

LSC 128 1077

128th General Assembly
Regular Session
2009-2010

. B. No.

A BILL

To amend section 4511.27 of the Revised Code to 1
establish a safe passing distance between a motor 2
vehicle and a bicycle. 3

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

Section 1. That section 4511.27 of the Revised Code be 4
amended to read as follows: 5

Sec. 4511.27. (A) The following rules govern the overtaking 6
and passing of vehicles or trackless trolleys proceeding in the 7
same direction: 8

(1) The operator of a vehicle or trackless trolley overtaking 9
another vehicle or trackless trolley proceeding in the same 10
direction shall, except as provided in division (A)(3) of this 11
section, signal to the vehicle or trackless trolley to be 12
overtaken, shall pass to the left thereof at a safe distance, and 13
shall not again drive to the right side of the roadway until 14
safely clear of the overtaken vehicle or trackless trolley. When a 15
motor vehicle overtakes a bicycle, the safe passing distance shall 16
be not less than three feet. 17

(2) ~~Except when overtaking and passing on the right is 18
permitted, the~~ The operator of an overtaken vehicle ~~shall give way 19
to the right in favor of the overtaking vehicle at the latter's 20
audible signal, and the operator shall not increase the speed of 21~~

the operator's vehicle until completely passed by the overtaking 22
vehicle. 23

(3) The operator of a vehicle or trackless trolley overtaking 24
and passing another vehicle or trackless trolley proceeding in the 25
same direction on a divided highway as defined in section 4511.35 26
of the Revised Code, a limited access highway as defined in 27
section 5511.02 of the Revised Code, or a highway with four or 28
more traffic lanes, is not required to signal audibly to the 29
vehicle or trackless trolley being overtaken and passed. 30

(B) Except as otherwise provided in this division, whoever 31
violates this section is guilty of a minor misdemeanor. If, within 32
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 more 37
predicate motor vehicle or traffic offenses, whoever violates this 38
section is guilty of a misdemeanor of the third degree. 39

Section 2. That existing section 4511.27 of the Revised Code 40
is hereby repealed. 41