights are in operation when the driver and vehicle are so 467  
engaged, shall be exempt from criminal prosecution for violations 468  
of sections 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 469  
4511.31, 4511.33, 4511.35, 4511.66, 4513.02, and 5577.01 to 470  
5577.09 of the Revised Code. 471

(C)(1) This section does not exempt a driver of a highway 472  
maintenance vehicle from civil liability arising from a violation 473  
of section 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 474  
4511.31, 4511.33, 4511.35, 4511.66, or 4513.02 or sections 5577.01 475  
to 5577.09 of the Revised Code. 476

(2) This section does not exempt the driver of a vehicle that 477  
is engaged in the transport of highway maintenance equipment from 478  
criminal liability for a violation of sections 5577.01 to 5577.09 479  
of the Revised Code. 480

~~(D) As used in this section, "highway maintenance vehicle"~~ 481

~~means a vehicle used in snow and ice removal or road surface maintenance, including a snow plow, traffic line striper, road sweeper, mowing machine, asphalt distributing vehicle, or other such vehicle designed for use in specific highway maintenance activities.~~

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, ~~an~~ emergency vehicle, ~~or a road service vehicle,~~ vehicle used by the public utilities commission to conduct motor vehicle inspections in accordance with sections 4923.04 and 4923.06 of the Revised Code, or a highway maintenance vehicle that is displaying the appropriate visual signals by means of flashing, oscillating, or rotating lights, as prescribed in section 4513.17 of the Revised Code, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle, ~~an~~ emergency vehicle, ~~or a road service vehicle,~~ vehicle used by the public utilities commission to conduct motor vehicle inspections in accordance with sections 4923.04 and 4923.06 of the Revised Code, or a highway maintenance vehicle.

(2) If the driver is not traveling on a highway of a type described in division (A)(1) of this section, or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle, and maintain a safe speed for the road, weather, and traffic

conditions. 513

(B) This section does not relieve the driver of a public 514  
safety vehicle, ~~an~~ emergency vehicle, ~~or~~ a road service vehicle, 515  
vehicle used by the public utilities commission to conduct motor 516  
vehicle inspections in accordance with sections 4923.04 and 517  
4923.06 of the Revised Code, or a highway maintenance vehicle from 518  
the duty to drive with due regard for the safety of all persons 519  
and property upon the highway. 520

(C) No person shall fail to drive a motor vehicle in 521  
compliance with division (A)(1) or (2) of this section when so 522  
required by division (A) of this section. 523

(D)(1) Except as otherwise provided in this division, whoever 524  
violates this section is guilty of a minor misdemeanor. If, within 525  
one year of the offense, the offender previously has been 526  
convicted of or pleaded guilty to one predicate motor vehicle or 527  
traffic offense, whoever violates this section is guilty of a 528  
misdemeanor of the fourth degree. If, within one year of the 529  
offense, the offender previously has been convicted of two or more 530  
predicate motor vehicle or traffic offenses, whoever violates this 531  
section is guilty of a misdemeanor of the third degree. 532

(2) Notwithstanding section 2929.28 of the Revised Code, upon 533  
a finding that a person operated a motor vehicle in violation of 534  
division (C) of this section, the court, in addition to all other 535  
penalties provided by law, shall impose a fine of two times the 536  
usual amount imposed for the violation. 537

**Sec. 4513.17.** (A) Whenever a motor vehicle equipped with 538  
headlights also is equipped with any auxiliary lights or spotlight 539  
or any other light on the front thereof projecting a beam of an 540  
intensity greater than three hundred candle power, not more than a 541  
total of five of any such lights on the front of a vehicle shall 542  
be lighted at any one time when the vehicle is upon a highway. 543

(B) Any lighted light or illuminating device upon a motor vehicle, other than headlights, spotlights, signal lights, or auxiliary driving lights, that projects a beam of light of an intensity greater than three hundred candle power, shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(C)(1) Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or a left turn, or in the presence of a vehicular traffic hazard requiring unusual care in approaching, or overtaking or passing. This prohibition does not apply to emergency vehicles, road service vehicles servicing or towing a disabled vehicle, ~~traffic line strippers, snow plows,~~ rural mail delivery vehicles, vehicles as provided in section 4513.182 of the Revised Code, ~~department of transportation~~ highway maintenance vehicles, funeral hearses, funeral escort vehicles, and similar equipment operated by the department or local authorities, which shall be equipped with and display, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating, or rotating amber light, but shall not display a flashing, oscillating, or rotating light of any other color, nor to vehicles or machinery permitted by section 4513.11 of the Revised Code to have a flashing red light.

(2) When used on a street or highway, farm machinery and vehicles escorting farm machinery may be equipped with and display a flashing, oscillating, or rotating amber light, and the prohibition contained in division (C)(1) of this section does not apply to such machinery or vehicles. Farm machinery also may display the lights described in section 4513.11 of the Revised Code.

(D) Except a person operating a public safety vehicle, as defined in division (E) of section 4511.01 of the Revised Code, or

a school bus, no person shall operate, move, or park upon, or 576  
permit to stand within the right-of-way of any public street or 577  
highway any vehicle or equipment that is equipped with and 578  
displaying a flashing red or a flashing combination red and white 579  
light, or an oscillating or rotating red light, or a combination 580  
red and white oscillating or rotating light; and except a public 581  
law enforcement officer, or other person sworn to enforce the 582  
criminal and traffic laws of the state, operating a public safety 583  
vehicle when on duty, no person shall operate, move, or park upon, 584  
or permit to stand within the right-of-way of any street or 585  
highway any vehicle or equipment that is equipped with, or upon 586  
which is mounted, and displaying a flashing blue or a flashing 587  
combination blue and white light, or an oscillating or rotating 588  
blue light, or a combination blue and white oscillating or 589  
rotating light. 590

(E) This section does not prohibit the use of warning lights 591  
required by law or the simultaneous flashing of turn signals on 592  
disabled vehicles or on vehicles being operated in unfavorable 593  
atmospheric conditions in order to enhance their visibility. This 594  
section also does not prohibit the simultaneous flashing of turn 595  
signals or warning lights either on farm machinery or vehicles 596  
escorting farm machinery, when used on a street or highway. 597

(F) Whoever violates this section is guilty of a minor 598  
misdemeanor. 599

**Section 2.** That existing sections 4511.01, 4511.04, 4511.213, 600  
and 4513.17 of the Revised Code are hereby repealed. 601

**Section 3.** That the version of section 4511.01 of the Revised 602  
Code that is scheduled to take effect on January 1, 2017, is 603  
hereby repealed. 604

**Section 4.** For the ninety-day period commencing on the 605  
effective date of this act, no law enforcement officer shall issue 606

to the operator of any motor vehicle being operated upon a street 607  
or highway within this state a ticket, citation, or summons for a 608  
violation of division (A)(1) or (2) of section 4511.213 of the 609  
Revised Code that relates to approaching a stationary vehicle used 610  
by the Public Utilities Commission to conduct motor vehicle 611  
inspections in accordance with sections 4923.04 and 4923.06 of the 612  
Revised Code or a stationary highway maintenance vehicle, as 613  
provided by this act, or cause the arrest of or commence a 614  
prosecution of a person for a violation of that division in that 615  
manner. Instead, during that period of time the law enforcement 616  
officer shall issue to such an operator a written warning, 617  
informing the operator of the existence of division (A)(1) or (2) 618  
of section 4511.213 of the Revised Code that relates to 619  
approaching a stationary vehicle used by the Public Utilities 620  
Commission or a stationary highway maintenance vehicle and that 621  
after the date that is ninety days after the effective date of the 622  
amendments to section 4511.213 of the Revised Code of this act, a 623  
law enforcement officer who observes that the operator of a motor 624  
vehicle has committed or is committing a violation of division 625  
(A)(1) or (2) of section 4511.213 of the Revised Code that relates 626  
to approaching a stationary vehicle used by the Public Utilities 627  
Commission or a stationary highway maintenance vehicle will be 628  
authorized to issue a ticket, citation, or summons to that 629  
operator for that violation or to cause the arrest of or commence 630  
a prosecution of such an operator for a violation of that division 631  
in that manner. 632

**Section 5.** This act is hereby declared to be an emergency 633  
measure necessary for the immediate preservation of the public 634  
peace, health, and safety. The reason for such necessity is that 635  
highway workers urgently need the protection provided by this act 636  
during the summer highway maintenance season, which poses great 637  
risk to their safety. Therefore, this act shall go into immediate 638  
effect. 639