

**As Passed by the Senate**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Sub. S. B. No. 146**

**Senators Hughes, Seitz**

**Cosponsors: Senators Patton, Jones, Eklund, Bacon, Balderson, Coley, Hottinger,  
LaRose, Manning, Obhof, Tavares, Thomas, Widener**

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**A BILL**

To amend sections 4511.03, 4511.051, 4511.12, 1  
4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 2  
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 3  
4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4  
4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 5  
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 6  
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 7  
4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 8  
4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 9  
4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 10  
4511.713, 4511.72, and 4511.73 and to enact 11  
section 4511.991 of the Revised Code to 12  
establish an enhanced penalty for committing a 13  
moving violation while distracted if the 14  
distraction is the apparent cause of the 15  
violation and to reenact provisions of law that 16  
specified that certain electronic wireless 17  
communications device violations were allied 18  
offenses of similar import. 19

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

**Section 1.** That sections 4511.03, 4511.051, 4511.12, 20  
4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 4511.211, 21  
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 22  
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 23  
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 24  
4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 25  
4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 26  
4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 27  
4511.72, and 4511.73 be amended and section 4511.991 of the 28  
Revised Code be enacted to read as follows: 29

**Sec. 4511.03.** (A) The driver of any emergency vehicle or 30  
public safety vehicle, when responding to an emergency call, 31  
upon approaching a red or stop signal or any stop sign shall 32  
slow down as necessary for safety to traffic, but may proceed 33  
cautiously past such red or stop sign or signal with due regard 34  
for the safety of all persons using the street or highway. 35

(B) Except as otherwise provided in this division, whoever 36  
violates this section is guilty of a minor misdemeanor. If, 37  
within one year of the offense, the offender previously has been 38  
convicted of or pleaded guilty to one predicate motor vehicle or 39  
traffic offense, whoever violates this section is guilty of a 40  
misdemeanor of the fourth degree. If, within one year of the 41  
offense, the offender previously has been convicted of two or 42  
more predicate motor vehicle or traffic offenses, whoever 43  
violates this section is guilty of a misdemeanor of the third 44  
degree. 45

If the offender commits the offense while distracted and 46  
the distracting activity is the apparent cause of the offense, 47  
the offender is subject to the additional fine established under 48  
section 4511.991 of the Revised Code. 49

**Sec. 4511.051.** (A) No person, unless otherwise directed by a police officer, shall:

(1) As a pedestrian, occupy any space within the limits of the right-of-way of a freeway, except: in a rest area; on a facility that is separated from the roadway and shoulders of the freeway and is designed and appropriately marked for pedestrian use; in the performance of public works or official duties; as a result of an emergency caused by an accident or breakdown of a motor vehicle; or to obtain assistance;

(2) Occupy any space within the limits of the right-of-way of a freeway, with: an animal-drawn vehicle; a ridden or led animal; herded animals; a pushcart; a bicycle, except on a facility that is separated from the roadway and shoulders of the freeway and is designed and appropriately marked for bicycle use; a bicycle with motor attached; a motor driven cycle with a motor which produces not to exceed five brake horsepower; an agricultural tractor; farm machinery; except in the performance of public works or official duties.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense,

the offender is subject to the additional fine established under 80  
section 4511.991 of the Revised Code. 81

**Sec. 4511.12.** (A) No pedestrian, driver of a vehicle, or 82  
operator of a streetcar or trackless trolley shall disobey the 83  
instructions of any traffic control device placed in accordance 84  
with this chapter, unless at the time otherwise directed by a 85  
police officer. 86

No provision of this chapter for which signs are required 87  
shall be enforced against an alleged violator if at the time and 88  
place of the alleged violation an official sign is not in proper 89  
position and sufficiently legible to be seen by an ordinarily 90  
observant person. Whenever a particular section of this chapter 91  
does not state that signs are required, that section shall be 92  
effective even though no signs are erected or in place. 93

(B) Except as otherwise provided in this division, whoever 94  
violates this section is guilty of a minor misdemeanor. If, 95  
within one year of the offense, the offender previously has been 96  
convicted of or pleaded guilty to one predicate motor vehicle or 97  
traffic offense, whoever violates this section is guilty of a 98  
misdemeanor of the fourth degree. If, within one year of the 99  
offense, the offender previously has been convicted of two or 100  
more predicate motor vehicle or traffic offenses, whoever 101  
violates this section is guilty of a misdemeanor of the third 102  
degree. 103

If the offender commits the offense while distracted and 104  
the distracting activity is the apparent cause of the offense, 105  
the offender is subject to the additional fine established under 106  
section 4511.991 of the Revised Code. 107

**Sec. 4511.121.** (A) (1) Except as provided in division (B) 108

of this section, any operator of a commercial motor vehicle, 109  
upon approaching a scale location established for the purpose of 110  
determining the weight of the vehicle and its load, shall comply 111  
with any traffic control device or the order of a peace officer 112  
directing the vehicle to proceed to be weighed or otherwise 113  
inspected. 114

(2) Any operator of a commercial motor vehicle, upon 115  
bypassing a scale location in accordance with division (B) of 116  
this section, shall comply with an order of a peace officer to 117  
stop the vehicle to verify the use and operation of an 118  
electronic clearance device. 119

(B) Any operator of a commercial motor vehicle that is 120  
equipped with an electronic clearance device authorized by the 121  
superintendent of the state highway patrol under section 122  
4549.081 of the Revised Code may bypass a scale location, 123  
regardless of the instruction of a traffic control device to 124  
enter the scale facility, if either of the following apply: 125

(1) The in-cab transponder displays a green light or other 126  
affirmative visual signal and also sounds an affirmative audible 127  
signal; 128

(2) Any other criterion established by the superintendent 129  
by rule is met. 130

(C) Any peace officer may order the operator of a 131  
commercial motor vehicle that bypasses a scale location to stop 132  
the vehicle to verify the use and operation of an electronic 133  
clearance device. 134

(D) Whoever violates division (A) of this section is 135  
guilty of a minor misdemeanor. If, within one year of the 136  
offense, the offender previously has been convicted of or 137

pleaded guilty to a violation of division (A) of this section, 138  
whoever violates that division is guilty of a misdemeanor of the 139  
fourth degree. If, within one year of the offense, the offender 140  
previously has been convicted of or pleaded guilty to two or 141  
more violations of division (A) of this section, whoever 142  
violates division (A) is guilty of a misdemeanor of the third 143  
degree. 144

If the offender commits the offense while distracted and 145  
the distracting activity is the apparent cause of the offense, 146  
the offender is subject to the additional fine established under 147  
section 4511.991 of the Revised Code. 148

(E) As used in this section and in section 4549.081 of the 149  
Revised Code, "commercial motor vehicle" means any combination 150  
of vehicles with a gross vehicle weight rating or an actual 151  
gross vehicle weight of more than ten thousand pounds if the 152  
vehicle is used in interstate or intrastate commerce to 153  
transport property and also means any vehicle that is 154  
transporting hazardous materials for which placarding is 155  
required pursuant to 49 C.F.R. Parts 100 to 180. 156

**Sec. 4511.132.** (A) The driver of a vehicle, streetcar, or 157  
trackless trolley who approaches an intersection where traffic 158  
is controlled by traffic control signals shall do all of the 159  
following, if the signal facing the driver either exhibits no 160  
colored lights or colored lighted arrows or exhibits a 161  
combination of such lights or arrows that fails to clearly 162  
indicate the assignment of right-of-way: 163

(1) Stop at a clearly marked stop line, but if none, stop 164  
before entering the crosswalk on the near side of the 165  
intersection, or, if none, stop before entering the 166  
intersection; 167

(2) Yield the right-of-way to all vehicles, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles, streetcars, or trackless trolleys will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;

(3) Exercise ordinary care while proceeding through the intersection.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.204.** (A) No person shall drive a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using a handheld electronic wireless communications device to write, send, or read a text-based communication.

(B) Division (A) of this section does not apply to any of the following:

- (1) A person using a handheld electronic wireless communications device in that manner for emergency purposes, including an emergency contact with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;
- (2) A person driving a public safety vehicle who uses a handheld electronic wireless communications device in that manner in the course of the person's duties;
- (3) A person using a handheld electronic wireless communications device in that manner whose motor vehicle is in a stationary position and who is outside a lane of travel;
- (4) A person reading, selecting, or entering a name or telephone number in a handheld electronic wireless communications device for the purpose of making or receiving a telephone call;
- (5) A person receiving wireless messages on a device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle;
- (6) A person receiving wireless messages via radio waves;
- (7) A person using a device for navigation purposes;
- (8) A person conducting wireless interpersonal communication with a device that does not require manually entering letters, numbers, or symbols or reading text messages, except to activate, deactivate, or initiate the device or a feature or function of the device;
- (9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person using a handheld electronic wireless 225  
communications device in conjunction with a voice-operated or 226  
hands-free device feature or function of the vehicle. 227

(C) (1) Notwithstanding any provision of law to the 228  
contrary, no law enforcement officer shall cause an operator of 229  
an automobile being operated on any street or highway to stop 230  
the automobile for the sole purpose of determining whether a 231  
violation of division (A) of this section has been or is being 232  
committed or for the sole purpose of issuing a ticket, citation, 233  
or summons for a violation of that nature or causing the arrest 234  
of or commencing a prosecution of a person for a violation of 235  
that nature, and no law enforcement officer shall view the 236  
interior or visually inspect any automobile being operated on 237  
any street or highway for the sole purpose of determining 238  
whether a violation of that nature has been or is being 239  
committed. 240

(2) On January 31 of each year, the department of public 241  
safety shall issue a report to the general assembly that 242  
specifies the number of citations issued for violations of this 243  
section during the previous calendar year. 244

(D) Whoever violates division (A) of this section is 245  
guilty of a minor misdemeanor. 246

(E) This section shall not be construed as invalidating, 247  
preempting, or superseding a substantially equivalent municipal 248  
ordinance that prescribes penalties for violations of that 249  
ordinance that are greater than the penalties prescribed in this 250  
section for violations of this section. 251

(F) ~~A prosecution for a violation of this section does not~~ 252  
~~preclude a prosecution for a violation of a substantially~~ 253

~~equivalent municipal ordinance based on the same conduct.~~ 254  
~~However, if an offender is convicted of or pleads guilty to a~~ 255  
~~violation of this section and is also convicted of or pleads~~ 256  
~~guilty to a violation of a substantially equivalent municipal~~ 257  
~~ordinance based on the same conduct, the two offenses are allied~~ 258  
~~offenses of similar import under section 2941.25 of the Revised~~ 259  
~~Code. A prosecution for a violation of this section does not~~ 260  
~~preclude a prosecution for a violation of a substantially~~ 261  
~~equivalent municipal ordinance based on the same conduct.~~ 262  
However, if an offender is convicted of or pleads guilty to a 263  
violation of this section and is also convicted of or pleads 264  
guilty to a violation of a substantially equivalent municipal 265  
ordinance based on the same conduct, the two offenses are allied 266  
offenses of similar import under section 2941.25 of the Revised 267  
Code. 268

(G) As used in this section: 269

(1) "Electronic wireless communications device" includes 270  
any of the following: 271

(a) A wireless telephone; 272

(b) A text-messaging device; 273

(c) A personal digital assistant; 274

(d) A computer, including a laptop computer and a computer 275  
tablet; 276

(e) Any other substantially similar wireless device that 277  
is designed or used to communicate text. 278

(2) "Voice-operated or hands-free device" means a device 279  
that allows the user to vocally compose or send, or to listen to 280  
a text-based communication without the use of either hand except 281

to activate or deactivate a feature or function. 282

(3) "Write, send, or read a text-based communication" 283  
means to manually write or send, or read a text-based 284  
communication using an electronic wireless communications 285  
device, including manually writing or sending, or reading 286  
communications referred to as text messages, instant messages, 287  
or electronic mail. 288

**Sec. 4511.205.** (A) No holder of a temporary instruction 289  
permit who has not attained the age of eighteen years and no 290  
holder of a probationary driver's license shall drive a motor 291  
vehicle on any street, highway, or property used by the public 292  
for purposes of vehicular traffic or parking while using in any 293  
manner an electronic wireless communications device. 294

(B) Division (A) of this section does not apply to either 295  
of the following: 296

(1) A person using an electronic wireless communications 297  
device for emergency purposes, including an emergency contact 298  
with a law enforcement agency, hospital or health care provider, 299  
fire department, or other similar emergency agency or entity; 300

(2) A person using an electronic wireless communications 301  
device whose motor vehicle is in a stationary position and the 302  
motor vehicle is outside a lane of travel; 303

(3) A person using a navigation device in a voice-operated 304  
or hands-free manner who does not manipulate the device while 305  
driving. 306

(C) (1) Except as provided in division (C) (2) of this 307  
section, whoever violates division (A) of this section shall be 308  
fined one hundred fifty dollars. In addition, the court shall 309  
impose a class seven suspension of the offender's driver's 310

license or permit for a definite period of sixty days. 311

(2) If the ~~person~~ person previously has been adjudicated a ~~delinquent child or a juvenile traffic offender for~~ adjudicated  
a delinquent child or a juvenile traffic offender for a 312  
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violation of this section, whoever violates this section shall 314  
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be fined three hundred dollars. In addition, the court shall 316  
impose a class seven suspension of the ~~person's~~ person's 317  
driver's license or permit for a definite period of one year. 318

(D) ~~The filing of a sworn complaint against a person for a~~ 319  
~~violation of this section does not preclude the filing of a~~ 320  
~~sworn complaint for a violation of a substantially equivalent~~ 321  
~~municipal ordinance for the same conduct. However, if a person~~ 322  
~~is adjudicated a delinquent child or a juvenile traffic offender~~ 323  
~~for a violation of this section and is also adjudicated a~~ 324  
~~delinquent child or a juvenile traffic offender for a violation~~ 325  
~~of a substantially equivalent municipal ordinance for the same~~ 326  
~~conduct, the two offenses are allied offenses of similar import~~ 327  
~~under section 2941.25 of the Revised Code.~~ 328  
The filing of a sworn 329  
complaint against a person for a violation of this section does 329  
not preclude the filing of a sworn complaint for a violation of 330  
a substantially equivalent municipal ordinance for the same 331  
conduct. However, if a person is adjudicated a delinquent child 332  
or a juvenile traffic offender for a violation of this section 333  
and is also adjudicated a delinquent child or a juvenile traffic 334  
offender for a violation of a substantially equivalent municipal 335  
ordinance for the same conduct, the two offenses are allied 336  
offenses of similar import under section 2941.25 of the Revised 337  
Code. 338

(E) As used in this section, "electronic wireless 339  
communications device" includes any of the following: 340

- (1) A wireless telephone; 341
- (2) A personal digital assistant; 342
- (3) A computer, including a laptop computer and a computer  
tablet; 343  
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- (4) A text-messaging device; 345
- (5) Any other substantially similar electronic wireless  
device that is designed or used to communicate via voice, image,  
or written word. 346  
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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. 349  
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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  
operate the same at a speed not exceeding the following: 357  
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(1) (a) Twenty miles per hour in school zones during school  
recess and while children are going to or leaving school during  
the opening or closing hours, and when twenty miles per hour  
school speed limit signs are erected; except that, on  
controlled-access highways and expressways, if the right-of-way  
line fence has been erected without pedestrian opening, the  
speed shall be governed by division (B) (4) of this section and  
on freeways, if the right-of-way line fence has been erected 362  
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without pedestrian opening, the speed shall be governed by 370  
divisions (B) (9) and (10) of this section. The end of every 371  
school zone may be marked by a sign indicating the end of the 372  
zone. Nothing in this section or in the manual and 373  
specifications for a uniform system of traffic control devices 374  
shall be construed to require school zones to be indicated by 375  
signs equipped with flashing or other lights, or giving other 376  
special notice of the hours in which the school zone speed limit 377  
is in effect. 378

(b) As used in this section and in section 4511.212 of the 379  
Revised Code, "school" means any school chartered under section 380  
3301.16 of the Revised Code and any nonchartered school that 381  
during the preceding year filed with the department of education 382  
in compliance with rule 3301-35-08 of the Ohio Administrative 383  
Code, a copy of the school's report for the parents of the 384  
school's pupils certifying that the school meets Ohio minimum 385  
standards for nonchartered, nontax-supported schools and 386  
presents evidence of this filing to the jurisdiction from which 387  
it is requesting the establishment of a school zone. "School" 388  
also includes a special elementary school that in writing 389  
requests the county engineer of the county in which the special 390  
elementary school is located to create a school zone at the 391  
location of that school. Upon receipt of such a written request, 392  
the county engineer shall create a school zone at that location 393  
by erecting the appropriate signs. 394

(c) As used in this section, "school zone" means that 395  
portion of a street or highway passing a school fronting upon 396  
the street or highway that is encompassed by projecting the 397  
school property lines to the fronting street or highway, and 398  
also includes that portion of a state highway. Upon request from 399  
local authorities for streets and highways under their 400

jurisdiction and that portion of a state highway under the 401  
jurisdiction of the director of transportation or a request from 402  
a county engineer in the case of a school zone for a special 403  
elementary school, the director may extend the traditional 404  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 405  
(ii), and (iii) of this section shall not exceed three hundred 406  
feet per approach per direction and are bounded by whichever of 407  
the following distances or combinations thereof the director 408  
approves as most appropriate: 409

(i) The distance encompassed by projecting the school 410  
building lines normal to the fronting highway and extending a 411  
distance of three hundred feet on each approach direction; 412

(ii) The distance encompassed by projecting the school 413  
property lines intersecting the fronting highway and extending a 414  
distance of three hundred feet on each approach direction; 415

(iii) The distance encompassed by the special marking of 416  
the pavement for a principal school pupil crosswalk plus a 417  
distance of three hundred feet on each approach direction of the 418  
highway. 419

Nothing in this section shall be construed to invalidate 420  
the director's initial action on August 9, 1976, establishing 421  
all school zones at the traditional school zone boundaries 422  
defined by projecting school property lines, except when those 423  
boundaries are extended as provided in divisions (B) (1) (a) and 424  
(c) of this section. 425

(d) As used in this division, "crosswalk" has the meaning 426  
given that term in division (LL) (2) of section 4511.01 of the 427  
Revised Code. 428

The director may, upon request by resolution of the 429

legislative authority of a municipal corporation, the board of 430  
trustees of a township, or a county board of developmental 431  
disabilities created pursuant to Chapter 5126. of the Revised 432  
Code, and upon submission by the municipal corporation, 433  
township, or county board of such engineering, traffic, and 434  
other information as the director considers necessary, designate 435  
a school zone on any portion of a state route lying within the 436  
municipal corporation, lying within the unincorporated territory 437  
of the township, or lying adjacent to the property of a school 438  
that is operated by such county board, that includes a crosswalk 439  
customarily used by children going to or leaving a school during 440  
recess and opening and closing hours, whenever the distance, as 441  
measured in a straight line, from the school property line 442  
nearest the crosswalk to the nearest point of the crosswalk is 443  
no more than one thousand three hundred twenty feet. Such a 444  
school zone shall include the distance encompassed by the 445  
crosswalk and extending three hundred feet on each approach 446  
direction of the state route. 447

(e) As used in this section, "special elementary school" 448  
means a school that meets all of the following criteria: 449

(i) It is not chartered and does not receive tax revenue 450  
from any source. 451

(ii) It does not educate children beyond the eighth grade. 452

(iii) It is located outside the limits of a municipal 453  
corporation. 454

(iv) A majority of the total number of students enrolled 455  
at the school are not related by blood. 456

(v) The principal or other person in charge of the special 457  
elementary school annually sends a report to the superintendent 458

of the school district in which the special elementary school is 459  
located indicating the total number of students enrolled at the 460  
school, but otherwise the principal or other person in charge 461  
does not report any other information or data to the 462  
superintendent. 463

(2) Twenty-five miles per hour in all other portions of a 464  
municipal corporation, except on state routes outside business 465  
districts, through highways outside business districts, and 466  
alleys; 467

(3) Thirty-five miles per hour on all state routes or 468  
through highways within municipal corporations outside business 469  
districts, except as provided in divisions (B) (4) and (6) of 470  
this section; 471

(4) Fifty miles per hour on controlled-access highways and 472  
expressways within municipal corporations; 473

(5) Fifty-five miles per hour on highways outside 474  
municipal corporations, other than highways within island 475  
jurisdictions as provided in division (B) (8) of this section, 476  
highways as provided in division (B) (9) of this section, and 477  
highways, expressways, and freeways as provided in divisions (B) 478  
(12), (13), (14), and (16) of this section; 479

(6) Fifty miles per hour on state routes within municipal 480  
corporations outside urban districts unless a lower prima-facie 481  
speed is established as further provided in this section; 482

(7) Fifteen miles per hour on all alleys within the 483  
municipal corporation; 484

(8) Thirty-five miles per hour on highways outside 485  
municipal corporations that are within an island jurisdiction; 486

(9) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H) (2) of this section.	487 488 489
(10) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section;	490 491 492 493
(11) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section;	494 495 496
(12) Sixty miles per hour for operators of any motor vehicle at all times on all portions of rural divided highways;	497 498
(13) Sixty-five miles per hour for operators of any motor vehicle at all times on all rural expressways without traffic control signals;	499 500 501
(14) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways;	502 503
(15) 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;	504 505 506 507 508
(16) 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.	509 510 511 512 513
(C) It is prima-facie unlawful for any person to exceed	514

any of the speed limitations in divisions (B) (1) (a), (2), (3), 515  
(4), (6), (7), and (8) of this section, or any declared or 516  
established pursuant to this section by the director or local 517  
authorities and it is unlawful for any person to exceed any of 518  
the speed limitations in division (D) of this section. No person 519  
shall be convicted of more than one violation of this section 520  
for the same conduct, although violations of more than one 521  
provision of this section may be charged in the alternative in a 522  
single affidavit. 523

(D) No person shall operate a motor vehicle, trackless 524  
trolley, or streetcar upon a street or highway as follows: 525

(1) At a speed exceeding fifty-five miles per hour, except 526  
upon a two-lane state route as provided in division (B) (9) of 527  
this section and upon a highway, expressway, or freeway as 528  
provided in divisions (B) (12), (13), (14), and (16) of this 529  
section; 530

(2) At a speed exceeding sixty miles per hour upon a two- 531  
lane state route as provided in division (B) (9) of this section 532  
and upon a highway as provided in division (B) (12) of this 533  
section; 534

(3) At a speed exceeding sixty-five miles per hour upon an 535  
expressway as provided in division (B) (13) or upon a freeway as 536  
provided in division (B) (16) of this section, except upon a 537  
freeway as provided in division (B) (14) of this section; 538

(4) At a speed exceeding seventy miles per hour upon a 539  
freeway as provided in division (B) (14) of this section; 540

(5) At a speed exceeding the posted speed limit upon a 541  
highway, expressway, or freeway for which the director has 542  
determined and declared a speed limit pursuant to division (I) 543

(2) or (L) (2) of this section. 544

(E) In every charge of violation of this section the 545  
affidavit and warrant shall specify the time, place, and speed 546  
at which the defendant is alleged to have driven, and in charges 547  
made in reliance upon division (C) of this section also the 548  
speed which division (B) (1) (a), (2), (3), (4), (6), (7), or (8) 549  
of, or a limit declared or established pursuant to, this section 550  
declares is prima-facie lawful at the time and place of such 551  
alleged violation, except that in affidavits where a person is 552  
alleged to have driven at a greater speed than will permit the 553  
person to bring the vehicle to a stop within the assured clear 554  
distance ahead the affidavit and warrant need not specify the 555  
speed at which the defendant is alleged to have driven. 556

(F) When a speed in excess of both a prima-facie 557  
limitation and a limitation in division (D) of this section is 558  
alleged, the defendant shall be charged in a single affidavit, 559  
alleging a single act, with a violation indicated of both 560  
division (B) (1) (a), (2), (3), (4), (6), (7), or (8) of this 561  
section, or of a limit declared or established pursuant to this 562  
section by the director or local authorities, and of the 563  
limitation in division (D) of this section. If the court finds a 564  
violation of division (B) (1) (a), (2), (3), (4), (6), (7), or (8) 565  
of, or a limit declared or established pursuant to, this section 566  
has occurred, it shall enter a judgment of conviction under such 567  
division and dismiss the charge under division (D) of this 568  
section. If it finds no violation of division (B) (1) (a), (2), 569  
(3), (4), (6), (7), or (8) of, or a limit declared or 570  
established pursuant to, this section, it shall then consider 571  
whether the evidence supports a conviction under division (D) of 572  
this section. 573

(G) Points shall be assessed for violation of a limitation 574  
under division (D) of this section in accordance with section 575  
4510.036 of the Revised Code. 576

(H) (1) Whenever the director determines upon the basis of 577  
a geometric and traffic characteristic study that any speed 578  
limit set forth in divisions (B) (1) (a) to (D) of this section is 579  
greater or less than is reasonable or safe under the conditions 580  
found to exist at any portion of a street or highway under the 581  
jurisdiction of the director, the director shall determine and 582  
declare a reasonable and safe prima-facie speed limit, which 583  
shall be effective when appropriate signs giving notice of it 584  
are erected at the location. 585

(2) Whenever the director determines upon the basis of a 586  
geometric and traffic characteristic study that the speed limit 587  
of fifty-five miles per hour on a two-lane state route outside a 588  
municipal corporation is less than is reasonable or safe under 589  
the conditions found to exist at that portion of the state 590  
route, the director may determine and declare a speed limit of 591  
sixty miles per hour for that portion of the state route, which 592  
shall be effective when appropriate signs giving notice of it 593  
are erected at the location. 594

(I) (1) Except as provided in divisions (I) (2) and (K) of 595  
this section, whenever local authorities determine upon the 596  
basis of an engineering and traffic investigation that the speed 597  
permitted by divisions (B) (1) (a) to (D) of this section, on any 598  
part of a highway under their jurisdiction, is greater than is 599  
reasonable and safe under the conditions found to exist at such 600  
location, the local authorities may by resolution request the 601  
director to determine and declare a reasonable and safe prima- 602  
facie speed limit. Upon receipt of such request the director may 603

determine and declare a reasonable and safe prima-facie speed 604  
limit at such location, and if the director does so, then such 605  
declared speed limit shall become effective only when 606  
appropriate signs giving notice thereof are erected at such 607  
location by the local authorities. The director may withdraw the 608  
declaration of a prima-facie speed limit whenever in the 609  
director's opinion the altered prima-facie speed becomes 610  
unreasonable. Upon such withdrawal, the declared prima-facie 611  
speed shall become ineffective and the signs relating thereto 612  
shall be immediately removed by the local authorities. 613

(2) A local authority may determine on the basis of a 614  
geometric and traffic characteristic study that the speed limit 615  
of sixty-five miles per hour on a portion of a freeway under its 616  
jurisdiction that was established through the operation of 617  
division (L) (3) of this section is greater than is reasonable or 618  
safe under the conditions found to exist at that portion of the 619  
freeway. If the local authority makes such a determination, the 620  
local authority by resolution may request the director to 621  
determine and declare a reasonable and safe speed limit of not 622  
less than fifty-five miles per hour for that portion of the 623  
freeway. If the director takes such action, the declared speed 624  
limit becomes effective only when appropriate signs giving 625  
notice of it are erected at such location by the local 626  
authority. 627

(J) Local authorities in their respective jurisdictions 628  
may authorize by ordinance higher prima-facie speeds than those 629  
stated in this section upon through highways, or upon highways 630  
or portions thereof where there are no intersections, or between 631  
widely spaced intersections, provided signs are erected giving 632  
notice of the authorized speed, but local authorities shall not 633  
modify or alter the basic rule set forth in division (A) of this 634

section or in any event authorize by ordinance a speed in excess of fifty miles per hour.

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

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

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

(2) Except as otherwise provided in divisions (K) (4) and (5) of this section, whenever a board of township trustees determines upon the basis of an engineering and traffic investigation that the speed permitted by division (B) (5) of this section on any part of an unimproved highway under its jurisdiction and in the unincorporated territory of the township is greater than is reasonable or 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 fifty-five but not less than twenty-five miles per hour. An altered speed limit adopted by a board of township trustees under this division becomes effective when appropriate traffic control devices, as prescribed in section 4511.11 of the Revised Code, giving notice

thereof are erected at the location, which shall be no sooner than sixty days after adoption of the resolution. 664  
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(3) (a) Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by the board under this division becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed. 666  
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(b) Whenever a highway ceases to be an unimproved highway and the board has adopted an altered prima-facie speed limit pursuant to division (K) (2) of this section, the board shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed. 673  
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(4) (a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie speed limit pursuant to division (K) (2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of an engineering and traffic investigation, that the speed permitted by division (B) (5) of this section is greater than is reasonable or safe under the conditions found to exist at the location and both boards agree upon a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for 681  
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that location. If both boards so agree, each shall follow the 694  
procedure specified in division (K) (2) of this section for 695  
altering the prima-facie speed limit on the highway. Except as 696  
otherwise provided in division (K) (4) (b) of this section, no 697  
speed limit altered pursuant to division (K) (4) (a) of this 698  
section may be withdrawn unless the boards of township trustees 699  
of both townships determine that the altered prima-facie speed 700  
limit previously adopted becomes unreasonable and each board 701  
adopts a resolution withdrawing the altered prima-facie speed 702  
limit pursuant to the procedure specified in division (K) (3) (a) 703  
of this section. 704

(b) Whenever a highway described in division (K) (4) (a) of 705  
this section ceases to be an unimproved highway and two boards 706  
of township trustees have adopted an altered prima-facie speed 707  
limit pursuant to division (K) (4) (a) of this section, both 708  
boards shall, by resolution, withdraw the altered prima-facie 709  
speed limit as soon as the highway ceases to be unimproved. Upon 710  
the adoption of the resolution, the altered prima-facie speed 711  
limit becomes ineffective and the traffic control devices 712  
relating thereto shall be immediately removed. 713

(5) As used in division (K) (5) of this section: 714

(a) "Commercial subdivision" means any platted territory 715  
outside the limits of a municipal corporation and fronting a 716  
highway where, for a distance of three hundred feet or more, the 717  
frontage is improved with buildings in use for commercial 718  
purposes, or where the entire length of the highway is less than 719  
three hundred feet long and the frontage is improved with 720  
buildings in use for commercial purposes. 721

(b) "Residential subdivision" means any platted territory 722  
outside the limits of a municipal corporation and fronting a 723

highway, where, for a distance of three hundred feet or more, 724  
the frontage is improved with residences or residences and 725  
buildings in use for business, or where the entire length of the 726  
highway is less than three hundred feet long and the frontage is 727  
improved with residences or residences and buildings in use for 728  
business. 729

Whenever a board of township trustees finds upon the basis 730  
of an engineering and traffic investigation that the prima-facie 731  
speed permitted by division (B) (5) of this section on any part 732  
of a highway under its jurisdiction that is located in a 733  
commercial or residential subdivision, except on highways or 734  
portions thereof at the entrances to which vehicular traffic 735  
from the majority of intersecting highways is required to yield 736  
the right-of-way to vehicles on such highways in obedience to 737  
stop or yield signs or traffic control signals, is greater than 738  
is reasonable and safe under the conditions found to exist at 739  
the location, the board may by resolution declare a reasonable 740  
and safe prima-facie speed limit of less than fifty-five but not 741  
less than twenty-five miles per hour at the location. An altered 742  
speed limit adopted by a board of township trustees under this 743  
division shall become effective when appropriate signs giving 744  
notice thereof are erected at the location by the township. 745  
Whenever, in the opinion of a board of township trustees, any 746  
altered prima-facie speed limit established by it under this 747  
division becomes unreasonable, it may adopt a resolution 748  
withdrawing the altered prima-facie speed, and upon such 749  
withdrawal, the altered prima-facie speed shall become 750  
ineffective, and the signs relating thereto shall be immediately 751  
removed by the township. 752

(L) (1) ~~On the effective date of this amendment~~ September 753  
29, 2013, the director of transportation, based upon an 754

engineering study of a highway, expressway, or freeway described 755  
in division (B) (12), (13), (14), (15), or (16) of this section, 756  
in consultation with the director of public safety and, if 757  
applicable, the local authority having jurisdiction over the 758  
studied highway, expressway, or freeway, may determine and 759  
declare that the speed limit established on such highway, 760  
expressway, or freeway under division (B) (12), (13), (14), (15), 761  
or (16) of this section either is reasonable and safe or is more 762  
or less than that which is reasonable and safe. 763

(2) If the established speed limit for a highway, 764  
expressway, or freeway studied pursuant to division (L) (1) of 765  
this section is determined to be more or less than that which is 766  
reasonable and safe, the director of transportation, in 767  
consultation with the director of public safety and, if 768  
applicable, the local authority having jurisdiction over the 769  
studied highway, expressway, or freeway, shall determine and 770  
declare a reasonable and safe speed limit for that highway, 771  
expressway, or freeway. 772

~~(N)~~ (M) (1) (a) If the boundary of two local authorities 773  
rests on the centerline of a highway and both authorities have 774  
jurisdiction over the highway, the speed limit for the part of 775  
the highway within their joint jurisdiction shall be either one 776  
of the following as agreed to by both authorities: 777

(i) Either prima-facie speed limit permitted by division 778  
(B) of this section; 779

(ii) An altered speed limit determined and posted in 780  
accordance with this section. 781

(b) If the local authorities are unable to reach an 782  
agreement, the speed limit shall remain as established and 783

posted under this section. 784

(2) Neither local authority may declare an altered prima- 785  
facie speed limit pursuant to this section on the part of the 786  
highway under their joint jurisdiction unless both of the local 787  
authorities determine, upon the basis of an engineering and 788  
traffic investigation, that the speed permitted by this section 789  
is greater than is reasonable or safe under the conditions found 790  
to exist at the location and both authorities agree upon a 791  
uniform reasonable and safe prima-facie speed limit of less than 792  
fifty-five but not less than twenty-five miles per hour for that 793  
location. If both authorities so agree, each shall follow the 794  
procedure specified in this section for altering the prima-facie 795  
speed limit on the highway, and the speed limit for the part of 796  
the highway within their joint jurisdiction shall be uniformly 797  
altered. No altered speed limit may be withdrawn unless both 798  
local authorities determine that the altered prima-facie speed 799  
limit previously adopted becomes unreasonable and each adopts a 800  
resolution withdrawing the altered prima-facie speed limit 801  
pursuant to the procedure specified in this section. 802

~~(O)~~(N) As used in this section: 803

(1) "Interstate system" has the same meaning as in 23 804  
U.S.C.A. 101. 805

(2) "Commercial bus" means a motor vehicle designed for 806  
carrying more than nine passengers and used for the 807  
transportation of persons for compensation. 808

(3) "Noncommercial bus" includes but is not limited to a 809  
school bus or a motor vehicle operated solely for the 810  
transportation of persons associated with a charitable or 811  
nonprofit organization. 812

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

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

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

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

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

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

(2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a municipal ordinance that is substantially similar to this section and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster

than thirty-five miles an hour in a school zone during recess or 842  
while children are going to or leaving school during the 843  
school's opening or closing hours, a misdemeanor of the fourth 844  
degree. 845

(3) Notwithstanding division ~~(P)~~(O) (1) of this section, if 846  
the offender operated a motor vehicle in a construction zone 847  
where a sign was then posted in accordance with section 4511.98 848  
of the Revised Code, the court, in addition to all other 849  
penalties provided by law, shall impose upon the offender a fine 850  
of two times the usual amount imposed for the violation. No 851  
court shall impose a fine of two times the usual amount imposed 852  
for the violation upon an offender if the offender alleges, in 853  
an affidavit filed with the court prior to the offender's 854  
sentencing, that the offender is indigent and is unable to pay 855  
the fine imposed pursuant to this division and if the court 856  
determines that the offender is an indigent person and unable to 857  
pay the fine. 858

(4) If the offender commits the offense while distracted 859  
and the distracting activity is the apparent cause of the 860  
offense, the offender is subject to the additional fine 861  
established under section 4511.991 of the Revised Code. 862

**Sec. 4511.211.** (A) The owner of a private road or driveway 863  
located in a private residential area containing twenty or more 864  
dwelling units may establish a speed limit on the road or 865  
driveway by complying with all of the following requirements: 866

(1) The speed limit is not less than twenty-five miles per 867  
hour and is indicated by a sign that is in a proper position, is 868  
sufficiently legible to be seen by an ordinarily observant 869  
person, and meets the specifications for the basic speed limit 870  
sign included in the manual adopted by the department of 871

transportation pursuant to section 4511.09 of the Revised Code; 872

(2) The owner has posted a sign at the entrance of the 873  
private road or driveway that is in plain view and clearly 874  
informs persons entering the road or driveway that they are 875  
entering private property, a speed limit has been established 876  
for the road or driveway, and the speed limit is enforceable by 877  
law enforcement officers under state law. 878

(B) No person shall operate a vehicle upon a private road 879  
or driveway as provided in division (A) of this section at a 880  
speed exceeding any speed limit established and posted pursuant 881  
to that division. 882

(C) When a speed limit is established and posted in 883  
accordance with division (A) of this section, any law 884  
enforcement officer may apprehend a person violating the speed 885  
limit of the residential area by utilizing any of the means 886  
described in section 4511.091 of the Revised Code or by any 887  
other accepted method of determining the speed of a motor 888  
vehicle and may stop and charge the person with exceeding the 889  
speed limit. 890

(D) Points shall be assessed for violation of a speed 891  
limit established and posted in accordance with division (A) of 892  
this section in accordance with section 4510.036 of the Revised 893  
Code. 894

(E) As used in this section: 895

(1) "Owner" includes but is not limited to a person who 896  
holds title to the real property in fee simple, a condominium 897  
owners' association, a property owner's association, the board 898  
of directors or trustees of a private community, and a nonprofit 899  
corporation governing a private community. 900

(2) "Private residential area containing twenty or more dwelling units" does not include a Chautauqua assembly as defined in section 4511.90 of the Revised Code.

(F) ~~(1)~~ A violation of division (B) of this section is one of the following:

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

~~(2)~~ ~~(b)~~ If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the fourth degree;

~~(3)~~ ~~(c)~~ If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the third degree.

(2) If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, emergency vehicle, road service vehicle, vehicle used by the public utilities commission to conduct motor vehicle inspections in accordance with sections 4923.04 and 4923.06 of the Revised Code, or a highway maintenance vehicle that is displaying the appropriate visual signals by means of flashing, oscillating, or rotating lights, as prescribed in section 4513.17 of the Revised

Code, shall do either of the following: 930

(1) If the driver of the motor vehicle is traveling on a 931  
highway that consists of at least two lanes that carry traffic 932  
in the same direction of travel as that of the driver's motor 933  
vehicle, the driver shall proceed with due caution and, if 934  
possible and with due regard to the road, weather, and traffic 935  
conditions, shall change lanes into a lane that is not adjacent 936  
to that of the stationary public safety vehicle, emergency 937  
vehicle, road service vehicle, vehicle used by the public 938  
utilities commission to conduct motor vehicle inspections in 939  
accordance with sections 4923.04 and 4923.06 of the Revised 940  
Code, or a highway maintenance vehicle. 941

(2) If the driver is not traveling on a highway of a type 942  
described in division (A) (1) of this section, or if the driver 943  
is traveling on a highway of that type but it is not possible to 944  
change lanes or if to do so would be unsafe, the driver shall 945  
proceed with due caution, reduce the speed of the motor vehicle, 946  
and maintain a safe speed for the road, weather, and traffic 947  
conditions. 948

(B) This section does not relieve the driver of a public 949  
safety vehicle, emergency vehicle, road service vehicle, vehicle 950  
used by the public utilities commission to conduct motor vehicle 951  
inspections in accordance with sections 4923.04 and 4923.06 of 952  
the Revised Code, or a highway maintenance vehicle from the duty 953  
to drive with due regard for the safety of all persons and 954  
property upon the highway. 955

(C) No person shall fail to drive a motor vehicle in 956  
compliance with division (A) (1) or (2) of this section when so 957  
required by division (A) of this section. 958

(D) (1) Except as otherwise provided in this division, 959  
whoever violates this section is guilty of a minor misdemeanor. 960  
If, within one year of the offense, the offender previously has 961  
been convicted of or pleaded guilty to one predicate motor 962  
vehicle or traffic offense, whoever violates this section is 963  
guilty of a misdemeanor of the fourth degree. If, within one 964  
year of the offense, the offender previously has been convicted 965  
of two or more predicate motor vehicle or traffic offenses, 966  
whoever violates this section is guilty of a misdemeanor of the 967  
third degree. 968

(2) Notwithstanding section 2929.28 of the Revised Code, 969  
upon a finding that a person operated a motor vehicle in 970  
violation of division (C) of this section, the court, in 971  
addition to all other penalties provided by law, shall impose a 972  
fine of two times the usual amount imposed for the violation. 973

(3) If the offender commits the offense while distracted 974  
and the distracting activity is the apparent cause of the 975  
offense, the offender is subject to the additional fine 976  
established under section 4511.991 of the Revised Code. 977

**Sec. 4511.22.** (A) No person shall stop or operate a 978  
vehicle, trackless trolley, or street car at such an 979  
unreasonably slow speed as to impede or block the normal and 980  
reasonable movement of traffic, except when stopping or reduced 981  
speed is necessary for safe operation or to comply with law. 982

(B) Whenever the director of transportation or local 983  
authorities determine on the basis of an engineering and traffic 984  
investigation that slow speeds on any part of a controlled- 985  
access highway, expressway, or freeway consistently impede the 986  
normal and reasonable movement of traffic, the director or such 987  
local authority may declare a minimum speed limit below which no 988

person shall operate a motor vehicle, trackless trolley, or 989  
street car except when necessary for safe operation or in 990  
compliance with law. No minimum speed limit established 991  
hereunder shall be less than thirty miles per hour, greater than 992  
fifty miles per hour, nor effective until the provisions of 993  
section 4511.21 of the Revised Code, relating to appropriate 994  
signs, have been fulfilled and local authorities have obtained 995  
the approval of the director. 996

(C) In a case involving a violation of this section, the 997  
trier of fact, in determining whether the vehicle was being 998  
operated at an unreasonably slow speed, shall consider the 999  
capabilities of the vehicle and its operator. 1000

(D) Except as otherwise provided in this division, whoever 1001  
violates this section is guilty of a minor misdemeanor. If, 1002  
within one year of the offense, the offender previously has been 1003  
convicted of or pleaded guilty to one predicate motor vehicle or 1004  
traffic offense, whoever violates this section is guilty of a 1005  
misdemeanor of the fourth degree. If, within one year of the 1006  
offense, the offender previously has been convicted of two or 1007  
more predicate motor vehicle or traffic offenses, whoever 1008  
violates this section is guilty of a misdemeanor of the third 1009  
degree. 1010

If the offender commits the offense while distracted and 1011  
the distracting activity is the apparent cause of the offense, 1012  
the offender is subject to the additional fine established under 1013  
section 4511.991 of the Revised Code. 1014

**Sec. 4511.23.** (A) No person shall operate a vehicle, 1015  
trackless trolley, or streetcar over any bridge or other 1016  
elevated structure constituting a part of a highway at a speed 1017  
which is greater than the maximum speed that can be maintained 1018

with safety to such bridge or structure, when such structure is 1019  
posted with signs as provided in this section. 1020

The department of transportation upon request from any 1021  
local authority shall, or upon its own initiative may, conduct 1022  
an investigation of any bridge or other elevated structure 1023  
constituting a part of a highway, and if it finds that such 1024  
structure cannot with safety withstand traffic traveling at the 1025  
speed otherwise permissible under sections 4511.01 to 4511.85 1026  
and 4511.98 of the Revised Code, the department shall determine 1027  
and declare the maximum speed of traffic which such structure 1028  
can withstand, and shall cause or permit suitable signs stating 1029  
such maximum speed to be erected and maintained at a distance of 1030  
at least one hundred feet before each end of such structure. 1031

Upon the trial of any person charged with a violation of 1032  
this section, proof of said determination of the maximum speed 1033  
by the department and the existence of said signs shall 1034  
constitute prima-facie evidence of the maximum speed which can 1035  
be maintained with safety to such bridge or structure. 1036

(B) Except as otherwise provided in this division, whoever 1037  
violates this section is guilty of a minor misdemeanor. If, 1038  
within one year of the offense, the offender previously has been 1039  
convicted of or pleaded guilty to one predicate motor vehicle or 1040  
traffic offense, whoever violates this section is guilty of a 1041  
misdemeanor of the fourth degree. If, within one year of the 1042  
offense, the offender previously has been convicted of two or 1043  
more predicate motor vehicle or traffic offenses, whoever 1044  
violates this section is guilty of a misdemeanor of the third 1045  
degree. 1046

If the offender commits the offense while distracted and 1047  
the distracting activity is the apparent cause of the offense, 1048

the offender is subject to the additional fine established under 1049  
section 4511.991 of the Revised Code. 1050

**Sec. 4511.25.** (A) Upon all roadways of sufficient width, a 1051  
vehicle or trackless trolley shall be driven upon the right half 1052  
of the roadway, except as follows: 1053

(1) When overtaking and passing another vehicle proceeding 1054  
in the same direction, or when making a left turn under the 1055  
rules governing such movements; 1056

(2) When an obstruction exists making it necessary to 1057  
drive to the left of the center of the highway; provided, any 1058  
person so doing shall yield the right of way to all vehicles 1059  
traveling in the proper direction upon the unobstructed portion 1060  
of the highway within such distance as to constitute an 1061  
immediate hazard; 1062

(3) When driving upon a roadway divided into three or more 1063  
marked lanes for traffic under the rules applicable thereon; 1064

(4) When driving upon a roadway designated and posted with 1065  
signs for one-way traffic; 1066

(5) When otherwise directed by a police officer or traffic 1067  
control device. 1068

(B)(1) Upon all roadways any vehicle or trackless trolley 1069  
proceeding at less than the prevailing and lawful speed of 1070  
traffic at the time and place and under the conditions then 1071  
existing shall be driven in the right-hand lane then available 1072  
for traffic, and far enough to the right to allow passing by 1073  
faster vehicles if such passing is safe and reasonable, except 1074  
under any of the following circumstances: 1075

(a) When overtaking and passing another vehicle or 1076

trackless trolley proceeding in the same direction; 1077

(b) When preparing for a left turn; 1078

(c) When the driver must necessarily drive in a lane other 1079  
than the right-hand lane to continue on the driver's intended 1080  
route. 1081

(2) Nothing in division (B) (1) of this section requires a 1082  
driver of a slower vehicle to compromise the driver's safety to 1083  
allow overtaking by a faster vehicle. 1084

(C) Upon any roadway having four or more lanes for moving 1085  
traffic and providing for two-way movement of traffic, no 1086  
vehicle or trackless trolley shall be driven to the left of the 1087  
center line of the roadway, except when authorized by official 1088  
traffic control devices designating certain lanes to the left of 1089  
the center of the roadway for use by traffic not otherwise 1090  
permitted to use the lanes, or except as permitted under 1091  
division (A) (2) of this section. 1092

This division shall not be construed as prohibiting the 1093  
crossing of the center line in making a left turn into or from 1094  
an alley, private road, or driveway. 1095

(D) Except as otherwise provided in this division, whoever 1096  
violates this section is guilty of a minor misdemeanor. If, 1097  
within one year of the offense, the offender previously has been 1098  
convicted of or pleaded guilty to one predicate motor vehicle or 1099  
traffic offense, whoever violates this section is guilty of a 1100  
misdemeanor of the fourth degree. If, within one year of the 1101  
offense, the offender previously has been convicted of two or 1102  
more predicate motor vehicle or traffic offenses, whoever 1103  
violates this section is guilty of a misdemeanor of the third 1104  
degree. 1105

If the offender commits the offense while distracted and 1106  
the distracting activity is the apparent cause of the offense, 1107  
the offender is subject to the additional fine established under 1108  
section 4511.991 of the Revised Code. 1109

**Sec. 4511.26.** (A) Operators of vehicles and trackless 1110  
trolleys proceeding in opposite directions shall pass each other 1111  
to the right, and upon roadways having width for not more than 1112  
one line of traffic in each direction, each operator shall give 1113  
to the other one-half of the main traveled portion of the 1114  
roadway or as nearly one-half as is reasonable possible. 1115

(B) Except as otherwise provided in this division, whoever 1116  
violates this section is guilty of a minor misdemeanor. If, 1117  
within one year of the offense, the offender previously has been 1118  
convicted of or pleaded guilty to one predicate motor vehicle or 1119  
traffic offense, whoever violates this section is guilty of a 1120  
misdemeanor of the fourth degree. If, within one year of the 1121  
offense, the offender previously has been convicted of two or 1122  
more predicate motor vehicle or traffic offenses, whoever 1123  
violates this section is guilty of a misdemeanor of the third 1124  
degree. 1125

If the offender commits the offense while distracted and 1126  
the distracting activity is the apparent cause of the offense, 1127  
the offender is subject to the additional fine established under 1128  
section 4511.991 of the Revised Code. 1129

**Sec. 4511.27.** (A) The following rules govern the 1130  
overtaking and passing of vehicles or trackless trolleys 1131  
proceeding in the same direction: 1132

(1) The operator of a vehicle or trackless trolley 1133  
overtaking another vehicle or trackless trolley proceeding in 1134

the same direction shall, except as provided in division (A) (3) 1135  
of this section, signal to the vehicle or trackless trolley to 1136  
be overtaken, shall pass to the left thereof at a safe distance, 1137  
and shall not again drive to the right side of the roadway until 1138  
safely clear of the overtaken vehicle or trackless trolley. 1139

(2) Except when overtaking and passing on the right is 1140  
permitted, the operator of an overtaken vehicle shall give way 1141  
to the right in favor of the overtaking vehicle at the latter's 1142  
audible signal, and the operator shall not increase the speed of 1143  
the operator's vehicle until completely passed by the overtaking 1144  
vehicle. 1145

(3) The operator of a vehicle or trackless trolley 1146  
overtaking and passing another vehicle or trackless trolley 1147  
proceeding in the same direction on a divided highway as defined 1148  
in section 4511.35 of the Revised Code, a limited access highway 1149  
as defined in section 5511.02 of the Revised Code, or a highway 1150  
with four or more traffic lanes, is not required to signal 1151  
audibly to the vehicle or trackless trolley being overtaken and 1152  
passed. 1153

(B) Except as otherwise provided in this division, whoever 1154  
violates this section is guilty of a minor misdemeanor. If, 1155  
within one year of the offense, the offender previously has been 1156  
convicted of or pleaded guilty to one predicate motor vehicle or 1157  
traffic offense, whoever violates this section is guilty of a 1158  
misdemeanor of the fourth degree. If, within one year of the 1159  
offense, the offender previously has been convicted of two or 1160  
more predicate motor vehicle or traffic offenses, whoever 1161  
violates this section is guilty of a misdemeanor of the third 1162  
degree. 1163

If the offender commits the offense while distracted and 1164

the distracting activity is the apparent cause of the offense, 1165  
the offender is subject to the additional fine established under 1166  
section 4511.991 of the Revised Code. 1167

**Sec. 4511.28.** (A) The driver of a vehicle or trackless 1168  
trolley may overtake and pass upon the right of another vehicle 1169  
or trackless trolley only under the following conditions: 1170

(1) When the vehicle or trackless trolley overtaken is 1171  
making or about to make a left turn; 1172

(2) Upon a roadway with unobstructed pavement of 1173  
sufficient width for two or more lines of vehicles moving 1174  
lawfully in the direction being traveled by the overtaking 1175  
vehicle. 1176

(B) The driver of a vehicle or trackless trolley may 1177  
overtake and pass another vehicle or trackless trolley only 1178  
under conditions permitting such movement in safety. The 1179  
movement shall not be made by driving off the roadway. 1180

(C) Except as otherwise provided in this division, whoever 1181  
violates this section is guilty of a minor misdemeanor. If, 1182  
within one year of the offense, the offender previously has been 1183  
convicted of or pleaded guilty to one predicate motor vehicle or 1184  
traffic offense, whoever violates this section is guilty of a 1185  
misdemeanor of the fourth degree. If, within one year of the 1186  
offense, the offender previously has been convicted of two or 1187  
more predicate motor vehicle or traffic offenses, whoever 1188  
violates this section is guilty of a misdemeanor of the third 1189  
degree. 1190

If the offender commits the offense while distracted and 1191  
the distracting activity is the apparent cause of the offense, 1192  
the offender is subject to the additional fine established under 1193

section 4511.991 of the Revised Code. 1194

**Sec. 4511.29.** (A) No vehicle or trackless trolley shall be 1195  
driven to the left of the center of the roadway in overtaking 1196  
and passing traffic proceeding in the same direction, unless 1197  
such left side is clearly visible and is free of oncoming 1198  
traffic for a sufficient distance ahead to permit such 1199  
overtaking and passing to be completely made, without 1200  
interfering with the safe operation of any traffic approaching 1201  
from the opposite direction or any traffic overtaken. In every 1202  
event the overtaking vehicle or trackless trolley must return to 1203  
an authorized lane of travel as soon as practicable and in the 1204  
event the passing movement involves the use of a lane authorized 1205  
for traffic approaching from the opposite direction, before 1206  
coming within two hundred feet of any approaching vehicle. 1207

(B) Except as otherwise provided in this division, whoever 1208  
violates this section is guilty of a minor misdemeanor. If, 1209  
within one year of the offense, the offender previously has been 1210  
convicted of or pleaded guilty to one predicate motor vehicle or 1211  
traffic offense, whoever violates this section is guilty of a 1212  
misdemeanor of the fourth degree. If, within one year of the 1213  
offense, the offender previously has been convicted of two or 1214  
more predicate motor vehicle or traffic offenses, whoever 1215  
violates this section is guilty of a misdemeanor of the third 1216  
degree. 1217

If the offender commits the offense while distracted and 1218  
the distracting activity is the apparent cause of the offense, 1219  
the offender is subject to the additional fine established under 1220  
section 4511.991 of the Revised Code. 1221

**Sec. 4511.30.** (A) No vehicle or trackless trolley shall be 1222  
driven upon the left side of the roadway under the following 1223

conditions: 1224

(1) When approaching the crest of a grade or upon a curve 1225  
in the highway, where the operator's view is obstructed within 1226  
such a distance as to create a hazard in the event traffic might 1227  
approach from the opposite direction; 1228

(2) When the view is obstructed upon approaching within 1229  
one hundred feet of any bridge, viaduct, or tunnel; 1230

(3) When approaching within one hundred feet of or 1231  
traversing any intersection or railroad grade crossing. 1232

(B) This section does not apply to vehicles or trackless 1233  
trolleys upon a one-way roadway, upon a roadway where traffic is 1234  
lawfully directed to be driven to the left side, or under the 1235  
conditions described in division (A) (2) of section 4511.25 of 1236  
the Revised Code. 1237

(C) Except as otherwise provided in this division, whoever 1238  
violates this section is guilty of a minor misdemeanor. If, 1239  
within one year of the offense, the offender previously has been 1240  
convicted of or pleaded guilty to one predicate motor vehicle or 1241  
traffic offense, whoever violates this section is guilty of a 1242  
misdemeanor of the fourth degree. If, within one year of the 1243  
offense, the offender previously has been convicted of two or 1244  
more predicate motor vehicle or traffic offenses, whoever 1245  
violates this section is guilty of a misdemeanor of the third 1246  
degree. 1247

If the offender commits the offense while distracted and 1248  
the distracting activity is the apparent cause of the offense, 1249  
the offender is subject to the additional fine established under 1250  
section 4511.991 of the Revised Code. 1251

**Sec. 4511.31.** (A) The department of transportation may 1252

determine those portions of any state highway where overtaking 1253  
and passing other traffic or driving to the left of the center 1254  
or center line of the roadway would be especially hazardous and 1255  
may, by appropriate signs or markings on the highway, indicate 1256  
the beginning and end of such zones. When such signs or markings 1257  
are in place and clearly visible, every operator of a vehicle or 1258  
trackless trolley shall obey the directions of the signs or 1259  
markings, notwithstanding the distances set out in section 1260  
4511.30 of the Revised Code. 1261

(B) Division (A) of this section does not apply when all 1262  
of the following apply: 1263

(1) The slower vehicle is proceeding at less than half the 1264  
speed of the speed limit applicable to that location. 1265

(2) The faster vehicle is capable of overtaking and 1266  
passing the slower vehicle without exceeding the speed limit. 1267

(3) There is sufficient clear sight distance to the left 1268  
of the center or center line of the roadway to meet the 1269  
overtaking and passing provisions of section 4511.29 of the 1270  
Revised Code, considering the speed of the slower vehicle. 1271

(C) Except as otherwise provided in this division, whoever 1272  
violates this section is guilty of a minor misdemeanor. If, 1273  
within one year of the offense, the offender previously has been 1274  
convicted of or pleaded guilty to one predicate motor vehicle or 1275  
traffic offense, whoever violates this section is guilty of a 1276  
misdemeanor of the fourth degree. If, within one year of the 1277  
offense, the offender previously has been convicted of two or 1278  
more predicate motor vehicle or traffic offenses, whoever 1279  
violates this section is guilty of a misdemeanor of the third 1280  
degree. 1281

If the offender commits the offense while distracted and 1282  
the distracting activity is the apparent cause of the offense, 1283  
the offender is subject to the additional fine established under 1284  
section 4511.991 of the Revised Code. 1285

**Sec. 4511.32.** (A) The department of transportation may 1286  
designate any highway or any separate roadway under its 1287  
jurisdiction for one-way traffic and shall erect appropriate 1288  
signs giving notice thereof. 1289

Upon a roadway designated and posted with signs for one- 1290  
way traffic a vehicle shall be driven only in the direction 1291  
designated. 1292

A vehicle passing around a rotary traffic island shall be 1293  
driven only to the right of the rotary traffic island. 1294

(B) Except as otherwise provided in this division, whoever 1295  
violates this section is guilty of a minor misdemeanor. If, 1296  
within one year of the offense, the offender previously has been 1297  
convicted of or pleaded guilty to one predicate motor vehicle or 1298  
traffic offense, whoever violates this section is guilty of a 1299  
misdemeanor of the fourth degree. If, within one year of the 1300  
offense, the offender previously has been convicted of two or 1301  
more predicate motor vehicle or traffic offenses, whoever 1302  
violates this section is guilty of a misdemeanor of the third 1303  
degree. 1304

If the offender commits the offense while distracted and 1305  
the distracting activity is the apparent cause of the offense, 1306  
the offender is subject to the additional fine established under 1307  
section 4511.991 of the Revised Code. 1308

**Sec. 4511.33.** (A) Whenever any roadway has been divided 1309  
into two or more clearly marked lanes for traffic, or wherever 1310

within municipal corporations traffic is lawfully moving in two 1311  
or more substantially continuous lines in the same direction, 1312  
the following rules apply: 1313

(1) A vehicle or trackless trolley shall be driven, as 1314  
nearly as is practicable, entirely within a single lane or line 1315  
of traffic and shall not be moved from such lane or line until 1316  
the driver has first ascertained that such movement can be made 1317  
with safety. 1318

(2) Upon a roadway which is divided into three lanes and 1319  
provides for two-way movement of traffic, a vehicle or trackless 1320  
trolley shall not be driven in the center lane except when 1321  
overtaking and passing another vehicle or trackless trolley 1322  
where the roadway is clearly visible and such center lane is 1323  
clear of traffic within a safe distance, or when preparing for a 1324  
left turn, or where such center lane is at the time allocated 1325  
exclusively to traffic moving in the direction the vehicle or 1326  
trackless trolley is proceeding and is posted with signs to give 1327  
notice of such allocation. 1328

(3) Official signs may be erected directing specified 1329  
traffic to use a designated lane or designating those lanes to 1330  
be used by traffic moving in a particular direction regardless 1331  
of the center of the roadway, or restricting the use of a 1332  
particular lane to only buses during certain hours or during all 1333  
hours, and drivers of vehicles and trackless trolleys shall obey 1334  
the directions of such signs. 1335

(4) Official traffic control devices may be installed 1336  
prohibiting the changing of lanes on sections of roadway and 1337  
drivers of vehicles shall obey the directions of every such 1338  
device. 1339

(B) Except as otherwise provided in this division, whoever  
violates this section is guilty of a minor misdemeanor. If,  
within one year of the offense, the offender previously has been  
convicted of or pleaded guilty to one predicate motor vehicle or  
traffic offense, whoever violates this section is guilty of a  
misdemeanor of the fourth degree. If, within one year of the  
offense, the offender previously has been convicted of two or  
more predicate motor vehicle or traffic offenses, whoever  
violates this section is guilty of a misdemeanor of the third  
degree.

If the offender commits the offense while distracted and  
the distracting activity is the apparent cause of the offense,  
the offender is subject to the additional fine established under  
section 4511.991 of the Revised Code.

**Sec. 4511.34.** (A) The operator of a motor vehicle,  
streetcar, or trackless trolley shall not follow another  
vehicle, streetcar, or trackless trolley more closely than is  
reasonable and prudent, having due regard for the speed of such  
vehicle, streetcar, or trackless trolley, and the traffic upon  
and the condition of the highway.

The driver of any truck, or motor vehicle drawing another  
vehicle, when traveling upon a roadway outside a business or  
residence district shall maintain a sufficient space, whenever  
conditions permit, between such vehicle and another vehicle  
ahead so an overtaking motor vehicle may enter and occupy such  
space without danger. This paragraph does not prevent overtaking  
and passing nor does it apply to any lane specially designated  
for use by trucks.

Outside a municipal corporation, the driver of any truck,  
or motor vehicle when drawing another vehicle, while ascending

to the crest of a grade beyond which the driver's view of a 1370  
roadway is obstructed, shall not follow within three hundred 1371  
feet of another truck, or motor vehicle drawing another vehicle. 1372  
This paragraph shall not apply to any lane specially designated 1373  
for use by trucks. 1374

Motor vehicles being driven upon any roadway outside of a 1375  
business or residence district in a caravan or motorcade, shall 1376  
maintain a sufficient space between such vehicles so an 1377  
overtaking vehicle may enter and occupy such space without 1378  
danger. This paragraph shall not apply to funeral processions. 1379

(B) Except as otherwise provided in this division, whoever 1380  
violates this section is guilty of a minor misdemeanor. If, 1381  
within one year of the offense, the offender previously has been 1382  
convicted of or pleaded guilty to one predicate motor vehicle or 1383  
traffic offense, whoever violates this section is guilty of a 1384  
misdemeanor of the fourth degree. If, within one year of the 1385  
offense, the offender previously has been convicted of two or 1386  
more predicate motor vehicle or traffic offenses, whoever 1387  
violates this section is guilty of a misdemeanor of the third 1388  
degree. 1389

If the offender commits the offense while distracted and 1390  
the distracting activity is the apparent cause of the offense, 1391  
the offender is subject to the additional fine established under 1392  
section 4511.991 of the Revised Code. 1393

**Sec. 4511.35.** (A) Whenever any highway has been divided 1394  
into two roadways by an intervening space, or by a physical 1395  
barrier, or clearly indicated dividing section so constructed as 1396  
to impede vehicular traffic, every vehicle shall be driven only 1397  
upon the right-hand roadway, and no vehicle shall be driven 1398  
over, across, or within any such dividing space, barrier, or 1399

section, except through an opening, crossover, or intersection 1400  
established by public authority. This section does not prohibit 1401  
the occupancy of such dividing space, barrier, or section for 1402  
the purpose of an emergency stop or in compliance with an order 1403  
of a police officer. 1404

(B) Except as otherwise provided in this division, whoever 1405  
violates this section is guilty of a minor misdemeanor. If, 1406  
within one year of the offense, the offender previously has been 1407  
convicted of or pleaded guilty to one predicate motor vehicle or 1408  
traffic offense, whoever violates this section is guilty of a 1409  
misdemeanor of the fourth degree. If, within one year of the 1410  
offense, the offender previously has been convicted of two or 1411  
more predicate motor vehicle or traffic offenses, whoever 1412  
violates this section is guilty of a misdemeanor of the third 1413  
degree. 1414

If the offender commits the offense while distracted and 1415  
the distracting activity is the apparent cause of the offense, 1416  
the offender is subject to the additional fine established under 1417  
section 4511.991 of the Revised Code. 1418

**Sec. 4511.36.** (A) The driver of a vehicle intending to 1419  
turn at an intersection shall be governed by the following 1420  
rules: 1421

(1) Approach for a right turn and a right turn shall be 1422  
made as close as practicable to the right-hand curb or edge of 1423  
the roadway. 1424

(2) At any intersection where traffic is permitted to move 1425  
in both directions on each roadway entering the intersection, an 1426  
approach for a left turn shall be made in that portion of the 1427  
right half of the roadway nearest the center line thereof and by 1428

passing to the right of such center line where it enters the 1429  
intersection and after entering the intersection the left turn 1430  
shall be made so as to leave the intersection to the right of 1431  
the center line of the roadway being entered. Whenever 1432  
practicable the left turn shall be made in that portion of the 1433  
intersection to the left of the center of the intersection. 1434

(3) At any intersection where traffic is restricted to one 1435  
direction on one or more of the roadways, the driver of a 1436  
vehicle intending to turn left at any such intersection shall 1437  
approach the intersection in the extreme left-hand lane lawfully 1438  
available to traffic moving in the direction of travel of such 1439  
vehicle, and after entering the intersection the left turn shall 1440  
be made so as to leave the intersection, as nearly as 1441  
practicable, in the left-hand lane of the roadway being entered 1442  
lawfully available to traffic moving in that lane. 1443

(B) The operator of a trackless trolley shall comply with 1444  
divisions (A) (1), (2), and (3) of this section wherever 1445  
practicable. 1446

(C) The department of transportation and local authorities 1447  
in their respective jurisdictions may cause markers, buttons, or 1448  
signs to be placed within or adjacent to intersections and 1449  
thereby require and direct that a different course from that 1450  
specified in this section be traveled by vehicles, streetcars, 1451  
or trackless trolleys, turning at an intersection, and when 1452  
markers, buttons, or signs are so placed, no operator of a 1453  
vehicle, streetcar, or trackless trolley shall turn such 1454  
vehicle, streetcar, or trackless trolley at an intersection 1455  
other than as directed and required by such markers, buttons, or 1456  
signs. 1457

(D) Except as otherwise provided in this division, whoever 1458

violates this section is guilty of a minor misdemeanor. If, 1459  
within one year of the offense, the offender previously has been 1460  
convicted of or pleaded guilty to one predicate motor vehicle or 1461  
traffic offense, whoever violates this section is guilty of a 1462  
misdemeanor of the fourth degree. If, within one year of the 1463  
offense, the offender previously has been convicted of two or 1464  
more predicate motor vehicle or traffic offenses, whoever 1465  
violates this section is guilty of a misdemeanor of the third 1466  
degree. 1467

If the offender commits the offense while distracted and 1468  
the distracting activity is the apparent cause of the offense, 1469  
the offender is subject to the additional fine established under 1470  
section 4511.991 of the Revised Code. 1471

**Sec. 4511.37.** (A) Except as provided in section 4511.13 of 1472  
the Revised Code and division (B) of this section, no vehicle 1473  
shall be turned so as to proceed in the opposite direction upon 1474  
any curve, or upon the approach to or near the crest of a grade, 1475  
if the vehicle cannot be seen within five hundred feet by the 1476  
driver of any other vehicle approaching from either direction. 1477

(B) The driver of an emergency vehicle or public safety 1478  
vehicle, when responding to an emergency call, may turn the 1479  
vehicle so as to proceed in the opposite direction. This 1480  
division applies only when the emergency vehicle or public 1481  
safety vehicle is responding to an emergency call, is equipped 1482  
with and displaying at least one flashing, rotating, or 1483  
oscillating light visible under normal atmospheric conditions 1484  
from a distance of five hundred feet to the front of the 1485  
vehicle, and when the driver of the vehicle is giving an audible 1486  
signal by siren, exhaust whistle, or bell. This division does 1487  
not relieve the driver of an emergency vehicle or public safety 1488

vehicle from the duty to drive with due regard for the safety of 1489  
all persons and property upon the highway. 1490

(C) Except as otherwise provided in this division, whoever 1491  
violates this section is guilty of a minor misdemeanor. If, 1492  
within one year of the offense, the offender previously has been 1493  
convicted of or pleaded guilty to one predicate motor vehicle or 1494  
traffic offense, whoever violates this section is guilty of a 1495  
misdemeanor of the fourth degree. If, within one year of the 1496  
offense, the offender previously has been convicted of two or 1497  
more predicate motor vehicle or traffic offenses, whoever 1498  
violates this section is guilty of a misdemeanor of the third 1499  
degree. 1500

If the offender commits the offense while distracted and 1501  
the distracting activity is the apparent cause of the offense, 1502  
the offender is subject to the additional fine established under 1503  
section 4511.991 of the Revised Code. 1504

**Sec. 4511.38.** (A) No person shall start a vehicle, 1505  
streetcar, or trackless trolley which is stopped, standing, or 1506  
parked until such movement can be made with reasonable safety. 1507

Before backing, operators of vehicle, streetcars, or 1508  
trackless trolleys shall give ample warning, and while backing 1509  
they shall exercise vigilance not to injure person or property 1510  
on the street or highway. 1511

No person shall back a motor vehicle on a freeway, except: 1512  
in a rest area; in the performance of public works or official 1513  
duties; as a result of an emergency caused by an accident or 1514  
breakdown of a motor vehicle. 1515

(B) Except as otherwise provided in this division, whoever 1516  
violates this section is guilty of a minor misdemeanor. If, 1517

within one year of the offense, the offender previously has been 1518  
convicted of or pleaded guilty to one predicate motor vehicle or 1519  
traffic offense, whoever violates this section is guilty of a 1520  
misdemeanor of the fourth degree. If, within one year of the 1521  
offense, the offender previously has been convicted of two or 1522  
more predicate motor vehicle or traffic offenses, whoever 1523  
violates this section is guilty of a misdemeanor of the third 1524  
degree. 1525

If the offender commits the offense while distracted and 1526  
the distracting activity is the apparent cause of the offense, 1527  
the offender is subject to the additional fine established under 1528  
section 4511.991 of the Revised Code. 1529

**Sec. 4511.39.** (A) No person shall turn a vehicle or 1530  
trackless trolley or move right or left upon a highway unless 1531  
and until such person has exercised due care to ascertain that 1532  
the movement can be made with reasonable safety nor without 1533  
giving an appropriate signal in the manner hereinafter provided. 1534

When required, a signal of intention to turn or move right 1535  
or left shall be given continuously during not less than the 1536  
last one hundred feet traveled by the vehicle or trackless 1537  
trolley before turning, except that in the case of a person 1538  
operating a bicycle, the signal shall be made not less than one 1539  
time but is not required to be continuous. A bicycle operator is 1540  
not required to make a signal if the bicycle is in a designated 1541  
turn lane, and a signal shall not be given when the operator's 1542  
hands are needed for the safe operation of the bicycle. 1543

No person shall stop or suddenly decrease the speed of a 1544  
vehicle or trackless trolley without first giving an appropriate 1545  
signal in the manner provided herein to the driver of any 1546  
vehicle or trackless trolley immediately to the rear when there 1547

is opportunity to give a signal. 1548

Any stop or turn signal required by this section shall be 1549  
given either by means of the hand and arm, or by signal lights 1550  
that clearly indicate to both approaching and following traffic 1551  
intention to turn or move right or left, except that any motor 1552  
vehicle in use on a highway shall be equipped with, and the 1553  
required signal shall be given by, signal lights when the 1554  
distance from the center of the top of the steering post to the 1555  
left outside limit of the body, cab, or load of such motor 1556  
vehicle exceeds twenty-four inches, or when the distance from 1557  
the center of the top of the steering post to the rear limit of 1558  
the body or load thereof exceeds fourteen feet, whether a single 1559  
vehicle or a combination of vehicles. 1560

The signal lights required by this section shall not be 1561  
flashed on one side only on a disabled vehicle or trackless 1562  
trolley, flashed as a courtesy or "do pass" signal to operators 1563  
of other vehicles or trackless trolleys approaching from the 1564  
rear, nor be flashed on one side only of a parked vehicle or 1565  
trackless trolley except as may be necessary for compliance with 1566  
this section. 1567

(B) Except as otherwise provided in this division, whoever 1568  
violates this section is guilty of a minor misdemeanor. If, 1569  
within one year of the offense, the offender previously has been 1570  
convicted of or pleaded guilty to one predicate motor vehicle or 1571  
traffic offense, whoever violates this section is guilty of a 1572  
misdemeanor of the fourth degree. If, within one year of the 1573  
offense, the offender previously has been convicted of two or 1574  
more predicate motor vehicle or traffic offenses, whoever 1575  
violates this section is guilty of a misdemeanor of the third 1576  
degree. 1577

If the offender commits the offense while distracted and 1578  
the distracting activity is the apparent cause of the offense, 1579  
the offender is subject to the additional fine established under 1580  
section 4511.991 of the Revised Code. 1581

**Sec. 4511.40.** (A) Except as provided in division (B) of 1582  
this section, all signals required by sections 4511.01 to 1583  
4511.78 of the Revised Code, when given by hand and arm, shall 1584  
be given from the left side of the vehicle in the following 1585  
manner, and such signals shall indicate as follows: 1586

(1) Left turn, hand and arm extended horizontally; 1587

(2) Right turn, hand and arm extended upward; 1588

(3) Stop or decrease speed, hand and arm extended 1589  
downward. 1590

(B) As an alternative to division (A) (2) of this section, 1591  
a person operating a bicycle may give a right turn signal by 1592  
extending the right hand and arm horizontally and to the right 1593  
side of the bicycle. 1594

(C) Except as otherwise provided in this division, whoever 1595  
violates this section is guilty of a minor misdemeanor. If, 1596  
within one year of the offense, the offender previously has been 1597  
convicted of or pleaded guilty to one predicate motor vehicle or 1598  
traffic offense, whoever violates this section is guilty of a 1599  
misdemeanor of the fourth degree. If, within one year of the 1600  
offense, the offender previously has been convicted of two or 1601  
more predicate motor vehicle or traffic offenses, whoever 1602  
violates this section is guilty of a misdemeanor of the third 1603  
degree. 1604

If the offender commits the offense while distracted and 1605  
the distracting activity is the apparent cause of the offense, 1606

the offender is subject to the additional fine established under 1607  
section 4511.991 of the Revised Code. 1608

**Sec. 4511.41.** (A) When two vehicles, including any 1609  
trackless trolley or streetcar, approach or enter an 1610  
intersection from different streets or highways at approximately 1611  
the same time, the driver of the vehicle on the left shall yield 1612  
the right-of-way to the vehicle on the right. 1613

(B) The right-of-way rule declared in division (A) of this 1614  
section is modified at through highways and otherwise as stated 1615  
in Chapter 4511. of the Revised Code. 1616

(C) Except as otherwise provided in this division, whoever 1617  
violates this section is guilty of a minor misdemeanor. If, 1618  
within one year of the offense, the offender previously has been 1619  
convicted of or pleaded guilty to one predicate motor vehicle or 1620  
traffic offense, whoever violates this section is guilty of a 1621  
misdemeanor of the fourth degree. If, within one year of the 1622  
offense, the offender previously has been convicted of two or 1623  
more predicate motor vehicle or traffic offenses, whoever 1624  
violates this section is guilty of a misdemeanor of the third 1625  
degree. 1626

If the offender commits the offense while distracted and 1627  
the distracting activity is the apparent cause of the offense, 1628  
the offender is subject to the additional fine established under 1629  
section 4511.991 of the Revised Code. 1630

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 1631  
trackless trolley intending to turn to the left within an 1632  
intersection or into an alley, private road, or driveway shall 1633  
yield the right of way to any vehicle, streetcar, or trackless 1634  
trolley approaching from the opposite direction, whenever the 1635

approaching vehicle, streetcar, or trackless trolley is within 1636  
the intersection or so close to the intersection, alley, private 1637  
road, or driveway as to constitute an immediate hazard. 1638

(B) Except as otherwise provided in this division, whoever 1639  
violates this section is guilty of a minor misdemeanor. If, 1640  
within one year of the offense, the offender previously has been 1641  
convicted of or pleaded guilty to one predicate motor vehicle or 1642  
traffic offense, whoever violates this section is guilty of a 1643  
misdemeanor of the fourth degree. If, within one year of the 1644  
offense, the offender previously has been convicted of two or 1645  
more predicate motor vehicle or traffic offenses, whoever 1646  
violates this section is guilty of a misdemeanor of the third 1647  
degree. 1648

If the offender commits the offense while distracted and 1649  
the distracting activity is the apparent cause of the offense, 1650  
the offender is subject to the additional fine established under 1651  
section 4511.991 of the Revised Code. 1652

**Sec. 4511.43.** (A) Except when directed to proceed by a law 1653  
enforcement officer, every driver of a vehicle or trackless 1654  
trolley approaching a stop sign shall stop at a clearly marked 1655  
stop line, but if none, before entering the crosswalk on the 1656  
near side of the intersection, or, if none, then at the point 1657  
nearest the intersecting roadway where the driver has a view of 1658  
approaching traffic on the intersecting roadway before entering 1659  
it. After having stopped, the driver shall yield the right-of- 1660  
way to any vehicle in the intersection or approaching on another 1661  
roadway so closely as to constitute an immediate hazard during 1662  
the time the driver is moving across or within the intersection 1663  
or junction of roadways. 1664

(B) The driver of a vehicle or trackless trolley 1665

approaching a yield sign shall slow down to a speed reasonable 1666  
for the existing conditions and, if required for safety to stop, 1667  
shall stop at a clearly marked stop line, but if none, before 1668  
entering the crosswalk on the near side of the intersection, or, 1669  
if none, then at the point nearest the intersecting roadway 1670  
where the driver has a view of approaching traffic on the 1671  
intersecting roadway before entering it. After slowing or 1672  
stopping, the driver shall yield the right-of-way to any vehicle 1673  
or trackless trolley in the intersection or approaching on 1674  
another roadway so closely as to constitute an immediate hazard 1675  
during the time the driver is moving across or within the 1676  
intersection or junction of roadways. Whenever a driver is 1677  
involved in a collision with a vehicle or trackless trolley in 1678  
the intersection or junction of roadways, after driving past a 1679  
yield sign without stopping, the collision shall be prima-facie 1680  
evidence of the driver's failure to yield the right-of-way. 1681

(C) Except as otherwise provided in this division, whoever 1682  
violates this section is guilty of a minor misdemeanor. If, 1683  
within one year of the offense, the offender previously has been 1684  
convicted of or pleaded guilty to one predicate motor vehicle or 1685  
traffic offense, whoever violates this section is guilty of a 1686  
misdemeanor of the fourth degree. If, within one year of the 1687  
offense, the offender previously has been convicted of two or 1688  
more predicate motor vehicle or traffic offenses, whoever 1689  
violates this section is guilty of a misdemeanor of the third 1690  
degree. 1691

If the offender commits the offense while distracted and 1692  
the distracting activity is the apparent cause of the offense, 1693  
the offender is subject to the additional fine established under 1694  
section 4511.991 of the Revised Code. 1695

**Sec. 4511.431.** (A) The driver of a vehicle or trackless trolley emerging from an alley, building, private road, or driveway within a business or residence district shall stop the vehicle or trackless trolley immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley, building entrance, road, or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or trackless trolley about to enter or cross a highway from any place other than another roadway shall yield the right of way to all traffic approaching on the roadway to be entered or crossed.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been

convicted of or pleaded guilty to one predicate motor vehicle or 1726  
traffic offense, whoever violates this section is guilty of a 1727  
misdemeanor of the fourth degree. If, within one year of the 1728  
offense, the offender previously has been convicted of two or 1729  
more predicate motor vehicle or traffic offenses, whoever 1730  
violates this section is guilty of a misdemeanor of the third 1731  
degree. 1732

If the offender commits the offense while distracted and 1733  
the distracting activity is the apparent cause of the offense, 1734  
the offender is subject to the additional fine established under 1735  
section 4511.991 of the Revised Code. 1736

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 1737  
right-of-way to any pedestrian on a sidewalk. 1738

(B) Except as otherwise provided in this division, whoever 1739  
violates this section is guilty of a minor misdemeanor. If, 1740  
within one year of the offense, the offender previously has been 1741  
convicted of or pleaded guilty to one predicate motor vehicle or 1742  
traffic offense, whoever violates this section is guilty of a 1743  
misdemeanor of the fourth degree. If, within one year of the 1744  
offense, the offender previously has been convicted of two or 1745  
more predicate motor vehicle or traffic offenses, whoever 1746  
violates this section is guilty of a misdemeanor of the third 1747  
degree. 1748

If the offender commits the offense while distracted and 1749  
the distracting activity is the apparent cause of the offense, 1750  
the offender is subject to the additional fine established under 1751  
section 4511.991 of the Revised Code. 1752

**Sec. 4511.451.** (A) As used in this section, "funeral 1753  
procession" means two or more vehicles accompanying the cremated 1754

remains or the body of a deceased person in the daytime when 1755  
each of the vehicles has its headlights lighted and is 1756  
displaying a purple and white or an orange and white pennant 1757  
attached to each vehicle in such a manner as to be clearly 1758  
visible to traffic approaching from any direction. 1759

(B) Excepting public safety vehicles proceeding in 1760  
accordance with section 4511.45 of the Revised Code or when 1761  
directed otherwise by a police officer, pedestrians and the 1762  
operators of all vehicles, street cars, and trackless trolleys 1763  
shall yield the right of way to each vehicle that is a part of a 1764  
funeral procession. Whenever the lead vehicle in a funeral 1765  
procession lawfully enters an intersection, the remainder of the 1766  
vehicles in the procession may continue to follow the lead 1767  
vehicle through the intersection notwithstanding any traffic 1768  
control devices or right of way provisions of the Revised Code, 1769  
provided that the operator of each vehicle exercises due care to 1770  
avoid colliding with any other vehicle or pedestrian. 1771

(C) No person shall operate any vehicle as a part of a 1772  
funeral procession without having the headlights of the vehicle 1773  
lighted and without displaying a purple and white or an orange 1774  
and white pennant in such a manner as to be clearly visible to 1775  
traffic approaching from any direction. 1776

(D) Except as otherwise provided in this division, whoever 1777  
violates this section is guilty of a minor misdemeanor. If, 1778  
within one year of the offense, the offender previously has been 1779  
convicted of or pleaded guilty to one predicate motor vehicle or 1780  
traffic offense, whoever violates this section is guilty of a 1781  
misdemeanor of the fourth degree. If, within one year of the 1782  
offense, the offender previously has been convicted of two or 1783  
more predicate motor vehicle or traffic offenses, whoever 1784

violates this section is guilty of a misdemeanor of the third 1785  
degree. 1786

If the offender commits the offense while distracted and 1787  
the distracting activity is the apparent cause of the offense, 1788  
the offender is subject to the additional fine established under 1789  
section 4511.991 of the Revised Code. 1790

**Sec. 4511.46.** (A) When traffic control signals are not in 1791  
place, not in operation, or are not clearly assigning the right- 1792  
of-way, the driver of a vehicle, trackless trolley, or streetcar 1793  
shall yield the right of way, slowing down or stopping if need 1794  
be to so yield or if required by section 4511.132 of the Revised 1795  
Code, to a pedestrian crossing the roadway within a crosswalk 1796  
when the pedestrian is upon the half of the roadway upon which 1797  
the vehicle is traveling, or when the pedestrian is approaching 1798  
so closely from the opposite half of the roadway as to be in 1799  
danger. 1800

(B) No pedestrian shall suddenly leave a curb or other 1801  
place of safety and walk or run into the path of a vehicle, 1802  
trackless trolley, or streetcar which is so close as to 1803  
constitute an immediate hazard. 1804

(C) Division (A) of this section does not apply under the 1805  
conditions stated in division (B) of section 4511.48 of the 1806  
Revised Code. 1807

(D) Whenever any vehicle, trackless trolley, or streetcar 1808  
is stopped at a marked crosswalk or at any unmarked crosswalk at 1809  
an intersection to permit a pedestrian to cross the roadway, the 1810  
driver of any other vehicle, trackless trolley, or streetcar 1811  
approaching from the rear shall not overtake and pass the 1812  
stopped vehicle. 1813

(E) Except as otherwise provided in this division, whoever  
violates this section is guilty of a minor misdemeanor. If,  
within one year of the offense, the offender previously has been  
convicted of or pleaded guilty to one predicate motor vehicle or  
traffic offense, whoever violates this section is guilty of a  
misdemeanor of the fourth degree. If, within one year of the  
offense, the offender previously has been convicted of two or  
more predicate motor vehicle or traffic offenses, whoever  
violates this section is guilty of a misdemeanor of the third  
degree.

If the offender commits the offense while distracted and  
the distracting activity is the apparent cause of the offense,  
the offender is subject to the additional fine established under  
section 4511.991 of the Revised Code.

**Sec. 4511.47.** (A) As used in this section "blind person"  
or "blind pedestrian" means a person having not more than 20/200  
visual acuity in the better eye with correcting lenses or visual  
acuity greater than 20/200 but with a limitation in the fields  
of vision such that the widest diameter of the visual field  
subtends an angle no greater than twenty degrees.

The driver of every vehicle shall yield the right of way  
to every blind pedestrian guided by a guide dog, or carrying a  
cane which is predominantly white or metallic in color, with or  
without a red tip.

(B) No person, other than a blind person, while on any  
public highway, street, alley, or other public thoroughfare  
shall carry a white or metallic cane with or without a red tip.

(C) Except as otherwise provided in this division, whoever  
violates this section is guilty of a minor misdemeanor. If,

within one year of the offense, the offender previously has been 1843  
convicted of or pleaded guilty to one predicate motor vehicle or 1844  
traffic offense, whoever violates this section is guilty of a 1845  
misdemeanor of the fourth degree. If, within one year of the 1846  
offense, the offender previously has been convicted of two or 1847  
more predicate motor vehicle or traffic offenses, whoever 1848  
violates this section is guilty of a misdemeanor of the third 1849  
degree. 1850

If the offender commits the offense while distracted and 1851  
the distracting activity is the apparent cause of the offense, 1852  
the offender is subject to the additional fine established under 1853  
section 4511.991 of the Revised Code. 1854

**Sec. 4511.54.** (A) No person riding upon any bicycle, 1855  
coaster, roller skates, sled, or toy vehicle shall attach the 1856  
same or self to any streetcar, trackless trolley, or vehicle 1857  
upon a roadway. 1858

No operator shall knowingly permit any person riding upon 1859  
any bicycle, coaster, roller skates, sled, or toy vehicle to 1860  
attach the same or self to any streetcar, trackless trolley, or 1861  
vehicle while it is moving upon a roadway. 1862

This section does not apply to the towing of a disabled 1863  
vehicle. 1864

(B) Except as otherwise provided in this division, whoever 1865  
violates this section is guilty of a minor misdemeanor. If, 1866  
within one year of the offense, the offender previously has been 1867  
convicted of or pleaded guilty to one predicate motor vehicle or 1868  
traffic offense, whoever violates this section is guilty of a 1869  
misdemeanor of the fourth degree. If, within one year of the 1870  
offense, the offender previously has been convicted of two or 1871

more predicate motor vehicle or traffic offenses, whoever 1872  
violates this section is guilty of a misdemeanor of the third 1873  
degree. 1874

If the offender commits the offense while distracted and 1875  
the distracting activity is the apparent cause of the offense, 1876  
the offender is subject to the additional fine established under 1877  
section 4511.991 of the Revised Code. 1878

**Sec. 4511.55.** (A) Every person operating a bicycle upon a 1879  
roadway shall ride as near to the right side of the roadway as 1880  
practicable obeying all traffic rules applicable to vehicles and 1881  
exercising due care when passing a standing vehicle or one 1882  
proceeding in the same direction. 1883

(B) Persons riding bicycles or motorcycles upon a roadway 1884  
shall ride not more than two abreast in a single lane, except on 1885  
paths or parts of roadways set aside for the exclusive use of 1886  
bicycles or motorcycles. 1887

(C) This section does not require a person operating a 1888  
bicycle to ride at the edge of the roadway when it is 1889  
unreasonable or unsafe to do so. Conditions that may require 1890  
riding away from the edge of the roadway include when necessary 1891  
to avoid fixed or moving objects, parked or moving vehicles, 1892  
surface hazards, or if it otherwise is unsafe or impracticable 1893  
to do so, including if the lane is too narrow for the bicycle 1894  
and an overtaking vehicle to travel safely side by side within 1895  
the lane. 1896

(D) Except as otherwise provided in this division, whoever 1897  
violates this section is guilty of a minor misdemeanor. If, 1898  
within one year of the offense, the offender previously has been 1899  
convicted of or pleaded guilty to one predicate motor vehicle or 1900

traffic offense, whoever violates this section is guilty of a 1901  
misdemeanor of the fourth degree. If, within one year of the 1902  
offense, the offender previously has been convicted of two or 1903  
more predicate motor vehicle or traffic offenses, whoever 1904  
violates this section is guilty of a misdemeanor of the third 1905  
degree. 1906

If the offender commits the offense while distracted and 1907  
the distracting activity is the apparent cause of the offense, 1908  
the offender is subject to the additional fine established under 1909  
section 4511.991 of the Revised Code. 1910

**Sec. 4511.57.** (A) The driver of a vehicle shall not 1911  
overtake and pass upon the left nor drive upon the left side of 1912  
any streetcar proceeding in the same direction, whether such 1913  
streetcar is in motion or at rest, except: 1914

(1) When so directed by a police officer or traffic 1915  
control device; 1916

(2) When upon a one-way street; 1917

(3) When upon a street where the tracks are so located as 1918  
to prevent compliance with this section; 1919

(4) When authorized by local authorities. 1920

(B) The driver of any vehicle when permitted to overtake 1921  
and pass upon the left of a streetcar which has stopped for the 1922  
purpose of receiving or discharging any passenger shall accord 1923  
pedestrians the right of way. 1924

(C) Except as otherwise provided in this division, whoever 1925  
violates this section is guilty of a minor misdemeanor. If, 1926  
within one year of the offense, the offender previously has been 1927  
convicted of or pleaded guilty to one predicate motor vehicle or 1928

traffic offense, whoever violates this section is guilty of a 1929  
misdemeanor of the fourth degree. If, within one year of the 1930  
offense, the offender previously has been convicted of two or 1931  
more predicate motor vehicle or traffic offenses, whoever 1932  
violates this section is guilty of a misdemeanor of the third 1933  
degree. 1934

If the offender commits the offense while distracted and 1935  
the distracting activity is the apparent cause of the offense, 1936  
the offender is subject to the additional fine established under 1937  
section 4511.991 of the Revised Code. 1938

**Sec. 4511.58.** (A) The driver of a vehicle overtaking upon 1939  
the right any streetcar stopped for the purpose of receiving or 1940  
discharging any passenger shall stop such vehicle at least five 1941  
feet to the rear of the nearest running board or door of such 1942  
streetcar and remain standing until all passengers have boarded 1943  
such streetcar, or upon alighting therefrom have reached a place 1944  
of safety, except that where a safety zone has been established, 1945  
a vehicle need not be brought to a stop before passing any such 1946  
streetcar or any trackless trolley, but may proceed past such 1947  
streetcar or trackless trolley at a speed not greater than is 1948  
reasonable and proper considering the safety of pedestrians. 1949

(B) Except as otherwise provided in this division, whoever 1950  
violates this section is guilty of a minor misdemeanor. If, 1951  
within one year of the offense, the offender previously has been 1952  
convicted of or pleaded guilty to one predicate motor vehicle or 1953  
traffic offense, whoever violates this section is guilty of a 1954  
misdemeanor of the fourth degree. If, within one year of the 1955  
offense, the offender previously has been convicted of two or 1956  
more predicate motor vehicle or traffic offenses, whoever 1957  
violates this section is guilty of a misdemeanor of the third 1958

degree. 1959

If the offender commits the offense while distracted and 1960  
the distracting activity is the apparent cause of the offense, 1961  
the offender is subject to the additional fine established under 1962  
section 4511.991 of the Revised Code. 1963

**Sec. 4511.59.** (A) The driver of any vehicle proceeding 1964  
upon any streetcar tracks in front of a streetcar shall remove 1965  
such vehicle from the track as soon as practicable after signal 1966  
from the operator of said streetcar. 1967

The driver of a vehicle upon overtaking and passing a 1968  
streetcar shall not turn in front of such streetcar unless such 1969  
movement can be made in safety. 1970

(B) Except as otherwise provided in this division, whoever 1971  
violates this section is guilty of a minor misdemeanor. If, 1972  
within one year of the offense, the offender previously has been 1973  
convicted of or pleaded guilty to one predicate motor vehicle or 1974  
traffic offense, whoever violates this section is guilty of a 1975  
misdemeanor of the fourth degree. If, within one year of the 1976  
offense, the offender previously has been convicted of two or 1977  
more predicate motor vehicle or traffic offenses, whoever 1978  
violates this section is guilty of a misdemeanor of the third 1979  
degree. 1980

If the offender commits the offense while distracted and 1981  
the distracting activity is the apparent cause of the offense, 1982  
the offender is subject to the additional fine established under 1983  
section 4511.991 of the Revised Code. 1984

**Sec. 4511.60.** (A) No vehicle shall at any time be driven 1985  
through or within a safety zone. 1986

(B) Except as otherwise provided in this division, whoever 1987

violates this section is guilty of a minor misdemeanor. If, 1988  
within one year of the offense, the offender previously has been 1989  
convicted of or pleaded guilty to one predicate motor vehicle or 1990  
traffic offense, whoever violates this section is guilty of a 1991  
misdemeanor of the fourth degree. If, within one year of the 1992  
offense, the offender previously has been convicted of two or 1993  
more predicate motor vehicle or traffic offenses, whoever 1994  
violates this section is guilty of a misdemeanor of the third 1995  
degree. 1996

If the offender commits the offense while distracted and 1997  
the distracting activity is the apparent cause of the offense, 1998  
the offender is subject to the additional fine established under 1999  
section 4511.991 of the Revised Code. 2000

**Sec. 4511.61.** (A) As used in this section, "active grade 2001  
crossing warning device" has the same meaning as in section 2002  
5733.43 of the Revised Code. 2003

(B) The department of transportation and local authorities 2004  
in their respective jurisdictions, with the approval of the 2005  
department, may designate dangerous highway crossings over 2006  
railroad tracks whether on state, county, or township highways 2007  
or on streets or ways within municipal corporations, and erect 2008  
stop signs thereat. 2009

(C) (1) The department and local authorities shall erect 2010  
stop signs at a railroad highway grade crossing in either of the 2011  
following circumstances: 2012

(a) New warning devices that are not active grade crossing 2013  
warning devices are being installed at the grade crossing, and 2014  
railroad crossbucks were the only warning devices at the grade 2015  
crossing prior to the installation of the new warning devices. 2016

(b) The grade crossing is constructed after ~~the effective~~ 2017  
~~date of this amendment~~ July 1, 2013, and only warning devices 2018  
that are not active grade crossing warning devices are installed 2019  
at the grade crossing. 2020

(2) Division (C)(1) of this section does not apply to a 2021  
railroad highway grade crossing that the director of 2022  
transportation has exempted from that division because of 2023  
traffic flow or other considerations or factors. 2024

(D) When stop signs are erected pursuant to division (B) 2025  
or (C) of this section, the operator of any vehicle, streetcar, 2026  
or trackless trolley shall stop within fifty, but not less than 2027  
fifteen, feet from the nearest rail of the railroad tracks and 2028  
shall exercise due care before proceeding across such grade 2029  
crossing. 2030

(E) Except as otherwise provided in this division, whoever 2031  
violates division (D) of this section is guilty of a minor 2032  
misdemeanor. If, within one year of the offense, the offender 2033  
previously has been convicted of or pleaded guilty to one 2034  
predicate motor vehicle or traffic offense, whoever violates 2035  
this section is guilty of a misdemeanor of the fourth degree. 2036  
If, within one year of the offense, the offender previously has 2037  
been convicted of two or more predicate motor vehicle or traffic 2038  
offenses, whoever violates this section is guilty of a 2039  
misdemeanor of the third degree. 2040

If the offender commits the offense while distracted and 2041  
the distracting activity is the apparent cause of the offense, 2042  
the offender is subject to the additional fine established under 2043  
section 4511.991 of the Revised Code. 2044

**Sec. 4511.64.** (A) No person shall operate or move any 2045

crawler-type tractor, steam shovel, derrick, roller, or any 2046  
equipment or structure having a normal operating speed of six or 2047  
less miles per hour or a vertical body or load clearance of less 2048  
than nine inches above the level surface of a roadway, upon or 2049  
across any tracks at a railroad grade crossing without first 2050  
complying with divisions (A) (1) and (2) of this section. 2051

(1) Before making any such crossing, the person operating 2052  
or moving any such vehicle or equipment shall first stop the 2053  
same, and while stopped the person shall listen and look in both 2054  
directions along such track for any approaching train and for 2055  
signals indicating the approach of a train, and shall proceed 2056  
only upon exercising due care. 2057

(2) No such crossing shall be made when warning is given 2058  
by automatic signal or crossing gates or a flagperson or 2059  
otherwise of the immediate approach of a railroad train or car. 2060

(B) If the normal sustained speed of such vehicle, 2061  
equipment, or structure is not more than three miles per hour, 2062  
the person owning, operating, or moving the same shall also give 2063  
notice of such intended crossing to a station agent or 2064  
superintendent of the railroad, and a reasonable time shall be 2065  
given to such railroad to provide proper protection for such 2066  
crossing. Where such vehicles or equipment are being used in 2067  
constructing or repairing a section of highway lying on both 2068  
sides of a railroad grade crossing, and in such construction or 2069  
repair it is necessary to repeatedly move such vehicles or 2070  
equipment over such crossing, one daily notice specifying when 2071  
such work will start and stating the hours during which it will 2072  
be prosecuted is sufficient. 2073

(C) Except as otherwise provided in this division, whoever 2074  
violates this section is guilty of a minor misdemeanor. If, 2075

within one year of the offense, the offender previously has been 2076  
convicted of or pleaded guilty to one predicate motor vehicle or 2077  
traffic offense, whoever violates this section is guilty of a 2078  
misdemeanor of the fourth degree. If, within one year of the 2079  
offense, the offender previously has been convicted of two or 2080  
more predicate motor vehicle or traffic offenses, whoever 2081  
violates this section is guilty of a misdemeanor of the third 2082  
degree. 2083

If the offender commits the offense while distracted and 2084  
the distracting activity is the apparent cause of the offense, 2085  
the offender is subject to the additional fine established under 2086  
section 4511.991 of the Revised Code. 2087

**Sec. 4511.71.** (A) No person shall drive upon, along, or 2088  
across a street or highway, or any part of a street or highway 2089  
that has been closed in the process of its construction, 2090  
reconstruction, or repair, and posted with appropriate signs by 2091  
the authority having jurisdiction to close such highway. 2092

(B) Except as otherwise provided in this division, whoever 2093  
violates this section is guilty of a minor misdemeanor. If, 2094  
within one year of the offense, the offender previously has been 2095  
convicted of or pleaded guilty to one predicate motor vehicle or 2096  
traffic offense, whoever violates this section is guilty of a 2097  
misdemeanor of the fourth degree. If, within one year of the 2098  
offense, the offender previously has been convicted of two or 2099  
more predicate motor vehicle or traffic offenses, whoever 2100  
violates this section is guilty of a misdemeanor of the third 2101  
degree. 2102

If the offender commits the offense while distracted and 2103  
the distracting activity is the apparent cause of the offense, 2104  
the offender is subject to the additional fine established under 2105

section 4511.991 of the Revised Code. 2106

**Sec. 4511.711.** (A) No person shall drive any vehicle, 2107  
other than a bicycle, upon a sidewalk or sidewalk area except 2108  
upon a permanent or duly authorized temporary driveway. 2109

Nothing in this section shall be construed as prohibiting 2110  
local authorities from regulating the operation of bicycles 2111  
within their respective jurisdictions, except that no local 2112  
authority may require that bicycles be operated on sidewalks. 2113

(B) Except as otherwise provided in this division, whoever 2114  
violates this section is guilty of a minor misdemeanor. If, 2115  
within one year of the offense, the offender previously has been 2116  
convicted of or pleaded guilty to one predicate motor vehicle or 2117  
traffic offense, whoever violates this section is guilty of a 2118  
misdemeanor of the fourth degree. If, within one year of the 2119  
offense, the offender previously has been convicted of two or 2120  
more predicate motor vehicle or traffic offenses, whoever 2121  
violates this section is guilty of a misdemeanor of the third 2122  
degree. 2123

If the offender commits the offense while distracted and 2124  
the distracting activity is the apparent cause of the offense, 2125  
the offender is subject to the additional fine established under 2126  
section 4511.991 of the Revised Code. 2127

**Sec. 4511.712.** (A) No driver shall enter an intersection 2128  
or marked crosswalk or drive onto any railroad grade crossing 2129  
unless there is sufficient space on the other side of the 2130  
intersection, crosswalk, or grade crossing to accommodate the 2131  
vehicle, streetcar, or trackless trolley the driver is operating 2132  
without obstructing the passage of other vehicles, streetcars, 2133  
trackless trolleys, pedestrians, or railroad trains, 2134

notwithstanding any traffic control signal indication to 2135  
proceed. 2136

(B) Except as otherwise provided in this division, whoever 2137  
violates this section is guilty of a minor misdemeanor. If, 2138  
within one year of the offense, the offender previously has been 2139  
convicted of or pleaded guilty to one predicate motor vehicle or 2140  
traffic offense, whoever violates this section is guilty of a 2141  
misdemeanor of the fourth degree. If, within one year of the 2142  
offense, the offender previously has been convicted of two or 2143  
more predicate motor vehicle or traffic offenses, whoever 2144  
violates this section is guilty of a misdemeanor of the third 2145  
degree. 2146

If the offender commits the offense while distracted and 2147  
the distracting activity is the apparent cause of the offense, 2148  
the offender is subject to the additional fine established under 2149  
section 4511.991 of the Revised Code. 2150

**Sec. 4511.713.** (A) No person shall operate a motor 2151  
vehicle, snowmobile, or all-purpose vehicle upon any path set 2152  
aside for the exclusive use of bicycles, when an appropriate 2153  
sign giving notice of such use is posted on the path. 2154

Nothing in this section shall be construed to affect any 2155  
rule of the director of natural resources governing the 2156  
operation of motor vehicles, snowmobiles, all-purpose vehicles, 2157  
and bicycles on lands under the director's jurisdiction. 2158

(B) Except as otherwise provided in this division, whoever 2159  
violates this section is guilty of a minor misdemeanor. If, 2160  
within one year of the offense, the offender previously has been 2161  
convicted of or pleaded guilty to one predicate motor vehicle or 2162  
traffic offense, whoever violates this section is guilty of a 2163

misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.72.** (A) The driver of any vehicle, other than an emergency vehicle or public safety vehicle on official business, shall not follow any emergency vehicle or public safety vehicle traveling in response to an alarm closer than five hundred feet, or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm, unless directed to do so by a police officer or a firefighter.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.73.** (A) No streetcar, trackless trolley, or vehicle shall, without the consent of the fire department official in command, be driven over any unprotected hose of a fire department that is laid down on any street, private driveway, or streetcar track to be used at any fire or alarm of fire.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is the apparent cause of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

**Sec. 4511.991.** (A) As used in this section and each section referenced in division (B) of this section, all of the following apply:

(1) "Distracted" means doing either of the following while operating a vehicle:

(a) Using a handheld electronic wireless communications device, as defined in section 4511.204 of the Revised Code, except when utilizing any of the following:

(i) The device's speakerphone function;

<u>(ii) A wireless technology standard for exchanging data</u>	2223
<u>over short distances;</u>	2224
<u>(iii) A "voice-operated or hands-free" device that allows</u>	2225
<u>the person to use the electronic wireless communications device</u>	2226
<u>without the use of either hand except to activate, deactivate,</u>	2227
<u>or initiate a feature or function;</u>	2228
<u>(iv) Any device that is physically or electronically</u>	2229
<u>integrated into the motor vehicle.</u>	2230
<u>(b) Engaging in any activity that is not necessary to the</u>	2231
<u>operation of a vehicle and impairs, or reasonably would be</u>	2232
<u>expected to impair, the ability of the operator to drive the</u>	2233
<u>vehicle safely.</u>	2234
<u>(2) "Distracted" does not include operating a motor</u>	2235
<u>vehicle while wearing an earphone or earplug over or in both</u>	2236
<u>ears at the same time. A person who so wears earphones or</u>	2237
<u>earplugs may be charged with a violation of section 4511.84 of</u>	2238
<u>the Revised Code.</u>	2239
<u>(3) "Distracted" does not include conducting any activity</u>	2240
<u>while operating a utility service vehicle or a vehicle for or on</u>	2241
<u>behalf of a utility, provided that the driver of the vehicle is</u>	2242
<u>acting in response to an emergency, power outage, or a</u>	2243
<u>circumstance affecting the health or safety of individuals.</u>	2244
<u>As used in division (A)(3) of this section:</u>	2245
<u>(a) "Utility" means an entity specified in division (A),</u>	2246
<u>(C), (D), (E), or (G) of section 4905.03 of the Revised Code.</u>	2247
<u>(b) "Utility service vehicle" means a vehicle owned or</u>	2248
<u>operated by a utility.</u>	2249
<u>(B) If an offender violates section 4511.03, 4511.051,</u>	2250

4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 2251  
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 2252  
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 2253  
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 2254  
4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 2255  
4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 2256  
4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 2257  
4511.73 of the Revised Code while distracted and the distracting 2258  
activity is the apparent cause of the violation, the offender is 2259  
subject to the applicable penalty for the violation and, 2260  
notwithstanding section 2929.28 of the Revised Code, is subject 2261  
to an additional fine of not more than one hundred dollars as 2262  
follows: 2263

(1) Subject to Traffic Rule 13, if a law enforcement 2264  
officer issues an offender a ticket, citation, or summons for a 2265  
violation of any of the aforementioned sections of the Revised 2266  
Code that indicates that the offender was distracted while 2267  
committing the violation and that the distracting activity was 2268  
the apparent cause of the violation, the offender may enter a 2269  
written plea of guilty and waive the offender's right to contest 2270  
the ticket, citation, or summons in a trial provided that the 2271  
offender pays the total amount of the fine established for the 2272  
violation, which shall include the additional fine of one 2273  
hundred dollars. 2274

In lieu of payment of the additional fine of one hundred 2275  
dollars, the offender instead may elect to attend a distracted 2276  
driving safety course, the duration and contents of which shall 2277  
be established by the director of public safety. If the offender 2278  
attends and successfully completes the course, the offender 2279  
shall be issued written evidence that the offender successfully 2280  
completed the course. The offender shall be required to pay the 2281

total amount of the fine established for the violation, which 2282  
amount shall not include the additional fine of one hundred 2283  
dollars, so long as the offender submits to the court both the 2284  
offender's payment in full and such written evidence. 2285

(2) If the offender appears in person to contest the 2286  
ticket, citation, or summons in a trial and the offender pleads 2287  
guilty to or is convicted of the violation, the court, in 2288  
addition to all other penalties provided by law, may impose the 2289  
applicable penalty for the violation and may impose the 2290  
additional fine of not more than one hundred dollars. 2291

If the court imposes upon the offender the applicable 2292  
penalty for the violation and an additional fine of not more 2293  
than one hundred dollars, the court shall inform the offender 2294  
that, in lieu of payment of the additional fine of not more than 2295  
one hundred dollars, the offender instead may elect to attend 2296  
the distracted driving safety course described in division (B) 2297  
(1) of this section. If the offender elects the course option 2298  
and attends and successfully completes the course, the offender 2299  
shall be issued written evidence that the offender successfully 2300  
completed the course. The offender shall be required to pay the 2301  
total amount of the fine established for the violation, which 2302  
amount shall not include the additional fine of not more than 2303  
one hundred dollars, so long as the offender submits to the 2304  
court the offender's payment and such written evidence. 2305

**Section 2.** That existing sections 4511.03, 4511.051, 2306  
4511.12, 4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 2307  
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 2308  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2309  
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 2310  
4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 2311

4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 2312  
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2313  
4511.713, 4511.72, and 4511.73 of the Revised Code are hereby 2314  
repealed. 2315

**Section 3.** The amendments to sections 4511.204 and 2316  
4511.205 of the Revised Code by this act are intended to reenact 2317  
the amendments to those sections made by Sub. H.B. 606 of the 2318  
129th General Assembly that were severed by the Tenth District 2319  
Court of Appeals of Ohio in *Linndale v. Ohio*, 2014-Ohio-4024; 19 2320  
N.E.3d 935 (10th Dist.) due to the determination that those 2321  
provisions violated the one subject rule established under 2322  
Article II, Section 15(D) of the Ohio Constitution. 2323