



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Margaret E. Marcy

H.B. 219

132nd General Assembly
(As Introduced)

Reps. Boccieri, Hood, Sheehy, Lepore-Hagan, Becker, Miller, Ashford, Seitz, O'Brien, West, Craig, Kent, Holmes

BILL SUMMARY

- Specifies that a speed limit established under the Speed Limit Law is effective beginning a reasonable distance from the location of the speed limit sign that gives notice of that speed limit.
 - Makes clarifying, nonsubstantive changes to provisions within the Speed Limit Law, particularly regarding the content of the information included on the affidavit and warrant.
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CONTENT AND OPERATION

Effective point of changing speed limitations

The bill specifies that a speed limit established under the Speed Limit Law is effective beginning a reasonable distance from the location of the speed limit sign that gives notice of the speed limit. The speed limit then continues in effect until a reasonable distance from the location of a speed limit sign that establishes a different speed limit.¹ This appears to allow a motor vehicle operator time to decrease the motor vehicle's speed (when a sign indicates a lower speed limit than the motor vehicle is traveling) within a reasonable distance both before and after the sign. Similarly, an operator may increase the motor vehicle's speed (when a sign indicates a higher speed limit than the motor vehicle is traveling) within a reasonable distance both before and after the sign.

¹ R.C. 4511.21(E).

Speed limits generally

Speed limits are generally established in statute and are based on the type and location of the highway (for example, 35 miles per hour on all state routes or through highways within municipal corporations outside of business districts).² However, the Director of Transportation has the authority to change the speed limit for a specific highway if the statutory speed is either greater or less than is reasonably safe, based on an engineering or geometric and traffic characteristic study.³ Additionally, a law enforcement officer has the discretion to stop a driver for a speeding offense if that driver operates the vehicle at a speed greater than 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," regardless of the posted speed limit.⁴

Clarifying changes

The bill makes clarifying, nonsubstantive changes to provisions within the Speed Limit Law. Such changes primarily concern clarifying the prohibition against exceeding the speed limit⁵ and clarifying the information that must be contained in an affidavit and warrant for a violation of the speed limit.⁶

HISTORY

ACTION	DATE
Introduced	05-16-17

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² R.C. 4511.21(B)(3). See also *State v. Smith*, 12th Dist. Madison, 2006-Ohio-4829, in which the court declared "that the speed limit on streets and roadways in the state of Ohio is set by statute, and *not by speed limit signage*." (Emphasis in the original.)

³ See, for example, R.C. 4511.21(H) through (J).

⁴ R.C. 4511.21(A).

⁵ R.C. 4511.21(C).

⁶ R.C. 4511.21(F).

