

**As Reported by the House Transportation and Public Safety Committee**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 219**

**Representative Bocchieri**

**Cosponsors: Representatives Hood, Sheehy, Lepore-Hagan, Becker, Miller,  
Ashford, Seitz, O'Brien, West, Craig, Kent, Holmes, Green, Manning**

---

**A BILL**

To amend section 4511.21 of the Revised Code to 1  
specify that a speed limit becomes effective at 2  
the appropriate sign giving notice of the speed 3  
limit. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4511.21 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 7  
trackless trolley, or streetcar at a speed greater or less than 8  
is reasonable or proper, having due regard to the traffic, 9  
surface, and width of the street or highway and any other 10  
conditions, and no person shall drive any motor vehicle, 11  
trackless trolley, or streetcar in and upon any street or 12  
highway at a greater speed than will permit the person to bring 13  
it to a stop within the assured clear distance ahead. 14

(B) It is prima-facie lawful, in the absence of a lower 15  
limit declared or established pursuant to this section by the 16  
director of transportation or local authorities, for the 17

operator of a motor vehicle, trackless trolley, or streetcar to 18  
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	111
corporation.	112
(iv) A majority of the total number of students enrolled	113
at the school are not related by blood.	114
(v) The principal or other person in charge of the special	115
elementary school annually sends a report to the superintendent	116
of the school district in which the special elementary school is	117
located indicating the total number of students enrolled at the	118
school, but otherwise the principal or other person in charge	119
does not report any other information or data to the	120
superintendent.	121
(2) Twenty-five miles per hour in all other portions of a	122
municipal corporation, except on state routes outside business	123
districts, through highways outside business districts, and	124
alleys;	125
(3) Thirty-five miles per hour on all state routes or	126
through highways within municipal corporations outside business	127
districts, except as provided in divisions (B) (4) and (6) of	128
this section;	129
(4) Fifty miles per hour on controlled-access highways and	130
expressways within municipal corporations;	131
(5) Fifty-five miles per hour on highways outside	132
municipal corporations, other than highways within island	133
jurisdictions as provided in division (B) (8) of this section,	134
highways as provided in divisions (B) (9) and (10) of this	135

section, and highways, expressways, and freeways as provided in	136
divisions (B) (13), (14), (15), and (17) of this section;	137
(6) Fifty miles per hour on state routes within municipal	138
corporations outside urban districts unless a lower prima-facie	139
speed is established as further provided in this section;	140
(7) Fifteen miles per hour on all alleys within the	141
municipal corporation;	142
(8) Thirty-five miles per hour on highways outside	143
municipal corporations that are within an island jurisdiction;	144
(9) Thirty-five miles per hour on through highways, except	145
state routes, that are outside municipal corporations and that	146
are within a national park with boundaries extending through two	147
or more counties;	148
(10) Sixty miles per hour on two-lane state routes outside	149
municipal corporations as established by the director under	150
division (H) (2) of this section;	151
(11) Fifty-five miles per hour at all times on freeways	152
with paved shoulders inside municipal corporations, other than	153
freeways as provided in divisions (B) (15) and (17) of this	154
section;	155
(12) Fifty-five miles per hour at all times on freeways	156
outside municipal corporations, other than freeways as provided	157
in divisions (B) (15) and (17) of this section;	158
(13) Sixty miles per hour for operators of any motor	159
vehicle at all times on all portions of rural divided highways;	160
(14) Sixty-five miles per hour for operators of any motor	161
vehicle at all times on all rural expressways without traffic	162
control signals;	163

(15) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways;	164 165
(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;	166 167 168 169 170
(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.	171 172 173 174 175
(C) <u>(1)</u> 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 <del>and it</del> .	176 177 178 179 180
<u>(2)</u> It is unlawful for any person to exceed any of the speed limitations in division (D) of this section.	181 182
<u>(3)</u> No person shall be convicted of more than one violation of this section for the same conduct, <del>although</del> <del>violations of more than one provision of this section may be</del> <del>charged in the alternative in a single affidavit.</del>	183 184 185 186
(D) No person shall operate a motor vehicle, trackless trolley, or streetcar upon a street or highway as follows:	187 188
(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	189 190 191 192

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