

**As Reported by the Senate Local Government, Public Safety and Veterans
Affairs Committee**

132nd General Assembly

Regular Session

2017-2018

Am. H. B. No. 9

Representative Koehler

**Cosponsors: Representatives O'Brien, Ashford, Riedel, Green, Sheehy, Johnson,
T., Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson,
Patton, Rogers, Sweeney, Thompson, West**

A BILL

To amend section 4511.132 of the Revised Code to 1
specify that the alternative protocol for 2
proceeding into an intersection with 3
malfunctioning traffic lights due to a failure 4
of a vehicle detector applies only to bicycles, 5
and to declare an emergency. 6

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

Section 1. That section 4511.132 of the Revised Code be 7
amended to read as follows: 8

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 9
trackless trolley who approaches an intersection where traffic 10
is controlled by traffic control signals shall do all of the 11
following, if the signal facing the driver exhibits no colored 12
lights or colored lighted arrows, exhibits a combination of such 13
lights or arrows that fails to clearly indicate the assignment 14
of right-of-way, or, if the vehicle is a bicycle, the signals 15
are otherwise malfunctioning, ~~including~~ due to the failure of a 16

vehicle detector to detect the ~~vehicle~~ presence of the bicycle: 17

(1) Stop at a clearly marked stop line, but if none, stop 18
before entering the crosswalk on the near side of the 19
intersection, or, if none, stop before entering the 20
intersection; 21

(2) Yield the right-of-way to all vehicles, streetcars, or 22
trackless trolleys in the intersection or approaching on an 23
intersecting road, if the vehicles, streetcars, or trackless 24
trolleys will constitute an immediate hazard during the time the 25
driver is moving across or within the intersection or junction 26
of roadways; 27

(3) Exercise ordinary care while proceeding through the 28
intersection. 29

(B) Except as otherwise provided in this division, whoever 30
violates this section is guilty of a minor misdemeanor. If, 31
within one year of the offense, the offender previously has been 32
convicted of or pleaded guilty to one predicate motor vehicle or 33
traffic offense, whoever violates this section is guilty of a 34
misdemeanor of the fourth degree. If, within one year of the 35
offense, the offender previously has been convicted of two or 36
more predicate motor vehicle or traffic offenses, whoever 37
violates this section is guilty of a misdemeanor of the third 38
degree. 39

Section 2. That existing section 4511.132 of the Revised 40
Code is hereby repealed. 41

Section 3. This act is hereby declared to be an emergency 42
measure necessary for the immediate preservation of the public 43
peace, health, and safety. The reason for such necessity is that 44
the General Assembly does not intend to grant persons operating 45

vehicles other than bicycles the authority to determine that a 46
traffic signal is malfunctioning and thus the opportunity to 47
proceed through a red traffic signal on that basis. As that 48
authority was granted effective March 21, 2017, it is imperative 49
that this act become effective immediately in order to redress 50
this issue. Therefore, this act shall go into immediate effect. 51