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S.B. 16
136th General Assembly

Bill Analysis

Version: As Reported by Senate Transportation

Primary Sponsor: Sen. Wilson

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SUMMARY

- Prohibits failing to change lanes or proceeding with caution around a stationary vehicle that is in distress.
- Expressly requires drivers to slow down to below the posted speed limit if they cannot safely change lanes under the Move Over Law.

DETAILED ANALYSIS

Move Over Law

Current law requires drivers, under certain circumstances, to “move over” to the adjacent lane or to slow down and proceed with caution in the same lane (when moving over is not possible because of the road, weather, or traffic). Specifically, drivers must slow down or provide extra space around public safety vehicles, emergency vehicles, certain utility vehicles, certain weight-enforcement vehicles, waste collection vehicles, and highway maintenance vehicles when those vehicles are stationary and displaying flashing, oscillating, or rotating lights.¹

The bill requires drivers to similarly slow down or move over for stationary vehicles that are in distress (e.g., a vehicle with a flat tire). A vehicle is in distress when the operator indicates the condition through lit fuse, flares, red lights, red reflectors, red flags, emergency signs, or flashing emergency/hazard lights.²

Additionally, the bill expressly requires drivers to slow down to a speed that is below the posted speed limit, if the driver cannot safely change lanes, for the various vehicles that are a part of the Move Over Law. Current law requires drivers to proceed with “due caution” and

¹ R.C. 4511.213.

² R.C. 4511.213(F).

“reduce the speed” of the vehicle. However, it does not state that the reduced speed must be below the speed limit.³

Penalty

The bill applies a separate penalty for failing to move over for a stationary vehicle that is in distress, compared to the current law penalties. Under the bill, failing to move over for the stationary vehicle in distress is a minor misdemeanor, which carries a potential fine of up to \$150. Any stop or conviction for the offense, however, does not constitute a criminal record for the offender. Thus, no points are imposed on the offender’s license and the offender does not need to report the offense on future applications for employment, licensure, or for similar rights, privileges, or credibility as a witness.⁴

Under current law, unchanged by the bill, the penalty for failing to move over for the other types of vehicles (i.e., public safety vehicles, emergency vehicles, etc.) is a minor misdemeanor, with gradually increasing degrees of offense if the person has other traffic violations from within the past year. Failure to move over or slow down also carries a penalty of double-fines compared to other minor misdemeanor traffic offenses. Further, an additional \$100 fine is charged if the offender was distracted and that distracting activity was a contributing factor to the failure to move over or slow down. As stated above, the increasing degrees of offense, double fines, and distracted driving fine do not apply to failing to move over for a stationary vehicle in distress under the bill.⁵

HISTORY

Action	Date
Introduced	01-22-25
Reported, S. Transportation	10-22-25

ANSB0016RS-136/sb

³ R.C. 4511.213(A)(2).

⁴ R.C. 4511.213(F).

⁵ R.C. 4511.213(D); R.C. 4511.991, not in the bill.