



# OHIO LEGISLATIVE SERVICE COMMISSION

## Final Analysis

Amanda M. Ferguson

### Am. H.B. 9

132nd General Assembly  
(As Passed by the General Assembly)

**Reps.** Koehler, O'Brien, Ashford, Riedel, Green, Sheehy, T. Johnson, Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson, Patton, Rogers, Sweeney, Thompson, West

**Sens.** Beagle, Oelslager, Tavares, Uecker, Wilson

**Effective date:** Emergency, April 30, 2017

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## ACT SUMMARY

- Narrows a provision of law that authorized a vehicle to proceed through an intersection if the traffic control signal was malfunctioning by both:
  - Applying the provision only to a bicycle; and
  - Specifying that the bicycle may proceed through the intersection only if the signal is malfunctioning due to a failure of the vehicle detector to detect the bicycle.

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## CONTENT AND OPERATION

### Malfunctioning traffic control signals

The act narrows a provision of law that, effective March 21, 2017, allowed any vehicle to proceed through an intersection if the traffic control signal was "malfunctioning, including the failure of a vehicle detector to detect the vehicle."<sup>1</sup> This provision granted vehicle operators broad authority to determine whether a traffic control signal was malfunctioning. The act narrows this new provision so that it now authorizes only bicycles to proceed when the malfunction is due to failure of a vehicle

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\* This version updates the effective date.

<sup>1</sup> This provision was enacted by Am. H.B. 154 of the 131st General Assembly.

detector to detect the bicycle's presence. The open-ended authority for any vehicle to proceed when the signal is "otherwise malfunctioning" is eliminated.

The act retains two existing circumstances in which any vehicle can proceed through an intersection due to a malfunctioning traffic control signal:

(1) The signal facing the driver exhibits no colored lights or colored lighted arrows; or

(2) The signal exhibits a combination of lights or arrows that fails to clearly indicate the assignment of right-of-way.<sup>2</sup>

### **Protocol for proceeding through intersection with malfunctioning signal**

Under continuing law, in order to proceed through an intersection with a malfunctioning signal in any circumstance authorized above, the vehicle operator must do all of the following:

(1) Stop at the stop line; if there is no stop line, stop before entering the near crosswalk; if there is no near crosswalk, stop before entering the intersection;

(2) Yield the right-of-way to all vehicles in the intersection or approaching on an intersecting road if they will constitute an immediate hazard while the operator is moving across or within the intersection or junction of roadways; and

(3) Exercise ordinary care while proceeding through the intersection.<sup>3</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	02-01-17
Reported, H. Transportation & Public Safety	02-15-17
Passed House (96-0)	02-22-17
Reported, S. Local Gov't, Public Safety, & Veterans Affairs	03-28-17
Passed Senate (33-0)	03-29-17
House concurred in Senate amendments (95-0)	03-30-17

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<sup>2</sup> R.C. 4511.132(A).

<sup>3</sup> R.C. 4511.132(A).

