



**S.B. 356**

127th General Assembly  
(As Introduced)

**Sens. Spada and Wagoner**

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**BILL SUMMARY**

- Requires a driver's license suspension for operating a vehicle on the wrong side of an interstate highway under specified circumstances.
- Requires definite jail or prison terms for driving under suspension imposed for operating a vehicle on the wrong side of an interstate highway under the specified circumstances and authorizes increased fines for driving under such suspension.

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**CONTENT AND OPERATION**

Current law requires vehicles to be driven only on the right-hand side of a divided roadway and generally prohibits any vehicle from being driven over or across any dividing space or barrier. Violation of the prohibition is a minor misdemeanor except that if the person has been convicted of one of certain specified traffic offenses within one year, the violation is a fourth degree misdemeanor and if the person has been convicted of two or more of the specified traffic offenses within one year, the violation is a third degree misdemeanor. (R.C. 4511.35.)

Under the bill, a person must appear in court for driving on the wrong way of a divided highway if the ticket issued to the person indicates that the offender either (1) operated a motor vehicle for a distance of 500 feet or more upon the left-hand roadway of a divided interstate highway or (2) operated a motor vehicle for any distance upon the left-hand roadway of a divided interstate highway and was involved in a motor vehicle collision on that left-hand roadway causing either physical harm to another person (defined as any injury, illness, or other physiological impairment, regardless of its gravity or duration) or the death of another person (R.C. 4511.35(B)).

The bill does not change the penalty for driving on the wrong side of a divided highway but requires the court to impose a license suspension as follows: (1) for a definite period not to exceed one year upon a finding that the person operated a motor vehicle for a distance of 500 feet or more upon the left-hand roadway of a divided interstate highway and (2) for a definite period of one to five years upon a finding that the offender operated a motor vehicle for any distance upon the left-hand roadway of a divided interstate highway and was involved in a motor vehicle collision causing either physical harm to another person or the death of another person (R.C. 4511.35(D)). The bill specifically prohibits driving under these suspension periods and establishes additional penalties for driving under these suspensions.

Under the bill, a person who drives in violation of a license suspension of a definite period not to exceed one year for operating a motor vehicle for a distance of 500 feet or more upon the left-hand roadway of a divided interstate highway is guilty of a misdemeanor and the court is required to sentence the offender to a jail term of one year; the bill also authorizes the court to impose a fine of not more than \$1,000 upon the offender. A person who drives in violation of a license suspension of a definite period of one to five years for being involved in a motor vehicle collision that occurred on a left-hand roadway and either causing physical harm or death to another person is guilty of a third degree felony and the court is required to sentence the offender to a definite prison term of three years; the bill also authorizes the court to impose a fine of not more than \$10,000 upon the offender. (R.C. 4510.19.)

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## HISTORY

ACTION	DATE
Introduced	08-12-08

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