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132nd General Assembly
Regular Session
2017-2018

Sub. H. B. No. 219

A BILL

To amend section 4511.21 of the Revised Code to
specify that a speed limit becomes effective at
the appropriate sign giving notice of the speed
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.21 of the Revised Code be
amended to read as follows: 5
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Sec. 4511.21. (A) No person shall operate a motor vehicle,
trackless trolley, or streetcar at a speed greater or less than
is reasonable or proper, having due regard to the traffic,
surface, and width of the street or highway and any other
conditions, and no person shall drive any motor vehicle,
trackless trolley, or streetcar in and upon any street or
highway at a greater speed than will permit the person to bring
it to a stop within the assured clear distance ahead. 7
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(B) It is prima-facie lawful, in the absence of a lower
limit declared or established pursuant to this section by the
director of transportation or local authorities, for the
operator of a motor vehicle, trackless trolley, or streetcar to 15
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operate the same at a speed not exceeding the following: 19

(1) (a) Twenty miles per hour in school zones during school 20
recess and while children are going to or leaving school during 21
the opening or closing hours, and when twenty miles per hour 22
school speed limit signs are erected; except that, on 23
controlled-access highways and expressways, if the right-of-way 24
line fence has been erected without pedestrian opening, the 25
speed shall be governed by division (B) (4) of this section and 26
on freeways, if the right-of-way line fence has been erected 27
without pedestrian opening, the speed shall be governed by 28
divisions (B) (10) and (11) of this section. The end of every 29
school zone may be marked by a sign indicating the end of the 30
zone. Nothing in this section or in the manual and 31
specifications for a uniform system of traffic control devices 32
shall be construed to require school zones to be indicated by 33
signs equipped with flashing or other lights, or giving other 34
special notice of the hours in which the school zone speed limit 35
is in effect. 36

(b) As used in this section and in section 4511.212 of the 37
Revised Code, "school" means any school chartered under section 38
3301.16 of the Revised Code and any nonchartered school that 39
during the preceding year filed with the department of education 40
in compliance with rule 3301-35-08 of the Ohio Administrative 41
Code, a copy of the school's report for the parents of the 42
school's pupils certifying that the school meets Ohio minimum 43
standards for nonchartered, nontax-supported schools and 44
presents evidence of this filing to the jurisdiction from which 45
it is requesting the establishment of a school zone. "School" 46
also includes a special elementary school that in writing 47
requests the county engineer of the county in which the special 48
elementary school is located to create a school zone at the 49

location of that school. Upon receipt of such a written request, 50
the county engineer shall create a school zone at that location 51
by erecting the appropriate signs. 52

(c) As used in this section, "school zone" means that 53
portion of a street or highway passing a school fronting upon 54
the street or highway that is encompassed by projecting the 55
school property lines to the fronting street or highway, and 56
also includes that portion of a state highway. Upon request from 57
local authorities for streets and highways under their 58
jurisdiction and that portion of a state highway under the 59
jurisdiction of the director of transportation or a request from 60
a county engineer in the case of a school zone for a special 61
elementary school, the director may extend the traditional 62
school zone boundaries. The distances in divisions (B) (1) (c) (i), 63
(ii), and (iii) of this section shall not exceed three hundred 64
feet per approach per direction and are bounded by whichever of 65
the following distances or combinations thereof the director 66
approves as most appropriate: 67

(i) The distance encompassed by projecting the school 68
building lines normal to the fronting highway and extending a 69
distance of three hundred feet on each approach direction; 70

(ii) The distance encompassed by projecting the school 71
property lines intersecting the fronting highway and extending a 72
distance of three hundred feet on each approach direction; 73

(iii) The distance encompassed by the special marking of 74
the pavement for a principal school pupil crosswalk plus a 75
distance of three hundred feet on each approach direction of the 76
highway. 77

Nothing in this section shall be construed to invalidate 78

the director's initial action on August 9, 1976, establishing 79
all school zones at the traditional school zone boundaries 80
defined by projecting school property lines, except when those 81
boundaries are extended as provided in divisions (B) (1) (a) and 82
(c) of this section. 83

(d) As used in this division, "crosswalk" has the meaning 84
given that term in division (LL) (2) of section 4511.01 of the 85
Revised Code. 86

The director may, upon request by resolution of the 87
legislative authority of a municipal corporation, the board of 88
trustees of a township, or a county board of developmental 89
disabilities created pursuant to Chapter 5126. of the Revised 90
Code, and upon submission by the municipal corporation, 91
township, or county board of such engineering, traffic, and 92
other information as the director considers necessary, designate 93
a school zone on any portion of a state route lying within the 94
municipal corporation, lying within the unincorporated territory 95
of the township, or lying adjacent to the property of a school 96
that is operated by such county board, that includes a crosswalk 97
customarily used by children going to or leaving a school during 98
recess and opening and closing hours, whenever the distance, as 99
measured in a straight line, from the school property line 100
nearest the crosswalk to the nearest point of the crosswalk is 101
no more than one thousand three hundred twenty feet. Such a 102
school zone shall include the distance encompassed by the 103
crosswalk and extending three hundred feet on each approach 104
direction of the state route. 105

(e) As used in this section, "special elementary school" 106
means a school that meets all of the following criteria: 107

(i) It is not chartered and does not receive tax revenue 108

from any source.	109
(ii) It does not educate children beyond the eighth grade.	110
(iii) It is located outside the limits of a municipal corporation.	111 112
(iv) A majority of the total number of students enrolled at the school are not related by blood.	113 114
(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.	115 116 117 118 119 120 121
(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;	122 123 124 125
(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B) (4) and (6) of this section;	126 127 128 129
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	130 131
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B) (8) of this section, highways as provided in divisions (B) (9) and (10) of this section, and highways, expressways, and freeways as provided in	132 133 134 135 136

divisions (B) (13), (14), (15), and (17) of this section;	137
(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	138 139 140
(7) Fifteen miles per hour on all alleys within the municipal corporation;	141 142
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	143 144
(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;	145 146 147 148
(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H) (2) of this section;	149 150 151
(11) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (15) and (17) of this section;	152 153 154 155
(12) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B) (15) and (17) of this section;	156 157 158
(13) Sixty miles per hour for operators of any motor vehicle at all times on all portions of rural divided highways;	159 160
(14) Sixty-five miles per hour for operators of any motor vehicle at all times on all rural expressways without traffic control signals;	161 162 163

(15) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways; 164
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(16) Fifty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in congested areas as determined by the director and that are part of the interstate system and are located within a municipal corporation or within an interstate freeway outerbelt; 166
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(17) Sixty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in urban areas as determined by the director and that are part of the interstate system and are part of an interstate freeway outerbelt. 171
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(C) (1) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B) (1) (a), (2), (3), (4), (6), (7), (8), and (9) of this section, or any declared or established pursuant to this section by the director or local authorities ~~and it~~. 176
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(2) It is unlawful for any person to exceed any of the speed limitations in division (D) of this section. 181
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(3) No person shall be convicted of more than one violation of this section for the same conduct, ~~although violations of more than one provision of this section may be charged in the alternative in a single affidavit.~~ 183
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(D) No person shall operate a motor vehicle, trackless trolley, or streetcar upon a street or highway as follows: 187
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(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B) (10) of this section and upon a highway, expressway, or freeway as provided in divisions (B) (13), (14), (15), and (17) of this 189
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section;	193
(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B) (10) of this section and upon a highway as provided in division (B) (13) of this section;	194 195 196 197
(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B) (14) or upon a freeway as provided in division (B) (17) of this section, except upon a freeway as provided in division (B) (15) of this section;	198 199 200 201
(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B) (15) of this section;	202 203
(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I) (2) or (L) (2) of this section.	204 205 206 207
<u>(E) (1) A speed limitation established under division (B) or (D) of this section, or a speed limitation established or declared pursuant to this section by the director or by a local authority, is effective beginning at the location where the speed limit sign is erected. The limitation continues in effect until the location where a speed limit sign establishing a different speed limitation is lawfully erected. Nothing in division (E) (1) of this section shall prevent a law enforcement officer from enforcing the statutory speed limitation in a location not marked by a speed limit sign.</u>	208 209 210 211 212 213 214 215 216 217
<u>(2) The director shall establish specifications in the manual for a uniform system of traffic control devices, adopted under section 4511.09 of the Revised Code, that require each reduced speed limit ahead sign to be erected so as to be visible</u>	218 219 220 221

to the operator of a motor vehicle, trackless trolley, or 222
streetcar and so as to give the operator a reasonable 223
opportunity to decrease the speed of the motor vehicle, 224
trackless trolley, or streetcar before the next speed limit 225
sign. 226

(F) (1) In every charge of a violation of this section, the 227
affidavit and warrant shall specify~~the~~ all of the following: 228

(a) The time, of the alleged violation; 229

(b) The place, of the alleged violation; 230

(c) The and speed at which the defendant is alleged to 231
have driven, and in charges made in reliance upon division (C) 232
of this section also the except for violations of division (A) 233
of this section; 234

(d) The speed which division (B) (1) (a), (2), (3), (4), 235
(6), (7), (8), or (9) of, or a limit declared or established 236
pursuant to, this section declares is prima facie lawful at the 237
time and place of such the alleged violation, except that in 238
affidavits where a person is alleged to have driven at a greater 239
speed than will permit the person to bring the vehicle to a stop 240
within the assured clear distance ahead the affidavit and 241
warrant need not specify the speed at which the defendant is 242
alleged to have driven. 243

~~(F)~~ (2) Violations of more than one provision of this 244
section may be charged as alternative violations in a single 245
affidavit. 246

(3) (a) When a speed in excess of both a prima-facie 247
limitation and a limitation in division (D) of this section is 248
alleged, the defendant shall may be charged in a single 249
affidavit, alleging a single act, with a violation indicated of 250

both division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of 251
this section, or of a limit declared or established pursuant to 252
this section by the director or local authorities, and of the 253
limitation in division (D) of this section. 254

(b) If the court finds a violation of division (B) (1) (a), 255
(2), (3), (4), (6), (7), (8), or (9) of this section or a limit 256
declared or established pursuant to this section has occurred, 257
then it shall enter a judgment of conviction under such division 258
and dismiss the charge under division (D) of this section. 259

(c) If it finds no violation of division (B) (1) (a), (2), 260
(3), (4), (6), (7), (8), or (9) of this section or a limit 261
declared or established pursuant to this section, then it shall 262
then consider whether the evidence supports a conviction under 263
division (D) of this section. 264

(G) Points shall be assessed for violation of a limitation 265
under division (D) of this section in accordance with section 266
4510.036 of the Revised Code. 267

(H) (1) Whenever the director determines upon the basis of 268
a geometric and traffic characteristic study that any speed 269
limit set forth in divisions (B) (1) (a) to (D) of this section is 270
greater or less than is reasonable or safe under the conditions 271
found to exist at any portion of a street or highway under the 272
jurisdiction of the director, the director shall determine and 273
declare a reasonable and safe prima-facie speed limit, which 274
shall be effective when appropriate signs giving notice of it 275
are erected at the location. 276

(2) Whenever the director determines upon the basis of a 277
geometric and traffic characteristic study that the speed limit 278
of fifty-five miles per hour on a two-lane state route outside a 279

municipal corporation is less than is reasonable or safe under 280
the conditions found to exist at that portion of the state 281
route, the director may determine and declare a speed limit of 282
sixty miles per hour for that portion of the state route, which 283
shall be effective when appropriate signs giving notice of it 284
are erected at the location. 285

(3) For purposes of the safe and orderly movement of 286
traffic upon any portion of a street or highway under the 287
jurisdiction of the director, the director may establish a 288
variable speed limit that is different than the speed limit 289
established by or under this section on all or portions of 290
interstate six hundred seventy, interstate two hundred seventy- 291
five, and interstate ninety commencing at the intersection of 292
that interstate with interstate seventy-one and continuing to 293
the border of the state of Ohio with the state of Pennsylvania. 294
The director shall establish criteria for determining the 295
appropriate use of variable speed limits and shall establish 296
variable speed limits in accordance with the criteria. The 297
director may establish variable speed limits based upon the time 298
of day, weather conditions, traffic incidents, or other factors 299
that affect the safe speed on a street or highway. The director 300
shall not establish a variable speed limit that is based on a 301
particular type or class of vehicle. A variable speed limit 302
established by the director under this section is effective when 303
appropriate signs giving notice of the speed limit are displayed 304
at the location. 305

(4) Nothing in this section shall be construed to limit 306
the authority of the director to establish speed limits within a 307
construction zone as authorized under section 4511.98 of the 308
Revised Code. 309

(I) (1) Except as provided in divisions (I) (2) and (K) of 310
this section, whenever local authorities determine upon the 311
basis of an engineering and traffic investigation that the speed 312
permitted by divisions (B) (1) (a) to (D) of this section, on any 313
part of a highway under their jurisdiction, is greater than is 314
reasonable and safe under the conditions found to exist at such 315
location, the local authorities may by resolution request the 316
director to determine and declare a reasonable and safe prima- 317
facie speed limit. Upon receipt of such request the director may 318
determine and declare a reasonable and safe prima-facie speed 319
limit at such location, and if the director does so, then such 320
declared speed limit shall become effective only when 321
appropriate signs giving notice thereof are erected at such 322
location by the local authorities. The director may withdraw the 323
declaration of a prima-facie speed limit whenever in the 324
director's opinion the altered prima-facie speed becomes 325
unreasonable. Upon such withdrawal, the declared prima-facie 326
speed shall become ineffective and the signs relating thereto 327
shall be immediately removed by the local authorities. 328

(2) A local authority may determine on the basis of a 329
geometric and traffic characteristic study that the speed limit 330
of sixty-five miles per hour on a portion of a freeway under its 331
jurisdiction that was established through the operation of 332
division (L) (3) of this section is greater than is reasonable or 333
safe under the conditions found to exist at that portion of the 334
freeway. If the local authority makes such a determination, the 335
local authority by resolution may request the director to 336
determine and declare a reasonable and safe speed limit of not 337
less than fifty-five miles per hour for that portion of the 338
freeway. If the director takes such action, the declared speed 339
limit becomes effective only when appropriate signs giving 340

notice of it are erected at such location by the local 341
authority. 342

(J) Local authorities in their respective jurisdictions 343
may authorize by ordinance higher prima-facie speeds than those 344
stated in this section upon through highways, or upon highways 345
or portions thereof where there are no intersections, or between 346
widely spaced intersections, provided signs are erected giving 347
notice of the authorized speed, but local authorities shall not 348
modify or alter the basic rule set forth in division (A) of this 349
section or in any event authorize by ordinance a speed in excess 350
of fifty miles per hour. 351

Alteration of prima-facie limits on state routes by local 352
authorities shall not be effective until the alteration has been 353
approved by the director. The director may withdraw approval of 354
any altered prima-facie speed limits whenever in the director's 355
opinion any altered prima-facie speed becomes unreasonable, and 356
upon such withdrawal, the altered prima-facie speed shall become 357
ineffective and the signs relating thereto shall be immediately 358
removed by the local authorities. 359

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 360
this section, "unimproved highway" means a highway consisting of 361
any of the following: 362

(a) Unimproved earth; 363

(b) Unimproved graded and drained earth; 364

(c) Gravel. 365

(2) Except as otherwise provided in divisions (K) (4) and 366
(5) of this section, whenever a board of township trustees 367
determines upon the basis of an engineering and traffic 368
investigation that the speed permitted by division (B) (5) of 369

this section on any part of an unimproved highway under its 370
jurisdiction and in the unincorporated territory of the township 371
is greater than is reasonable or safe under the conditions found 372
to exist at the location, the board may by resolution declare a 373
reasonable and safe prima-facie speed limit of fifty-five but 374
not less than twenty-five miles per hour. An altered speed limit 375
adopted by a board of township trustees under this division 376
becomes effective when appropriate traffic control devices, as 377
prescribed in section 4511.11 of the Revised Code, giving notice 378
thereof are erected at the location, which shall be no sooner 379
than sixty days after adoption of the resolution. 380

(3) (a) Whenever, in the opinion of a board of township 381
trustees, any altered prima-facie speed limit established by the 382
board under this division becomes unreasonable, the board may 383
adopt a resolution withdrawing the altered prima-facie speed 384
limit. Upon the adoption of such a resolution, the altered 385
prima-facie speed limit becomes ineffective and the traffic 386
control devices relating thereto shall be immediately removed. 387

(b) Whenever a highway ceases to be an unimproved highway 388
and the board has adopted an altered prima-facie speed limit 389
pursuant to division (K) (2) of this section, the board shall, by 390
resolution, withdraw the altered prima-facie speed limit as soon 391
as the highway ceases to be unimproved. Upon the adoption of 392
such a resolution, the altered prima-facie speed limit becomes 393
ineffective and the traffic control devices relating thereto 394
shall be immediately removed. 395

(4) (a) If the boundary of two townships rests on the 396
centerline of an unimproved highway in unincorporated territory 397
and both townships have jurisdiction over the highway, neither 398
of the boards of township trustees of such townships may declare 399

an altered prima-facie speed limit pursuant to division (K) (2) 400
of this section on the part of the highway under their joint 401
jurisdiction unless the boards of township trustees of both of 402
the townships determine, upon the basis of an engineering and 403
traffic investigation, that the speed permitted by division (B) 404
(5) of this section is greater than is reasonable or safe under 405
the conditions found to exist at the location and both boards 406
agree upon a reasonable and safe prima-facie speed limit of less 407
than fifty-five but not less than twenty-five miles per hour for 408
that location. If both boards so agree, each shall follow the 409
procedure specified in division (K) (2) of this section for 410
altering the prima-facie speed limit on the highway. Except as 411
otherwise provided in division (K) (4) (b) of this section, no 412
speed limit altered pursuant to division (K) (4) (a) of this 413
section may be withdrawn unless the boards of township trustees 414
of both townships determine that the altered prima-facie speed 415
limit previously adopted becomes unreasonable and each board 416
adopts a resolution withdrawing the altered prima-facie speed 417
limit pursuant to the procedure specified in division (K) (3) (a) 418
of this section. 419

(b) Whenever a highway described in division (K) (4) (a) of 420
this section ceases to be an unimproved highway and two boards 421
of township trustees have adopted an altered prima-facie speed 422
limit pursuant to division (K) (4) (a) of this section, both 423
boards shall, by resolution, withdraw the altered prima-facie 424
speed limit as soon as the highway ceases to be unimproved. Upon 425
the adoption of the resolution, the altered prima-facie speed 426
limit becomes ineffective and the traffic control devices 427
relating thereto shall be immediately removed. 428

(5) As used in division (K) (5) of this section: 429

(a) "Commercial subdivision" means any platted territory 430
outside the limits of a municipal corporation and fronting a 431
highway where, for a distance of three hundred feet or more, the 432
frontage is improved with buildings in use for commercial 433
purposes, or where the entire length of the highway is less than 434
three hundred feet long and the frontage is improved with 435
buildings in use for commercial purposes. 436

(b) "Residential subdivision" means any platted territory 437
outside the limits of a municipal corporation and fronting a 438
highway, where, for a distance of three hundred feet or more, 439
the frontage is improved with residences or residences and 440
buildings in use for business, or where the entire length of the 441
highway is less than three hundred feet long and the frontage is 442
improved with residences or residences and buildings in use for 443
business. 444

Whenever a board of township trustees finds upon the basis 445
of an engineering and traffic investigation that the prima-facie 446
speed permitted by division (B) (5) of this section on any part 447
of a highway under its jurisdiction that is located in a 448
commercial or residential subdivision, except on highways or 449
portions thereof at the entrances to which vehicular traffic 450
from the majority of intersecting highways is required to yield 451
the right-of-way to vehicles on such highways in obedience to 452
stop or yield signs or traffic control signals, is greater than 453
is reasonable and safe under the conditions found to exist at 454
the location, the board may by resolution declare a reasonable 455
and safe prima-facie speed limit of less than fifty-five but not 456
less than twenty-five miles per hour at the location. An altered 457
speed limit adopted by a board of township trustees under this 458
division shall become effective when appropriate signs giving 459
notice thereof are erected at the location by the township. 460

Whenever, in the opinion of a board of township trustees, any 461
altered prima-facie speed limit established by it under this 462
division becomes unreasonable, it may adopt a resolution 463
withdrawing the altered prima-facie speed, and upon such 464
withdrawal, the altered prima-facie speed shall become 465
ineffective, and the signs relating thereto shall be immediately 466
removed by the township. 467

(L) (1) On September 29, 2013, the director of 468
transportation, based upon an engineering study of a highway, 469
expressway, or freeway described in division (B) (13), (14), 470
(15), (16), or (17) of this section, in consultation with the 471
director of public safety and, if applicable, the local 472
authority having jurisdiction over the studied highway, 473
expressway, or freeway, may determine and declare that the speed 474
limit established on such highway, expressway, or freeway under 475
division (B) (13), (14), (15), (16), or (17) of this section 476
either is reasonable and safe or is more or less than that which 477
is reasonable and safe. 478

(2) If the established speed limit for a highway, 479
expressway, or freeway studied pursuant to division (L) (1) of 480
this section is determined to be more or less than that which is 481
reasonable and safe, the director of transportation, in 482
consultation with the director of public safety and, if 483
applicable, the local authority having jurisdiction over the 484
studied highway, expressway, or freeway, shall determine and 485
declare a reasonable and safe speed limit for that highway, 486
expressway, or freeway. 487

(M) (1) (a) If the boundary of two local authorities rests 488
on the centerline of a highway and both authorities have 489
jurisdiction over the highway, the speed limit for the part of 490

the highway within their joint jurisdiction shall be either one 491
of the following as agreed to by both authorities: 492

(i) Either prima-facie speed limit permitted by division 493
(B) of this section; 494

(ii) An altered speed limit determined and posted in 495
accordance with this section. 496

(b) If the local authorities are unable to reach an 497
agreement, the speed limit shall remain as established and 498
posted under this section. 499

(2) Neither local authority may declare an altered prima- 500
facie speed limit pursuant to this section on the part of the 501
highway under their joint jurisdiction unless both of the local 502
authorities determine, upon the basis of an engineering and 503
traffic investigation, that the speed permitted by this section 504
is greater than is reasonable or safe under the conditions found 505
to exist at the location and both authorities agree upon a 506
uniform reasonable and safe prima-facie speed limit of less than 507
fifty-five but not less than twenty-five miles per hour for that 508
location. If both authorities so agree, each shall follow the 509
procedure specified in this section for altering the prima-facie 510
speed limit on the highway, and the speed limit for the part of 511
the highway within their joint jurisdiction shall be uniformly 512
altered. No altered speed limit may be withdrawn unless both 513
local authorities determine that the altered prima-facie speed 514
limit previously adopted becomes unreasonable and each adopts a 515
resolution withdrawing the altered prima-facie speed limit 516
pursuant to the procedure specified in this section. 517

(N) The legislative authority of a municipal corporation 518
or township in which a boarding school is located, by resolution 519

or ordinance, may establish a boarding school zone. The 520
legislative authority may alter the speed limit on any street or 521
highway within the boarding school zone and shall specify the 522
hours during which the altered speed limit is in effect. For 523
purposes of determining the boundaries of the boarding school 524
zone, the altered speed limit within the boarding school zone, 525
and the hours the altered speed limit is in effect, the 526
legislative authority shall consult with the administration of 527
the boarding school and with the county engineer or other 528
appropriate engineer, as applicable. A boarding school zone 529
speed limit becomes effective only when appropriate signs giving 530
notice thereof are erected at the appropriate locations. 531

(0) As used in this section: 532

(1) "Interstate system" has the same meaning as in 23 533
U.S.C.A. 101. 534

(2) "Commercial bus" means a motor vehicle designed for 535
carrying more than nine passengers and used for the 536
transportation of persons for compensation. 537

(3) "Noncommercial bus" includes but is not limited to a 538
school bus or a motor vehicle operated solely for the 539
transportation of persons associated with a charitable or 540
nonprofit organization. 541

(4) "Outerbelt" means a portion of a freeway that is part 542
of the interstate system and is located in the outer vicinity of 543
a major municipal corporation or group of municipal 544
corporations, as designated by the director. 545

(5) "Rural" means outside urbanized areas, as designated 546
in accordance with 23 U.S.C. 101, and outside of a business or 547
urban district. 548

(P) (1) A violation of any provision of this section is one 549
of the following: 550

(a) Except as otherwise provided in divisions (P) (1) (b), 551
(1) (c), (2), and (3) of this section, a minor misdemeanor; 552

(b) If, within one year of the offense, the offender 553
previously has been convicted of or pleaded guilty to two 554
violations of any provision of this section or of any provision 555
of a municipal ordinance that is substantially similar to any 556
provision of this section, a misdemeanor of the fourth degree; 557

(c) If, within one year of the offense, the offender 558
previously has been convicted of or pleaded guilty to three or 559
more violations of any provision of this section or of any 560
provision of a municipal ordinance that is substantially similar 561
to any provision of this section, a misdemeanor of the third 562
degree. 563

(2) If the offender has not previously been convicted of 564
or pleaded guilty to a violation of any provision of this 565
section or of any provision of a municipal ordinance that is 566
substantially similar to this section and operated a motor 567
vehicle faster than thirty-five miles an hour in a business 568
district of a municipal corporation, faster than fifty miles an 569
hour in other portions of a municipal corporation, or faster 570
than thirty-five miles an hour in a school zone during recess or 571
while children are going to or leaving school during the 572
school's opening or closing hours, a misdemeanor of the fourth 573
degree. 574

(3) Notwithstanding division (P) (1) of this section, if 575
the offender operated a motor vehicle in a construction zone 576
where a sign was then posted in accordance with section 4511.98 577

of the Revised Code, the court, in addition to all other 578
penalties provided by law, shall impose upon the offender a fine 579
of two times the usual amount imposed for the violation. No 580
court shall impose a fine of two times the usual amount imposed 581
for the violation upon an offender if the offender alleges, in 582
an affidavit filed with the court prior to the offender's 583
sentencing, that the offender is indigent and is unable to pay 584
the fine imposed pursuant to this division and if the court 585
determines that the offender is an indigent person and unable to 586
pay the fine. 587

Section 2. That existing section 4511.21 of the Revised 588
Code is hereby repealed. 589