

As Passed by the House

131st General Assembly

Regular Session

2015-2016

H. B. No. 58

Representatives Cera, Rogers

Cosponsors: Representatives Lepore-Hagan, Sheehy, Green, Anielski, Antonio, Arndt, Ashford, Baker, Bishoff, Boccieri, Boose, Boyce, Boyd, Brown, Buchy, Celebrezze, Craig, Driehaus, Fedor, Grossman, Hackett, Hambley, Johnson, G., Manning, O'Brien, M., O'Brien, S., Patterson, Perales, Ramos, Ruhl, Scherer, Strahorn, Sweeney

A BILL

To amend sections 4511.01, 4511.213, and 4513.17 of
the Revised Code to require motor vehicle
operators to take certain actions upon
approaching a stationary waste collection
vehicle collecting refuse on a roadside.

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

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

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

(A) "Vehicle" means every device, including a motorized
bicycle, in, upon, or by which any person or property may be
transported or drawn upon a highway, except that "vehicle" does
not include any motorized wheelchair, any electric personal
assistive mobility device, any device that is moved by power
collected from overhead electric trolley wires or that is used

exclusively upon stationary rails or tracks, or any device, 16
other than a bicycle, that is moved by human power. 17

(B) "Motor vehicle" means every vehicle propelled or drawn 18
by power other than muscular power or power collected from 19
overhead electric trolley wires, except motorized bicycles, road 20
rollers, traction engines, power shovels, power cranes, and 21
other equipment used in construction work and not designed for 22
or employed in general highway transportation, hole-digging 23
machinery, well-drilling machinery, ditch-digging machinery, 24
farm machinery, and trailers designed and used exclusively to 25
transport a boat between a place of storage and a marina, or in 26
and around a marina, when drawn or towed on a street or highway 27
for a distance of no more than ten miles and at a speed of 28
twenty-five miles per hour or less. 29

(C) (1) Until January 1, 2017, "motorcycle" means every 30
motor vehicle, other than a tractor, having a seat or saddle for 31
the use of the operator and designed to travel on not more than 32
three wheels in contact with the ground, including, but not 33
limited to, motor vehicles known as "motor-driven cycle," "motor 34
scooter," or "motorcycle" without regard to weight or brake 35
horsepower. 36

(2) Effective January 1, 2017, "motorcycle" means every 37
motor vehicle, other than a tractor, having a seat or saddle for 38
the use of the operator and designed to travel on not more than 39
three wheels in contact with the ground, including, but not 40
limited to, motor vehicles known as "motor-driven cycle," "motor 41
scooter," "cab-enclosed motorcycle," or "motorcycle" without 42
regard to weight or brake horsepower. 43

(D) "Emergency vehicle" means emergency vehicles of 44
municipal, township, or county departments or public utility 45

corporations when identified as such as required by law, the 46
director of public safety, or local authorities, and motor 47
vehicles when commandeered by a police officer. 48

(E) "Public safety vehicle" means any of the following: 49

(1) Ambulances, including private ambulance companies 50
under contract to a municipal corporation, township, or county, 51
and private ambulances and nontransport vehicles bearing license 52
plates issued under section 4503.49 of the Revised Code; 53

(2) Motor vehicles used by public law enforcement officers 54
or other persons sworn to enforce the criminal and traffic laws 55
of the state; 56

(3) Any motor vehicle when properly identified as required 57
by the director of public safety, when used in response to fire 58
emergency calls or to provide emergency medical service to ill 59
or injured persons, and when operated by a duly qualified person 60
who is a member of a volunteer rescue service or a volunteer 61
fire department, and who is on duty pursuant to the rules or 62
directives of that service. The state fire marshal shall be 63
designated by the director of public safety as the certifying 64
agency for all public safety vehicles described in division (E) 65
(3) of this section. 66

(4) Vehicles used by fire departments, including motor 67
vehicles when used by volunteer fire fighters responding to 68
emergency calls in the fire department service when identified 69
as required by the director of public safety. 70

Any vehicle used to transport or provide emergency medical 71
service to an ill or injured person, when certified as a public 72
safety vehicle, shall be considered a public safety vehicle when 73
transporting an ill or injured person to a hospital regardless 74

of whether such vehicle has already passed a hospital. 75

(5) Vehicles used by the motor carrier enforcement unit 76
for the enforcement of orders and rules of the public utilities 77
commission as specified in section 5503.34 of the Revised Code. 78

(F) "School bus" means every bus designed for carrying 79
more than nine passengers that is owned by a public, private, or 80
governmental agency or institution of learning and operated for 81
the transportation of children to or from a school session or a 82
school function, or owned by a private person and operated for 83
compensation for the transportation of children to or from a 84
school session or a school function, provided "school bus" does 85
not include a bus operated by a municipally owned transportation 86
system, a mass transit company operating exclusively within the 87
territorial limits of a municipal corporation, or within such 88
limits and the territorial limits of municipal corporations 89
immediately contiguous to such municipal corporation, nor a 90
common passenger carrier certified by the public utilities 91
commission unless such bus is devoted exclusively to the 92
transportation of children to and from a school session or a 93
school function, and "school bus" does not include a van or bus 94
used by a licensed child day-care center or type A family day- 95
care home to transport children from the child day-care center 96
or type A family day-care home to a school if the van or bus 97
does not have more than fifteen children in the van or bus at 98
any time. 99

(G) "Bicycle" means every device, other than a device that 100
is designed solely for use as a play vehicle by a child, that is 101
propelled solely by human power upon which a person may ride, 102
and that has two or more wheels, any of which is more than 103
fourteen inches in diameter. 104

(H) (1) Until January 1, 2017, "motorized bicycle" means 105
any vehicle having either two tandem wheels or one wheel in the 106
front and two wheels in the rear, that is capable of being 107
pedaled and is equipped with a helper motor of not more than 108
fifty cubic centimeters piston displacement that produces no 109
more than one brake horsepower and is capable of propelling the 110
vehicle at a speed of no greater than twenty miles per hour on a 111
level surface. 112

(2) Effective January 1, 2017, "motorized bicycle" or 113
"moped" means any vehicle having either two tandem wheels or one 114
wheel in the front and two wheels in the rear, that may be 115
pedaled, and that is equipped with a helper motor of not more 116
than fifty cubic centimeters piston displacement that produces 117
not more than one brake horsepower and is capable of propelling 118
the vehicle at a speed of not greater than twenty miles per hour 119
on a level surface. 120

(I) "Commercial tractor" means every motor vehicle having 121
motive power designed or used for drawing other vehicles and not 122
so constructed as to carry any load thereon, or designed or used 123
for drawing other vehicles while carrying a portion of such 124
other vehicles, or load thereon, or both. 125

(J) "Agricultural tractor" means every self-propelling 126
vehicle designed or used for drawing other vehicles or wheeled 127
machinery but having no provision for carrying loads 128
independently of such other vehicles, and used principally for 129
agricultural purposes. 130

(K) "Truck" means every motor vehicle, except trailers and 131
semitrailers, designed and used to carry property. 132

(L) "Bus" means every motor vehicle designed for carrying 133

more than nine passengers and used for the transportation of 134
persons other than in a ridesharing arrangement, and every motor 135
vehicle, automobile for hire, or funeral car, other than a 136
taxicab or motor vehicle used in a ridesharing arrangement, 137
designed and used for the transportation of persons for 138
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 145
produce or agricultural production materials between a local 146
place of storage or supply and the farm when drawn or towed on a 147
street or highway at a speed greater than twenty-five miles per 148
hour, and a vehicle designed and used exclusively to transport a 149
boat between a place of storage and a marina, or in and around a 150
marina, when drawn or towed on a street or highway for a 151
distance of more than ten miles or at a speed of more than 152
twenty-five miles per hour. 153

(N) "Semitrailer" means every vehicle designed or used for 154
carrying persons or property with another and separate motor 155
vehicle so that in operation a part of its own weight or that of 156
its load, or both, rests upon and is carried by another vehicle. 157

(O) "Pole trailer" means every trailer or semitrailer 158
attached to the towing vehicle by means of a reach, pole, or by 159
being boomed or otherwise secured to the towing vehicle, and 160
ordinarily used for transporting long or irregular shaped loads 161
such as poles, pipes, or structural members capable, generally, 162
of sustaining themselves as beams between the supporting 163

connections. 164

(P) "Railroad" means a carrier of persons or property 165
operating upon rails placed principally on a private right-of- 166
way. 167

(Q) "Railroad train" means a steam engine or an electric 168
or other motor, with or without cars coupled thereto, operated 169
by a railroad. 170

(R) "Streetcar" means a car, other than a railroad train, 171
for transporting persons or property, operated upon rails 172
principally within a street or highway. 173

(S) "Trackless trolley" means every car that collects its 174
power from overhead electric trolley wires and that is not 175
operated upon rails or tracks. 176

(T) "Explosives" means any chemical compound or mechanical 177
mixture that is intended for the purpose of producing an 178
explosion that contains any oxidizing and combustible units or 179
other ingredients in such proportions, quantities, or packing 180
that an ignition by fire, by friction, by concussion, by 181
percussion, or by a detonator of any part of the compound or 182
mixture may cause such a sudden generation of highly heated 183
gases that the resultant gaseous pressures are capable of 184
producing destructive effects on contiguous objects, or of 185
destroying life or limb. Manufactured articles shall not be held 186
to be explosives when the individual units contain explosives in 187
such limited quantities, of such nature, or in such packing, 188
that it is impossible to procure a simultaneous or a destructive 189
explosion of such units, to the injury of life, limb, or 190
property by fire, by friction, by concussion, by percussion, or 191
by a detonator, such as fixed ammunition for small arms, 192

firecrackers, or safety fuse matches.	193
(U) "Flammable liquid" means any liquid that has a flash point of seventy degrees fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.	194 195 196
(V) "Gross weight" means the weight of a vehicle plus the weight of any load thereon.	197 198
(W) "Person" means every natural person, firm, co-partnership, association, or corporation.	199 200
(X) "Pedestrian" means any natural person afoot.	201
(Y) "Driver or operator" means every person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.	202 203 204
(Z) "Police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.	205 206 207
(AA) "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.	208 209 210
(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.	211 212 213
(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.	214 215 216 217 218 219

(DD) "Private road or driveway" means every way or place 220
in private ownership used for vehicular travel by the owner and 221
those having express or implied permission from the owner but 222
not by other persons. 223

(EE) "Roadway" means that portion of a highway improved, 224
designed, or ordinarily used for vehicular travel, except the 225
berm or shoulder. If a highway includes two or more separate 226
roadways the term "roadway" means any such roadway separately 227
but not all such roadways collectively. 228

(FF) "Sidewalk" means that portion of a street between the 229
curb lines, or the lateral lines of a roadway, and the adjacent 230
property lines, intended for the use of pedestrians. 231

(GG) "Laned highway" means a highway the roadway of which 232
is divided into two or more clearly marked lanes for vehicular 233
traffic. 234

(HH) "Through highway" means every street or highway as 235
provided in section 4511.65 of the Revised Code. 236

(II) "State highway" means a highway under the 237
jurisdiction of the department of transportation, outside the 238
limits of municipal corporations, provided that the authority 239
conferred upon the director of transportation in section 5511.01 240
of the Revised Code to erect state highway route markers and 241
signs directing traffic shall not be modified by sections 242
4511.01 to 4511.79 and 4511.99 of the Revised Code. 243

(JJ) "State route" means every highway that is designated 244
with an official state route number and so marked. 245

(KK) "Intersection" means: 246

(1) The area embraced within the prolongation or 247

connection of the lateral curb lines, or, if none, the lateral 248
boundary lines of the roadways of two highways that join one 249
another at, or approximately at, right angles, or the area 250
within which vehicles traveling upon different highways that 251
join at any other angle might come into conflict. The junction 252
of an alley or driveway with a roadway or highway does not 253
constitute an intersection unless the roadway or highway at the 254
junction is controlled by a traffic control device. 255

(2) If a highway includes two roadways that are thirty 256
feet or more apart, then every crossing of each roadway of such 257
divided highway by an intersecting highway constitutes a 258
separate intersection. If both intersecting highways include two 259
roadways thirty feet or more apart, then every crossing of any 260
two roadways of such highways constitutes a separate 261
intersection. 262

(3) At a location controlled by a traffic control signal, 263
regardless of the distance between the separate intersections as 264
described in division (KK) (2) of this section: 265

(a) If a stop line, yield line, or crosswalk has not been 266
designated on the roadway within the median between the separate 267
intersections, the two intersections and the roadway and median 268
constitute one intersection. 269

(b) Where a stop line, yield line, or crosswalk line is 270
designated on the roadway on the intersection approach, the area 271
within the crosswalk and any area beyond the designated stop 272
line or yield line constitute part of the intersection. 273

(c) Where a crosswalk is designated on a roadway on the 274
departure from the intersection, the intersection includes the 275
area that extends to the far side of the crosswalk. 276

(LL) "Crosswalk" means:	277
(1) That part of a roadway at intersections ordinarily included within the real or projected prolongation of property lines and curb lines or, in the absence of curbs, the edges of the traversable roadway;	278 279 280 281
(2) Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface;	282 283 284
(3) Notwithstanding divisions (LL) (1) and (2) of this section, there shall not be a crosswalk where local authorities have placed signs indicating no crossing.	285 286 287
(MM) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all times.	288 289 290 291
(NN) "Business district" means the territory fronting upon a street or highway, including the street or highway, between successive intersections within municipal corporations where fifty per cent or more of the frontage between such successive intersections is occupied by buildings in use for business, or within or outside municipal corporations where fifty per cent or more of the frontage for a distance of three hundred feet or more is occupied by buildings in use for business, and the character of such territory is indicated by official traffic control devices.	292 293 294 295 296 297 298 299 300 301
(OO) "Residence district" means the territory, not comprising a business district, fronting on a street or highway, including the street or highway, where, for a distance of three hundred feet or more, the frontage is improved with residences	302 303 304 305

or residences and buildings in use for business. 306

(PP) "Urban district" means the territory contiguous to 307
and including any street or highway which is built up with 308
structures devoted to business, industry, or dwelling houses 309
situated at intervals of less than one hundred feet for a 310
distance of a quarter of a mile or more, and the character of 311
such territory is indicated by official traffic control devices. 312

(QQ) "Traffic control device" means a flagger, sign, 313
signal, marking, or other device used to regulate, warn, or 314
guide traffic, placed on, over, or adjacent to a street, 315
highway, private road open to public travel, pedestrian 316
facility, or shared-use path by authority of a public agency or 317
official having jurisdiction, or, in the case of a private road 318
open to public travel, by authority of the private owner or 319
private official having jurisdiction. 320

(RR) "Traffic control signal" means any highway traffic 321
signal by which traffic is alternately directed to stop and 322
permitted to proceed. 323

(SS) "Railroad sign or signal" means any sign, signal, or 324
device erected by authority of a public body or official or by a 325
railroad and intended to give notice of the presence of railroad 326
tracks or the approach of a railroad train. 327

(TT) "Traffic" means pedestrians, ridden or herded 328
animals, vehicles, streetcars, trackless trolleys, and other 329
devices, either singly or together, while using for purposes of 330
travel any highway or private road open to public travel. 331

(UU) "Right-of-way" means either of the following, as the 332
context requires: 333

(1) The right of a vehicle, streetcar, trackless trolley, 334

or pedestrian to proceed uninterruptedly in a lawful manner in 335
the direction in which it or the individual is moving in 336
preference to another vehicle, streetcar, trackless trolley, or 337
pedestrian approaching from a different direction into its or 338
the individual's path; 339

(2) A general term denoting land, property, or the 340
interest therein, usually in the configuration of a strip, 341
acquired for or devoted to transportation purposes. When used in 342
this context, right-of-way includes the roadway, shoulders or 343
berm, ditch, and slopes extending to the right-of-way limits 344
under the control of the state or local authority. 345

(VV) "Rural mail delivery vehicle" means every vehicle 346
used to deliver United States mail on a rural mail delivery 347
route. 348

(WW) "Funeral escort vehicle" means any motor vehicle, 349
including a funeral hearse, while used to facilitate the 350
movement of a funeral procession. 351

(XX) "Alley" means a street or highway intended to provide 352
access to the rear or side of lots or buildings in urban 353
districts and not intended for the purpose of through vehicular 354
traffic, and includes any street or highway that has been 355
declared an "alley" by the legislative authority of the 356
municipal corporation in which such street or highway is 357
located. 358

(YY) "Freeway" means a divided multi-lane highway for 359
through traffic with all crossroads separated in grade and with 360
full control of access. 361

(ZZ) "Expressway" means a divided arterial highway for 362
through traffic with full or partial control of access with an 363

excess of fifty per cent of all crossroads separated in grade. 364

(AAA) "Thruway" means a through highway whose entire 365
roadway is reserved for through traffic and on which roadway 366
parking is prohibited. 367

(BBB) "Stop intersection" means any intersection at one or 368
more entrances of which stop signs are erected. 369

(CCC) "Arterial street" means any United States or state 370
numbered route, controlled access highway, or other major radial 371
or circumferential street or highway designated by local 372
authorities within their respective jurisdictions as part of a 373
major arterial system of streets or highways. 374

(DDD) "Ridesharing arrangement" means the transportation 375
of persons in a motor vehicle where such transportation is 376
incidental to another purpose of a volunteer driver and includes 377
ridesharing arrangements known as carpools, vanpools, and 378
buspools. 379

(EEE) "Motorized wheelchair" means any self-propelled 380
vehicle designed for, and used by, a handicapped person and that 381
is incapable of a speed in excess of eight miles per hour. 382

(FFF) "Child day-care center" and "type A family day-care 383
home" have the same meanings as in section 5104.01 of the 384
Revised Code. 385

(GGG) "Multi-wheel agricultural tractor" means a type of 386
agricultural tractor that has two or more wheels or tires on 387
each side of one axle at the rear of the tractor, is designed or 388
used for drawing other vehicles or wheeled machinery, has no 389
provision for carrying loads independently of the drawn vehicles 390
or machinery, and is used principally for agricultural purposes. 391

(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	392 393
(III) "Predicate motor vehicle or traffic offense" means any of the following:	394 395
(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, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;	396 397 398 399 400 401 402 403 404 405 406 407
(2) A violation of division (A) (2) of section 4511.17, divisions (A) to (D) of section 4511.51, or division (A) of section 4511.74 of the Revised Code;	408 409 410
(3) A violation of any provision of sections 4511.01 to 4511.76 of the Revised Code for which no penalty otherwise is provided in the section that contains the provision violated;	411 412 413
(4) Until January 1, 2017, a violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III) (1), (2), or (3) of this section;	414 415 416 417
(5) Effective January 1, 2017, a violation of section 4511.214 of the Revised Code;	418 419
(6) Effective January 1, 2017, a violation of a municipal	420

ordinance that is substantially similar to any section or 421
provision set forth or described in division (III) (1), (2), 422
(3), or (5) of this section. 423

(JJJ) "Road service vehicle" means wreckers, utility 424
repair vehicles, and state, county, and municipal service 425
vehicles equipped with visual signals by means of flashing, 426
rotating, or oscillating lights. 427

(KKK) "Beacon" means a highway traffic signal with one or 428
more signal sections that operate in a flashing mode. 429

(LLL) "Hybrid beacon" means a type of beacon that is 430
intentionally placed in a dark mode between periods of operation 431
where no indications are displayed and, when in operation, 432
displays both steady and flashing traffic control signal 433
indications. 434

(MMM) "Highway traffic signal" means a power-operated 435
traffic control device by which traffic is warned or directed to 436
take some specific action. "Highway traffic signal" does not 437
include a power-operated sign, steadily illuminated pavement 438
marker, warning light, or steady burning electric lamp. 439

(NNN) "Median" means the area between two roadways of a 440
divided highway, measured from edge of traveled way to edge of 441
traveled way, but excluding turn lanes. The width of a median 442
may be different between intersections, between interchanges, 443
and at opposite approaches of the same intersection. 444

(OOO) "Private road open to public travel" means a private 445
toll road or road, including any adjacent sidewalks that 446
generally run parallel to the road, within a shopping center, 447
airport, sports arena, or other similar business or recreation 448
facility that is privately owned but where the public is allowed 449

to travel without access restrictions. "Private road open to public travel" includes a gated toll road but does not include a road within a private gated property where access is restricted at all times, a parking area, a driving aisle within a parking area, or a private grade crossing.

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

(QQQ) "Highway maintenance vehicle" 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.

(RRR) "Waste collection vehicle" means a vehicle used in the collection of garbage, refuse, trash, or recyclable materials.

Sec. 4511.213. (A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, emergency vehicle, road service vehicle, waste collection 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, emergency vehicle, road service vehicle, waste collection 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.

(B) This section does not relieve the driver of a public safety vehicle, emergency vehicle, road service vehicle, waste collection 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 from the duty to drive with due regard for the safety of all persons and property upon the highway.

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

(D) (1) Except as otherwise provided in this division,

whoever violates this section is guilty of a minor misdemeanor. 509
If, within one year of the offense, the offender previously has 510
been convicted of or pleaded guilty to one predicate motor 511
vehicle or traffic offense, whoever violates this section is 512
guilty of a misdemeanor of the fourth degree. If, within one 513
year of the offense, the offender previously has been convicted 514
of two or more predicate motor vehicle or traffic offenses, 515
whoever violates this section is guilty of a misdemeanor of the 516
third degree. 517

(2) Notwithstanding section 2929.28 of the Revised Code, 518
upon a finding that a person operated a motor vehicle in 519
violation of division (C) of this section, the court, in 520
addition to all other penalties provided by law, shall impose a 521
fine of two times the usual amount imposed for the violation. 522

(E) The offense established under this section is a strict 523
liability offense and section 2901.20 of the Revised Code does 524
not apply. The designation of this offense as a strict liability 525
offense shall not be construed to imply that any other offense, 526
for which there is no specified degree of culpability, is not a 527
strict liability offense. 528

Sec. 4513.17. (A) Whenever a motor vehicle equipped with 529
headlights also is equipped with any auxiliary lights or 530
spotlight or any other light on the front thereof projecting a 531
beam of an intensity greater than three hundred candle power, 532
not more than a total of five of any such lights on the front of 533
a vehicle shall be lighted at any one time when the vehicle is 534
upon a highway. 535

(B) Any lighted light or illuminating device upon a motor 536
vehicle, other than headlights, spotlights, signal lights, or 537
auxiliary driving lights, that projects a beam of light of an 538

intensity greater than three hundred candle power, shall be so 539
directed that no part of the beam will strike the level of the 540
roadway on which the vehicle stands at a distance of more than 541
seventy-five feet from the vehicle. 542

(C) (1) Flashing lights are prohibited on motor vehicles, 543
except as a means for indicating a right or a left turn, or in 544
the presence of a vehicular traffic hazard requiring unusual 545
care in approaching, or overtaking or passing. This prohibition 546
does not apply to emergency vehicles, road service vehicles 547
servicing or towing a disabled vehicle, stationary waste 548
collection vehicles actively collecting garbage, refuse, trash, 549
or recyclable materials on the roadside, rural mail delivery 550
vehicles, vehicles as provided in section 4513.182 of the 551
Revised Code, highway maintenance vehicles, funeral hearses, 552
funeral escort vehicles, and similar equipment operated by the 553
department or local authorities, which shall be equipped with 554
and display, when used on a street or highway for the special 555
purpose necessitating such lights, a flashing, oscillating, or 556
rotating amber light, but shall not display a flashing, 557
oscillating, or rotating light of any other color, nor to 558
vehicles or machinery permitted by section 4513.11 of the 559
Revised Code to have a flashing red light. 560

(2) When used on a street or highway, farm machinery and 561
vehicles escorting farm machinery may be equipped with and 562
display a flashing, oscillating, or rotating amber light, and 563
the prohibition contained in division (C) (1) of this section 564
does not apply to such machinery or vehicles. Farm machinery 565
also may display the lights described in section 4513.11 of the 566
Revised Code. 567

(D) Except a person operating a public safety vehicle, as 568

defined in division (E) of section 4511.01 of the Revised Code, 569
or a school bus, no person shall operate, move, or park upon, or 570
permit to stand within the right-of-way of any public street or 571
highway any vehicle or equipment that is equipped with and 572
displaying a flashing red or a flashing combination red and 573
white light, or an oscillating or rotating red light, or a 574
combination red and white oscillating or rotating light; and 575
except a public law enforcement officer, or other person sworn 576
to enforce the criminal and traffic laws of the state, operating 577
a public safety vehicle when on duty, no person shall operate, 578
move, or park upon, or permit to stand within the right-of-way 579
of any street or highway any vehicle or equipment that is 580
equipped with, or upon which is mounted, and displaying a 581
flashing blue or a flashing combination blue and white light, or 582
an oscillating or rotating blue light, or a combination blue and 583
white oscillating or rotating light. 584

(E) This section does not prohibit the use of warning 585
lights required by law or the simultaneous flashing of turn 586
signals on disabled vehicles or on vehicles being operated in 587
unfavorable atmospheric conditions in order to enhance their 588
visibility. This section also does not prohibit the simultaneous 589
flashing of turn signals or warning lights either on farm 590
machinery or vehicles escorting farm machinery, when used on a 591
street or highway. 592

(F) Whoever violates this section is guilty of a minor 593
misdemeanor. 594

Section 2. That existing sections 4511.01, 4511.213, and 595
4513.17 of the Revised Code are hereby repealed. 596