

As Introduced

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H. B. No. 384

Representatives Boggs, Leland

**Cosponsors: Representatives Brent, Crawley, Crossman, Galonski, Jones, Kelly,
Lang, Lepore-Hagan, Lightbody, Miller, J., Rogers, Russo, Sobecki, West**

A BILL

To amend sections 4511.11 and 4511.21 of the 1
Revised Code to permit a local resident, 2
neighborhood association, or neighborhood 3
organization to request the erection of a stop 4
sign at an intersection and to support a request 5
for a lower prima-facie speed limit on certain 6
streets and highways. 7

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

Section 1. That sections 4511.11 and 4511.21 of the 8
Revised Code be amended to read as follows: 9

Sec. 4511.11. (A) ~~Local~~ Except as provided in division (B) 10
of this section, local authorities in their respective 11
jurisdictions shall place and maintain traffic control devices 12
in accordance with the department of transportation manual for a 13
uniform system of traffic control devices, adopted under section 14
4511.09 of the Revised Code, upon highways under their 15
jurisdiction as are necessary to indicate and to carry out 16
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 17
local traffic ordinances, or to regulate, warn, or guide 18

traffic.

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(B)–(1) Either of the following may submit a petition to
the director of transportation or the proper local authority
requesting that a stop sign be erected at an intersection at
which a stop sign currently is not present:

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(a) A person who resides within a one-quarter mile radius
of the intersection if the intersection is within the boundaries
of a municipal corporation, or a person who resides within a
one-half mile radius of the intersection if the intersection is
not within the boundaries of a municipal corporation;

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(b) A recognized neighborhood association or organization
that represents the area within which the intersection is
located.

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(2) The petitioner shall specify in the petition the
intersection at which the petitioner desires the stop sign to be
erected by describing in detail the intersection's location. If
the intersection is located within the boundaries of a municipal
corporation, the petitioner also shall include with the petition
the signatures of at least fifty-one per cent of the adults who
reside on real property within a one-quarter mile radius of the
intersection. If the intersection is not located within the
boundaries of a municipal corporation, the petitioner also shall
include with the petition the signatures of at least fifty-one
per cent of the adults who reside on real property within a one-
half mile radius of the intersection.

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(3) Upon receipt of a petition that complies with division
(B)(2) of this section, the director or local authority shall
determine whether a stop sign should be erected at the
intersection. The director or local authority, in addition to

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consulting the state manual, shall take into account and give 48
due consideration to the petition in determining whether to 49
erect the stop sign requested in the petition. 50

The director or local authority shall notify the 51
petitioner in writing of the director's or local authority's 52
decision regarding the requested stop sign. If the director or 53
local authority erects the stop sign, the director or local 54
authority shall do so not later than thirty days after the date 55
that the director or local authority issues the written notice. 56

(C) The director of transportation may require to be 57
removed any traffic control device that does not conform to the 58
manual for a uniform system of traffic control devices on the 59
extensions of the state highway system within municipal 60
corporations. 61

~~(C)~~ (D) No village shall place or maintain any traffic 62
control signal upon an extension of the state highway system 63
within the village without first obtaining the permission of the 64
director. The director may revoke the permission and may require 65
to be removed any traffic control signal that has been erected 66
without the director's permission on an extension of a state 67
highway within a village, or that, if erected under a permit 68
granted by the director, does not conform to the state manual, 69
or that is not operated in accordance with the terms of the 70
permit. 71

~~(D)~~ (E) All traffic control devices erected on any street, 72
highway, alley, bikeway, or private road open to public travel 73
shall conform to the state manual. 74

~~(E)~~ (F) No person, firm, or corporation shall sell or 75
offer for sale to local authorities any traffic control device 76

that does not conform to the state manual, except by permission 77
of the director. 78

~~(F)~~(G) No local authority shall purchase or manufacture 79
any traffic control device that does not conform to the state 80
manual, except by permission of the director. 81

~~(G)~~(H) Whoever violates division ~~(E)~~(F) of this section 82
is guilty of a misdemeanor of the third degree. 83

Sec. 4511.21. (A) No person shall operate a motor vehicle, 84
trackless trolley, or streetcar at a speed greater or less than 85
is reasonable or proper, having due regard to the traffic, 86
surface, and width of the street or highway and any other 87
conditions, and no person shall drive any motor vehicle, 88
trackless trolley, or streetcar in and upon any street or 89
highway at a greater speed than will permit the person to bring 90
it to a stop within the assured clear distance ahead. 91

(B) It is prima-facie lawful, in the absence of a lower 92
limit declared or established pursuant to this section by the 93
director of transportation or local authorities, for the 94
operator of a motor vehicle, trackless trolley, or streetcar to 95
operate the same at a speed not exceeding the following: 96

(1) (a) Twenty miles per hour in school zones during school 97
recess and while children are going to or leaving school during 98
the opening or closing hours, and when twenty miles per hour 99
school speed limit signs are erected; except that, on 100
controlled-access highways and expressways, if the right-of-way 101
line fence has been erected without pedestrian opening, the 102
speed shall be governed by division (B) (4) of this section and 103
on freeways, if the right-of-way line fence has been erected 104
without pedestrian opening, the speed shall be governed by 105

divisions (B) (10) and (11) of this section. The end of every 106
school zone may be marked by a sign indicating the end of the 107
zone. Nothing in this section or in the manual and 108
specifications for a uniform system of traffic control devices 109
shall be construed to require school zones to be indicated by 110
signs equipped with flashing or other lights, or giving other 111
special notice of the hours in which the school zone speed limit 112
is in effect. 113

(b) As used in this section and in section 4511.212 of the 114
Revised Code, "school" means any school chartered under section 115
3301.16 of the Revised Code and any nonchartered school that 116
during the preceding year filed with the department of education 117
in compliance with rule 3301-35-08 of the Ohio Administrative 118
Code, a copy of the school's report for the parents of the 119
school's pupils certifying that the school meets Ohio minimum 120
standards for nonchartered, nontax-supported schools and 121
presents evidence of this filing to the jurisdiction from which 122
it is requesting the establishment of a school zone. "School" 123
also includes a special elementary school that in writing 124
requests the county engineer of the county in which the special 125
elementary school is located to create a school zone at the 126
location of that school. Upon receipt of such a written request, 127
the county engineer shall create a school zone at that location 128
by erecting the appropriate signs. 129

(c) As used in this section, "school zone" means that 130
portion of a street or highway passing a school fronting upon 131
the street or highway that is encompassed by projecting the 132
school property lines to the fronting street or highway, and 133
also includes that portion of a state highway. Upon request from 134
local authorities for streets and highways under their 135
jurisdiction and that portion of a state highway under the 136

jurisdiction of the director of transportation or a request from 137
a county engineer in the case of a school zone for a special 138
elementary school, the director may extend the traditional 139
school zone boundaries. The distances in divisions (B) (1) (c) (i), 140
(ii), and (iii) of this section shall not exceed three hundred 141
feet per approach per direction and are bounded by whichever of 142
the following distances or combinations thereof the director 143
approves as most appropriate: 144

(i) The distance encompassed by projecting the school 145
building lines normal to the fronting highway and extending a 146
distance of three hundred feet on each approach direction; 147

(ii) The distance encompassed by projecting the school 148
property lines intersecting the fronting highway and extending a 149
distance of three hundred feet on each approach direction; 150

(iii) The distance encompassed by the special marking of 151
the pavement for a principal school pupil crosswalk plus a 152
distance of three hundred feet on each approach direction of the 153
highway. 154

Nothing in this section shall be construed to invalidate 155
the director's initial action on August 9, 1976, establishing 156
all school zones at the traditional school zone boundaries 157
defined by projecting school property lines, except when those 158
boundaries are extended as provided in divisions (B) (1) (a) and 159
(c) of this section. 160

(d) As used in this division, "crosswalk" has the meaning 161
given that term in division (LL) (2) of section 4511.01 of the 162
Revised Code. 163

The director may, upon request by resolution of the 164
legislative authority of a municipal corporation, the board of 165

trustees of a township, or a county board of developmental 166
disabilities created pursuant to Chapter 5126. of the Revised 167
Code, and upon submission by the municipal corporation, 168
township, or county board of such engineering, traffic, and 169
other information as the director considers necessary, designate 170
a school zone on any portion of a state route lying within the 171
municipal corporation, lying within the unincorporated territory 172
of the township, or lying adjacent to the property of a school 173
that is operated by such county board, that includes a crosswalk 174
customarily used by children going to or leaving a school during 175
recess and opening and closing hours, whenever the distance, as 176
measured in a straight line, from the school property line 177
nearest the crosswalk to the nearest point of the crosswalk is 178
no more than one thousand three hundred twenty feet. Such a 179
school zone shall include the distance encompassed by the 180
crosswalk and extending three hundred feet on each approach 181
direction of the state route. 182

(e) As used in this section, "special elementary school" 183
means a school that meets all of the following criteria: 184

(i) It is not chartered and does not receive tax revenue 185
from any source. 186

(ii) It does not educate children beyond the eighth grade. 187

(iii) It is located outside the limits of a municipal 188
corporation. 189

(iv) A majority of the total number of students enrolled 190
at the school are not related by blood. 191

(v) The principal or other person in charge of the special 192
elementary school annually sends a report to the superintendent 193
of the school district in which the special elementary school is 194

located indicating the total number of students enrolled at the 195
school, but otherwise the principal or other person in charge 196
does not report any other information or data to the 197
superintendent. 198

(2) Twenty-five miles per hour in all other portions of a 199
municipal corporation, except on state routes outside business 200
districts, through highways outside business districts, and 201
alleys; 202

(3) Thirty-five miles per hour on all state routes or 203
through highways within municipal corporations outside business 204
districts, except as provided in divisions (B) (4) and (6) of 205
this section; 206

(4) Fifty miles per hour on controlled-access highways and 207
expressways within municipal corporations, except as provided in 208
divisions (B) (12), (13), (14), (15), and (16) of this section; 209

(5) Fifty-five miles per hour on highways outside 210
municipal corporations, other than highways within island 211
jurisdictions as provided in division (B) (8) of this section, 212
highways as provided in divisions (B) (9) and (10) of this 213
section, and highways, expressways, and freeways as provided in 214
divisions (B) (12), (13), (14), and (16) of this section; 215

(6) Fifty miles per hour on state routes within municipal 216
corporations outside urban districts unless a lower prima-facie 217
speed is established as further provided in this section; 218

(7) Fifteen miles per hour on all alleys within the 219
municipal corporation; 220

(8) Thirty-five miles per hour on highways outside 221
municipal corporations that are within an island jurisdiction; 222

(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;	223 224 225 226
(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;	227 228 229
(11) Fifty-five miles per hour on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section;	230 231 232
(12) Sixty miles per hour on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in divisions (B) (13) and (14) of this section;	233 234 235 236
(13) Sixty-five miles per hour on all rural expressways without traffic control signals;	237 238
(14) Seventy miles per hour on all rural freeways;	239
(15) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B) (16) of this section;	240 241 242 243 244
(16) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized areas.	245 246 247
(C) 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	248 249 250

established pursuant to this section by the director or local 251
authorities and it is unlawful for any person to exceed any of 252
the speed limitations in division (D) of this section. No person 253
shall be convicted of more than one violation of this section 254
for the same conduct, although violations of more than one 255
provision of this section may be charged in the alternative in a 256
single affidavit. 257

(D) No person shall operate a motor vehicle, trackless 258
trolley, or streetcar upon a street or highway as follows: 259

(1) At a speed exceeding fifty-five miles per hour, except 260
upon a two-lane state route as provided in division (B)(10) of 261
this section and upon a highway, expressway, or freeway as 262
provided in divisions (B)(12), (13), (14), and (16) of this 263
section; 264

(2) At a speed exceeding sixty miles per hour upon a two- 265
lane state route as provided in division (B)(10) of this section 266
and upon a highway as provided in division (B)(12) of this 267
section; 268

(3) At a speed exceeding sixty-five miles per hour upon an 269
expressway as provided in division (B)(13) or upon a freeway as 270
provided in division (B)(16) of this section, except upon a 271
freeway as provided in division (B)(14) of this section; 272

(4) At a speed exceeding seventy miles per hour upon a 273
freeway as provided in division (B)(14) of this section; 274

(5) At a speed exceeding the posted speed limit upon a 275
highway, expressway, or freeway for which the director has 276
determined and declared a speed limit pursuant to division (I) 277
(2) or (L)(2) of this section. 278

(E) In every charge of violation of this section the 279

affidavit and warrant shall specify the time, place, and speed 280
at which the defendant is alleged to have driven, and in charges 281
made in reliance upon division (C) of this section also the 282
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 283
(9) of, or a limit declared or established pursuant to, this 284
section declares is prima-facie lawful at the time and place of 285
such alleged violation, except that in affidavits where a person 286
is alleged to have driven at a greater speed than will permit 287
the person to bring the vehicle to a stop within the assured 288
clear distance ahead the affidavit and warrant need not specify 289
the speed at which the defendant is alleged to have driven. 290

(F) When a speed in excess of both a prima-facie 291
limitation and a limitation in division (D) of this section is 292
alleged, the defendant shall be charged in a single affidavit, 293
alleging a single act, with a violation indicated of both 294
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 295
section, or of a limit declared or established pursuant to this 296
section by the director or local authorities, and of the 297
limitation in division (D) of this section. If the court finds a 298
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 299
or (9) of, or a limit declared or established pursuant to, this 300
section has occurred, it shall enter a judgment of conviction 301
under such division and dismiss the charge under division (D) of 302
this section. If it finds no violation of division (B) (1) (a), 303
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 304
established pursuant to, this section, it shall then consider 305
whether the evidence supports a conviction under division (D) of 306
this section. 307

(G) Points shall be assessed for violation of a limitation 308
under division (D) of this section in accordance with section 309
4510.036 of the Revised Code. 310

(H) (1) Whenever the director determines upon the basis of 311
criteria established by an engineering study, as defined by the 312
director, that any speed limit set forth in divisions (B) (1) (a) 313
to (D) of this section is greater or less than is reasonable or 314
safe under the conditions found to exist at any portion of a 315
street or highway under the jurisdiction of the director, the 316
director shall determine and declare a reasonable and safe 317
prima-facie speed limit, which shall be effective when 318
appropriate signs giving notice of it are erected at the 319
location. 320

(2) Whenever the director determines upon the basis of 321
criteria established by an engineering study, as defined by the 322
director, that the speed limit of fifty-five miles per hour on a 323
two-lane state route outside a municipal corporation is less 324
than is reasonable or safe under the conditions found to exist 325
at that portion of the state route, the director may determine 326
and declare a speed limit of sixty miles per hour for that 327
portion of the state route, which shall be effective when 328
appropriate signs giving notice of it are erected at the 329
location. 330

(3) (a) For purposes of the safe and orderly movement of 331
traffic upon any portion of a street or highway under the 332
jurisdiction of the director, the director may establish a 333
variable speed limit that is different than the speed limit 334
established by or under this section on all or portions of 335
interstate six hundred seventy, interstate two hundred seventy- 336
five, and interstate ninety commencing at the intersection of 337
that interstate with interstate seventy-one and continuing to 338
the border of the state of Ohio with the state of Pennsylvania. 339
The director shall establish criteria for determining the 340
appropriate use of variable speed limits and shall establish 341

variable speed limits in accordance with the criteria. The 342
director may establish variable speed limits based upon the time 343
of day, weather conditions, traffic incidents, or other factors 344
that affect the safe speed on a street or highway. The director 345
shall not establish a variable speed limit that is based on a 346
particular type or class of vehicle. A variable speed limit 347
established by the director under this section is effective when 348
appropriate signs giving notice of the speed limit are displayed 349
at the location. 350

(b) Except for variable speed limits established under 351
division (H) (3) (a) of this section, the director shall establish 352
a variable speed limit under the authority granted to the 353
director by this section on not more than two additional 354
highways and only pursuant to criteria established in rules 355
adopted in accordance with Chapter 119. of the Revised Code. The 356
rules shall be based on the criteria described in division (H) 357
(3) (a) of this section. The rules also shall establish the 358
parameters of any engineering study necessary for determining 359
when variable speed limits are appropriate. 360

(4) Nothing in this section shall be construed to limit 361
the authority of the director to establish speed limits within a 362
construction zone as authorized under section 4511.98 of the 363
Revised Code. 364

(I) (1) ~~(a)~~ Except as provided in divisions (I) (1) (b), (I) 365
(2), (J), (K), and (N) of this section, whenever local 366
authorities determine upon the basis of criteria established by 367
an engineering study, as defined by the director, that the speed 368
permitted by divisions (B) (1) (a) to (D) of this section, on any 369
part of a highway under their jurisdiction, is greater than is 370
reasonable and safe under the conditions found to exist at such 371

location, the local authorities may by resolution request the 372
director to determine and declare a reasonable and safe prima- 373
facie speed limit. Upon receipt of such request the director may 374
determine and declare a reasonable and safe prima-facie speed 375
limit at such location, and if the director does so, then such 376
declared speed limit shall become effective only when 377
appropriate signs giving notice thereof are erected at such 378
location by the local authorities. The director may withdraw the 379
declaration of a prima-facie speed limit whenever in the 380
director's opinion the altered prima-facie speed limit becomes 381
unreasonable. Upon such withdrawal, the declared prima-facie 382
speed limit shall become ineffective and the signs relating 383
thereto shall be immediately removed by the local authorities. 384

(b) A local authority may, by resolution and without 385
conducting an engineering study, request the director to 386
determine and declare a lower prima-facie speed limit on a 387
street or highway when all of the following apply: 388

(i) The street or highway is within the local authority's 389
jurisdiction. 390

(ii) The street or highway has a speed limit of thirty- 391
five miles per hour or less. 392

(iii) A person, who resides on the street or highway or a 393
recognized neighborhood association or organization that 394
represents the area within which the street or highway is 395
located, submits a petition supporting the lower prima-facie 396
speed limit. In the petition, the petitioner shall specify with 397
reasonable detail the relevant portion of the street or highway. 398
The petitioner shall include with the petition the signatures of 399
at least fifty-one per cent of the adults who reside on real 400
property located on the subject portion of the street or 401

highway. 402

Upon receipt of the resolution and the accompanying 403
petition that complies with division (I) (1) (b) (iii) of this 404
section, the director, in determining whether to declare a lower 405
prima-facie speed limit on the portion of the street or highway, 406
shall take into account and give due consideration to the 407
petition. The director shall notify the local authority and the 408
petitioner in writing of the director's decision. 409

The director may withdraw the declaration of a prima-facie 410
speed limit established under division (I) (1) (b) of this section 411
whenever the director determines that the altered prima-facie 412
speed limit becomes unreasonable. Upon such withdrawal, the 413
declared prima-facie speed limit shall become ineffective and 414
the signs relating thereto shall be immediately removed by the 415
local authorities. 416

(2) A local authority may determine on the basis of 417
criteria established by an engineering study, as defined by the 418
director, that the speed limit of sixty-five or seventy miles 419
per hour on a portion of a freeway under its jurisdiction is 420
greater than is reasonable or safe under the conditions found to 421
exist at that portion of the freeway. If the local authority 422
makes such a determination, the local authority by resolution 423
may request the director to determine and declare a reasonable 424
and safe speed limit of not less than fifty-five miles per hour 425
for that portion of the freeway. If the director takes such 426
action, the declared speed limit becomes effective only when 427
appropriate signs giving notice of it are erected at such 428
location by the local authority. 429

(J) Local authorities in their respective jurisdictions 430
may authorize by ordinance higher prima-facie speeds than those 431

stated in this section upon through highways, or upon highways 432
or portions thereof where there are no intersections, or between 433
widely spaced intersections, provided signs are erected giving 434
notice of the authorized speed, but local authorities shall not 435
modify or alter the basic rule set forth in division (A) of this 436
section or in any event authorize by ordinance a speed in excess 437
of the maximum speed permitted by division (D) of this section 438
for the specified type of highway. 439

Alteration of prima-facie limits on state routes by local 440
authorities shall not be effective until the alteration has been 441
approved by the director. The director may withdraw approval of 442
any altered prima-facie speed limits whenever in the director's 443
opinion any altered prima-facie speed becomes unreasonable, and 444
upon such withdrawal, the altered prima-facie speed shall become 445
ineffective and the signs relating thereto shall be immediately 446
removed by the local authorities. 447

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 448
this section, "unimproved highway" means a highway consisting of 449
any of the following: 450

- (a) Unimproved earth; 451
- (b) Unimproved graded and drained earth; 452
- (c) Gravel. 453

(2) Except as otherwise provided in divisions (K) (4) and 454
(5) of this section, whenever a board of township trustees 455
determines upon the basis of criteria established by an 456
engineering study, as defined by the director, that the speed 457
permitted by division (B) (5) of this section on any part of an 458
unimproved highway under its jurisdiction and in the 459
unincorporated territory of the township is greater than is 460

reasonable or safe under the conditions found to exist at the 461
location, the board may by resolution declare a reasonable and 462
safe prima-facie speed limit of fifty-five but not less than 463
twenty-five miles per hour. An altered speed limit adopted by a 464
board of township trustees under this division becomes effective 465
when appropriate traffic control devices, as prescribed in 466
section 4511.11 of the Revised Code, giving notice thereof are 467
erected at the location, which shall be no sooner than sixty 468
days after adoption of the resolution. 469

(3) (a) Whenever, in the opinion of a board of township 470
trustees, any altered prima-facie speed limit established by the 471
board under this division becomes unreasonable, the board may 472
adopt a resolution withdrawing the altered prima-facie speed 473
limit. Upon the adoption of such a resolution, the altered 474
prima-facie speed limit becomes ineffective and the traffic 475
control devices relating thereto shall be immediately removed. 476

(b) Whenever a highway ceases to be an unimproved highway 477
and the board has adopted an altered prima-facie speed limit 478
pursuant to division (K) (2) of this section, the board shall, by 479
resolution, withdraw the altered prima-facie speed limit as soon 480
as the highway ceases to be unimproved. Upon the adoption of 481
such a resolution, the altered prima-facie speed limit becomes 482
ineffective and the traffic control devices relating thereto 483
shall be immediately removed. 484

(4) (a) If the boundary of two townships rests on the 485
centerline of an unimproved highway in unincorporated territory 486
and both townships have jurisdiction over the highway, neither 487
of the boards of township trustees of such townships may declare 488
an altered prima-facie speed limit pursuant to division (K) (2) 489
of this section on the part of the highway under their joint 490

jurisdiction unless the boards of township trustees of both of 491
the townships determine, upon the basis of criteria established 492
by an engineering study, as defined by the director, that the 493
speed permitted by division (B) (5) of this section is greater 494
than is reasonable or safe under the conditions found to exist 495
at the location and both boards agree upon a reasonable and safe 496
prima-facie speed limit of less than fifty-five but not less 497
than twenty-five miles per hour for that location. If both 498
boards so agree, each shall follow the procedure specified in 499
division (K) (2) of this section for altering the prima-facie 500
speed limit on the highway. Except as otherwise provided in 501
division (K) (4) (b) of this section, no speed limit altered 502
pursuant to division (K) (4) (a) of this section may be withdrawn 503
unless the boards of township trustees of both townships 504
determine that the altered prima-facie speed limit previously 505
adopted becomes unreasonable and each board adopts a resolution 506
withdrawing the altered prima-facie speed limit pursuant to the 507
procedure specified in division (K) (3) (a) of this section. 508

(b) Whenever a highway described in division (K) (4) (a) of 509
this section ceases to be an unimproved highway and two boards 510
of township trustees have adopted an altered prima-facie speed 511
limit pursuant to division (K) (4) (a) of this section, both 512
boards shall, by resolution, withdraw the altered prima-facie 513
speed limit as soon as the highway ceases to be unimproved. Upon 514
the adoption of the resolution, the altered prima-facie speed 515
limit becomes ineffective and the traffic control devices 516
relating thereto shall be immediately removed. 517

(5) As used in division (K) (5) of this section: 518

(a) "Commercial subdivision" means any platted territory 519
outside the limits of a municipal corporation and fronting a 520

highway where, for a distance of three hundred feet or more, the frontage is improved with buildings in use for commercial purposes, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with buildings in use for commercial purposes.

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

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

prima-facie speed limit established by it under this division 552
becomes unreasonable, it may adopt a resolution withdrawing the 553
altered prima-facie speed, and upon such withdrawal, the altered 554
prima-facie speed shall become ineffective, and the signs 555
relating thereto shall be immediately removed by the township. 556

(L) (1) The director of transportation, based upon an 557
engineering study, as defined by the director, of a highway, 558
expressway, or freeway described in division (B) (12), (13), 559
(14), (15), or (16) of this section, in consultation with the 560
director of public safety and, if applicable, the local 561
authority having jurisdiction over the studied highway, 562
expressway, or freeway, may determine and declare that the speed 563
limit established on such highway, expressway, or freeway under 564
division (B) (12), (13), (14), (15), or (16) of this section 565
either is reasonable and safe or is more or less than that which 566
is reasonable and safe. 567

(2) If the established speed limit for a highway, 568
expressway, or freeway studied pursuant to division (L) (1) of 569
this section is determined to be more or less than that which is 570
reasonable and safe, the director of transportation, in 571
consultation with the director of public safety and, if 572
applicable, the local authority having jurisdiction over the 573
studied highway, expressway, or freeway, shall determine and 574
declare a reasonable and safe speed limit for that highway, 575
expressway, or freeway. 576

(M) (1) (a) If the boundary of two local authorities rests 577
on the centerline of a highway and both authorities have 578
jurisdiction over the highway, the speed limit for the part of 579
the highway within their joint jurisdiction shall be either one 580
of the following as agreed to by both authorities: 581

(i) Either prima-facie speed limit permitted by division 582
(B) of this section; 583

(ii) An altered speed limit determined and posted in 584
accordance with this section. 585

(b) If the local authorities are unable to reach an 586
agreement, the speed limit shall remain as established and 587
posted under this section. 588

(2) Neither local authority may declare an altered prima- 589
facie speed limit pursuant to this section on the part of the 590
highway under their joint jurisdiction unless both of the local 591
authorities determine, upon the basis of criteria established by 592
an engineering study, as defined by the director, that the speed 593
permitted by this section is greater than is reasonable or safe 594
under the conditions found to exist at the location and both 595
authorities agree upon a uniform reasonable and safe prima-facie 596
speed limit of less than fifty-five but not less than twenty- 597
five miles per hour for that location. If both authorities so 598
agree, each shall follow the procedure specified in this section 599
for altering the prima-facie speed limit on the highway, and the 600
speed limit for the part of the highway within their joint 601
jurisdiction shall be uniformly altered. No altered speed limit 602
may be withdrawn unless both local authorities determine that 603
the altered prima-facie speed limit previously adopted becomes 604
unreasonable and each adopts a resolution withdrawing the 605
altered prima-facie speed limit pursuant to the procedure 606
specified in this section. 607

(N) The legislative authority of a municipal corporation 608
or township in which a boarding school is located, by resolution 609
or ordinance, may establish a boarding school zone. The 610
legislative authority may alter the speed limit on any street or 611

highway within the boarding school zone and shall specify the 612
hours during which the altered speed limit is in effect. For 613
purposes of determining the boundaries of the boarding school 614
zone, the altered speed limit within the boarding school zone, 615
and the hours the altered speed limit is in effect, the 616
legislative authority shall consult with the administration of 617
the boarding school and with the county engineer or other 618
appropriate engineer, as applicable. A boarding school zone 619
speed limit becomes effective only when appropriate signs giving 620
notice thereof are erected at the appropriate locations. 621

(0) As used in this section: 622

(1) "Interstate system" has the same meaning as in 23 623
U.S.C. 101. 624

(2) "Commercial bus" means a motor vehicle designed for 625
carrying more than nine passengers and used for the 626
transportation of persons for compensation. 627

(3) "Noncommercial bus" includes but is not limited to a 628
school bus or a motor vehicle operated solely for the 629
transportation of persons associated with a charitable or 630
nonprofit organization. 631

(4) "Outerbelt" means a portion of a freeway that is part 632
of the interstate system and is located in the outer vicinity of 633
a major municipal corporation or group of municipal 634
corporations, as designated by the director. 635

(5) "Rural" means an area outside urbanized areas and 636
outside of a business or urban district, and areas that extend 637
within urbanized areas where the roadway characteristics remain 638
mostly unchanged from those outside the urbanized areas. 639

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 640

101. 641

(7) "Divided" means a roadway having two or more travel 642
lanes for vehicles moving in opposite directions and that is 643
separated by a median of more than four feet, excluding turn 644
lanes. 645

(P) (1) A violation of any provision of this section is one 646
of the following: 647

(a) Except as otherwise provided in divisions (P) (1) (b), 648
(1) (c), (2), and (3) of this section, a minor misdemeanor; 649

(b) If, within one year of the offense, the offender 650
previously has been convicted of or pleaded guilty to two 651
violations of any provision of this section or of any provision 652
of a municipal ordinance that is substantially similar to any 653
provision of this section, a misdemeanor of the fourth degree; 654

(c) If, within one year of the offense, the offender 655
previously has been convicted of or pleaded guilty to three or 656
more violations of any provision of this section or of any 657
provision of a municipal ordinance that is substantially similar 658
to any provision of this section, a misdemeanor of the third 659
degree. 660

(2) If the offender has not previously been convicted of 661
or pleaded guilty to a violation of any provision of this 662
section or of any provision of a municipal ordinance that is 663
substantially similar to this section and operated a motor 664
vehicle faster than thirty-five miles an hour in a business 665
district of a municipal corporation, faster than fifty miles an 666
hour in other portions of a municipal corporation, or faster 667
than thirty-five miles an hour in a school zone during recess or 668
while children are going to or leaving school during the 669

school's opening or closing hours, a misdemeanor of the fourth 670
degree. 671

(3) Notwithstanding division (P)(1) of this section, if 672
the offender operated a motor vehicle in a construction zone 673
where a sign was then posted in accordance with section 4511.98 674
of the Revised Code, the court, in addition to all other 675
penalties provided by law, shall impose upon the offender a fine 676
of two times the usual amount imposed for the violation. No 677
court shall impose a fine of two times the usual amount imposed 678
for the violation upon an offender if the offender alleges, in 679
an affidavit filed with the court prior to the offender's 680
sentencing, that the offender is indigent and is unable to pay 681
the fine imposed pursuant to this division and if the court 682
determines that the offender is an indigent person and unable to 683
pay the fine. 684

(4) If the offender commits the offense while distracted 685
and the distracting activity is a contributing factor to the 686
commission of the offense, the offender is subject to the 687
additional fine established under section 4511.991 of the 688
Revised Code. 689

Section 2. That existing sections 4511.11 and 4511.21 of 690
the Revised Code are hereby repealed. 691