



Ohio Legislative Service Commission

Bill Analysis

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H.B. 58

131st General Assembly
(As Reported by H. Transportation & Infrastructure)

Reps. Cera and Rogers, Lepore-Hagan, Sheehy, Green

BILL SUMMARY

- Requires drivers to change lanes, if possible, or proceed with caution when approaching a stationary waste collection vehicle that is displaying flashing, oscillating, or rotating lights.
- Authorizes a stationary waste collection vehicle that is actively collecting trash, garbage, refuse, or recyclable materials to use flashing, oscillating, or rotating lights.

CONTENT AND OPERATION

Waste collection vehicles and the Move-Over Law

The bill requires the driver of a motor vehicle, when approaching a stationary waste collection vehicle that is displaying flashing, oscillating, or rotating lights, to do either of the following:

(1) If the driver 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, proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, change lanes into a lane that is not adjacent to that of the waste collection vehicle.

(2) If the driver is not traveling on a highway with at least two lanes carrying traffic in the same direction, 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, proceed with due caution,

reduce the speed of the motor vehicle, and maintain a safe speed for the road, weather, and traffic conditions.¹

The bill defines a waste collection vehicle as a vehicle used in the collection of garbage, refuse, trash, or recyclable materials.² The existing Move-Over Law applies the same requirements specified above to a driver approaching a stationary public safety vehicle, emergency vehicle, road service vehicle, vehicle used by the Public Utilities Commission for specified purposes, or highway maintenance vehicle that is displaying flashing, oscillating, or rotating lights.

The existing penalties established under the Move-Over Law apply to the bill's new provisions. In general, a violation of the Move-Over Law is a minor misdemeanor. However, such a violation is either a fourth or third degree misdemeanor if the offender has been convicted of or pleaded guilty to one or more specified traffic offenses within one year of violating the Move-Over Law. Current law also requires a court, in addition to all other penalties provided by law, to impose a fine of two times the usual amount imposed for the violation.³

Use of lights by a waste collection vehicle

The bill authorizes a stationary waste collection vehicle to use flashing, oscillating, or rotating lights if the vehicle is actively collecting garbage, refuse, trash, or recyclable materials on the roadside. Current law authorizes an emergency vehicle, road service vehicle servicing or towing a disabled vehicle, rural mail delivery vehicle, highway maintenance vehicle, funeral hearse, funeral escort vehicle, and a vehicle transporting preschool children to use flashing, oscillating, or rotating lights.⁴

HISTORY

ACTION	DATE
Introduced	02-11-15
Reported, H. Transportation & Infrastructure	11-19-15

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¹ R.C. 4511.213(A).

² R.C. 4511.01(RRR).

³ R.C. 4511.213(D).

⁴ R.C. 4513.17(C).

