



# Ohio Legislative Service Commission

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## Bill Analysis

Joseph G. Aninao

### **H.B. 100**

131st General Assembly  
(As Introduced)

**Reps.** Slaby and Patmon, S. O'Brien, Lepore-Hagan, Romanchuk, Maag, Blessing, Schaffer, Hambley, Grossman, Dever

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### **BILL SUMMARY**

- Requires any vehicle or combination of vehicles with a gross vehicle weight rating or an actual gross vehicle weight of more than 10,000 pounds, when being driven upon any freeway having three or more lanes for travel in the same direction, to be driven only in either of the two lanes farthest to the right, with certain exceptions.
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### **CONTENT AND OPERATION**

#### **Operation of vehicles over 10,000 pounds on three-lane freeways**

The bill generally requires any vehicle or combination of vehicles with a gross vehicle weight rating or an actual gross vehicle weight of more than 10,000 pounds, when being driven upon any freeway having three or more lanes for travel in the same direction, to be driven only in either of the two lanes farthest to the right. The exceptions to this requirement are as follows:

- (1) When the driver is preparing for a left-hand exit from the freeway;
- (2) When the driver necessarily must drive in a lane other than one of the two lanes farthest to the right to continue on the driver's intended route;
- (3) When a special hazard exists that requires the use of an alternative lane for safety reasons; or

(4) When the driver is otherwise directed by a police officer or traffic control device.<sup>1</sup>

A violation of the bill is a minor misdemeanor, with increasing penalties if the offender has been convicted of or pleaded guilty to specified traffic offenses within one year of violating the bill's provisions.<sup>2</sup>

Current law does not address this situation; it provides generally that upon all roadways any vehicle that is proceeding at less than the prevailing and lawful speed of traffic at the time and place and under the conditions then existing must be driven in the right-hand lane then available for traffic, and far enough to the right to allow passing by faster vehicles if the passing can be done safely and reasonably. The exceptions to this requirement are as follows:

(1) When the driver is overtaking and passing another vehicle proceeding in the same direction;

(2) When the driver is preparing for a left turn; or

(3) When the driver necessarily must drive in a lane other than the right-hand lane to continue on the driver's intended route.<sup>3</sup>

### **Culpable state of mind for the prohibitions contained in the bill**

The bill provides that both the existing prohibition and the new prohibition contained in the bill are strict liability offenses, and the requirement of current law, which declares that an enacted law that establishes a criminal offense for which no degree of mental culpability is specified is void,<sup>4</sup> does not apply to the new prohibition.<sup>5</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	03-04-15

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<sup>1</sup> R.C. 4511.25(D)(1) to (4).

<sup>2</sup> R.C. 4511.25(E).

<sup>3</sup> R.C. 4511.25(B)(1)(a) to (c).

<sup>4</sup> R.C. 2901.20(A).

<sup>5</sup> R.C. 4511.25(D).

