

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 429

Representatives Click, Johnson

Cosponsors: Representatives Cross, Rogers, Troy

A BILL

To amend sections 4508.02, 4511.03, 4511.12, 1
4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 2
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 3
4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 4
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 5
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 6
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 7
4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 8
4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 9
4511.64, 4511.71, 4511.711, 4511.712, 4511.72, 10
4511.73, 5501.27, and 5517.07; to enact section 11
4511.993; and to repeal section 4511.98 of the 12
Revised Code regarding traffic offenses in 13
construction zones. 14

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

Section 1. That sections 4508.02, 4511.03, 4511.12, 15
4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 4511.211, 16
4511.213, 4511.22, 4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 17
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 18
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 19

4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 20
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 21
4511.64, 4511.71, 4511.711, 4511.712, 4511.72, 4511.73, 5501.27, 22
and 5517.07 be amended and section 4511.993 of the Revised Code 23
be enacted to read as follows: 24

Sec. 4508.02. (A) (1) The director of public safety, 25
subject to Chapter 119. of the Revised Code, shall adopt and 26
prescribe such rules concerning the administration and 27
enforcement of this chapter as are necessary to protect the 28
public. The rules shall require an assessment of the holder of a 29
probationary instructor license. The director shall inspect the 30
school facilities and equipment of applicants and licensees and 31
examine applicants for instructor's licenses. 32

(2) The director shall adopt rules governing online driver 33
education courses that may be completed via the internet to 34
satisfy the classroom instruction under division (C) of this 35
section. The rules shall do all of the following: 36

(a) Establish standards that an online driver training 37
enterprise must satisfy to be licensed to offer an online driver 38
education course via the internet, including, at a minimum, 39
proven expertise in providing driver education and an acceptable 40
infrastructure capable of providing secure online driver 41
education in accord with advances in internet technology. The 42
rules shall allow an online driver training enterprise to be 43
affiliated with a licensed driver training school offering in- 44
person classroom instruction, but shall not require such an 45
affiliation. 46

(b) Establish content requirements that an online driver 47
education course must satisfy to be approved as equivalent to 48
twenty-four hours of in-person classroom instruction; 49

(c) Establish attendance standards, including a maximum number of course hours that may be completed in a twenty-four-hour period;

(d) Allow an enrolled applicant to begin the required eight hours of actual behind-the-wheel instruction upon completing all twenty-four hours of course instruction;

(e) Establish any other requirements necessary to regulate online driver education.

(B) The director shall administer and enforce this chapter.

(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are under age eighteen. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on ~~both~~ all of the following:

(1) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless communications device, or engaging in any other activity that distracts a driver from the safe and effective operation of a motor vehicle;

(2) The dangers of driving a motor vehicle while under the influence of a controlled substance, prescription medication, or alcohol;

(3) The dangers of and requirements related to driving a

motor vehicle in a construction zone. 79

(D) The rules shall state the minimum hours for classroom 80
and behind-the-wheel instruction required for beginning drivers 81
of commercial trucks, commercial cars, buses, and commercial 82
tractors, trailers, and semitrailers. 83

(E) (1) The department of public safety may charge a fee to 84
each online driver training enterprise in an amount sufficient 85
to pay the actual expenses the department incurs in the 86
regulation of online driver education courses. 87

(2) The department shall supply to each licensed online 88
driver training enterprise certificates to be used for 89
certifying an applicant's enrollment in an approved online 90
driver education course and a separate certificate to be issued 91
upon successful completion of an approved online driver 92
education course. The certificates shall be numbered serially. 93
The department may charge a fee to each online driver training 94
enterprise per certificate supplied to pay the actual expenses 95
the department incurs in supplying the certificates. 96

(F) The director shall adopt rules in accordance with 97
Chapter 119. of the Revised Code governing an abbreviated driver 98
training course for adults. 99

Sec. 4511.03. (A) The driver of any emergency vehicle or 100
public safety vehicle, when responding to an emergency call, 101
upon approaching a red or stop signal or any stop sign shall 102
slow down as necessary for safety to traffic, but may proceed 103
cautiously past such red or stop sign or signal with due regard 104
for the safety of all persons using the street or highway. 105

(B) Except as otherwise provided in this division, whoever 106
violates this section is guilty of a minor misdemeanor. If, 107

within one year of the offense, the offender previously has been 108
convicted of or pleaded guilty to one predicate motor vehicle or 109
traffic offense, whoever violates this section is guilty of a 110
misdemeanor of the fourth degree. If, within one year of the 111
offense, the offender previously has been convicted of two or 112
more predicate motor vehicle or traffic offenses, whoever 113
violates this section is guilty of a misdemeanor of the third 114
degree. 115

If the offender commits the offense while distracted and 116
the distracting activity is a contributing factor to the 117
commission of the offense, the offender is subject to the 118
additional fine established under section 4511.991 of the 119
Revised Code. 120

If the offender commits the offense while operating a 121
motor vehicle in a construction zone and division (C) of section 122
4511.993 of the Revised Code applies, the offender is subject to 123
the additional penalties established under that section. 124

Sec. 4511.12. (A) No pedestrian, driver of a vehicle, or 125
operator of a streetcar or trackless trolley shall disobey the 126
instructions of any traffic control device placed in accordance 127
with this chapter, unless at the time otherwise directed by a 128
police officer. 129

No provision of this chapter for which signs are required 130
shall be enforced against an alleged violator if at the time and 131
place of the alleged violation an official sign is not in proper 132
position and sufficiently legible to be seen by an ordinarily 133
observant person. Whenever a particular section of this chapter 134
does not state that signs are required, that section shall be 135
effective even though no signs are erected or in place. 136

(B) Except as otherwise provided in this division, whoever 137
violates this section is guilty of a minor misdemeanor. If, 138
within one year of the offense, the offender previously has been 139
convicted of or pleaded guilty to one predicate motor vehicle or 140
traffic offense, whoever violates this section is guilty of a 141
misdemeanor of the fourth degree. If, within one year of the 142
offense, the offender previously has been convicted of two or 143
more predicate motor vehicle or traffic offenses, whoever 144
violates this section is guilty of a misdemeanor of the third 145
degree. 146

If the offender commits the offense while distracted and 147
the distracting activity is a contributing factor to the 148
commission of the offense, the offender is subject to the 149
additional fine established under section 4511.991 of the 150
Revised Code. 151

If the offender commits the offense while operating a 152
motor vehicle in a construction zone and division (C) of section 153
4511.993 of the Revised Code applies, the offender is subject to 154
the additional penalties established under that section. 155

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 156
trackless trolley who approaches an intersection where traffic 157
is controlled by traffic control signals shall do all of the 158
following if the signal facing the driver exhibits no colored 159
lights or colored lighted arrows, exhibits a combination of such 160
lights or arrows that fails to clearly indicate the assignment 161
of right-of-way, or, if the vehicle is a bicycle or an electric 162
bicycle, the signals are otherwise malfunctioning due to the 163
failure of a vehicle detector to detect the presence of the 164
bicycle or electric bicycle: 165

(1) Stop at a clearly marked stop line, but if none, stop 166

before entering the crosswalk on the near side of the 167
intersection, or, if none, stop before entering the 168
intersection; 169

(2) Yield the right-of-way to all vehicles, streetcars, or 170
trackless trolleys in the intersection or approaching on an 171
intersecting road, if the vehicles, streetcars, or trackless 172
trolleys will constitute an immediate hazard during the time the 173
driver is moving across or within the intersection or junction 174
of roadways; 175

(3) Exercise ordinary care while proceeding through the 176
intersection. 177

(B) Except as otherwise provided in this division, whoever 178
violates this section is guilty of a minor misdemeanor. If, 179
within one year of the offense, the offender previously has been 180
convicted of or pleaded guilty to one predicate motor vehicle or 181
traffic offense, whoever violates this section is guilty of a 182
misdemeanor of the fourth degree. If, within one year of the 183
offense, the offender previously has been convicted of two or 184
more predicate motor vehicle or traffic offenses, whoever 185
violates this section is guilty of a misdemeanor of the third 186
degree. 187

If the offender commits the offense while distracted and 188
the distracting activity is a contributing factor to the 189
commission of the offense, the offender is subject to the 190
additional fine established under section 4511.991 of the 191
Revised Code. 192

If the offender commits the offense while operating a 193
motor vehicle in a construction zone and division (C) of section 194
4511.993 of the Revised Code applies, the offender is subject to 195

the additional penalties established under that section. 196

Sec. 4511.202. (A) No person shall operate a motor 197
vehicle, trackless trolley, streetcar, agricultural tractor, or 198
agricultural tractor that is towing, pulling, or otherwise 199
drawing a unit of farm machinery on any street, highway, or 200
property open to the public for vehicular traffic without being 201
in reasonable control of the vehicle, trolley, streetcar, 202
agricultural tractor, or unit of farm machinery. 203

(B) Whoever violates this section is guilty of operating a 204
motor vehicle or agricultural tractor without being in control 205
of it, a minor misdemeanor. 206

(C) If the offender commits the offense while operating a 207
motor vehicle in a construction zone and division (C) of section 208
4511.993 of the Revised Code applies, the offender is subject to 209
the additional penalties established under that section. 210

Sec. 4511.204. (A) No person shall operate a motor 211
vehicle, trackless trolley, or streetcar on any street, highway, 212
or property open to the public for vehicular traffic while 213
using, holding, or physically supporting with any part of the 214
person's body an electronic wireless communications device. 215

(B) Division (A) of this section does not apply to any of 216
the following: 217

(1) A person using an electronic wireless communications 218
device to make contact, for emergency purposes, with a law 219
enforcement agency, hospital or health care provider, fire 220
department, or other similar emergency agency or entity; 221

(2) A person driving a public safety vehicle while using 222
an electronic wireless communications device in the course of 223
the person's duties; 224

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| (3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure; | 225 226 227 228 229 |
| (4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device; | 230 231 232 233 234 |
| (5) A person receiving wireless messages on an electronic wireless communications 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, provided that the person does not hold or support the device with any part of the person's body; | 235 236 237 238 239 240 241 |
| (6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body; | 242 243 244 245 |
| (7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use: | 246 247 248 |
| (a) Manually enter letters, numbers, or symbols into the device; | 249 250 |
| (b) Hold or support the device with any part of the person's body. | 251 252 |
| (8) A person using a feature or function of the electronic | 253 |

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| wireless communications device with a single touch or single | 254 |
| swipe, provided that the person does not do either of the | 255 |
| following during the use: | 256 |
| (a) Manually enter letters, numbers, or symbols into the | 257 |
| device; | 258 |
| (b) Hold or support the device with any part of the | 259 |
| person's body. | 260 |
| (9) A person operating a commercial truck while using a | 261 |
| mobile data terminal that transmits and receives data; | 262 |
| (10) A person operating a utility service vehicle or a | 263 |
| vehicle for or on behalf of a utility, if the person is acting | 264 |
| in response to an emergency, power outage, or circumstance that | 265 |
| affects the health or safety of individuals; | 266 |
| (11) A person using an electronic wireless communications | 267 |
| device in conjunction with a voice-operated or hands-free | 268 |
| feature or function of the vehicle or of the device without the | 269 |
| use of either hand except to activate, deactivate, or initiate | 270 |
| the feature or function with a single touch or swipe, provided | 271 |
| the person does not hold or support the device with any part of | 272 |
| the person's body; | 273 |
| (12) A person using technology that physically or | 274 |
| electronically integrates the device into the motor vehicle, | 275 |
| provided that the person does not do either of the following | 276 |
| during the use: | 277 |
| (a) Manually enter letters, numbers, or symbols into the | 278 |
| device; | 279 |
| (b) Hold or support the device with any part of the | 280 |
| person's body. | 281 |

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| (13) A person storing an electronic wireless | 282 |
| communications device in a holster, harness, or article of | 283 |
| clothing on the person's body. | 284 |
| (C) (1) On January 31 of each year, the department of | 285 |
| public safety shall issue a report to the general assembly that | 286 |
| specifies the number of citations issued for violations of this | 287 |
| section during the previous calendar year. | 288 |
| (2) If a law enforcement officer issues an offender a | 289 |
| ticket, citation, or summons for a violation of division (A) of | 290 |
| this section, the officer shall do both of the following: | 291 |
| (a) Report the issuance of the ticket, citation, or | 292 |
| summons to the officer's law enforcement agency; | 293 |
| (b) Ensure that such report indicates the offender's race. | 294 |
| (D) Whoever violates division (A) of this section is | 295 |
| guilty of operating a motor vehicle while using an electronic | 296 |
| wireless communication device, an unclassified misdemeanor, and | 297 |
| shall be punished as provided in divisions (D) (1) to (5) of this | 298 |
| section. | 299 |
| (1) The offender shall be fined, and is subject to a | 300 |
| suspension of the offender's driver's license, commercial | 301 |
| driver's license, temporary instruction permit, probationary | 302 |
| license, or nonresident operating privilege, as follows: | 303 |
| (a) Except as provided in divisions (D) (1) (b), (c), (d) , | 304 |
| and (2) of this section, the court shall impose upon the | 305 |
| offender a fine of not more than one hundred fifty dollars. | 306 |
| (b) If, within two years of the violation, the offender | 307 |
| has been convicted of or pleaded guilty to one prior violation | 308 |
| of this section or a substantially equivalent municipal | 309 |

ordinance, the court shall impose upon the offender a fine of 310
not more than two hundred fifty dollars. 311

(c) If, within two years of the violation, the offender 312
has been convicted of or pleaded guilty to two or more prior 313
violations of this section or a substantially equivalent 314
municipal ordinance, the court shall impose upon the offender a 315
fine of not more than five hundred dollars. The court also may 316
impose a suspension of the offender's driver's license, 317
commercial driver's license, temporary instruction permit, 318
probationary license, or nonresident operating privilege for 319
ninety days. 320

~~(d) Notwithstanding divisions (D) (1) (a) to (c) of this 321
section, if the offender was operating the motor vehicle at the 322
time of the violation in a construction zone where a sign was 323
posted in accordance with section 4511.98 of the Revised Code, 324
the court, in addition to all other penalties provided by law, 325
shall impose upon the offender a fine of two times the amount 326
imposed for the violation under division (D) (1) (a), (b), or (c) 327
of this section, as applicable. 328~~

(2) If the offender is in the category of offenders to 329
whom division (D) (1) (a) of this section applies, in lieu of 330
payment of the fine of one hundred fifty dollars under division 331
(D) (1) (a) of this section and the assessment of points under 332
division (D) (4) of this section, the offender instead may elect 333
to attend the distracted driving safety course, as described in 334
section 4511.991 of the Revised Code. If the offender attends 335
and successfully completes the course, the offender shall be 336
issued written evidence that the offender successfully completed 337
the course. The offender shall not be required to pay the fine 338
and shall not have the points assessed against that offender's 339

driver's license if the offender submits the written evidence to 340
the court within 90 days of the violation of division (A) of 341
this section. However, successful completion of the course does 342
not result in a dismissal of the charges for the violation, and 343
the violation is a prior offense under divisions (D) (1) (b) and 344
(c) of this section if the offender commits a subsequent 345
violation or violations of division (A) of this section within 346
two years of the offense for which the course was completed. 347
This division does not apply with respect to any offender in the 348
category of offenders to whom division (D) (1) (b), (c), or ~~(d) (6)~~ 349
of this section applies. 350

(3) The court may impose any other penalty authorized 351
under sections 2929.21 to 2929.28 of the Revised Code. However, 352
the court shall not impose a fine or a suspension not otherwise 353
specified in division (D) (1) of this section. The court also 354
shall not impose a jail term or community residential sanction. 355

(4) Except as provided in division (D) (2) of this section, 356
points shall be assessed for a violation of division (A) of this 357
section in accordance with section 4510.036 of the Revised Code. 358

(5) The offense established under this section is a strict 359
liability offense and section 2901.20 of the Revised Code does 360
not apply. The designation of this offense as a strict liability 361
offense shall not be construed to imply that any other offense, 362
for which there is no specified degree of culpability, is not a 363
strict liability offense. 364

(6) If the offender commits an offense established under 365
this section while operating a motor vehicle in a construction 366
zone and division (C) of section 4511.993 of the Revised Code 367
applies, the offender is subject to the additional penalties 368
established under that section. 369

(E) This section shall not be construed as invalidating, 370
preempting, or superseding a substantially equivalent municipal 371
ordinance that prescribes penalties for violations of that 372
ordinance that are greater than the penalties prescribed in this 373
section for violations of this section. 374

(F) A prosecution for an offense in violation of this 375
section does not preclude a prosecution for an offense in 376
violation of a substantially equivalent municipal ordinance 377
based on the same conduct. However, the two offenses are allied 378
offenses of similar import under section 2941.25 of the Revised 379
Code. 380

(G) (1) A law enforcement officer does not have probable 381
cause and shall not stop the operator of a motor vehicle for 382
purposes of enforcing this section unless the officer visually 383
observes the operator using, holding, or physically supporting 384
with any part of the person's body the electronic wireless 385
communications device. 386

(2) A law enforcement officer who stops the operator of a 387
motor vehicle, trackless trolley, or streetcar for a violation 388
of division (A) of this section shall inform the operator that 389
the operator may decline a search of the operator's electronic 390
wireless communications device. The officer shall not do any of 391
the following: 392

(a) Access the device without a warrant, unless the 393
operator voluntarily and unequivocally gives consent for the 394
officer to access the device; 395

(b) Confiscate the device while awaiting the issuance of a 396
warrant to access the device; 397

(c) Obtain consent from the operator to access the device 398

through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.

(H) As used in this section:

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

(a) A wireless telephone;

(b) A text-messaging device;

(c) A personal digital assistant;

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

(e) Any device capable of displaying a video, movie, broadcast television image, or visual image;

(f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

(2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.

(4) "Utility service vehicle" means a vehicle owned or operated by a utility. 426
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Sec. 4511.205. (A) No holder of a temporary instruction permit who has not attained the age of eighteen years and no holder of a probationary driver's license shall drive a motor vehicle on any street, highway, or property used by the public for purposes of vehicular traffic or parking while using in any manner an electronic wireless communications device. 428
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(B) Division (A) of this section does not apply to either of the following: 434
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(1) A person using an electronic wireless communications device 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; 436
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(2) A person using an electronic wireless communications device whose motor vehicle is in a stationary position and the motor vehicle is outside a lane of travel; 440
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(3) A person using a navigation device in a voice-operated or hands-free manner who does not manipulate the device while driving. 443
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(C) (1) Except as provided in division (C) (2) of this section, whoever violates division (A) of this section shall be fined one hundred fifty dollars. In addition, the court shall impose a class seven suspension of the offender's driver's license or permit for a definite period of sixty days. 446
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(2) If the person previously has been adjudicated a delinquent child or a juvenile traffic offender for a violation of this section, whoever violates this section shall be fined three hundred dollars. In addition, the court shall impose a 451
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class seven suspension of the person's driver's license or 455
permit for a definite period of one year. 456

(3) If the offender commits the offense while operating a 457
motor vehicle in a construction zone and division (C) of section 458
4511.993 of the Revised Code applies, the offender is subject to 459
the additional penalties established under that section. 460

(D) The filing of a sworn complaint against a person for a 461
violation of this section does not preclude the filing of a 462
sworn complaint for a violation of a substantially equivalent 463
municipal ordinance for the same conduct. However, if a person 464
is adjudicated a delinquent child or a juvenile traffic offender 465
for a violation of this section and is also adjudicated a 466
delinquent child or a juvenile traffic offender for a violation 467
of a substantially equivalent municipal ordinance for the same 468
conduct, the two offenses are allied offenses of similar import 469
under section 2941.25 of the Revised Code. 470

(E) As used in this section, "electronic wireless 471
communications device" includes any of the following: 472

(1) A wireless telephone; 473

(2) A personal digital assistant; 474

(3) A computer, including a laptop computer and a computer 475
tablet; 476

(4) A text-messaging device; 477

(5) Any other substantially similar electronic wireless 478
device that is designed or used to communicate via voice, image, 479
or written word. 480

Sec. 4511.21. (A) No person shall operate a motor vehicle, 481
trackless trolley, or streetcar at a speed greater or less than 482

is reasonable or proper, having due regard to the traffic, 483
surface, and width of the street or highway and any other 484
conditions, and no person shall drive any motor vehicle, 485
trackless trolley, or streetcar in and upon any street or 486
highway at a greater speed than will permit the person to bring 487
it to a stop within the assured clear distance ahead. 488

(B) It is prima-facie lawful, in the absence of a lower 489
limit declared or established pursuant to this section by the 490
director of transportation or local authorities, for the 491
operator of a motor vehicle, trackless trolley, or streetcar to 492
operate the same at a speed not exceeding the following: 493

(1) (a) Twenty miles per hour in school zones during school 494
recess and while children are going to or leaving school during 495
the opening or closing hours, and when twenty miles per hour 496
school speed limit signs are erected; except that, on 497
controlled-access highways and expressways, if the right-of-way 498
line fence has been erected without pedestrian opening, the 499
speed shall be governed by division (B) (4) of this section and 500
on freeways, if the right-of-way line fence has been erected 501
without pedestrian opening, the speed shall be governed by 502
divisions (B) (10) and (11) of this section. The end of every 503
school zone may be marked by a sign indicating the end of the 504
zone. Nothing in this section or in the manual and 505
specifications for a uniform system of traffic control devices 506
shall be construed to require school zones to be indicated by 507
signs equipped with flashing or other lights, or giving other 508
special notice of the hours in which the school zone speed limit 509
is in effect. 510

(b) As used in this section and in section 4511.212 of the 511
Revised Code, "school" means all of the following: 512

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| (i) Any school chartered under section 3301.16 of the Revised Code; | 513 514 |
| (ii) Any nonchartered school that during the preceding year filed with the department of education and workforce in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone; | 515 516 517 518 519 520 521 522 |
| (iii) Any special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs. | 523 524 525 526 527 528 |
| (iv) Any preschool education program operated by an educational service center that is located on a street or highway with a speed limit of forty-five miles per hour or more, when the educational service center in writing requests that the county engineer of the county in which the program is located create a school zone at the location of that program. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs. | 529 530 531 532 533 534 535 536 537 |
| (c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from | 538 539 540 541 542 |

local authorities for streets and highways under their 543
jurisdiction and that portion of a state highway under the 544
jurisdiction of the director of transportation or a request from 545
a county engineer in the case of a school zone for a special 546
elementary school, the director may extend the traditional 547
school zone boundaries. The distances in divisions (B) (1) (c) (i), 548
(ii), and (iii) of this section shall not exceed three hundred 549
feet per approach per direction and are bounded by whichever of 550
the following distances or combinations thereof the director 551
approves as most appropriate: 552

(i) The distance encompassed by projecting the school 553
building lines normal to the fronting highway and extending a 554
distance of three hundred feet on each approach direction; 555

(ii) The distance encompassed by projecting the school 556
property lines intersecting the fronting highway and extending a 557
distance of three hundred feet on each approach direction; 558

(iii) The distance encompassed by the special marking of 559
the pavement for a principal school pupil crosswalk plus a 560
distance of three hundred feet on each approach direction of the 561
highway. 562

Nothing in this section shall be construed to invalidate 563
the director's initial action on August 9, 1976, establishing 564
all school zones at the traditional school zone boundaries 565
defined by projecting school property lines, except when those 566
boundaries are extended as provided in divisions (B) (1) (a) and 567
(c) of this section. 568

(d) As used in this division, "crosswalk" has the meaning 569
given that term in division (LL) (2) of section 4511.01 of the 570
Revised Code. 571

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

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

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

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

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

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

(v) The principal or other person in charge of the special

elementary school annually sends a report to the superintendent 601
of the school district in which the special elementary school is 602
located indicating the total number of students enrolled at the 603
school, but otherwise the principal or other person in charge 604
does not report any other information or data to the 605
superintendent. 606

(2) Twenty-five miles per hour in all other portions of a 607
municipal corporation, except on state routes outside business 608
districts, through highways outside business districts, and 609
alleys; 610

(3) Thirty-five miles per hour on all state routes or 611
through highways within municipal corporations outside business 612
districts, except as provided in divisions (B) (4) and (6) of 613
this section; 614

(4) Fifty miles per hour on controlled-access highways and 615
expressways within municipal corporations, except as provided in 616
divisions (B) (12), (13), (14), (15), and (16) of this section; 617

(5) Fifty-five miles per hour on highways outside 618
municipal corporations, other than highways within island 619
jurisdictions as provided in division (B) (8) of this section, 620
highways as provided in divisions (B) (9) and (10) of this 621
section, and highways, expressways, and freeways as provided in 622
divisions (B) (12), (13), (14), and (16) of this section; 623

(6) Fifty miles per hour on state routes within municipal 624
corporations outside urban districts unless a lower prima-facie 625
speed is established as further provided in this section; 626

(7) Fifteen miles per hour on all alleys within the 627
municipal corporation; 628

(8) Thirty-five miles per hour on highways outside 629

| | |
|--|---------------------------------|
| municipal corporations that are within an island jurisdiction; | 630 |
| (9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties; | 631 632 633 634 |
| (10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H) (2) of this section; | 635 636 637 |
| (11) Fifty-five miles per hour on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section; | 638 639 640 |
| (12) Sixty miles per hour on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in divisions (B) (13) and (14) of this section; | 641 642 643 644 |
| (13) Sixty-five miles per hour on all rural expressways without traffic control signals; | 645 646 |
| (14) Seventy miles per hour on all rural freeways; | 647 |
| (15) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B) (16) of this section; | 648 649 650 651 652 |
| (16) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized areas. | 653 654 655 |
| (C) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B) (1) (a), (2), (3), | 656 657 |

(4), (6), (7), (8), and (9) of this section, or any declared or 658
established pursuant to this section by the director or local 659
authorities and it is unlawful for any person to exceed any of 660
the speed limitations in division (D) of this section. No person 661
shall be convicted of more than one violation of this section 662
for the same conduct, although violations of more than one 663
provision of this section may be charged in the alternative in a 664
single affidavit. 665

(D) No person shall operate a motor vehicle, trackless 666
trolley, or streetcar upon a street or highway as follows: 667

(1) At a speed exceeding fifty-five miles per hour, except 668
upon a two-lane state route as provided in division (B)(10) of 669
this section and upon a highway, expressway, or freeway as 670
provided in divisions (B)(12), (13), (14), and (16) of this 671
section; 672

(2) At a speed exceeding sixty miles per hour upon a two- 673
lane state route as provided in division (B)(10) of this section 674
and upon a highway as provided in division (B)(12) of this 675
section; 676

(3) At a speed exceeding sixty-five miles per hour upon an 677
expressway as provided in division (B)(13) or upon a freeway as 678
provided in division (B)(16) of this section, except upon a 679
freeway as provided in division (B)(14) of this section; 680

(4) At a speed exceeding seventy miles per hour upon a 681
freeway as provided in division (B)(14) of this section; 682

(5) At a speed exceeding the posted speed limit upon a 683
highway, expressway, or freeway for which the director has 684
determined and declared a speed limit pursuant to division (I) 685
(2) or (L)(2) of this section. 686

(E) In every charge of violation of this section the 687
affidavit and warrant shall specify the time, place, and speed 688
at which the defendant is alleged to have driven, and in charges 689
made in reliance upon division (C) of this section also the 690
speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or 691
(9) of, or a limit declared or established pursuant to, this 692
section declares is prima-facie lawful at the time and place of 693
such alleged violation, except that in affidavits where a person 694
is alleged to have driven at a greater speed than will permit 695
the person to bring the vehicle to a stop within the assured 696
clear distance ahead the affidavit and warrant need not specify 697
the speed at which the defendant is alleged to have driven. 698

(F) When a speed in excess of both a prima-facie 699
limitation and a limitation in division (D) of this section is 700
alleged, the defendant shall be charged in a single affidavit, 701
alleging a single act, with a violation indicated of both 702
division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this 703
section, or of a limit declared or established pursuant to this 704
section by the director or local authorities, and of the 705
limitation in division (D) of this section. If the court finds a 706
violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), 707
or (9) of, or a limit declared or established pursuant to, this 708
section has occurred, it shall enter a judgment of conviction 709
under such division and dismiss the charge under division (D) of 710
this section. If it finds no violation of division (B)(1)(a), 711
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 712
established pursuant to, this section, it shall then consider 713
whether the evidence supports a conviction under division (D) of 714
this section. 715

(G) Points shall be assessed for violation of a limitation 716
under division (D) of this section in accordance with section 717

4510.036 of the Revised Code. 718

(H) (1) Whenever the director determines upon the basis of 719
criteria established by an engineering study, as defined by the 720
director, that any speed limit set forth in divisions (B) (1) (a) 721
to (D) of this section is greater or less than is reasonable or 722
safe under the conditions found to exist at any portion of a 723
street or highway under the jurisdiction of the director, the 724
director shall determine and declare a reasonable and safe 725
prima-facie speed limit, which shall be effective when 726
appropriate signs giving notice of it are erected at the 727
location. 728

(2) Whenever the director determines upon the basis of 729
criteria established by an engineering study, as defined by the 730
director, that the speed limit of fifty-five miles per hour on a 731
two-lane state route outside a municipal corporation is less 732
than is reasonable or safe under the conditions found to exist 733
at that portion of the state route, the director may determine 734
and declare a speed limit of sixty miles per hour for that 735
portion of the state route, which shall be effective when 736
appropriate signs giving notice of it are erected at the 737
location. 738

(3) (a) For purposes of the safe and orderly movement of 739
traffic upon any portion of a street or highway under the 740
jurisdiction of the director, the director may establish a 741
variable speed limit that is different than the speed limit 742
established by or under this section on all or portions of 743
interstate six hundred seventy, interstate two hundred seventy- 744
five, and interstate ninety commencing at the intersection of 745
that interstate with interstate seventy-one and continuing to 746
the border of the state of Ohio with the state of Pennsylvania. 747

The director shall establish criteria for determining the 748
appropriate use of variable speed limits and shall establish 749
variable speed limits in accordance with the criteria. The 750
director may establish variable speed limits based upon the time 751
of day, weather conditions, traffic incidents, or other factors 752
that affect the safe speed on a street or highway. The director 753
shall not establish a variable speed limit that is based on a 754
particular type or class of vehicle. A variable speed limit 755
established by the director under this section is effective when 756
appropriate signs giving notice of the speed limit are displayed 757
at the location. 758

(b) Except for variable speed limits established under 759
division (H) (3) (a) of this section, the director shall establish 760
a variable speed limit under the authority granted to the 761
director by this section on not more than two additional 762
highways and only pursuant to criteria established in rules 763
adopted in accordance with Chapter 119. of the Revised Code. The 764
rules shall be based on the criteria described in division (H) 765
(3) (a) of this section. The rules also shall establish the 766
parameters of any engineering study necessary for determining 767
when variable speed limits are appropriate. 768

(4) Nothing in this section shall be construed to limit 769
the authority of the director to establish speed limits within a 770
construction zone as authorized under section ~~4511.98~~ 4511.993 771
of the Revised Code. 772

(I) (1) Except as provided in divisions (I) (2), (J), (K), 773
and (N) of this section, whenever local authorities determine 774
upon the basis of criteria established by an engineering study, 775
as defined by the director, that the speed permitted by 776
divisions (B) (1) (a) to (D) of this section, on any part of a 777

highway under their jurisdiction, is greater than is reasonable 778
and safe under the conditions found to exist at such location, 779
the local authorities may by resolution request the director to 780
determine and declare a reasonable and safe prima-facie speed 781
limit. Upon receipt of such request the director may determine 782
and declare a reasonable and safe prima-facie speed limit at 783
such location, and if the director does so, then such declared 784
speed limit shall become effective only when appropriate signs 785
giving notice thereof are erected at such location by the local 786
authorities. The director may withdraw the declaration of a 787
prima-facie speed limit whenever in the director's opinion the 788
altered prima-facie speed limit becomes unreasonable. Upon such 789
withdrawal, the declared prima-facie speed limit shall become 790
ineffective and the signs relating thereto shall be immediately 791
removed by the local authorities. 792

(2) A local authority may determine on the basis of 793
criteria established by an engineering study, as defined by the 794
director, that the speed limit of sixty-five or seventy miles 795
per hour on a portion of a freeway under its jurisdiction is 796
greater than is reasonable or safe under the conditions found to 797
exist at that portion of the freeway. If the local authority 798
makes such a determination, the local authority by resolution 799
may request the director to determine and declare a reasonable 800
and safe speed limit of not less than fifty-five miles per hour 801
for that portion of the freeway. If the director takes such 802
action, the declared speed limit becomes effective only when 803
appropriate signs giving notice of it are erected at such 804
location by the local authority. 805

(J) Local authorities in their respective jurisdictions 806
may authorize by ordinance higher prima-facie speeds than those 807
stated in this section upon through highways, or upon highways 808

or portions thereof where there are no intersections, or between 809
widely spaced intersections, provided signs are erected giving 810
notice of the authorized speed, but local authorities shall not 811
modify or alter the basic rule set forth in division (A) of this 812
section or in any event authorize by ordinance a speed in excess 813
of the maximum speed permitted by division (D) of this section 814
for the specified type of highway. 815

Alteration of prima-facie limits on state routes by local 816
authorities shall not be effective until the alteration has been 817
approved by the director. The director may withdraw approval of 818
any altered prima-facie speed limits whenever in the director's 819
opinion any altered prima-facie speed becomes unreasonable, and 820
upon such withdrawal, the altered prima-facie speed shall become 821
ineffective and the signs relating thereto shall be immediately 822
removed by the local authorities. 823

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 824
this section, "unimproved highway" means a highway consisting of 825
any of the following: 826

- (a) Unimproved earth; 827
- (b) Unimproved graded and drained earth; 828
- (c) Gravel. 829

(2) Except as otherwise provided in divisions (K) (4) and 830
(5) of this section, whenever a board of township trustees 831
determines upon the basis of criteria established by an 832
engineering study, as defined by the director, that the speed 833
permitted by division (B) (5) of this section on any part of an 834
unimproved highway under its jurisdiction and in the 835
unincorporated territory of the township is greater than is 836
reasonable or safe under the conditions found to exist at the 837

location, the board may by resolution declare a reasonable and 838
safe prima-facie speed limit of fifty-five but not less than 839
twenty-five miles per hour. An altered speed limit adopted by a 840
board of township trustees under this division becomes effective 841
when appropriate traffic control devices, as prescribed in 842
section 4511.11 of the Revised Code, giving notice thereof are 843
erected at the location, which shall be no sooner than sixty 844
days after adoption of the resolution. 845

(3) (a) Whenever, in the opinion of a board of township 846
trustees, any altered prima-facie speed limit established by the 847
board under this division becomes unreasonable, the board may 848
adopt a resolution withdrawing the altered prima-facie speed 849
limit. Upon the adoption of such a resolution, the altered 850
prima-facie speed limit becomes ineffective and the traffic 851
control devices relating thereto shall be immediately removed. 852

(b) Whenever a highway ceases to be an unimproved highway 853
and the board has adopted an altered prima-facie speed limit 854
pursuant to division (K) (2) of this section, the board shall, by 855
resolution, withdraw the altered prima-facie speed limit as soon 856
as the highway ceases to be unimproved. Upon the adoption of 857
such a resolution, the altered prima-facie speed limit becomes 858
ineffective and the traffic control devices relating thereto 859
shall be immediately removed. 860

(4) (a) If the boundary of two townships rests on the 861
centerline of an unimproved highway in unincorporated territory 862
and both townships have jurisdiction over the highway, neither 863
of the boards of township trustees of such townships may declare 864
an altered prima-facie speed limit pursuant to division (K) (2) 865
of this section on the part of the highway under their joint 866
jurisdiction unless the boards of township trustees of both of 867

the townships determine, upon the basis of criteria established 868
by an engineering study, as defined by the director, that the 869
speed permitted by division (B) (5) of this section is greater 870
than is reasonable or safe under the conditions found to exist 871
at the location and both boards agree upon a reasonable and safe 872
prima-facie speed limit of less than fifty-five but not less 873
than twenty-five miles per hour for that location. If both 874
boards so agree, each shall follow the procedure specified in 875
division (K) (2) of this section for altering the prima-facie 876
speed limit on the highway. Except as otherwise provided in 877
division (K) (4) (b) of this section, no speed limit altered 878
pursuant to division (K) (4) (a) of this section may be withdrawn 879
unless the boards of township trustees of both townships 880
determine that the altered prima-facie speed limit previously 881
adopted becomes unreasonable and each board adopts a resolution 882
withdrawing the altered prima-facie speed limit pursuant to the 883
procedure specified in division (K) (3) (a) of this section. 884

(b) Whenever a highway described in division (K) (4) (a) of 885
this section ceases to be an unimproved highway and two boards 886
of township trustees have adopted an altered prima-facie speed 887
limit pursuant to division (K) (4) (a) of this section, both 888
boards shall, by resolution, withdraw the altered prima-facie 889
speed limit as soon as the highway ceases to be unimproved. Upon 890
the adoption of the resolution, the altered prima-facie speed 891
limit becomes ineffective and the traffic control devices 892
relating thereto shall be immediately removed. 893

(5) As used in division (K) (5) of this section: 894

(a) "Commercial subdivision" means any platted territory 895
outside the limits of a municipal corporation and fronting a 896
highway where, for a distance of three hundred feet or more, the 897

frontage is improved with buildings in use for commercial 898
purposes, or where the entire length of the highway is less than 899
three hundred feet long and the frontage is improved with 900
buildings in use for commercial purposes. 901

(b) "Residential subdivision" means any platted territory 902
outside the limits of a municipal corporation and fronting a 903
highway, where, for a distance of three hundred feet or more, 904
the frontage is improved with residences or residences and 905
buildings in use for business, or where the entire length of the 906
highway is less than three hundred feet long and the frontage is 907
improved with residences or residences and buildings in use for 908
business. 909

Whenever a board of township trustees finds upon the basis 910
of criteria established by an engineering study, as defined by 911
the director, that the prima-facie speed permitted by division 912
(B) (5) of this section on any part of a highway under its 913
jurisdiction that is located in a commercial or residential 914
subdivision, except on highways or portions thereof at the 915
entrances to which vehicular traffic from the majority of 916
intersecting highways is required to yield the right-of-way to 917
vehicles on such highways in obedience to stop or yield signs or 918
traffic control signals, is greater than is reasonable and safe 919
under the conditions found to exist at the location, the board 920
may by resolution declare a reasonable and safe prima-facie 921
speed limit of less than fifty-five but not less than twenty- 922
five miles per hour at the location. An altered speed limit 923
adopted by a board of township trustees under this division 924
shall become effective when appropriate signs giving notice 925
thereof are erected at the location by the township. Whenever, 926
in the opinion of a board of township trustees, any altered 927
prima-facie speed limit established by it under this division 928

becomes unreasonable, it may adopt a resolution withdrawing the 929
altered prima-facie speed, and upon such withdrawal, the altered 930
prima-facie speed shall become ineffective, and the signs 931
relating thereto shall be immediately removed by the township. 932

(L) (1) The director of transportation, based upon an 933
engineering study, as defined by the director, of a highway, 934
expressway, or freeway described in division (B) (12), (13), 935
(14), (15), or (16) of this section, in consultation with the 936
director of public safety and, if applicable, the local 937
authority having jurisdiction over the studied highway, 938
expressway, or freeway, may determine and declare that the speed 939
limit established on such highway, expressway, or freeway under 940
division (B) (12), (13), (14), (15), or (16) of this section 941
either is reasonable and safe or is more or less than that which 942
is reasonable and safe. 943

(2) If the established speed limit for a highway, 944
expressway, or freeway studied pursuant to division (L) (1) of 945
this section is determined to be more or less than that which is 946
reasonable and safe, the director of transportation, in 947
consultation with the director of public safety and, if 948
applicable, the local authority having jurisdiction over the 949
studied highway, expressway, or freeway, shall determine and 950
declare a reasonable and safe speed limit for that highway, 951
expressway, or freeway. 952

(M) (1) (a) If the boundary of two local authorities rests 953
on the centerline of a highway and both authorities have 954
jurisdiction over the highway, the speed limit for the part of 955
the highway within their joint jurisdiction shall be either one 956
of the following as agreed to by both authorities: 957

(i) Either prima-facie speed limit permitted by division 958

| | |
|--|---|
| (B) of this section; | 959 |
| (ii) An altered speed limit determined and posted in accordance with this section. | 960 961 |
| (b) If the local authorities are unable to reach an agreement, the speed limit shall remain as established and posted under this section. | 962 963 964 |
| (2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section. | 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 |
| (N) The legislative authority of a municipal corporation or township in which a boarding school is located, by resolution or ordinance, may establish a boarding school zone. The legislative authority may alter the speed limit on any street or highway within the boarding school zone and shall specify the | 984 985 986 987 988 |

hours during which the altered speed limit is in effect. For 989
purposes of determining the boundaries of the boarding school 990
zone, the altered speed limit within the boarding school zone, 991
and the hours the altered speed limit is in effect, the 992
legislative authority shall consult with the administration of 993
the boarding school and with the county engineer or other 994
appropriate engineer, as applicable. A boarding school zone 995
speed limit becomes effective only when appropriate signs giving 996
notice thereof are erected at the appropriate locations. 997

(0) As used in this section: 998

(1) "Interstate system" has the same meaning as in 23 999
U.S.C. 101. 1000

(2) "Commercial bus" means a motor vehicle designed for 1001
carrying more than nine passengers and used for the 1002
transportation of persons for compensation. 1003

(3) "Noncommercial bus" includes but is not limited to a 1004
school bus or a motor vehicle operated solely for the 1005
transportation of persons associated with a charitable or 1006
nonprofit organization. 1007

(4) "Outerbelt" means a portion of a freeway that is part 1008
of the interstate system and is located in the outer vicinity of 1009
a major municipal corporation or group of municipal 1010
corporations, as designated by the director. 1011

(5) "Rural" means an area outside urbanized areas and 1012
outside of a business or urban district, and areas that extend 1013
within urbanized areas where the roadway characteristics remain 1014
mostly unchanged from those outside the urbanized areas. 1015

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 1016
101. 1017

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

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

(a) Except as otherwise provided in divisions (P) (1) (b), (1) (c), and (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 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 while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree. Division (P) (2) of this section does not apply if penalties may be imposed under division (P) (1) (b) or (c) of this section.

~~(3) Notwithstanding division (P) (1) of this section, if~~

~~the offender operated a motor vehicle in a construction zone~~ 1047
~~where a sign was then posted in accordance with section 4511.98~~ 1048
~~of the Revised Code, the court, in addition to all other~~ 1049
~~penalties provided by law, shall impose upon the offender a fine~~ 1050
~~of two times the usual amount imposed for the violation. No~~ 1051
~~court shall impose a fine of two times the usual amount imposed~~ 1052
~~for the violation upon an offender if the offender alleges, in~~ 1053
~~an affidavit filed with the court prior to the offender's~~ 1054
~~sentencing, that the offender is indigent and is unable to pay~~ 1055
~~the fine imposed pursuant to this division and if the court~~ 1056
~~determines that the offender is an indigent person and unable to~~ 1057
~~pay the fine.~~ 1058
If the offender commits an offense established under 1058
this section while operating a motor vehicle in a construction 1059
zone and division (C) of section 4511.993 of the Revised Code 1060
applies, the offender is subject to the additional penalties 1061
established under that section. 1062

(4) If the offender commits the offense while distracted 1063
and the distracting activity is a contributing factor to the 1064
commission of the offense, the offender is subject to the 1065
additional fine established under section 4511.991 of the 1066
Revised Code. 1067

Sec. 4511.211. (A) The owner of a private road or driveway 1068
located in a private residential area containing twenty or more 1069
dwelling units may establish a speed limit on the road or 1070
driveway by complying with all of the following requirements: 1071

(1) The speed limit is not less than twenty-five miles per 1072
hour and is indicated by a sign that is in a proper position, is 1073
sufficiently legible to be seen by an ordinarily observant 1074
person, and meets the specifications for the basic speed limit 1075
sign included in the manual adopted by the department of 1076

transportation pursuant to section 4511.09 of the Revised Code; 1077

(2) The owner has posted a sign at the entrance of the 1078
private road or driveway that is in plain view and clearly 1079
informs persons entering the road or driveway that they are 1080
entering private property, a speed limit has been established 1081
for the road or driveway, and the speed limit is enforceable by 1082
law enforcement officers under state law. 1083

(B) No person shall operate a vehicle upon a private road 1084
or driveway as provided in division (A) of this section at a 1085
speed exceeding any speed limit established and posted pursuant 1086
to that division. 1087

(C) When a speed limit is established and posted in 1088
accordance with division (A) of this section, any law 1089
enforcement officer may apprehend a person violating the speed 1090
limit of the residential area by utilizing any of the means 1091
described in section 4511.091 of the Revised Code or by any 1092
other accepted method of determining the speed of a motor 1093
vehicle and may stop and charge the person with exceeding the 1094
speed limit. 1095

(D) Points shall be assessed for violation of a speed 1096
limit established and posted in accordance with division (A) of 1097
this section in accordance with section 4510.036 of the Revised 1098
Code. 1099

(E) As used in this section: 1100

(1) "Owner" includes but is not limited to a person who 1101
holds title to the real property in fee simple, a condominium 1102
owners' association, a property owner's association, the board 1103
of directors or trustees of a private community, and a nonprofit 1104
corporation governing a private community. 1105

(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:

(a) Except as otherwise provided in divisions (F) (1) (b) and (c) 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 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;

(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 a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

(3) If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

Sec. 4511.213. (A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle, emergency vehicle, road service vehicle, waste collection vehicle, vehicle

used by the public utilities commission to conduct motor vehicle 1135
inspections in accordance with sections 4923.04 and 4923.06 of 1136
the Revised Code, or a highway maintenance vehicle that is 1137
displaying the appropriate visual signals by means of flashing, 1138
oscillating, or rotating lights, as prescribed in section 1139
4513.17 of the Revised Code, shall do either of the following: 1140

(1) If the driver of the motor vehicle is traveling on a 1141
highway that consists of at least two lanes that carry traffic 1142
in the same direction of travel as that of the driver's motor 1143
vehicle, the driver shall proceed with due caution and, if 1144
possible and with due regard to the road, weather, and traffic 1145
conditions, shall change lanes into a lane that is not adjacent 1146
to that of the stationary public safety vehicle, emergency 1147
vehicle, road service vehicle, waste collection vehicle, vehicle 1148
used by the public utilities commission to conduct motor vehicle 1149
inspections in accordance with sections 4923.04 and 4923.06 of 1150
the Revised Code, or a highway maintenance vehicle. 1151

(2) If the driver is not traveling on a highway of a type 1152
described in division (A)(1) of this section, or if the driver 1153
is traveling on a highway of that type but it is not possible to 1154
change lanes or if to do so would be unsafe, the driver shall 1155
proceed with due caution, reduce the speed of the motor vehicle, 1156
and maintain a safe speed for the road, weather, and traffic 1157
conditions. 1158

(B) This section does not relieve the driver of a public 1159
safety vehicle, emergency vehicle, road service vehicle, waste 1160
collection vehicle, vehicle used by the public utilities 1161
commission to conduct motor vehicle inspections in accordance 1162
with sections 4923.04 and 4923.06 of the Revised Code, or a 1163
highway maintenance vehicle from the duty to drive with due 1164

regard for the safety of all persons and property upon the 1165
highway. 1166

(C) No person shall fail to drive a motor vehicle in 1167
compliance with division (A) (1) or (2) of this section when so 1168
required by division (A) of this section. 1169

(D) (1) Except as otherwise provided in this division, 1170
whoever violates this section is guilty of a minor misdemeanor. 1171
If, within one year of the offense, the offender previously has 1172
been convicted of or pleaded guilty to one predicate motor 1173
vehicle or traffic offense, whoever violates this section is 1174
guilty of a misdemeanor of the fourth degree. If, within one 1175
year of the offense, the offender previously has been convicted 1176
of two or more predicate motor vehicle or traffic offenses, 1177
whoever violates this section is guilty of a misdemeanor of the 1178
third degree. 1179

(2) Notwithstanding section 2929.28 of the Revised Code, 1180
upon a finding that a person operated a motor vehicle in 1181
violation of division (C) of this section, the court, in 1182
addition to all other penalties provided by law, shall impose a 1183
fine of two times the usual amount imposed for the violation. 1184

(3) If the offender commits the offense while distracted 1185
and the distracting activity is a contributing factor to the 1186
commission of the offense, the offender is subject to the 1187
additional fine established under section 4511.991 of the 1188
Revised Code. 1189

(4) If the offender commits the offense while operating a 1190
motor vehicle in a construction zone and division (C) of section 1191
4511.993 of the Revised Code applies, the offender is subject to 1192
the additional penalties established under that section. 1193

(E) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

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

(B) Whenever the director of transportation or local authorities determine on the basis of an engineering and traffic investigation that slow speeds on any part of a controlled-access highway, expressway, or freeway consistently impede the normal and reasonable movement of traffic, the director or such local authority may declare a minimum speed limit below which no person shall operate a motor vehicle, trackless trolley, or street car except when necessary for safe operation or in compliance with law. No minimum speed limit established hereunder shall be less than thirty miles per hour, greater than fifty miles per hour, nor effective until the provisions of section 4511.21 of the Revised Code, relating to appropriate signs, have been fulfilled and local authorities have obtained the approval of the director.

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

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

violates this section is guilty of a minor misdemeanor. If, 1224
within one year of the offense, the offender previously has been 1225
convicted of or pleaded guilty to one predicate motor vehicle or 1226
traffic offense, whoever violates this section is guilty of a 1227
misdemeanor of the fourth degree. If, within one year of the 1228
offense, the offender previously has been convicted of two or 1229
more predicate motor vehicle or traffic offenses, whoever 1230
violates this section is guilty of a misdemeanor of the third 1231
degree. 1232

If the offender commits the offense while distracted and 1233
the distracting activity is a contributing factor to the 1234
commission of the offense, the offender is subject to the 1235
additional fine established under section 4511.991 of the 1236
Revised Code. 1237

If the offender commits the offense while operating a 1238
motor vehicle in a construction zone and division (C) of section 1239
4511.993 of the Revised Code applies, the offender is subject to 1240
the additional penalties established under that section. 1241

Sec. 4511.23. (A) No person shall operate a vehicle, 1242
trackless trolley, or streetcar over any bridge or other 1243
elevated structure constituting a part of a highway at a speed 1244
which is greater than the maximum speed that can be maintained 1245
with safety to such bridge or structure, when such structure is 1246
posted with signs as provided in this section. 1247

The department of transportation upon request from any 1248
local authority shall, or upon its own initiative may, conduct 1249
an investigation of any bridge or other elevated structure 1250
constituting a part of a highway, and if it finds that such 1251
structure cannot with safety withstand traffic traveling at the 1252
speed otherwise permissible under sections 4511.01 to 4511.85 1253

and ~~4511.98~~ 4511.993 of the Revised Code, the department shall 1254
determine and declare the maximum speed of traffic which such 1255
structure can withstand, and shall cause or permit suitable 1256
signs stating such maximum speed to be erected and maintained at 1257
a distance of at least one hundred feet before each end of such 1258
structure. 1259

Upon the trial of any person charged with a violation of 1260
this section, proof of said determination of the maximum speed 1261
by the department and the existence of said signs shall 1262
constitute prima-facie evidence of the maximum speed which can 1263
be maintained with safety to such bridge or structure. 1264

(B) Except as otherwise provided in this division, whoever 1265
violates this section is guilty of a minor misdemeanor. If, 1266
within one year of the offense, the offender previously has been 1267
convicted of or pleaded guilty to one predicate motor vehicle or 1268
traffic offense, whoever violates this section is guilty of a 1269
misdemeanor of the fourth degree. If, within one year of the 1270
offense, the offender previously has been convicted of two or 1271
more predicate motor vehicle or traffic offenses, whoever 1272
violates this section is guilty of a misdemeanor of the third 1273
degree. 1274

If the offender commits the offense while distracted and 1275
the distracting activity is a contributing factor to the 1276
commission of the offense, the offender is subject to the 1277
additional fine established under section 4511.991 of the 1278
Revised Code. 1279

If the offender commits the offense while operating a 1280
motor vehicle in a construction zone and division (C) of section 1281
4511.993 of the Revised Code applies, the offender is subject to 1282
the additional penalties established under that section. 1283

Sec. 4511.25. (A) Upon all roadways of sufficient width, a 1284
vehicle or trackless trolley shall be driven upon the right half 1285
of the roadway, except as follows: 1286

(1) When overtaking and passing another vehicle proceeding 1287
in the same direction, or when making a left turn under the 1288
rules governing such movements; 1289

(2) When an obstruction exists making it necessary to 1290
drive to the left of the center of the highway; provided, any 1291
person so doing shall yield the right of way to all vehicles 1292
traveling in the proper direction upon the unobstructed portion 1293
of the highway within such distance as to constitute an 1294
immediate hazard; 1295

(3) When driving upon a roadway divided into three or more 1296
marked lanes for traffic under the rules applicable thereon; 1297

(4) When driving upon a roadway designated and posted with 1298
signs for one-way traffic; 1299

(5) When otherwise directed by a police officer or traffic 1300
control device. 1301

(B) (1) Upon all roadways any vehicle or trackless trolley 1302
proceeding at less than the prevailing and lawful speed of 1303
traffic at the time and place and under the conditions then 1304
existing shall be driven in the right-hand lane then available 1305
for traffic, and far enough to the right to allow passing by 1306
faster vehicles if such passing is safe and reasonable, except 1307
under any of the following circumstances: 1308

(a) When overtaking and passing another vehicle or 1309
trackless trolley proceeding in the same direction; 1310

(b) When preparing for a left turn; 1311

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

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

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

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

(D) 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 a contributing factor to the

commission of the offense, the offender is subject to the 1341
additional fine established under section 4511.991 of the 1342
Revised Code. 1343

If the offender commits the offense while operating a 1344
motor vehicle in a construction zone and division (C) of section 1345
4511.993 of the Revised Code applies, the offender is subject to 1346
the additional penalties established under that section. 1347

Sec. 4511.251. (A) As used in this section and section 1348
4510.036 of the Revised Code, "street racing" means the 1349
operation of two or more vehicles from a point side by side at 1350
accelerating speeds in a competitive attempt to out-distance 1351
each other or the operation of one or more vehicles over a 1352
common selected course, from the same point to the same point, 1353
wherein timing is made of the participating vehicles involving 1354
competitive accelerations or speeds. Persons rendering 1355
assistance in any manner to such competitive use of vehicles 1356
shall be equally charged as the participants. The operation of 1357
two or more vehicles side by side either at speeds in excess of 1358
prima-facie lawful speeds established by divisions (B) (1) (a) to 1359
(B) (9) of section 4511.21 of the Revised Code or rapidly 1360
accelerating from a common starting point to a speed in excess 1361
of such prima-facie lawful speeds shall be prima-facie evidence 1362
of street racing. 1363

(B) No person shall participate in street racing upon any 1364
public road, street, or highway in this state. 1365

(C) Whoever violates this section is guilty of street 1366
racing, a misdemeanor of the first degree. In addition to any 1367
other sanctions, the court shall suspend the offender's driver's 1368
license, commercial driver's license, temporary instruction 1369
permit, probationary license, or nonresident operating privilege 1370

for not less than thirty days or more than three years. No judge 1371
shall suspend the first thirty days of any suspension of an 1372
offender's license, permit, or privilege imposed under this 1373
division. 1374

If the offender commits the offense while operating a 1375
motor vehicle in a construction zone and division (C) of section 1376
4511.993 of the Revised Code applies, the offender is subject to 1377
the additional penalties established under that section. 1378

Sec. 4511.26. (A) Operators of vehicles and trackless 1379
trolleys proceeding in opposite directions shall pass each other 1380
to the right, and upon roadways having width for not more than 1381
one line of traffic in each direction, each operator shall give 1382
to the other one-half of the main traveled portion of the 1383
roadway or as nearly one-half as is reasonable possible. 1384

(B) Except as otherwise provided in this division, whoever 1385
violates this section is guilty of a minor misdemeanor. If, 1386
within one year of the offense, the offender previously has been 1387
convicted of or pleaded guilty to one predicate motor vehicle or 1388
traffic offense, whoever violates this section is guilty of a 1389
misdemeanor of the fourth degree. If, within one year of the 1390
offense, the offender previously has been convicted of two or 1391
more predicate motor vehicle or traffic offenses, whoever 1392
violates this section is guilty of a misdemeanor of the third 1393
degree. 1394

If the offender commits the offense while distracted and 1395
the distracting activity is a contributing factor to the 1396
commission of the offense, the offender is subject to the 1397
additional fine established under section 4511.991 of the 1398
Revised Code. 1399

If the offender commits the offense while operating a 1400
motor vehicle in a construction zone and division (C) of section 1401
4511.993 of the Revised Code applies, the offender is subject to 1402
the additional penalties established under that section. 1403

Sec. 4511.27. (A) The following rules govern the 1404
overtaking and passing of vehicles or trackless trolleys 1405
proceeding in the same direction: 1406

(1) The operator of a vehicle or trackless trolley 1407
overtaking another vehicle or trackless trolley proceeding in 1408
the same direction shall, except as provided in division (A)(3) 1409
of this section, signal to the vehicle or trackless trolley to 1410
be overtaken, shall pass to the left thereof at a safe distance, 1411
and shall not again drive to the right side of the roadway until 1412
safely clear of the overtaken vehicle or trackless trolley. When 1413
a motor vehicle or trackless trolley overtakes and passes a 1414
bicycle or electric bicycle, three feet or greater is considered 1415
a safe passing distance. 1416

(2) Except when overtaking and passing on the right is 1417
permitted, the operator of an overtaken vehicle shall give way 1418
to the right in favor of the overtaking vehicle at the latter's 1419
audible signal, and the operator shall not increase the speed of 1420
the operator's vehicle until completely passed by the overtaking 1421
vehicle. 1422

(3) The operator of a vehicle or trackless trolley 1423
overtaking and passing another vehicle or trackless trolley 1424
proceeding in the same direction on a divided highway as defined 1425
in section 4511.35 of the Revised Code, a limited access highway 1426
as defined in section 5511.02 of the Revised Code, or a highway 1427
with four or more traffic lanes, is not required to signal 1428
audibly to the vehicle or trackless trolley being overtaken and 1429

passed. 1430

(B) Except as otherwise provided in this division, whoever 1431
violates this section is guilty of a minor misdemeanor. If, 1432
within one year of the offense, the offender previously has been 1433
convicted of or pleaded guilty to one predicate motor vehicle or 1434
traffic offense, whoever violates this section is guilty of a 1435
misdemeanor of the fourth degree. If, within one year of the 1436
offense, the offender previously has been convicted of two or 1437
more predicate motor vehicle or traffic offenses, whoever 1438
violates this section is guilty of a misdemeanor of the third 1439
degree. 1440

If the offender commits the offense while distracted and 1441
the distracting activity is a contributing factor to the 1442
commission of the offense, the offender is subject to the 1443
additional fine established under section 4511.991 of the 1444
Revised Code. 1445

If the offender commits the offense while operating a 1446
motor vehicle in a construction zone and division (C) of section 1447
4511.993 of the Revised Code applies, the offender is subject to 1448
the additional penalties established under that section. 1449

Sec. 4511.28. (A) The driver of a vehicle or trackless 1450
trolley may overtake and pass upon the right of another vehicle 1451
or trackless trolley only under the following conditions: 1452

(1) When the vehicle or trackless trolley overtaken is 1453
making or about to make a left turn; 1454

(2) Upon a roadway with unobstructed pavement of 1455
sufficient width for two or more lines of vehicles moving 1456
lawfully in the direction being traveled by the overtaking 1457
vehicle. 1458

(B) The driver of a vehicle or trackless trolley may 1459
overtake and pass another vehicle or trackless trolley only 1460
under conditions permitting such movement in safety. The 1461
movement shall not be made by driving off the roadway. 1462

(C) Except as otherwise provided in this division, whoever 1463
violates this section is guilty of a minor misdemeanor. If, 1464
within one year of the offense, the offender previously has been 1465
convicted of or pleaded guilty to one predicate motor vehicle or 1466
traffic offense, whoever violates this section is guilty of a 1467
misdemeanor of the fourth degree. If, within one year of the 1468
offense, the offender previously has been convicted of two or 1469
more predicate motor vehicle or traffic offenses, whoever 1470
violates this section is guilty of a misdemeanor of the third 1471
degree. 1472

If the offender commits the offense while distracted and 1473
the distracting activity is a contributing factor to the 1474
commission of the offense, the offender is subject to the 1475
additional fine established under section 4511.991 of the 1476
Revised Code. 1477

If the offender commits the offense while operating a 1478
motor vehicle in a construction zone and division (C) of section 1479
4511.993 of the Revised Code applies, the offender is subject to 1480
the additional penalties established under that section. 1481

Sec. 4511.29. (A) No vehicle or trackless trolley shall be 1482
driven to the left of the center of the roadway in overtaking 1483
and passing traffic proceeding in the same direction, unless 1484
such left side is clearly visible and is free of oncoming 1485
traffic for a sufficient distance ahead to permit such 1486
overtaking and passing to be completely made, without 1487
interfering with the safe operation of any traffic approaching 1488

from the opposite direction or any traffic overtaken. In every 1489
event the overtaking vehicle or trackless trolley must return to 1490
an authorized lane of travel as soon as practicable and in the 1491
event the passing movement involves the use of a lane authorized 1492
for traffic approaching from the opposite direction, before 1493
coming within two hundred feet of any approaching vehicle. 1494

(B) Except as otherwise provided in this division, whoever 1495
violates this section is guilty of a minor misdemeanor. If, 1496
within one year of the offense, the offender previously has been 1497
convicted of or pleaded guilty to one predicate motor vehicle or 1498
traffic offense, whoever violates this section is guilty of a 1499
misdemeanor of the fourth degree. If, within one year of the 1500
offense, the offender previously has been convicted of two or 1501
more predicate motor vehicle or traffic offenses, whoever 1502
violates this section is guilty of a misdemeanor of the third 1503
degree. 1504

If the offender commits the offense while distracted and 1505
the distracting activity is a contributing factor to the 1506
commission of the offense, the offender is subject to the 1507
additional fine established under section 4511.991 of the 1508
Revised Code. 1509

If the offender commits the offense while operating a 1510
motor vehicle in a construction zone and division (C) of section 1511
4511.993 of the Revised Code applies, the offender is subject to 1512
the additional penalties established under that section. 1513

Sec. 4511.30. (A) No vehicle or trackless trolley shall be 1514
driven upon the left side of the roadway under the following 1515
conditions: 1516

(1) When approaching the crest of a grade or upon a curve 1517

in the highway, where the operator's view is obstructed within 1518
such a distance as to create a hazard in the event traffic might 1519
approach from the opposite direction; 1520

(2) When the view is obstructed upon approaching within 1521
one hundred feet of any bridge, viaduct, or tunnel; 1522

(3) When approaching within one hundred feet of or 1523
traversing any intersection or railroad grade crossing. 1524

(B) This section does not apply to vehicles or trackless 1525
trolleys upon a one-way roadway, upon a roadway where traffic is 1526
lawfully directed to be driven to the left side, or under the 1527
conditions described in division (A) (2) of section 4511.25 of 1528
the Revised Code. 1529

(C) Except as otherwise provided in this division, whoever 1530
violates this section is guilty of a minor misdemeanor. If, 1531
within one year of the offense, the offender previously has been 1532
convicted of or pleaded guilty to one predicate motor vehicle or 1533
traffic offense, whoever violates this section is guilty of a 1534
misdemeanor of the fourth degree. If, within one year of the 1535
offense, the offender previously has been convicted of two or 1536
more predicate motor vehicle or traffic offenses, whoever 1537
violates this section is guilty of a misdemeanor of the third 1538
degree. 1539

If the offender commits the offense while distracted and 1540
the distracting activity is a contributing factor to the 1541
commission of the offense, the offender is subject to the 1542
additional fine established under section 4511.991 of the 1543
Revised Code. 1544

If the offender commits the offense while operating a 1545
motor vehicle in a construction zone and division (C) of section 1546

4511.993 of the Revised Code applies, the offender is subject to 1547
the additional penalties established under that section. 1548

Sec. 4511.31. (A) The department of transportation may 1549
determine those portions of any state highway where overtaking 1550
and passing other traffic or driving to the left of the center 1551
or center line of the roadway would be especially hazardous and 1552
may, by appropriate signs or markings on the highway, indicate 1553
the beginning and end of such zones. When such signs or markings 1554
are in place and clearly visible, every operator of a vehicle or 1555
trackless trolley shall obey the directions of the signs or 1556
markings, notwithstanding the distances set out in section 1557
4511.30 of the Revised Code. 1558

(B) Division (A) of this section does not apply when all 1559
of the following apply: 1560

(1) The slower vehicle is proceeding at less than half the 1561
speed of the speed limit applicable to that location. 1562

(2) The faster vehicle is capable of overtaking and 1563
passing the slower vehicle without exceeding the speed limit. 1564

(3) There is sufficient clear sight distance to the left 1565
of the center or center line of the roadway to meet the 1566
overtaking and passing provisions of section 4511.29 of the 1567
Revised Code, considering the speed of the slower vehicle. 1568

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

more predicate motor vehicle or traffic offenses, whoever 1576
violates this section is guilty of a misdemeanor of the third 1577
degree. 1578

If the offender commits the offense while distracted and 1579
the distracting activity is a contributing factor to the 1580
commission of the offense, the offender is subject to the 1581
additional fine established under section 4511.991 of the 1582
Revised Code. 1583

If the offender commits the offense while operating a 1584
motor vehicle in a construction zone and division (C) of section 1585
4511.993 of the Revised Code applies, the offender is subject to 1586
the additional penalties established under that section. 1587

Sec. 4511.32. (A) The department of transportation may 1588
designate any highway or any separate roadway under its 1589
jurisdiction for one-way traffic and shall erect appropriate 1590
signs giving notice thereof. 1591

Upon a roadway designated and posted with signs for one- 1592
way traffic a vehicle shall be driven only in the direction 1593
designated. 1594

A vehicle passing around a rotary traffic island shall be 1595
driven only to the right of the rotary traffic island. 1596

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

violates this section is guilty of a misdemeanor of the third 1605
degree. 1606

If the offender commits the offense while distracted and 1607
the distracting activity is a contributing factor to the 1608
commission of the offense, the offender is subject to the 1609
additional fine established under section 4511.991 of the 1610
Revised Code. 1611

If the offender commits the offense while operating a 1612
motor vehicle in a construction zone and division (C) of section 1613
4511.993 of the Revised Code applies, the offender is subject to 1614
the additional penalties established under that section. 1615

Sec. 4511.33. (A) Whenever any roadway has been divided 1616
into two or more clearly marked lanes for traffic, or wherever 1617
within municipal corporations traffic is lawfully moving in two 1618
or more substantially continuous lines in the same direction, 1619
the following rules apply: 1620

(1) A vehicle or trackless trolley shall be driven, as 1621
nearly as is practicable, entirely within a single lane or line 1622
of traffic and shall not be moved from such lane or line until 1623
the driver has first ascertained that such movement can be made 1624
with safety. 1625

(2) Upon a roadway which is divided into three lanes and 1626
provides for two-way movement of traffic, a vehicle or trackless 1627
trolley shall not be driven in the center lane except when 1628
overtaking and passing another vehicle or trackless trolley 1629
where the roadway is clearly visible and such center lane is 1630
clear of traffic within a safe distance, or when preparing for a 1631
left turn, or where such center lane is at the time allocated 1632
exclusively to traffic moving in the direction the vehicle or 1633

trackless trolley is proceeding and is posted with signs to give 1634
notice of such allocation. 1635

(3) Official signs may be erected directing specified 1636
traffic to use a designated lane or designating those lanes to 1637
be used by traffic moving in a particular direction regardless 1638
of the center of the roadway, or restricting the use of a 1639
particular lane to only buses during certain hours or during all 1640
hours, and drivers of vehicles and trackless trolleys shall obey 1641
the directions of such signs. 1642

(4) Official traffic control devices may be installed 1643
prohibiting the changing of lanes on sections of roadway and 1644
drivers of vehicles shall obey the directions of every such 1645
device. 1646

(B) Except as otherwise provided in this division, whoever 1647
violates this section is guilty of a minor misdemeanor. If, 1648
within one year of the offense, the offender previously has been 1649
convicted of or pleaded guilty to one predicate motor vehicle or 1650
traffic offense, whoever violates this section is guilty of a 1651
misdemeanor of the fourth degree. If, within one year of the 1652
offense, the offender previously has been convicted of two or 1653
more predicate motor vehicle or traffic offenses, whoever 1654
violates this section is guilty of a misdemeanor of the third 1655
degree. 1656

If the offender commits the offense while distracted and 1657
the distracting activity is a contributing factor to the 1658
commission of the offense, the offender is subject to the 1659
additional fine established under section 4511.991 of the 1660
Revised Code. 1661

If the offender commits the offense while operating a 1662

motor vehicle in a construction zone and division (C) of section 1663
4511.993 of the Revised Code applies, the offender is subject to 1664
the additional penalties established under that section. 1665

Sec. 4511.34. (A) The operator of a motor vehicle, 1666
streetcar, or trackless trolley shall not follow another 1667
vehicle, streetcar, or trackless trolley more closely than is 1668
reasonable and prudent, having due regard for the speed of such 1669
vehicle, streetcar, or trackless trolley, and the traffic upon 1670
and the condition of the highway. 1671

The driver of any truck, or motor vehicle drawing another 1672
vehicle, when traveling upon a roadway outside a business or 1673
residence district shall maintain a sufficient space, whenever 1674
conditions permit, between such vehicle and another vehicle 1675
ahead so an overtaking motor vehicle may enter and occupy such 1676
space without danger. This paragraph does not prevent overtaking 1677
and passing nor does it apply to any lane specially designated 1678
for use by trucks. 1679

Outside a municipal corporation, the driver of any truck, 1680
or motor vehicle when drawing another vehicle, while ascending 1681
to the crest of a grade beyond which the driver's view of a 1682
roadway is obstructed, shall not follow within three hundred 1683
feet of another truck, or motor vehicle drawing another vehicle. 1684
This paragraph shall not apply to any lane specially designated 1685
for use by trucks. 1686

Motor vehicles being driven upon any roadway outside of a 1687
business or residence district in a caravan or motorcade, shall 1688
maintain a sufficient space between such vehicles so an 1689
overtaking vehicle may enter and occupy such space without 1690
danger. This paragraph shall not apply to funeral processions. 1691

(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 a contributing factor to the
commission of the offense, the offender is subject to the
additional fine established under section 4511.991 of the
Revised Code.

If the offender commits the offense while operating a
motor vehicle in a construction zone and division (C) of section
4511.993 of the Revised Code applies, the offender is subject to
the additional penalties established under that section.

Sec. 4511.35. (A) Whenever any highway has been divided
into two roadways by an intervening space, or by a physical
barrier, or clearly indicated dividing section so constructed as
to impede vehicular traffic, every vehicle shall be driven only
upon the right-hand roadway, and no vehicle shall be driven
over, across, or within any such dividing space, barrier, or
section, except through an opening, crossover, or intersection
established by public authority. This section does not prohibit
the occupancy of such dividing space, barrier, or section for
the purpose of an emergency stop or in compliance with an order
of a police officer.

(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 a contributing factor to the
commission of the offense, the offender is subject to the
additional fine established under section 4511.991 of the
Revised Code.

If the offender commits the offense while operating a
motor vehicle in a construction zone and division (C) of section
4511.993 of the Revised Code applies, the offender is subject to
the additional penalties established under that section.

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

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

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

passing to the right of such center line where it enters the 1751
intersection and after entering the intersection the left turn 1752
shall be made so as to leave the intersection to the right of 1753
the center line of the roadway being entered. Whenever 1754
practicable the left turn shall be made in that portion of the 1755
intersection to the left of the center of the intersection. 1756

(3) At any intersection where traffic is restricted to one 1757
direction on one or more of the roadways, the driver of a 1758
vehicle intending to turn left at any such intersection shall 1759
approach the intersection in the extreme left-hand lane lawfully 1760
available to traffic moving in the direction of travel of such 1761
vehicle, and after entering the intersection the left turn shall 1762
be made so as to leave the intersection, as nearly as 1763
practicable, in the left-hand lane of the roadway being entered 1764
lawfully available to traffic moving in that lane. 1765

(B) The operator of a trackless trolley shall comply with 1766
divisions (A) (1), (2), and (3) of this section wherever 1767
practicable. 1768

(C) The department of transportation and local authorities 1769
in their respective jurisdictions may cause markers, buttons, or 1770
signs to be placed within or adjacent to intersections and 1771
thereby require and direct that a different course from that 1772
specified in this section be traveled by vehicles, streetcars, 1773
or trackless trolleys, turning at an intersection, and when 1774
markers, buttons, or signs are so placed, no operator of a 1775
vehicle, streetcar, or trackless trolley shall turn such 1776
vehicle, streetcar, or trackless trolley at an intersection 1777
other than as directed and required by such markers, buttons, or 1778
signs. 1779

(D) Except as otherwise provided in this division, whoever 1780

violates this section is guilty of a minor misdemeanor. If, 1781
within one year of the offense, the offender previously has been 1782
convicted of or pleaded guilty to one predicate motor vehicle or 1783
traffic offense, whoever violates this section is guilty of a 1784
misdemeanor of the fourth degree. If, within one year of the 1785
offense, the offender previously has been convicted of two or 1786
more predicate motor vehicle or traffic offenses, whoever 1787
violates this section is guilty of a misdemeanor of the third 1788
degree. 1789

If the offender commits the offense while distracted and 1790
the distracting activity is a contributing factor to the 1791
commission of the offense, the offender is subject to the 1792
additional fine established under section 4511.991 of the 1793
Revised Code. 1794

If the offender commits the offense while operating a 1795
motor vehicle in a construction zone and division (C) of section 1796
4511.993 of the Revised Code applies, the offender is subject to 1797
the additional penalties established under that section. 1798

Sec. 4511.37. (A) Except as provided in section 4511.13 of 1799
the Revised Code and division (B) of this section, no vehicle 1800
shall be turned so as to proceed in the opposite direction upon 1801
any curve, or upon the approach to or near the crest of a grade, 1802
if the vehicle cannot be seen within five hundred feet by the 1803
driver of any other vehicle approaching from either direction. 1804

(B) The driver of an emergency vehicle or public safety 1805
vehicle, when responding to an emergency call, may turn the 1806
vehicle so as to proceed in the opposite direction. This 1807
division applies only when the emergency vehicle or public 1808
safety vehicle is responding to an emergency call, is equipped 1809
with and displaying at least one flashing, rotating, or 1810

oscillating light visible under normal atmospheric conditions 1811
from a distance of five hundred feet to the front of the 1812
vehicle, and when the driver of the vehicle is giving an audible 1813
signal by siren, exhaust whistle, or bell. This division does 1814
not relieve the driver of an emergency vehicle or public safety 1815
vehicle from the duty to drive with due regard for the safety of 1816
all persons and property upon the highway. 1817

(C) Except as otherwise provided in this division, whoever 1818
violates this section is guilty of a minor misdemeanor. If, 1819
within one year of the offense, the offender previously has been 1820
convicted of or pleaded guilty to one predicate motor vehicle or 1821
traffic offense, whoever violates this section is guilty of a 1822
misdemeanor of the fourth degree. If, within one year of the 1823
offense, the offender previously has been convicted of two or 1824
more predicate motor vehicle or traffic offenses, whoever 1825
violates this section is guilty of a misdemeanor of the third 1826
degree. 1827

If the offender commits the offense while distracted and 1828
the distracting activity is a contributing factor to the 1829
commission of the offense, the offender is subject to the 1830
additional fine established under section 4511.991 of the 1831
Revised Code. 1832

If the offender commits the offense while operating a 1833
motor vehicle in a construction zone and division (C) of section 1834
4511.993 of the Revised Code applies, the offender is subject to 1835
the additional penalties established under that section. 1836

Sec. 4511.38. (A) No person shall start a vehicle, 1837
streetcar, or trackless trolley which is stopped, standing, or 1838
parked until such movement can be made with reasonable safety. 1839

Before backing, operators of vehicle, streetcars, or 1840
trackless trolleys shall give ample warning, and while backing 1841
they shall exercise vigilance not to injure person or property 1842
on the street or highway. 1843

No person shall back a motor vehicle on a freeway, except: 1844
in a rest area; in the performance of public works or official 1845
duties; as a result of an emergency caused by an accident or 1846
breakdown of a motor vehicle. 1847

(B) Except as otherwise provided in this division, whoever 1848
violates this section is guilty of a minor misdemeanor. If, 1849
within one year of the offense, the offender previously has been 1850
convicted of or pleaded guilty to one predicate motor vehicle or 1851
traffic offense, whoever violates this section is guilty of a 1852
misdemeanor of the fourth degree. If, within one year of the 1853
offense, the offender previously has been convicted of two or 1854
more predicate motor vehicle or traffic offenses, whoever 1855
violates this section is guilty of a misdemeanor of the third 1856
degree. 1857

If the offender commits the offense while distracted and 1858
the distracting activity is a contributing factor to the 1859
commission of the offense, the offender is subject to the 1860
additional fine established under section 4511.991 of the 1861
Revised Code. 1862

If the offender commits the offense while operating a 1863
motor vehicle in a construction zone and division (C) of section 1864
4511.993 of the Revised Code applies, the offender is subject to 1865
the additional penalties established under that section. 1866

Sec. 4511.39. (A) No person shall turn a vehicle or 1867
trackless trolley or move right or left upon a highway unless 1868

and until such person has exercised due care to ascertain that 1869
the movement can be made with reasonable safety nor without 1870
giving an appropriate signal in the manner hereinafter provided. 1871

When required, a signal of intention to turn or move right 1872
or left shall be given continuously during not less than the 1873
last one hundred feet traveled by the vehicle or trackless 1874
trolley before turning, except that in the case of a person 1875
operating a bicycle or electric bicycle, the signal shall be 1876
made not less than one time but is not required to be 1877
continuous. A bicycle or electric bicycle operator is not 1878
required to make a signal if the bicycle or electric bicycle is 1879
in a designated turn lane, and a signal shall not be given when 1880
the operator's hands are needed for the safe operation of the 1881
bicycle or electric bicycle. 1882

No person shall stop or suddenly decrease the speed of a 1883
vehicle or trackless trolley without first giving an appropriate 1884
signal in the manner provided herein to the driver of any 1885
vehicle or trackless trolley immediately to the rear when there 1886
is opportunity to give a signal. 1887

Any stop or turn signal required by this section shall be 1888
given either by means of the hand and arm, or by signal lights 1889
that clearly indicate to both approaching and following traffic 1890
intention to turn or move right or left, except that any motor 1891
vehicle in use on a highway shall be equipped with, and the 1892
required signal shall be given by, signal lights when the 1893
distance from the center of the top of the steering post to the 1894
left outside limit of the body, cab, or load of such motor 1895
vehicle exceeds twenty-four inches, or when the distance from 1896
the center of the top of the steering post to the rear limit of 1897
the body or load thereof exceeds fourteen feet, whether a single 1898

vehicle or a combination of vehicles. 1899

The signal lights required by this section shall not be 1900
flashed on one side only on a disabled vehicle or trackless 1901
trolley, flashed as a courtesy or "do pass" signal to operators 1902
of other vehicles or trackless trolleys approaching from the 1903
rear, nor be flashed on one side only of a parked vehicle or 1904
trackless trolley except as may be necessary for compliance with 1905
this section. 1906

(B) Except as otherwise provided in this division, whoever 1907
violates this section is guilty of a minor misdemeanor. If, 1908
within one year of the offense, the offender previously has been 1909
convicted of or pleaded guilty to one predicate motor vehicle or 1910
traffic offense, whoever violates this section is guilty of a 1911
misdemeanor of the fourth degree. If, within one year of the 1912
offense, the offender previously has been convicted of two or 1913
more predicate motor vehicle or traffic offenses, whoever 1914
violates this section is guilty of a misdemeanor of the third 1915
degree. 1916

If the offender commits the offense while distracted and 1917
the distracting activity is a contributing factor to the 1918
commission of the offense, the offender is subject to the 1919
additional fine established under section 4511.991 of the 1920
Revised Code. 1921

If the offender commits the offense while operating a 1922
motor vehicle in a construction zone and division (C) of section 1923
4511.993 of the Revised Code applies, the offender is subject to 1924
the additional penalties established under that section. 1925

Sec. 4511.41. (A) When two vehicles, including any 1926
trackless trolley or streetcar, approach or enter an 1927

intersection from different streets or highways at approximately 1928
the same time, the driver of the vehicle on the left shall yield 1929
the right-of-way to the vehicle on the right. 1930

(B) The right-of-way rule declared in division (A) of this 1931
section is modified at through highways and otherwise as stated 1932
in Chapter 4511. of the Revised Code. 1933

(C) Except as otherwise provided in this division, whoever 1934
violates this section is guilty of a minor misdemeanor. If, 1935
within one year of the offense, the offender previously has been 1936
convicted of or pleaded guilty to one predicate motor vehicle or 1937
traffic offense, whoever violates this section is guilty of a 1938
misdemeanor of the fourth degree. If, within one year of the 1939
offense, the offender previously has been convicted of two or 1940
more predicate motor vehicle or traffic offenses, whoever 1941
violates this section is guilty of a misdemeanor of the third 1942
degree. 1943

If the offender commits the offense while distracted and 1944
the distracting activity is a contributing factor to the 1945
commission of the offense, the offender is subject to the 1946
additional fine established under section 4511.991 of the 1947
Revised Code. 1948

If the offender commits the offense while operating a 1949
motor vehicle in a construction zone and division (C) of section 1950
4511.993 of the Revised Code applies, the offender is subject to 1951
the additional penalties established under that section. 1952

Sec. 4511.42. (A) The operator of a vehicle, streetcar, or 1953
trackless trolley intending to turn to the left within an 1954
intersection or into an alley, private road, or driveway shall 1955
yield the right of way to any vehicle, streetcar, or trackless 1956

trolley approaching from the opposite direction, whenever the 1957
approaching vehicle, streetcar, or trackless trolley is within 1958
the intersection or so close to the intersection, alley, private 1959
road, or driveway as to constitute an immediate hazard. 1960

(B) Except as otherwise provided in this division, whoever 1961
violates this section is guilty of a minor misdemeanor. If, 1962
within one year of the offense, the offender previously has been 1963
convicted of or pleaded guilty to one predicate motor vehicle or 1964
traffic offense, whoever violates this section is guilty of a 1965
misdemeanor of the fourth degree. If, within one year of the 1966
offense, the offender previously has been convicted of two or 1967
more predicate motor vehicle or traffic offenses, whoever 1968
violates this section is guilty of a misdemeanor of the third 1969
degree. 1970

If the offender commits the offense while distracted and 1971
the distracting activity is a contributing factor to the 1972
commission of the offense, the offender is subject to the 1973
additional fine established under section 4511.991 of the 1974
Revised Code. 1975

If the offender commits the offense while operating a 1976
motor vehicle in a construction zone and division (C) of section 1977
4511.993 of the Revised Code applies, the offender is subject to 1978
the additional penalties established under that section. 1979

Sec. 4511.43. (A) Except when directed to proceed by a law 1980
enforcement officer, every driver of a vehicle or trackless 1981
trolley approaching a stop sign shall stop at a clearly marked 1982
stop line, but if none, before entering the crosswalk on the 1983
near side of the intersection, or, if none, then at the point 1984
nearest the intersecting roadway where the driver has a view of 1985
approaching traffic on the intersecting roadway before entering 1986

it. After having stopped, the driver shall yield the right-of- 1987
way to any vehicle in the intersection or approaching on another 1988
roadway so closely as to constitute an immediate hazard during 1989
the time the driver is moving across or within the intersection 1990
or junction of roadways. 1991

(B) The driver of a vehicle or trackless trolley 1992
approaching a yield sign shall slow down to a speed reasonable 1993
for the existing conditions and, if required for safety to stop, 1994
shall stop at a clearly marked stop line, but if none, before 1995
entering the crosswalk on the near side of the intersection, or, 1996
if none, then at the point nearest the intersecting roadway 1997
where the driver has a view of approaching traffic on the 1998
intersecting roadway before entering it. After slowing or 1999
stopping, the driver shall yield the right-of-way to any vehicle 2000
or trackless trolley in the intersection or approaching on 2001
another roadway so closely as to constitute an immediate hazard 2002
during the time the driver is moving across or within the 2003
intersection or junction of roadways. Whenever a driver is 2004
involved in a collision with a vehicle or trackless trolley in 2005
the intersection or junction of roadways, after driving past a 2006
yield sign without stopping, the collision shall be prima-facie 2007
evidence of the driver's failure to yield the right-of-way. 2008

(C) Except as otherwise provided in this division, whoever 2009
violates this section is guilty of a minor misdemeanor. If, 2010
within one year of the offense, the offender previously has been 2011
convicted of or pleaded guilty to one predicate motor vehicle or 2012
traffic offense, whoever violates this section is guilty of a 2013
misdemeanor of the fourth degree. If, within one year of the 2014
offense, the offender previously has been convicted of two or 2015
more predicate motor vehicle or traffic offenses, whoever 2016
violates this section is guilty of a misdemeanor of the third 2017

degree. 2018

If the offender commits the offense while distracted and 2019
the distracting activity is a contributing factor to the 2020
commission of the offense, the offender is subject to the 2021
additional fine established under section 4511.991 of the 2022
Revised Code. 2023

If the offender commits the offense while operating a 2024
motor vehicle in a construction zone and division (C) of section 2025
4511.993 of the Revised Code applies, the offender is subject to 2026
the additional penalties established under that section. 2027

Sec. 4511.431. (A) The driver of a vehicle or trackless 2028
trolley emerging from an alley, building, private road, or 2029
driveway within a business or residence district shall stop the 2030
vehicle or trackless trolley immediately prior to driving onto a 2031
sidewalk or onto the sidewalk area extending across the alley, 2032
building entrance, road, or driveway, or in the event there is 2033
no sidewalk area, shall stop at the point nearest the street to 2034
be entered where the driver has a view of approaching traffic 2035
thereon. 2036

(B) Except as otherwise provided in this division, whoever 2037
violates this section is guilty of a minor misdemeanor. If, 2038
within one year of the offense, the offender previously has been 2039
convicted of or pleaded guilty to one predicate motor vehicle or 2040
traffic offense, whoever violates this section is guilty of a 2041
misdemeanor of the fourth degree. If, within one year of the 2042
offense, the offender previously has been convicted of two or 2043
more predicate motor vehicle or traffic offenses, whoever 2044
violates this section is guilty of a misdemeanor of the third 2045
degree. 2046

If the offender commits the offense while distracted and 2047
the distracting activity is a contributing factor to the 2048
commission of the offense, the offender is subject to the 2049
additional fine established under section 4511.991 of the 2050
Revised Code. 2051

If the offender commits the offense while operating a 2052
motor vehicle in a construction zone and division (C) of section 2053
4511.993 of the Revised Code applies, the offender is subject to 2054
the additional penalties established under that section. 2055

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or 2056
trackless trolley about to enter or cross a highway from any 2057
place other than another roadway shall yield the right of way to 2058
all traffic approaching on the roadway to be entered or crossed. 2059

(B) Except as otherwise provided in this division, whoever 2060
violates this section is guilty of a minor misdemeanor. If, 2061
within one year of the offense, the offender previously has been 2062
convicted of or pleaded guilty to one predicate motor vehicle or 2063
traffic offense, whoever violates this section is guilty of a 2064
misdemeanor of the fourth degree. If, within one year of the 2065
offense, the offender previously has been convicted of two or 2066
more predicate motor vehicle or traffic offenses, whoever 2067
violates this section is guilty of a misdemeanor of the third 2068
degree. 2069

If the offender commits the offense while distracted and 2070
the distracting activity is a contributing factor to the 2071
commission of the offense, the offender is subject to the 2072
additional fine established under section 4511.991 of the 2073
Revised Code. 2074

If the offender commits the offense while operating a 2075

motor vehicle in a construction zone and division (C) of section 2076
4511.993 of the Revised Code applies, the offender is subject to 2077
the additional penalties established under that section. 2078

Sec. 4511.441. (A) The driver of a vehicle shall yield the 2079
right-of-way to any pedestrian on a sidewalk. 2080

(B) Except as otherwise provided in this division, whoever 2081
violates this section is guilty of a minor misdemeanor. If, 2082
within one year of the offense, the offender previously has been 2083
convicted of or pleaded guilty to one predicate motor vehicle or 2084
traffic offense, whoever violates this section is guilty of a 2085
misdemeanor of the fourth degree. If, within one year of the 2086
offense, the offender previously has been convicted of two or 2087
more predicate motor vehicle or traffic offenses, whoever 2088
violates this section is guilty of a misdemeanor of the third 2089
degree. 2090

If the offender commits the offense while distracted and 2091
the distracting activity is a contributing factor to the 2092
commission of the offense, the offender is subject to the 2093
additional fine established under section 4511.991 of the 2094
Revised Code. 2095

If the offender commits the offense while operating a 2096
motor vehicle in a construction zone and division (C) of section 2097
4511.993 of the Revised Code applies, the offender is subject to 2098
the additional penalties established under that section. 2099

Sec. 4511.451. (A) As used in this section, "funeral 2100
procession" means two or more vehicles accompanying the cremated 2101
remains or the body of a deceased person in the daytime when 2102
each of the vehicles has its headlights lighted and is 2103
displaying a purple and white or an orange and white pennant 2104

attached to each vehicle in such a manner as to be clearly 2105
visible to traffic approaching from any direction. 2106

(B) Excepting public safety vehicles proceeding in 2107
accordance with section 4511.45 of the Revised Code or when 2108
directed otherwise by a police officer, pedestrians and the 2109
operators of all vehicles, street cars, and trackless trolleys 2110
shall yield the right of way to each vehicle that is a part of a 2111
funeral procession. Whenever the lead vehicle in a funeral 2112
procession lawfully enters an intersection, the remainder of the 2113
vehicles in the procession may continue to follow the lead 2114
vehicle through the intersection notwithstanding any traffic 2115
control devices or right of way provisions of the Revised Code, 2116
provided that the operator of each vehicle exercises due care to 2117
avoid colliding with any other vehicle or pedestrian. 2118

(C) No person shall operate any vehicle as a part of a 2119
funeral procession without having the headlights of the vehicle 2120
lighted and without displaying a purple and white or an orange 2121
and white pennant in such a manner as to be clearly visible to 2122
traffic approaching from any direction. 2123

(D) Except as otherwise provided in this division, whoever 2124
violates this section is guilty of a minor misdemeanor. If, 2125
within one year of the offense, the offender previously has been 2126
convicted of or pleaded guilty to one predicate motor vehicle or 2127
traffic offense, whoever violates this section is guilty of a 2128
misdemeanor of the fourth degree. If, within one year of the 2129
offense, the offender previously has been convicted of two or 2130
more predicate motor vehicle or traffic offenses, whoever 2131
violates this section is guilty of a misdemeanor of the third 2132
degree. 2133

If the offender commits the offense while distracted and 2134

the distracting activity is a contributing factor to the 2135
commission of the offense, the offender is subject to the 2136
additional fine established under section 4511.991 of the 2137
Revised Code. 2138

If the offender commits the offense while operating a 2139
motor vehicle in a construction zone and division (C) of section 2140
4511.993 of the Revised Code applies, the offender is subject to 2141
the additional penalties established under that section. 2142

Sec. 4511.46. (A) When traffic control signals are not in 2143
place, not in operation, or are not clearly assigning the right- 2144
of-way, the driver of a vehicle, trackless trolley, or streetcar 2145
shall yield the right of way, slowing down or stopping if need 2146
be to so yield or if required by section 4511.132 of the Revised 2147
Code, to a pedestrian crossing the roadway within a crosswalk 2148
when the pedestrian is upon the half of the roadway upon which 2149
the vehicle is traveling, or when the pedestrian is approaching 2150
so closely from the opposite half of the roadway as to be in 2151
danger. 2152

(B) No pedestrian shall suddenly leave a curb or other 2153
place of safety and walk or run into the path of a vehicle, 2154
trackless trolley, or streetcar which is so close as to 2155
constitute an immediate hazard. 2156

(C) Division (A) of this section does not apply under the 2157
conditions stated in division (B) of section 4511.48 of the 2158
Revised Code. 2159

(D) Whenever any vehicle, trackless trolley, or streetcar 2160
is stopped at a marked crosswalk or at any unmarked crosswalk at 2161
an intersection to permit a pedestrian to cross the roadway, the 2162
driver of any other vehicle, trackless trolley, or streetcar 2163

approaching from the rear shall not overtake and pass the 2164
stopped vehicle. 2165

(E) Except as otherwise provided in this division, whoever 2166
violates this section is guilty of a minor misdemeanor. If, 2167
within one year of the offense, the offender previously has been 2168
convicted of or pleaded guilty to one predicate motor vehicle or 2169
traffic offense, whoever violates this section is guilty of a 2170
misdemeanor of the fourth degree. If, within one year of the 2171
offense, the offender previously has been convicted of two or 2172
more predicate motor vehicle or traffic offenses, whoever 2173
violates this section is guilty of a misdemeanor of the third 2174
degree. 2175

If the offender commits the offense while distracted and 2176
the distracting activity is a contributing factor to the 2177
commission of the offense, the offender is subject to the 2178
additional fine established under section 4511.991 of the 2179
Revised Code. 2180

If the offender commits the offense while operating a 2181
motor vehicle in a construction zone and division (C) of section 2182
4511.993 of the Revised Code applies, the offender is subject to 2183
the additional penalties established under that section. 2184

Sec. 4511.47. (A) As used in this section "blind person" 2185
or "blind pedestrian" means a person having not more than 20/200 2186
visual acuity in the better eye with correcting lenses or visual 2187
acuity greater than 20/200 but with a limitation in the fields 2188
of vision such that the widest diameter of the visual field 2189
subtends an angle no greater than twenty degrees. 2190

The driver of every vehicle shall yield the right of way 2191
to every blind pedestrian guided by a guide dog, or carrying a 2192

cane which is predominantly white or metallic in color, with or 2193
without a red tip. 2194

(B) No person, other than a blind person, while on any 2195
public highway, street, alley, or other public thoroughfare 2196
shall carry a white or metallic cane with or without a red tip. 2197

(C) Except as otherwise provided in this division, whoever 2198
violates this section is guilty of a minor misdemeanor. If, 2199
within one year of the offense, the offender previously has been 2200
convicted of or pleaded guilty to one predicate motor vehicle or 2201
traffic offense, whoever violates this section is guilty of a 2202
misdemeanor of the fourth degree. If, within one year of the 2203
offense, the offender previously has been convicted of two or 2204
more predicate motor vehicle or traffic offenses, whoever 2205
violates this section is guilty of a misdemeanor of the third 2206
degree. 2207

If the offender commits the offense while distracted and 2208
the distracting activity is a contributing factor to the 2209
commission of the offense, the offender is subject to the 2210
additional fine established under section 4511.991 of the 2211
Revised Code. 2212

If the offender commits the offense while operating a 2213
motor vehicle in a construction zone and division (C) of section 2214
4511.993 of the Revised Code applies, the offender is subject to 2215
the additional penalties established under that section. 2216

Sec. 4511.54. (A) No person riding upon any bicycle, 2217
electric bicycle, coaster, roller skates, sled, skateboard, or 2218
toy vehicle shall attach the same or self to any streetcar, 2219
trackless trolley, or vehicle upon a roadway. 2220

No operator shall knowingly permit any person riding upon 2221

any bicycle, electric bicycle, coaster, roller skates, sled, 2222
skateboard, or toy vehicle to attach the same or self to any 2223
streetcar, trackless trolley, or vehicle while it is moving upon 2224
a roadway. 2225

This section does not apply to the towing of a disabled 2226
vehicle. 2227

(B) Except as otherwise provided in this division, whoever 2228
violates this section is guilty of a minor misdemeanor. If, 2229
within one year of the offense, the offender previously has been 2230
convicted of or pleaded guilty to one predicate motor vehicle or 2231
traffic offense, whoever violates this section is guilty of a 2232
misdemeanor of the fourth degree. If, within one year of the 2233
offense, the offender previously has been convicted of two or 2234
more predicate motor vehicle or traffic offenses, whoever 2235
violates this section is guilty of a misdemeanor of the third 2236
degree. 2237

If the offender commits the offense while distracted and 2238
the distracting activity is a contributing factor to the 2239
commission of the offense, the offender is subject to the 2240
additional fine established under section 4511.991 of the 2241
Revised Code. 2242

If the offender commits the offense while operating a 2243
motor vehicle in a construction zone and division (C) of section 2244
4511.993 of the Revised Code applies, the offender is subject to 2245
the additional penalties established under that section. 2246

Sec. 4511.57. (A) The driver of a vehicle shall not 2247
overtake and pass upon the left nor drive upon the left side of 2248
any streetcar proceeding in the same direction, whether such 2249
streetcar is in motion or at rest, except: 2250

| | |
|---|--|
| (1) When so directed by a police officer or traffic control device; | 2251 2252 |
| (2) When upon a one-way street; | 2253 |
| (3) When upon a street where the tracks are so located as to prevent compliance with this section; | 2254 2255 |
| (4) When authorized by local authorities. | 2256 |
| (B) The driver of any vehicle when permitted to overtake and pass upon the left of a streetcar which has stopped for the purpose of receiving or discharging any passenger shall accord pedestrians the right of way. | 2257 2258 2259 2260 |
| (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 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. | 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 |
| If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code. | 2271 2272 2273 2274 2275 |
| <u>If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.</u> | 2276 2277 2278 2279 |

Sec. 4511.58. (A) The driver of a vehicle overtaking upon 2280
the right any streetcar stopped for the purpose of receiving or 2281
discharging any passenger shall stop such vehicle at least five 2282
feet to the rear of the nearest running board or door of such 2283
streetcar and remain standing until all passengers have boarded 2284
such streetcar, or upon alighting therefrom have reached a place 2285
of safety, except that where a safety zone has been established, 2286
a vehicle need not be brought to a stop before passing any such 2287
streetcar or any trackless trolley, but may proceed past such 2288
streetcar or trackless trolley at a speed not greater than is 2289
reasonable and proper considering the safety of pedestrians. 2290

(B) Except as otherwise provided in this division, whoever 2291
violates this section is guilty of a minor misdemeanor. If, 2292
within one year of the offense, the offender previously has been 2293
convicted of or pleaded guilty to one predicate motor vehicle or 2294
traffic offense, whoever violates this section is guilty of a 2295
misdemeanor of the fourth degree. If, within one year of the 2296
offense, the offender previously has been convicted of two or 2297
more predicate motor vehicle or traffic offenses, whoever 2298
violates this section is guilty of a misdemeanor of the third 2299
degree. 2300

If the offender commits the offense while distracted and 2301
the distracting activity is a contributing factor to the 2302
commission of the offense, the offender is subject to the 2303
additional fine established under section 4511.991 of the 2304
Revised Code. 2305

If the offender commits the offense while operating a 2306
motor vehicle in a construction zone and division (C) of section 2307
4511.993 of the Revised Code applies, the offender is subject to 2308
the additional penalties established under that section. 2309

Sec. 4511.59. (A) The driver of any vehicle proceeding 2310
upon any streetcar tracks in front of a streetcar shall remove 2311
such vehicle from the track as soon as practicable after signal 2312
from the operator of said streetcar. 2313

The driver of a vehicle upon overtaking and passing a 2314
streetcar shall not turn in front of such streetcar unless such 2315
movement can be made in safety. 2316

(B) Except as otherwise provided in this division, whoever 2317
violates this section is guilty of a minor misdemeanor. If, 2318
within one year of the offense, the offender previously has been 2319
convicted of or pleaded guilty to one predicate motor vehicle or 2320
traffic offense, whoever violates this section is guilty of a 2321
misdemeanor of the fourth degree. If, within one year of the 2322
offense, the offender previously has been convicted of two or 2323
more predicate motor vehicle or traffic offenses, whoever 2324
violates this section is guilty of a misdemeanor of the third 2325
degree. 2326

If the offender commits the offense while distracted and 2327
the distracting activity is a contributing factor to the 2328
commission of the offense, the offender is subject to the 2329
additional fine established under section 4511.991 of the 2330
Revised Code. 2331

If the offender commits the offense while operating a 2332
motor vehicle in a construction zone and division (C) of section 2333
4511.993 of the Revised Code applies, the offender is subject to 2334
the additional penalties established under that section. 2335

Sec. 4511.60. (A) No vehicle shall at any time be driven 2336
through or within a safety zone. 2337

(B) Except as otherwise provided in this division, whoever 2338

violates this section is guilty of a minor misdemeanor. If, 2339
within one year of the offense, the offender previously has been 2340
convicted of or pleaded guilty to one predicate motor vehicle or 2341
traffic offense, whoever violates this section is guilty of a 2342
misdemeanor of the fourth degree. If, within one year of the 2343
offense, the offender previously has been convicted of two or 2344
more predicate motor vehicle or traffic offenses, whoever 2345
violates this section is guilty of a misdemeanor of the third 2346
degree. 2347

If the offender commits the offense while distracted and 2348
the distracting activity is a contributing factor to the 2349
commission of the offense, the offender is subject to the 2350
additional fine established under section 4511.991 of the 2351
Revised Code. 2352

If the offender commits the offense while operating a 2353
motor vehicle in a construction zone and division (C) of section 2354
4511.993 of the Revised Code applies, the offender is subject to 2355
the additional penalties established under that section. 2356

Sec. 4511.61. (A) As used in this section, "active grade 2357
crossing warning device" means signs, signals, gates, or other 2358
protective devices erected or installed at a public highway- 2359
railway crossing at common grade and activated by an electrical 2360
circuit. 2361

(B) The department of transportation and local authorities 2362
in their respective jurisdictions, with the approval of the 2363
department, may designate dangerous highway crossings over 2364
railroad tracks whether on state, county, or township highways 2365
or on streets or ways within municipal corporations, and erect 2366
stop signs thereat. 2367

(C) (1) The department and local authorities shall erect 2368
stop signs at a railroad highway grade crossing in either of the 2369
following circumstances: 2370

(a) New warning devices that are not active grade crossing 2371
warning devices are being installed at the grade crossing, and 2372
railroad crossbucks were the only warning devices at the grade 2373
crossing prior to the installation of the new warning devices. 2374

(b) The grade crossing is constructed after July 1, 2013, 2375
and only warning devices that are not active grade crossing 2376
warning devices are installed at the grade crossing. 2377

(2) Division (C) (1) of this section does not apply to a 2378
railroad highway grade crossing that the director of 2379
transportation has exempted from that division because of 2380
traffic flow or other considerations or factors. 2381

(D) When stop signs are erected pursuant to division (B) 2382
or (C) of this section, the operator of any vehicle, streetcar, 2383
or trackless trolley shall stop within fifty, but not less than 2384
fifteen, feet from the nearest rail of the railroad tracks and 2385
shall exercise due care before proceeding across such grade 2386
crossing. 2387

(E) Except as otherwise provided in this division, whoever 2388
violates division (D) of this section is guilty of a minor 2389
misdemeanor. If, within one year of the offense, the offender 2390
previously has been convicted of or pleaded guilty to one 2391
predicate motor vehicle or traffic offense, whoever violates 2392
this section is guilty of a misdemeanor of the fourth degree. 2393
If, within one year of the offense, the offender previously has 2394
been convicted of two or more predicate motor vehicle or traffic 2395
offenses, whoever violates this section is guilty of a 2396

misdemeanor of the third degree. 2397

If the offender commits the offense while distracted and 2398
the distracting activity is a contributing factor to the 2399
commission of the offense, the offender is subject to the 2400
additional fine established under section 4511.991 of the 2401
Revised Code. 2402

If the offender commits the offense while operating a 2403
motor vehicle in a construction zone and division (C) of section 2404
4511.993 of the Revised Code applies, the offender is subject to 2405
the additional penalties established under that section. 2406

Sec. 4511.64. (A) No person shall operate or move any 2407
crawler-type tractor, steam shovel, derrick, roller, or any 2408
equipment or structure having a normal operating speed of six or 2409
less miles per hour or a vertical body or load clearance of less 2410
than nine inches above the level surface of a roadway, upon or 2411
across any tracks at a railroad grade crossing without first 2412
complying with divisions (A) (1) and (2) of this section. 2413

(1) Before making any such crossing, the person operating 2414
or moving any such vehicle or equipment shall first stop the 2415
same, and while stopped the person shall listen and look in both 2416
directions along such track for any approaching train and for 2417
signals indicating the approach of a train, and shall proceed 2418
only upon exercising due care. 2419

(2) No such crossing shall be made when warning is given 2420
by automatic signal or crossing gates or a flagperson or 2421
otherwise of the immediate approach of a railroad train or car. 2422

(B) If the normal sustained speed of such vehicle, 2423
equipment, or structure is not more than three miles per hour, 2424
the person owning, operating, or moving the same shall also give 2425

notice of such intended crossing to a station agent or 2426
superintendent of the railroad, and a reasonable time shall be 2427
given to such railroad to provide proper protection for such 2428
crossing. Where such vehicles or equipment are being used in 2429
constructing or repairing a section of highway lying on both 2430
sides of a railroad grade crossing, and in such construction or 2431
repair it is necessary to repeatedly move such vehicles or 2432
equipment over such crossing, one daily notice specifying when 2433
such work will start and stating the hours during which it will 2434
be prosecuted is sufficient. 2435

(C) Except as otherwise provided in this division, whoever 2436
violates this section is guilty of a minor misdemeanor. If, 2437
within one year of the offense, the offender previously has been 2438
convicted of or pleaded guilty to one predicate motor vehicle or 2439
traffic offense, whoever violates this section is guilty of a 2440
misdemeanor of the fourth degree. If, within one year of the 2441
offense, the offender previously has been convicted of two or 2442
more predicate motor vehicle or traffic offenses, whoever 2443
violates this section is guilty of a misdemeanor of the third 2444
degree. 2445

If the offender commits the offense while distracted and 2446
the distracting activity is a contributing factor to the 2447
commission of the offense, the offender is subject to the 2448
additional fine established under section 4511.991 of the 2449
Revised Code. 2450

If the offender commits the offense while operating a 2451
motor vehicle in a construction zone and division (C) of section 2452
4511.993 of the Revised Code applies, the offender is subject to 2453
the additional penalties established under that section. 2454

Sec. 4511.71. (A) No person shall drive upon, along, or 2455

across a street or highway, or any part of a street or highway 2456
that has been closed in the process of its construction, 2457
reconstruction, or repair, and posted with appropriate signs by 2458
the authority having jurisdiction to close such highway. 2459

(B) Except as otherwise provided in this division, whoever 2460
violates this section is guilty of a minor misdemeanor. If, 2461
within one year of the offense, the offender previously has been 2462
convicted of or pleaded guilty to one predicate motor vehicle or 2463
traffic offense, whoever violates this section is guilty of a 2464
misdemeanor of the fourth degree. If, within one year of the 2465
offense, the offender previously has been convicted of two or 2466
more predicate motor vehicle or traffic offenses, whoever 2467
violates this section is guilty of a misdemeanor of the third 2468
degree. 2469

If the offender commits the offense while distracted and 2470
the distracting activity is a contributing factor to the 2471
commission of the offense, the offender is subject to the 2472
additional fine established under section 4511.991 of the 2473
Revised Code. 2474

If the offender commits the offense while operating a 2475
motor vehicle in a construction zone and division (C) of section 2476
4511.993 of the Revised Code applies, the offender is subject to 2477
the additional penalties established under that section. 2478

Sec. 4511.711. (A) No person shall drive any vehicle, 2479
other than a bicycle or an electric bicycle if the motor is not 2480
engaged, upon a sidewalk or sidewalk area except upon a 2481
permanent or duly authorized temporary driveway. 2482

This prohibition does not apply to a law enforcement 2483
officer, or other person sworn to enforce the criminal and 2484

traffic laws of the state, using an electric bicycle with the 2485
motor engaged while in the performance of the officer's duties. 2486

Nothing in this section shall be construed as prohibiting 2487
local authorities from regulating the operation of bicycles or 2488
electric bicycles within their respective jurisdictions, except 2489
that no local authority may require that bicycles or electric 2490
bicycles be operated on sidewalks. 2491

(B) Except as otherwise provided in this division, whoever 2492
violates this section is guilty of a minor misdemeanor. If, 2493
within one year of the offense, the offender previously has been 2494
convicted of or pleaded guilty to one predicate motor vehicle or 2495
traffic offense, whoever violates this section is guilty of a 2496
misdemeanor of the fourth degree. If, within one year of the 2497
offense, the offender previously has been convicted of two or 2498
more predicate motor vehicle or traffic offenses, whoever 2499
violates this section is guilty of a misdemeanor of the third 2500
degree. 2501

If the offender commits the offense while distracted and 2502
the distracting activity is a contributing factor to the 2503
commission of the offense, the offender is subject to the 2504
additional fine established under section 4511.991 of the 2505
Revised Code. 2506

If the offender commits the offense while operating a 2507
motor vehicle in a construction zone, the offender is subject to 2508
the additional penalties established under section 4511.993 of 2509
the Revised Code. 2510

Sec. 4511.712. (A) No driver shall enter an intersection 2511
or marked crosswalk or drive onto any railroad grade crossing 2512
unless there is sufficient space on the other side of the 2513

intersection, crosswalk, or grade crossing to accommodate the 2514
vehicle, streetcar, or trackless trolley the driver is operating 2515
without obstructing the passage of other vehicles, streetcars, 2516
trackless trolleys, pedestrians, or railroad trains, 2517
notwithstanding any traffic control signal indication to 2518
proceed. 2519

(B) Except as otherwise provided in this division, whoever 2520
violates this section is guilty of a minor misdemeanor. If, 2521
within one year of the offense, the offender previously has been 2522
convicted of or pleaded guilty to one predicate motor vehicle or 2523
traffic offense, whoever violates this section is guilty of a 2524
misdemeanor of the fourth degree. If, within one year of the 2525
offense, the offender previously has been convicted of two or 2526
more predicate motor vehicle or traffic offenses, whoever 2527
violates this section is guilty of a misdemeanor of the third 2528
degree. 2529

If the offender commits the offense while distracted and 2530
the distracting activity is a contributing factor to the 2531
commission of the offense, the offender is subject to the 2532
additional fine established under section 4511.991 of the 2533
Revised Code. 2534

If the offender commits the offense while operating a 2535
motor vehicle in a construction zone and division (C) of section 2536
4511.993 of the Revised Code applies, the offender is subject to 2537
the additional penalties established under that section. 2538

Sec. 4511.72. (A) The driver of any vehicle, other than an 2539
emergency vehicle or public safety vehicle on official business, 2540
shall not follow any emergency vehicle or public safety vehicle 2541
traveling in response to an alarm closer than five hundred feet, 2542
or drive into or park such vehicle within the block where fire 2543

apparatus has stopped in answer to a fire alarm, unless directed 2544
to do so by a police officer or a firefighter. 2545

(B) Except as otherwise provided in this division, whoever 2546
violates this section is guilty of a minor misdemeanor. If, 2547
within one year of the offense, the offender previously has been 2548
convicted of or pleaded guilty to one predicate motor vehicle or 2549
traffic offense, whoever violates this section is guilty of a 2550
misdemeanor of the fourth degree. If, within one year of the 2551
offense, the offender previously has been convicted of two or 2552
more predicate motor vehicle or traffic offenses, whoever 2553
violates this section is guilty of a misdemeanor of the third 2554
degree. 2555

If the offender commits the offense while distracted and 2556
the distracting activity is a contributing factor to the 2557
commission of the offense, the offender is subject to the 2558
additional fine established under section 4511.991 of the 2559
Revised Code. 2560

If the offender commits the offense while operating a 2561
motor vehicle in a construction zone and division (C) of section 2562
4511.993 of the Revised Code applies, the offender is subject to 2563
the additional penalties established under that section. 2564

Sec. 4511.73. (A) No streetcar, trackless trolley, or 2565
vehicle shall, without the consent of the fire department 2566
official in command, be driven over any unprotected hose of a 2567
fire department that is laid down on any street, private 2568
driveway, or streetcar track to be used at any fire or alarm of 2569
fire. 2570

(B) Except as otherwise provided in this division, whoever 2571
violates this section is guilty of a minor misdemeanor. If, 2572

within one year of the offense, the offender previously has been 2573
convicted of or pleaded guilty to one predicate motor vehicle or 2574
traffic offense, whoever violates this section is guilty of a 2575
misdemeanor of the fourth degree. If, within one year of the 2576
offense, the offender previously has been convicted of two or 2577
more predicate motor vehicle or traffic offenses, whoever 2578
violates this section is guilty of a misdemeanor of the third 2579
degree. 2580

If the offender commits the offense while distracted and 2581
the distracting activity is a contributing factor to the 2582
commission of the offense, the offender is subject to the 2583
additional fine established under section 4511.991 of the 2584
Revised Code. 2585

If the offender commits the offense while operating a 2586
motor vehicle in a construction zone and division (C) of section 2587
4511.993 of the Revised Code applies, the offender is subject to 2588
the additional penalties established under that section. 2589

Sec. 4511.993. (A) As used in this section, "construction 2590
zone" means that lane or portion of street or highway open to 2591
vehicular traffic and adjacent to a lane, berm, or shoulder of a 2592
street or highway within which lane, berm, or shoulder 2593
construction, reconstruction, resurfacing, or any other work of 2594
a repair or maintenance nature, including public utility work, 2595
is being conducted, commencing with the point where the first 2596
worker or piece of equipment is located and ending where the 2597
last worker or piece of equipment is located. 2598

(B) Subject to division (C) of this section, if an 2599
operator of a motor vehicle violates section 4511.03, 4511.12, 2600
4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 4511.211, 2601
4511.213, 4511.22, 4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 2602

4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2603
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 2604
4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 2605
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 2606
4511.64, 4511.71, 4511.711, 4511.712, 4511.72, or 4511.73 of the 2607
Revised Code while driving in a construction zone, the operator 2608
is subject to the applicable penalty for the violation and, 2609
notwithstanding section 2929.28 of the Revised Code, the 2610
following: 2611

(1) Except as provided in division (B) (2) or (3) of this 2612
section, an additional fine of four hundred dollars, which shall 2613
be in addition to any fine imposed for the underlying offense, 2614
and mandatory completion of a safe driving course approved by 2615
the director of public safety; 2616

(2) Except as provided in division (B) (3) of this section, 2617
if the operator has previously been penalized under this 2618
section, a fine of eight hundred dollars and a driver's license 2619
suspension of ninety days, which shall be in addition to any 2620
fine and driver's license suspension imposed for the underlying 2621
offense, and mandatory completion of a safe driving course 2622
approved by the director of public safety; 2623

(3) If an offender has previously been penalized two or 2624
more times under this section, a fine of one thousand two 2625
hundred dollars and a driver's license suspension of one year, 2626
which shall be in addition to any fine and driver's license 2627
suspension imposed for the underlying offense, and mandatory 2628
completion of a safe driving course approved by the director of 2629
public safety. 2630

(C) Notwithstanding any other provision of law to the 2631
contrary, the court shall only impose enhanced penalties as 2632

specified under division (B) of this section when all of the 2633
following apply: 2634

(1) The offense occurs within a construction zone in which 2635
a sign is posted in accordance with division (E) of this 2636
section. 2637

(2) The underlying violation occurs when a construction 2638
worker is present in the construction zone. 2639

(3) The offense is corroborated by either the following: 2640

(a) Not less than two witnesses; 2641

(b) A video recorded by a body camera, dash camera, or 2642
roadside camera. 2643

(D) The director of public safety shall approve safe 2644
driving courses for purposes of this section and shall list 2645
approved courses on the web site of the department of public 2646
safety. 2647

(E) In accordance with the guidelines and design 2648
specifications established by the director of transportation 2649
under section 5501.27 of the Revised Code, the director of 2650
transportation, board of county commissioners, or board of 2651
township trustees shall cause signs to be erected advising 2652
motorists that increased penalties apply for certain traffic 2653
violations occurring on streets or highways in a construction 2654
zone. 2655

(F) The director of transportation may establish speed 2656
limits within construction zones that vary based on the type of 2657
work being conducted, the time of day, or any other criteria the 2658
director may consider appropriate. 2659

Sec. 5501.27. (A) The director of transportation shall 2660

adopt rules that do the following: 2661

(1) Rules governing the posting of signs advising 2662
motorists that increased penalties apply for certain traffic 2663
violations occurring on streets or highways in a construction 2664
zone; 2665

(2) Rules governing the posting of signs to be used 2666
pursuant to section 2903.081 of the Revised Code giving notice 2667
to motorists of the prohibitions set forth in sections 2903.06 2668
and 2903.08 of the Revised Code regarding the death of or injury 2669
to any person in a construction zone as a proximate result of a 2670
reckless operation offense or speeding offense. 2671

(B) The rules required under divisions (A) (1) and (2) of 2672
this section shall include guidelines to determine which areas 2673
are appropriate to the posting of such signs. The guidelines may 2674
include consideration of the following: the duration of the work 2675
on the street or highway, the proximity of workers to moving 2676
traffic, the existence of any unusual or hazardous conditions, 2677
the volume of traffic on the street or highway, and any other 2678
appropriate factors. The director shall formulate design 2679
specifications for the signs described in division (A) (1) of 2680
this section advising motorists of the increased penalties and 2681
the signs described in division (A) (2) of this section notifying 2682
motorists of the prohibitions set forth in sections 2903.06 and 2683
2903.08 of the Revised Code regarding the death of or injury to 2684
any person in a construction zone as a proximate result of a 2685
reckless operation offense or speeding offense as described in 2686
that division. For purposes of traffic violation penalties, 2687
nothing in this section is intended to conflict with any 2688
standard set forth in the federal manual of uniform traffic 2689
control devices for streets and highways. 2690

(C) As used in this section ~~and in section 4511.98 of the~~ 2691
~~Revised Code~~, "construction zone" means that lane or portion of 2692
street or highway open to vehicular traffic and adjacent to a 2693
lane, berm, or shoulder of a street or highway within which 2694
lane, berm, or shoulder construction, reconstruction, 2695
resurfacing, or any other work of a repair or maintenance 2696
nature, including public utility work, is being conducted, 2697
commencing with the point where the first worker or piece of 2698
equipment is located and ending where the last worker or piece 2699
of equipment is located. 2700

Sec. 5517.07. ~~(A)~~ (A) (1) If not already present, the 2701
department of transportation shall install signs and other 2702
traffic control devices designed to slow down the flow of 2703
traffic in construction and similar work zones. The signs and 2704
devices may include arrow boards, channelizing devices, 2705
temporary raise pavement markers, portable changeable message 2706
signs, temporary traffic barriers, screens, rumble strips, and 2707
any other signs or devices the director of transportation 2708
determines are appropriate for the highway and local conditions. 2709

(2) A private contractor performing construction work in a 2710
construction zone, after consulting with the department or local 2711
jurisdiction, as applicable, may install speed monitoring 2712
devices in the construction zone that display the speed of 2713
passing traffic and that include flashing lights. 2714

(B) The department shall ensure that the placement and 2715
specifications for the signs and devices under this section 2716
conform to the department's manual of uniform traffic control 2717
devices as adopted under section 4511.09 of the Revised Code. 2718

Section 2. That existing sections 4508.02, 4511.03, 2719
4511.12, 4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 2720

4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.251, 2721
4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 2722
4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 2723
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 2724
4511.451, 4511.46, 4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 2725
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.72, 2726
4511.73, 5501.27, and 5517.07 of the Revised Code are hereby 2727
repealed. 2728

Section 3. That section 4511.98 of the Revised Code is 2729
hereby repealed. 2730

Section 4. The General Assembly, applying the principle 2731
stated in division (B) of section 1.52 of the Revised Code that 2732
amendments are to be harmonized if reasonably capable of 2733
simultaneous operation, finds that the following sections, 2734
presented in this act as composites of the sections as amended 2735
by the acts indicated, are the resulting versions of the 2736
sections in effect prior to the effective date of the sections 2737
as presented in this act: 2738

Section 4511.132 of the Revised Code as amended by H.B. 9, 2739
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 2740
Assembly. 2741

Section 4511.213 of the Revised Code as amended by both 2742
H.B. 95 and S.B. 127 of the 132nd General Assembly. 2743

Section 4511.27 of the Revised Code as amended by both 2744
H.B. 95 and H.B. 250 of the 132nd General Assembly. 2745

Section 4511.39 of the Revised Code as amended by both 2746
H.B. 95 and H.B. 250 of the 132nd General Assembly. 2747

Section 4511.61 of the Revised Code as amended by both 2748
H.B. 26 and H.B. 95 of the 132nd General Assembly. 2749