

**As Passed by the Senate**

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**Sub. H. B. No. 392**

**Representatives Ferguson, Miller, K.**

**Cosponsors: Representatives Carruthers, Ghanbari, Hillyer, Click, Riedel, Seitz, Fowler Arthur, Lampton, LaRe, Hoops, Hall, Cross, Schmidt, Plummer, Lepore-Hagan, Abrams, Baldrige, Bird, Brent, Brown, Callender, Carfagna, Creech, Crossman, Ginter, Grendell, Gross, Jarrells, John, Johnson, Leland, Lightbody, McClain, Miller, J., O'Brien, Pavliga, Ray, Roemer, Sheehy, Smith, M., Sobecki, Stein, Sweeney, Upchurch, Weinstein, West, White, Wiggam, Young, T. Senators Antonio, Blessing, Cirino, Craig, Dolan, Hackett, Hicks-Hudson, Hoagland, Lang, Maharath, Martin, O'Brien, Romanchuk, Schaffer, Thomas, Yuko**

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**A BILL**

To amend sections 4511.701, 4513.24, and 4765.52 of  
the Revised Code to authorize ambulance  
transport of an injured police dog when the dog  
is injured in the line of duty, to clarify when  
a person may ride in a moving fifth wheel  
trailer, and to revise the law governing the  
mounting of a vehicle safety device on the  
windshield of a motor vehicle. 1

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

**Section 1.** That sections 4511.701, 4513.24, and 4765.52 of  
the Revised Code be amended to read as follows: 9

**Sec. 4511.701.** (A) ~~No~~ Except as provided in division (B)  
of this section, no person shall occupy any travel trailer,  
fifth wheel trailer, or manufactured or mobile home while it is 11  
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being used as a conveyance upon a street or highway. 14

(B) Division (A) of this section does not apply to a fifth wheel trailer when both of the following apply: 15  
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(1) Any child riding in the fifth wheel trailer is properly secured in the manner provided in section 4511.81 of the Revised Code. 17  
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(2) The operator of the vehicle towing the fifth wheel trailer has some means of viable communication with the passengers riding in the trailer. 20  
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As used in this division, "viable communication" includes a cellular or satellite telephone, a radio, or any other similar electronic wireless communications device. 23  
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(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. 26  
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(2) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense. 36  
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**Sec. 4513.24.** (A) No person shall drive any motor vehicle 42

on a street or highway in this state, other than a motorcycle or 43  
motorized bicycle, that is not equipped with a windshield. 44

(B) (1) No person shall drive any motor vehicle, other than 45  
a bus, with any sign, poster, or other nontransparent material 46  
upon the front windshield, sidewings, side, or rear windows of 47  
such vehicle other than a certificate or other paper required to 48  
be displayed by law, except that there may be in the lower left- 49  
hand or right-hand corner of the windshield a sign, poster, or 50  
decal not to exceed four inches in height by six inches in 51  
width. No sign, poster, or decal shall be displayed in the front 52  
windshield in such a manner as to conceal the vehicle 53  
identification number for the motor vehicle when, in accordance 54  
with federal law, that number is located inside the vehicle 55  
passenger compartment and so placed as to be readable through 56  
the vehicle glazing without moving any part of the vehicle. 57

(2) Division (B) (1) of this section does not apply to a 58  
person who is driving a passenger car with an electronic device, 59  
including an antenna, electronic tolling or other transponder, 60  
camera, directional navigation device, or other similar 61  
electronic device located in the front windshield if ~~the device~~ 62  
~~meets both either~~ of the following apply to the device: 63

(a) It is a "vehicle safety technology" as defined in 49 64  
C.F.R. 393.5. and complies with 49 C.F.R. 393.60(e) (1) (ii). 65

(b) It does not restrict the vehicle operator's sight 66  
lines to the road and highway signs and signals. 67

~~(b) It, and it~~ does not conceal the vehicle 68  
identification number. 69

(3) Division (B) (1) of this section does not apply to a 70  
person who is driving a commercial car with an electronic 71

device, including an antenna, electronic tolling or other 72  
transponder, camera, directional navigation device, or other 73  
similar electronic device located in the front windshield if ~~the~~ 74  
~~device meets both either~~ of the following apply to the device: 75

(a) It is a "vehicle safety technology" as defined in 49 76  
C.F.R. 393.5. and complies with 49 C.F.R. 393.60(e) (1) (ii). 77

(b) It does not restrict the vehicle operator's sight 78  
lines to the road and highway signs and signals. 79

~~(b) It, and it is mounted not more than six-eight and 80~~  
~~one-half inches below the upper edge of the windshield and is~~ 81  
~~outside the area swept by the vehicle's windshield wipers.~~ 82

(C) The windshield on every motor vehicle, streetcar, and 83  
trackless trolley shall be equipped with a device for cleaning 84  
rain, snow, or other moisture from the windshield. The device 85  
shall be maintained in good working order and so constructed as 86  
to be controlled or operated by the operator of the vehicle, 87  
streetcar, or trackless trolley. 88

(D) Whoever violates this section is guilty of a minor 89  
misdemeanor. 90

**Sec. 4765.52.** (A) As used in this section, ~~"veterinarian":~~ 91

(1) "Veterinarian" means an individual licensed under 92  
Chapter 4741. of the Revised Code to practice veterinary 93  
medicine. 94

(2) "Police dog" has the same meaning as in section 95  
2921.321 of the Revised Code. 96

(B) In the course of an emergency medical response, fire 97  
response, or response to aid law enforcement, a first responder, 98  
emergency medical technician-basic, emergency medical 99

technician-intermediate, or emergency medical technician-	100
paramedic may provide any of the following emergency medical	101
services to a dog or cat prior to the dog or cat being	102
transferred to a veterinarian for further treatment, but only to	103
the extent that the first responder, EMT-basic, EMT-I, or	104
paramedic is authorized by this chapter or rules adopted	105
pursuant to this chapter to perform the corresponding form of	106
each of the services when providing emergency medical services	107
to a human patient:	108
(1) Opening and manually maintaining an airway;	109
(2) Giving mouth to snout or mouth to barrier ventilation;	110
(3) Administering oxygen;	111
(4) Managing ventilation by mask;	112
(5) Controlling hemorrhage with direct pressure;	113
(6) Immobilizing fractures;	114
(7) Bandaging;	115
(8) Administering naloxone hydrochloride, if administering	116
the drug has been authorized by the medical director or	117
cooperating physician advisory board of an emergency medical	118
service organization and the drug is administered either in	119
accordance with a written protocol established and provided by a	120
veterinarian or pursuant to a consultation with a veterinarian.	121
(C) <u>Notwithstanding any other provision of the Revised</u>	122
<u>Code to the contrary, a person authorized to drive an ambulance</u>	123
<u>under this chapter and rules adopted under it may transport an</u>	124
<u>injured police dog to a veterinarian for further treatment in</u>	125
<u>the ambulance if both of the following apply:</u>	126

<u>(1) The police dog is injured in the line of duty.</u>	127
<u>(2) No other human person requires emergency transport by the ambulance at the time of the transport.</u>	128 129
<u>(D)</u> In addition to the immunity from civil liability granted under division (A) of section 4765.49 of the Revised Code, a first responder, EMT-basic, EMT-I, paramedic, <u>ambulance driver,</u> or medical director or member of a cooperating physician advisory board of an emergency medical service organization is not subject to prosecution in a criminal proceeding or professional disciplinary action allegedly arising from an act or omission associated with the provision of emergency medical services to a dog or cat under this section <u>or allegedly arising from an act or omission associated with the transport of a police dog under this section,</u> unless the act or omission constitutes willful or wanton misconduct.	130 131 132 133 134 135 136 137 138 139 140 141
<del>(D)(1)</del> <u>(E)(1)</u> An emergency medical service organization is not liable for or subject to any of the following that allegedly arises from an act or omission associated with the provision of emergency medical services to a dog or cat under this section <u>or allegedly arises from an act or omission associated with the transport of a police dog under this section,</u> unless the act or omission constitutes willful or wanton misconduct: damages in a civil action for injury, death, or loss to person or property; prosecution in a criminal proceeding; or professional disciplinary action.	142 143 144 145 146 147 148 149 150 151
(2) The state board of pharmacy shall not take disciplinary action against an emergency medical service organization's license issued under Chapter 4729. of the Revised Code as a terminal distributor of dangerous drugs for reasons arising from an act or omission associated with the provision of	152 153 154 155 156

emergency medical services to a dog or cat under this section or 157  
for reasons arising from an act or omission associated with the 158  
transport of a police dog under this section, unless the act or 159  
omission constitutes willful or wanton misconduct. 160

~~(E)(1)~~ (F)(1) Notwithstanding any conflicting provision of 161  
Chapter 4741. of the Revised Code or rule adopted by the state 162  
veterinary medical licensing board, a veterinarian may establish 163  
and provide a written protocol to, or consult with, a first 164  
responder, EMT-basic, EMT-I, or paramedic for the purpose of 165  
enabling the provision of emergency medical services to a dog or 166  
cat under this section. 167

(2) A veterinarian who acts in good faith in accordance 168  
with this section is not liable for or subject to any of the 169  
following for any act or omission associated with a first 170  
responder's, EMT-basic's, EMT-I's, or paramedic's provision of 171  
emergency medical services to a dog or cat under this section: 172  
damages in any civil action; prosecution in any criminal 173  
proceeding; or professional disciplinary action. 174

**Section 2.** That existing sections 4511.701, 4513.24, and 175  
4765.52 of the Revised Code are hereby repealed. 176