

**As Passed by the Senate**

**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**

**Senators Beagle, Oelslager, Tavares, Uecker, Wilson**

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**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