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S.B. 178
135th General Assembly

Bill Analysis

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Version: As Passed by the Senate

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.

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

Penalty

The bill applies the current Move Over Law penalties to the new offense of failure to move over for a vehicle in distress. Specifically, the offense is a predicate motor vehicle offense, thus 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

¹ R.C. 4511.213.

² R.C. 4511.213(F).

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.³

HISTORY

Action	Date
Introduced	10-19-23
Reported, S. Transportation	11-20-24
Passed Senate (28-0)	12-04-24

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³ R.C. 4511.213(D); R.C. 4511.991, not in the bill.