

CHAPTER 372
Pedestrian or Vehicle Interference

372.01 Distribution Interference in a roadway or right-of-way

372.02 Aggressive distribution Interference

SECTION 372.01 DISTRIBUTION INTERFERENCE IN A ROADWAY OR RIGHT-OF-WAY.

- (a) This section shall only apply to rights-of-way in the County's townships.
- (b) ~~a~~ For purposes of this section, "roadway means that portion of a highway improved, designed or ordinarily used for vehicular travel except the berm or shoulder, "right-of-way" means the ~~travel portion of the roadway, shoulders or berm, ditch, and area extending to the right-of-way limits for public roads under the control of the state, county or local authority, and "impede or obstruct vehicular traffic" means to walk toward or stand in the right-of-way to interact with the occupant or driver of a motor vehicle and in doing so delay passage of that vehicle or other vehicles traveling in the same direction on the roadway, or to cause a driver of vehicle to take evasive action to avoid physical contact with a pedestrian or another motor vehicle.~~
- (b) This section shall only apply to roadways and rights-of-way in the County's townships.
- (c) No person in the right-of-way shall engage in distribution with the driver or occupant of a vehicle in a right-of-way, subject to the conditions set forth in subsections (d) and (f) ~~impede or obstruct vehicular traffic.~~
- (d) No person who is within a right-of-way shall engage in distribution with the driver or occupant of a vehicle stopped in a right-of-way in obedience to a traffic control device. A person may engage in distribution with the occupant of a vehicle in a right-of-way, however, so long as the person remains on the surrounding sidewalks, if they exist, excluding those areas contiguous to the travel portion of a road and used for crosswalk access or within an improved bus stop landing area, and not in or on other portions of the right-of-way itself, including any medians, or traffic islands within the right-of-way ~~shall enter the roadway at any time except to cross the roadway within a marked crosswalk or within an unmarked crosswalk at an intersection.~~
- (e) No person being the driver or occupant of a vehicle in a right-of-way shall engage in distribution with another who is not an occupant of the vehicle, subject to the conditions set forth in subsections (d) and (f).
- (f) No person, being the driver or occupant of a vehicle stopped in a right-of-way in obedience of a traffic control device, shall engage in distribution with another who is not an occupant of the vehicle. A driver or occupant of a vehicle in a right-of-way, however, may engage in distribution with another who is not an occupant of the vehicle so long as the non-occupant remains on the surrounding sidewalks, if they exist, excluding those areas contiguous to the travel portion of a road and used for crosswalk access or within an improved bus stop landing area, and not in or on the other portions of the right-of-way itself, including any medians or traffic islands within the right-of-way.
- (g) ~~e~~ Whoever violates this ~~s~~Section 372.01 is guilty of distribution interference in a roadway or right-of-way, a misdemeanor of the fourth degree. When a person has been previously convicted of a violation of Section 372.01 or any other substantially similar state statute or municipal ordinance, the offense of distribution interference in a roadway or right-of-way ~~right-of-way~~ is a misdemeanor of the third degree.
- (h) For the purpose of this section, the term "distribution" means "an exchange or an attempt to exchange a physical item between two or more individuals."
- (i) ~~f~~ All other words and phrases used in this section shall have the same meanings as defined in Section 4511.01 et seq. of the Ohio Revised Code.
- (j) ~~g~~ A violation of subsections (A), (B), (C) or (D) is a strict liability offense.

AMENDED EXHIBIT A

SECTION 372.02 AGGRESSIVE ~~DISTRIBUTION~~ INTERFERENCE.

(a) No person shall engage or ~~attempt to engage~~ in ~~distribution~~ interference in the following manners:

(1) By knowingly touching or grabbing another person or that person's property without that person's consent or attempting to knowingly touch or grab another person or that person's property without that person's consent.

(2) By knowingly following another person and continuing to engage or attempt to engage ~~in distribution~~ in any manner with that person after that person has made an affirmative communication that the person is unwilling or unable to engage ~~in distribution~~.

(b) Whoever violates this section is guilty of aggressive ~~distribution~~ interference, a misdemeanor of the second degree. When a person has been previously convicted of a violation of Section 372.02 or any other substantially similar state statute or municipal ordinance, aggressive ~~distribution~~ interference is a misdemeanor of the first degree.

(c) ~~For the purpose of this section, the term "distribution" means "an exchange or an attempt to exchange a physical item between two or more individuals."~~