

**As Reported by the Senate Transportation, Commerce and Labor
Committee**

131st General Assembly

**Regular Session
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Am. H. B. No. 154

Representatives Henne, Sheehy

**Cosponsors: Representatives Stinziano, Grossman, Clyde, Perales, Duffey,
Zeltwanger, Smith, K., Brenner, Lepore-Hagan, Fedor, Bishoff, Retherford,
Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig,
Driehaus, Leland, Manning, O'Brien, M., O'Brien, S., Patterson, Phillips, Ramos,
Rogers, Sprague, Strahorn, Sweeney**

Senators Bacon, LaRose, Gentile

A BILL

To amend sections 4511.132 and 4511.27 of the 1
Revised Code to provide that when a motor 2
vehicle passes a bicycle the safe passing 3
distance to the left is three feet or greater, 4
and to alter the protocol for proceeding into an 5
intersection that has malfunctioning traffic 6
lights. 7

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

Section 1. That sections 4511.132 and 4511.27 of the 8
Revised Code be amended to read as follows: 9

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 10
trackless trolley who approaches an intersection where traffic 11
is controlled by traffic control signals shall do all of the 12
following, if the signal facing the driver ~~either~~ exhibits no 13

colored lights or colored lighted arrows ~~or~~, exhibits a 14
combination of such lights or arrows that fails to clearly 15
indicate the assignment of right-of-way, or the signals are 16
otherwise malfunctioning, including the failure of a vehicle 17
detector to detect the vehicle: 18

(1) Stop at a clearly marked stop line, but if none, stop 19
before entering the crosswalk on the near side of the 20
intersection, or, if none, stop before entering the 21
intersection; 22

(2) Yield the right-of-way to all vehicles, streetcars, or 23
trackless trolleys in the intersection or approaching on an 24
intersecting road, if the vehicles, streetcars, or trackless 25
trolleys will constitute an immediate hazard during the time the 26
driver is moving across or within the intersection or junction 27
of roadways; 28

(3) Exercise ordinary care while proceeding through the 29
intersection. 30

(B) Except as otherwise provided in this division, whoever 31
violates this section is guilty of a minor misdemeanor. If, 32
within one year of the offense, the offender previously has been 33
convicted of or pleaded guilty to one predicate motor vehicle or 34
traffic offense, whoever violates this section is guilty of a 35
misdemeanor of the fourth degree. If, within one year of the 36
offense, the offender previously has been convicted of two or 37
more predicate motor vehicle or traffic offenses, whoever 38
violates this section is guilty of a misdemeanor of the third 39
degree. 40

Sec. 4511.27. (A) The following rules govern the 41
overtaking and passing of vehicles or trackless trolleys 42

proceeding in the same direction: 43

(1) The operator of a vehicle or trackless trolley 44
overtaking another vehicle or trackless trolley proceeding in 45
the same direction shall, except as provided in division (A) (3) 46
of this section, signal to the vehicle or trackless trolley to 47
be overtaken, shall pass to the left thereof at a safe distance, 48
and shall not again drive to the right side of the roadway until 49
safely clear of the overtaken vehicle or trackless trolley. When 50
a motor vehicle or trackless trolley overtakes and passes a 51
bicycle, three feet or greater is considered a safe passing 52
distance. 53

(2) Except when overtaking and passing on the right is 54
permitted, the operator of an overtaken vehicle shall give way 55
to the right in favor of the overtaking vehicle at the latter's 56
audible signal, and the operator shall not increase the speed of 57
the operator's vehicle until completely passed by the overtaking 58
vehicle. 59

(3) The operator of a vehicle or trackless trolley 60
overtaking and passing another vehicle or trackless trolley 61
proceeding in the same direction on a divided highway as defined 62
in section 4511.35 of the Revised Code, a limited access highway 63
as defined in section 5511.02 of the Revised Code, or a highway 64
with four or more traffic lanes, is not required to signal 65
audibly to the vehicle or trackless trolley being overtaken and 66
passed. 67

(B) Except as otherwise provided in this division, whoever 68
violates this section is guilty of a minor misdemeanor. If, 69
within one year of the offense, the offender previously has been 70
convicted of or pleaded guilty to one predicate motor vehicle or 71
traffic offense, whoever violates this section is guilty of a 72

misdemeanor of the fourth degree. If, within one year of the 73
offense, the offender previously has been convicted of two or 74
more predicate motor vehicle or traffic offenses, whoever 75
violates this section is guilty of a misdemeanor of the third 76
degree. 77

Section 2. That existing sections 4511.132 and 4511.27 of 78
the Revised Code are hereby repealed. 79