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Sub. H. B. No. 203

Representatives Hall, T., Williams

Cosponsors: Representatives Mathews, A., Abrams, Bird, Brennan, Brent, Brownlee, Bryant Bailey, Click, Creech, Daniels, Dovilla, Fischer, Ghanbari, Gross, Hall, D., Hiner, Hoops, Isaacsohn, John, Johnson, Klopfenstein, Lampton, Lett, Manning, Miller, J., Miller, K., Mohamed, Odioso, Peterson, Piccolantonio, Ray, Robb Blasdel, Rogers, Russo, Salvo, Schmidt, Sigrist, Stephens, Upchurch, White, A., Workman, Young

To amend sections 2903.06, 2903.08, 2903.081,	1
4511.01, 4511.132, 4511.20, 4511.202, 4511.204,	2
4511.205, 4511.21, 4511.25, 4511.251, 4511.26,	3
4511.27, 4511.28, 4511.29, 4511.30, 4511.31,	4
4511.32, 4511.33, 4511.34, 4511.35, 4511.36,	5
4511.37, 4511.38, 4511.39, 4511.41, 4511.42,	6
4511.43, 4511.431, 4511.44, 4511.441, 4511.46,	7
4511.54, 4511.60, 4511.711, 4511.712, and	8
5501.27 and to enact section 4510.039 of the	9
Revised Code to increase penalties for vehicular	10
assault and vehicular homicide within an active	11
school zone, to allow a court to impose doubled	12
finest for specified traffic violations in	13
portions of an active school zone, and to name	14
this act Aspen Runnels' Law.	15

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

Section 1. That sections 2903.06, 2903.08, 2903.081,	16
4511.01, 4511.132, 4511.20, 4511.202, 4511.204, 4511.205,	17

4511.21, 4511.25, 4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 18
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 19
4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 4511.431, 20
4511.44, 4511.441, 4511.46, 4511.54, 4511.60, 4511.711, 21
4511.712, and 5501.27 be amended and section 4510.039 of the 22
Revised Code be enacted to read as follows: 23

Sec. 2903.06. (A) No person, while operating or 24
participating in the operation of a motor vehicle, motorcycle, 25
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 26
or aircraft, shall cause the death of another or the unlawful 27
termination of another's pregnancy in any of the following ways: 28

(1) As the proximate result of committing an OVI offense. 29

(2) In one of the following ways: 30

(a) Recklessly; 31

(b) As the proximate result of committing, while operating 32
or participating in the operation of a motor vehicle, utility 33
vehicle, mini-truck, or motorcycle in a construction zone, a 34
reckless operation offense, provided that this division applies 35
only if the person whose death is caused or whose pregnancy is 36
unlawfully terminated is in the construction zone at the time of 37
the offender's commission of the reckless operation offense in 38
the construction zone and does not apply as described in 39
division (F) of this section; 40

(c) As the proximate result of committing, while operating 41
or participating in the operation of a motor vehicle, utility 42
vehicle, mini-truck, or motorcycle in an active school zone, a 43
reckless operation offense, provided that this division applies 44
only if the person whose death is caused or whose pregnancy is 45
unlawfully terminated is in the active school zone at the time 46

of the offender's commission of the reckless operation offense 47
in the active school zone and does not apply as described in 48
division (F) of this section. 49

(3) In one of the following ways: 50

(a) Negligently; 51

(b) As the proximate result of committing, while operating 52
or participating in the operation of a motor vehicle, utility 53
vehicle, mini-truck, or motorcycle in a construction zone, a 54
speeding offense, provided that this division applies only if 55
the person whose death is caused or whose pregnancy is 56
unlawfully terminated is in the construction zone at the time of 57
the offender's commission of the speeding offense in the 58
construction zone and does not apply as described in division 59
(F) of this section; 60

(c) As the proximate result of committing, while operating 61
or participating in the operation of a motor vehicle, utility 62
vehicle, mini-truck, or motorcycle in an active school zone, a 63
speeding offense, provided that this division applies only if 64
the person whose death is caused or whose pregnancy is 65
unlawfully terminated is in the active school zone at the time 66
of the offender's commission of the speeding offense in the 67
active school zone and does not apply as described in division 68
(F) of this section. 69

~~(4)~~ (4) (a) As the proximate result of committing a 70
violation of any provision of any section contained in Title XLV 71
of the Revised Code that is a minor misdemeanor or of a 72
municipal ordinance that, regardless of the penalty set by 73
ordinance for the violation, is substantially equivalent to any 74
provision of any section contained in Title XLV of the Revised 75

Code that is a minor misdemeanor. 76

(b) As the proximate result of committing, within an 77
active school zone, a violation of any provision of any section 78
contained in Title XLV of the Revised Code that is a minor 79
misdemeanor or of a municipal ordinance that, regardless of the 80
penalty set by ordinance for the violation, is substantially 81
equivalent to any provision of any section contained in Title 82
XLV of the Revised Code that is a minor misdemeanor, provided 83
that this division applies only if the person whose death is 84
caused or whose pregnancy is unlawfully terminated is in the 85
active school zone at the time of the offender's commission of 86
the offense in the active school zone and does not apply as 87
described in division (F) of this section. 88

(B) (1) Whoever violates division (A) (1) or (2) of this 89
section is guilty of aggravated vehicular homicide and shall be 90
punished as provided in divisions (B) (2) and (3) of this 91
section. 92

(2) (a) Except as otherwise provided in division (B) (2) (b), 93
(c), or (d) of this section, aggravated vehicular homicide 94
committed in violation of division (A) (1) of this section is a 95
felony of the second degree and the court shall impose a 96
mandatory prison term on the offender as described in division 97
(E) of this section. 98

(b) Except as otherwise provided in division (B) (2) (c) or 99
(d) of this section, aggravated vehicular homicide committed in 100
violation of division (A) (1) of this section is a felony of the 101
first degree, and the court shall impose a mandatory prison term 102
on the offender as described in division (E) of this section, if 103
any of the following apply: 104

(i) At the time of the offense, the offender was driving 105
under a suspension or cancellation imposed under Chapter 4510. 106
or any other provision of the Revised Code or was operating a 107
motor vehicle or motorcycle, did not have a valid driver's 108
license, commercial driver's license, temporary instruction 109
permit, probationary license, or nonresident operating 110
privilege, and was not eligible for renewal of the offender's 111
driver's license or commercial driver's license without 112
examination under section 4507.10 of the Revised Code. 113

(ii) The offender previously has been convicted of or 114
pleaded guilty to one prior OVI offense within the previous 115
twenty years. 116

(iii) The offender previously has been convicted of or 117
pleaded guilty to one prior traffic-related homicide, 118
manslaughter, or assault offense within the previous twenty 119
years. 120

(c) Except as otherwise provided in division (B) (2) (d) of 121
this section, aggravated vehicular homicide committed in 122
violation of division (A) (1) of this section is a felony of the 123
first degree, and the court shall sentence the offender to a 124
mandatory prison term as provided in section 2929.142 of the 125
Revised Code and described in division (E) of this section if 126
any of the following apply: 127

(i) The offender previously has been convicted of or 128
pleaded guilty to two prior OVI offenses within the previous 129
twenty years. 130

(ii) The offender previously has been convicted of or 131
pleaded guilty to two prior traffic-related homicide, 132
manslaughter, or assault offenses within the previous twenty 133

years. 134

(iii) The offender previously has been convicted of or 135
pleaded guilty to two prior violations of any combination of the 136
offenses listed in division (B) (2) (c) (i) and (ii) of this 137
section within the previous twenty years. 138

(d) Aggravated vehicular homicide committed in violation 139
of division (A) (1) of this section is a felony of the first 140
degree, and the court shall sentence the offender to a mandatory 141
prison term as provided in section 2929.142 of the Revised Code 142
and described in division (E) of this section if any of the 143
following apply: 144

(i) The offender previously has been convicted of or 145
pleaded guilty to three or more prior OVI offenses within the 146
previous twenty years. 147

(ii) The offender previously has been convicted of or 148
pleaded guilty to three or more prior traffic-related homicide, 149
manslaughter, or assault offenses within the previous twenty 150
years. 151

(iii) The offender previously has been convicted of or 152
pleaded guilty to three or more prior violations of any 153
combination of the offenses listed in divisions (B) (2) (d) (i) and 154
(ii) of this section within the previous twenty years. 155

(e) In addition to any other sanctions imposed pursuant to 156
division (B) (2) (a), (b), (c), or (d) of this section for 157
aggravated vehicular homicide committed in violation of division 158
(A) (1) of this section, the court shall impose upon the offender 159
a class one suspension of the offender's driver's license, 160
commercial driver's license, temporary instruction permit, 161
probationary license, or nonresident operating privilege as 162

specified in division (A) (1) of section 4510.02 of the Revised Code. 163
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Divisions (A) (1) to (3) of section 4510.54 of the Revised Code apply to a suspension imposed under division (B) (2) (e) of this section. 165
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(f) Notwithstanding section 2929.18 of the Revised Code, and in addition to any other sanctions imposed pursuant to division (B) (2) of this section for aggravated vehicular homicide committed in violation of division (A) (1) of this section, the court shall impose upon the offender a fine of not more than twenty-five thousand dollars. 168
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(3) Except as otherwise provided in this division, aggravated vehicular homicide committed in violation of division (A) (2) of this section is a felony of the third degree. Aggravated vehicular homicide committed in violation of division (A) (2) of this section is a felony of the second degree if, at the time of the offense, the offender was driving under a suspension or cancellation imposed under Chapter 4510. or any other provision of the Revised Code or was operating a motor vehicle or motorcycle, did not have a valid driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, and was not eligible for renewal of the offender's driver's license or commercial driver's license without examination under section 4507.10 of the Revised Code or if the offender previously has been convicted of or pleaded guilty to a violation of this section or any traffic-related homicide, manslaughter, or assault offense. The court shall impose a mandatory prison term on the offender when required by division (E) of this section. 174
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In addition to any other sanctions imposed pursuant to 192

this division for a violation of division (A) (2) of this 193
section, the court shall impose upon the offender a class two 194
suspension of the offender's driver's license, commercial 195
driver's license, temporary instruction permit, probationary 196
license, or nonresident operating privilege from the range 197
specified in division (A) (2) of section 4510.02 of the Revised 198
Code or, if the offender previously has been convicted of or 199
pleaded guilty to a traffic-related murder, felonious assault, 200
or attempted murder offense, a class one suspension of the 201
offender's driver's license, commercial driver's license, 202
temporary instruction permit, probationary license, or 203
nonresident operating privilege as specified in division (A) (1) 204
of that section. 205

(C) Whoever violates division ~~(A) (3)~~ (A) (3) (a) or (A) (3) (b) 206
of this section is guilty of vehicular homicide. Except as 207
otherwise provided in this division, vehicular homicide is a 208
misdemeanor of the first degree. Vehicular homicide committed in 209
violation of division ~~(A) (3)~~ (A) (3) (a) or (A) (3) (b) of this 210
section is a felony of the fourth degree if, at the time of the 211
offense, the offender was driving under a suspension or 212
cancellation imposed under Chapter 4510. or any other provision 213
of the Revised Code or was operating a motor vehicle or 214
motorcycle, did not have a valid driver's license, commercial 215
driver's license, temporary instruction permit, probationary 216
license, or nonresident operating privilege, and was not 217
eligible for renewal of the offender's driver's license or 218
commercial driver's license without examination under section 219
4507.10 of the Revised Code or if the offender previously has 220
been convicted of or pleaded guilty to a violation of this 221
section or any traffic-related homicide, manslaughter, or 222
assault offense. The court shall impose a mandatory jail term or 223

a mandatory prison term on the offender when required by 224
division (E) of this section. 225

In addition to any other sanctions imposed pursuant to 226
this division, the court shall impose upon the offender a class 227
four suspension of the offender's driver's license, commercial 228
driver's license, temporary instruction permit, probationary 229
license, or nonresident operating privilege from the range 230
specified in division (A) (4) of section 4510.02 of the Revised 231
Code, or, if the offender previously has been convicted of or 232
pleaded guilty to a violation of this section or any traffic- 233
related homicide, manslaughter, or assault offense, a class 234
three suspension of the offender's driver's license, commercial 235
driver's license, temporary instruction permit, probationary 236
license, or nonresident operating privilege from the range 237
specified in division (A) (3) of that section, or, if the 238
offender previously has been convicted of or pleaded guilty to a 239
traffic-related murder, felonious assault, or attempted murder 240
offense, a class two suspension of the offender's driver's 241
license, commercial driver's license, temporary instruction 242
permit, probationary license, or nonresident operating privilege 243
as specified in division (A) (2) of that section. 244

~~(D)~~ (D) (1) Whoever violates division ~~(A) (4)~~ (A) (3) (c), (A) 245
(4) (a), or (A) (4) (b) of this section is guilty of vehicular 246
manslaughter and shall be punished as provided in divisions (D) 247
(2) and (3) of this section. ~~Except~~ 248

(2) (a) Except as otherwise provided in ~~this division~~ (D) 249
(2) (b) of this section, vehicular manslaughter committed in 250
violation of division (A) (3) (c) or (A) (4) (b) of this section is 251
a felony of the fourth degree. 252

(b) Vehicular manslaughter committed in violation of 253

division (A) (3) (c) or (A) (4) (b) of this section is a felony of 254
the third degree if, at the time of the offense, the offender 255
was driving under a suspension or cancellation imposed under 256
Chapter 4510. or any other provision of the Revised Code or was 257
operating a motor vehicle or motorcycle, did not have a valid 258
driver's license, commercial driver's license, temporary 259
instruction permit, probationary license, or nonresident 260
operating privilege, and was not eligible for renewal of the 261
offender's driver's license or commercial driver's license 262
without examination under section 4507.10 of the Revised Code or 263
if the offender previously has been convicted of or pleaded 264
guilty to a violation of this section or any traffic-related 265
homicide, manslaughter, or assault offense. 266

In addition to any other sanctions imposed pursuant to 267
this division, the court shall impose upon the offender a class 268
three suspension of the offender's driver's license, commercial 269
driver's license, temporary instruction permit, probationary 270
license, or nonresident operating privilege from the range 271
specified in division (A) (4) of section 4510.02 of the Revised 272
Code, or, if the offender previously has been convicted of or 273
pleaded guilty to a violation of this section or any traffic- 274
related homicide, manslaughter, or assault offense, a class two 275
suspension of the offender's driver's license, commercial 276
driver's license, temporary instruction permit, probationary 277
license, or nonresident operating privilege from the range 278
specified in division (A) (3) of that section, or, if the 279
offender previously has been convicted of or pleaded guilty to a 280
traffic-related murder, felonious assault, or attempted murder 281
offense, a class one suspension of the offender's driver's 282
license, commercial driver's license, temporary instruction 283
permit, probationary license, or nonresident operating privilege 284

as specified in division (A) (2) of that section. 285

(3) (a) Except as otherwise provided in division (D) (3) (b) 286
of this section, vehicular manslaughter committed in violation 287
of division (A) (4) (a) of this section is a misdemeanor of the 288
second degree. ~~Vehicular~~ 289

(b) Vehicular manslaughter committed in violation of 290
division (A) (4) (a) of this section is a misdemeanor of the first 291
degree if, at the time of the offense, the offender was driving 292
under a suspension or cancellation imposed under Chapter 4510. 293
or any other provision of the Revised Code or was operating a 294
motor vehicle or motorcycle, did not have a valid driver's 295
license, commercial driver's license, temporary instruction 296
permit, probationary license, or nonresident operating 297
privilege, and was not eligible for renewal of the offender's 298
driver's license or commercial driver's license without 299
examination under section 4507.10 of the Revised Code or if the 300
offender previously has been convicted of or pleaded guilty to a 301
violation of this section or any traffic-related homicide, 302
manslaughter, or assault offense. 303

In addition to any other sanctions imposed pursuant to 304
~~this~~ division (D) (3) of this section, the court shall impose 305
upon the offender a class six suspension of the offender's 306
driver's license, commercial driver's license, temporary 307
instruction permit, probationary license, or nonresident 308
operating privilege from the range specified in division (A) (6) 309
of section 4510.02 of the Revised Code or, if the offender 310
previously has been convicted of or pleaded guilty to a 311
violation of this section, any traffic-related homicide, 312
manslaughter, or assault offense, or a traffic-related murder, 313
felonious assault, or attempted murder offense, a class four 314

suspension of the offender's driver's license, commercial 315
driver's license, temporary instruction permit, probationary 316
license, or nonresident operating privilege from the range 317
specified in division (A) (4) of that section. 318

(E) (1) The court shall impose a mandatory prison term on 319
an offender who is convicted of or pleads guilty to a violation 320
of division (A) (1) of this section. Except as otherwise provided 321
in this division, the mandatory prison term shall be a definite 322
term from the range of prison terms provided in division (A) (1) 323
(b) of section 2929.14 of the Revised Code for a felony of the 324
first degree or from division (A) (2) (b) of that section for a 325
felony of the second degree, whichever is applicable, except 326
that if the violation is committed on or after March 22, 2019, 327
the court shall impose as the minimum prison term for the 328
offense a mandatory prison term that is one of the minimum terms 329
prescribed for a felony of the first degree in division (A) (1) 330
(a) of section 2929.14 of the Revised Code or one of the terms 331
prescribed for a felony of the second degree in division (A) (2) 332
(a) of that section, whichever is applicable. If division (B) (2) 333
(c) or (d) of this section applies to an offender who is 334
convicted of or pleads guilty to the violation of division (A) 335
(1) of this section, the court shall impose the mandatory prison 336
term pursuant to division (A) or (B) of section 2929.142 of the 337
Revised Code, as applicable. The court shall impose a mandatory 338
jail term of at least fifteen days on an offender who is 339
convicted of or pleads guilty to a misdemeanor violation of 340
division (A) (3) (b) of this section and may impose upon the 341
offender a longer jail term as authorized pursuant to section 342
2929.24 of the Revised Code. 343

(2) The court shall impose a mandatory prison term on an 344
offender who is convicted of or pleads guilty to a violation of 345

division ~~(A) (2)~~ (A) (2) (a), (2) (b), or (3) (a) of this section or a 346
felony violation of division (A) (3) (b) of this section if either 347
division (E) (2) (a) or (b) of this section applies. The mandatory 348
prison term shall be a definite term from the range of prison 349
terms provided in division (A) (3) (a) of section 2929.14 of the 350
Revised Code for a felony of the third degree or from division 351
(A) (4) of that section for a felony of the fourth degree, 352
whichever is applicable. The court shall impose a mandatory 353
prison term on an offender in a category described in this 354
division if either of the following applies: 355

(a) The offender previously has been convicted of or 356
pleaded guilty to a violation of this section or section 2903.08 357
of the Revised Code. 358

(b) At the time of the offense, the offender was driving 359
under suspension or cancellation under Chapter 4510. or any 360
other provision of the Revised Code or was operating a motor 361
vehicle or motorcycle, did not have a valid driver's license, 362
commercial driver's license, temporary instruction permit, 363
probationary license, or nonresident operating privilege, and 364
was not eligible for renewal of the offender's driver's license 365
or commercial driver's license without examination under section 366
4507.10 of the Revised Code. 367

(F) Divisions (A) (2) (b) ~~and~~, (2) (c), (3) (b), (3) (c), and 368
(4) (b) of this section do not apply in a particular construction 369
zone or active school zone unless signs of the type described in 370
section 2903.081 of the Revised Code are erected in that 371
construction zone or active school zone in accordance with the 372
guidelines and design specifications established by the director 373
of transportation under section 5501.27 of the Revised Code. The 374
failure to erect signs of the type described in section 2903.081 375

of the Revised Code in a particular construction zone or active 376
school zone in accordance with those guidelines and design 377
specifications does not limit or affect the application of 378
division (A) (1), (A) (2) (a), (A) (3) (a), or ~~(A) (4)~~ (A) (4) (a) of 379
this section in that construction zone or active school zone or 380
the prosecution of any person who violates any of those 381
divisions in that construction zone or active school zone. 382

(G) (1) As used in this section: 383

(a) "Mandatory prison term" and "mandatory jail term" have 384
the same meanings as in section 2929.01 of the Revised Code. 385

(b) "Traffic-related homicide, manslaughter, or assault 386
offense" means a violation of section 2903.04 of the Revised 387
Code in circumstances in which division (D) of that section 388
applies, a violation of section 2903.06 or 2903.08 of the 389
Revised Code, or a violation of section 2903.06, 2903.07, or 390
2903.08 of the Revised Code as they existed prior to March 23, 391
2000. 392

(c) "Construction zone" has the same meaning as in section 393
5501.27 of the Revised Code. 394

(d) "Reckless operation offense" means a violation of 395
section 4511.20 of the Revised Code or a municipal ordinance 396
substantially equivalent to section 4511.20 of the Revised Code. 397

(e) "Speeding offense" means a violation of section 398
4511.21 of the Revised Code or a municipal ordinance pertaining 399
to speed. 400

(f) "Traffic-related murder, felonious assault, or 401
attempted murder offense" means a violation of section 2903.01 402
or 2903.02 of the Revised Code in circumstances in which the 403
offender used a motor vehicle as the means to commit the 404

violation, a violation of division (A) (2) of section 2903.11 of 405
the Revised Code in circumstances in which the deadly weapon 406
used in the commission of the violation is a motor vehicle, or 407
an attempt to commit aggravated murder or murder in violation of 408
section 2923.02 of the Revised Code in circumstances in which 409
the offender used a motor vehicle as the means to attempt to 410
commit the aggravated murder or murder. 411

(g) "Motor vehicle," "mini-truck," and "utility vehicle" 412
have the same meanings as in section 4501.01 of the Revised 413
Code. 414

(h) "OVI offense" means a violation of division (A) of 415
section 4511.19 of the Revised Code, a violation of division (A) 416
of section 1547.11 of the Revised Code, a violation of division 417
(A) (3) of section 4561.15 of the Revised Code, or a 418
substantially equivalent municipal ordinance. 419

(i) "Active school zone" has the same meaning as in 420
section 4511.01 of the Revised Code. 421

(2) For the purposes of this section, when a penalty or 422
suspension is enhanced because of a prior or current violation 423
of a specified law or a prior or current specified offense, the 424
reference to the violation of the specified law or the specified 425
offense includes any violation of any substantially equivalent 426
municipal ordinance, former law of this state, or current or 427
former law of another state or the United States. 428

Sec. 2903.08. (A) No person, while operating or 429
participating in the operation of a motor vehicle, motorcycle, 430
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 431
or aircraft, shall cause serious physical harm to another person 432
or another's unborn in any of the following ways: 433

(1) (a) As the proximate result of committing a violation 434
of division (A) of section 4511.19 of the Revised Code or of a 435
substantially equivalent municipal ordinance; 436

(b) As the proximate result of committing a violation of 437
division (A) of section 1547.11 of the Revised Code or of a 438
substantially equivalent municipal ordinance; 439

(c) As the proximate result of committing a violation of 440
division (A) (3) of section 4561.15 of the Revised Code or of a 441
substantially equivalent municipal ordinance. 442

(2) In one of the following ways: 443

(a) As the proximate result of committing, while operating 444
or participating in the operation of a motor vehicle, utility 445
vehicle, mini-truck, or motorcycle in a construction zone, a 446
reckless operation offense, provided that this division applies 447
only if the person to whom the serious physical harm is caused 448
or to whose unborn the serious physical harm is caused is in the 449
construction zone at the time of the offender's commission of 450
the reckless operation offense in the construction zone and does 451
not apply as described in division (E) of this section; 452

(b) Recklessly; 453

(c) As the proximate result of committing, while operating 454
or participating in the operation of a motor vehicle, utility 455
vehicle, mini-truck, or motorcycle in an active school zone, a 456
reckless operation offense, provided that this division applies 457
only if the person to whom the serious physical harm is caused 458
or to whose unborn the serious physical harm is caused is in an 459
active school zone at the time of the offender's commission of 460
the reckless operation offense in the active school zone and 461
does not apply as described in division (E) of this section. 462

~~(3)~~(3) (a) As the proximate result of committing, while 463
operating or participating in the operation of a motor vehicle, 464
utility vehicle, mini-truck, or motorcycle in a construction 465
zone, a speeding offense, provided that this division applies 466
only if the person to whom the serious physical harm is caused 467
or to whose unborn the serious physical harm is caused is in the 468
construction zone at the time of the offender's commission of 469
the speeding offense in the construction zone and does not apply 470
as described in division (E) of this section. 471

(b) As the proximate result of committing, while operating 472
or participating in the operation of a motor vehicle, utility 473
vehicle, mini-truck, or motorcycle in an active school zone, a 474
speeding offense, provided that this division applies only if 475
the person to whom the serious physical harm is caused or to 476
whose unborn the serious physical harm is caused is in the 477
active school zone at the time of the offender's commission of 478
the speeding offense in the active school zone and does not 479
apply as described in division (E) of this section. 480

(c) As the proximate result of committing, within an 481
active school zone, a violation of any provision of any section 482
contained in Title XLV of the Revised Code that is a minor 483
misdemeanor or of a municipal ordinance that, regardless of the 484
penalty set by ordinance for the violation, is substantially 485
equivalent to any provision of any section contained in Title 486
XLV of the Revised Code that is a minor misdemeanor, provided 487
that this division applies only if the person to whom the 488
serious physical harm is caused or to whose unborn the serious 489
physical harm is caused is in the active school zone at the time 490
of the offender's commission of the speeding offense in the 491
active school zone and does not apply as described in division 492
(E) of this section. 493

(B) (1) Whoever violates division (A) (1) of this section is 494
guilty of aggravated vehicular assault. Except as otherwise 495
provided in this division, aggravated vehicular assault is a 496
felony of the third degree. Aggravated vehicular assault is a 497
felony of the second degree if any of the following apply: 498

(a) At the time of the offense, the offender was driving 499
under a suspension imposed under Chapter 4510. or any other 500
provision of the Revised Code. 501

(b) The offender previously has been convicted of or 502
pleaded guilty to a violation of this section. 503

(c) The offender previously has been convicted of or 504
pleaded guilty to any traffic-related homicide, manslaughter, or 505
assault offense. 506

(d) The offender previously has been convicted of or 507
pleaded guilty to three or more prior violations of division (A) 508
of section 4511.19 of the Revised Code or a substantially 509
equivalent municipal ordinance within the previous ten years. 510

(e) The offender previously has been convicted of or 511
pleaded guilty to three or more prior violations of division (A) 512
of section 1547.11 of the Revised Code or of a substantially 513
equivalent municipal ordinance within the previous ten years. 514

(f) The offender previously has been convicted of or 515
pleaded guilty to three or more prior violations of division (A) 516
(3) of section 4561.15 of the Revised Code or of a substantially 517
equivalent municipal ordinance within the previous ten years. 518

(g) The offender previously has been convicted of or 519
pleaded guilty to three or more prior violations of any 520
combination of the offenses listed in division (B) (1) (d), (e), 521
or (f) of this section. 522

(h) The offender previously has been convicted of or 523
pleaded guilty to a second or subsequent felony violation of 524
division (A) of section 4511.19 of the Revised Code. 525

(2) In addition to any other sanctions imposed pursuant to 526
division (B)(1) of this section, except as otherwise provided in 527
this division, the court shall impose upon the offender a class 528
three suspension of the offender's driver's license, commercial 529
driver's license, temporary instruction permit, probationary 530
license, or nonresident operating privilege from the range 531
specified in division (A)(3) of section 4510.02 of the Revised 532
Code. If the offender previously has been convicted of or 533
pleaded guilty to a violation of this section, any traffic- 534
related homicide, manslaughter, or assault offense, or any 535
traffic-related murder, felonious assault, or attempted murder 536
offense, the court shall impose either a class two suspension of 537
the offender's driver's license, commercial driver's license, 538
temporary instruction permit, probationary license, or 539
nonresident operating privilege from the range specified in 540
division (A)(2) of that section or a class one suspension as 541
specified in division (A)(1) of that section. 542

(C)(1) Whoever violates division (A)(2) or (3) of this 543
section is guilty of vehicular assault and shall be punished as 544
provided in divisions (C)(2) and (3) of this section. 545

(2) Except as otherwise provided in this division, 546
vehicular assault committed in violation of division (A)(2) of 547
this section is a felony of the fourth degree. Vehicular assault 548
committed in violation of division (A)(2) of this section is a 549
felony of the third degree if, at the time of the offense, the 550
offender was driving under a suspension imposed under Chapter 551
4510. or any other provision of the Revised Code, if the 552

offender previously has been convicted of or pleaded guilty to a 553
violation of this section or any traffic-related homicide, 554
manslaughter, or assault offense, or if, in the same course of 555
conduct that resulted in the violation of division (A) (2) of 556
this section, the offender also violated section 4549.02, 557
4549.021, or 4549.03 of the Revised Code. 558

In addition to any other sanctions imposed, the court 559
shall impose upon the offender a class four suspension of the 560
offender's driver's license, commercial driver's license, 561
temporary instruction permit, probationary license, or 562
nonresident operating privilege from the range specified in 563
division (A) (4) of section 4510.02 of the Revised Code or, if 564
the offender previously has been convicted of or pleaded guilty 565
to a violation of this section, any traffic-related homicide, 566
manslaughter, or assault offense, or any traffic-related murder, 567
felonious assault, or attempted murder offense, a class three 568
suspension of the offender's driver's license, commercial 569
driver's license, temporary instruction permit, probationary 570
license, or nonresident operating privilege from the range 571
specified in division (A) (3) of that section. 572

~~(3)~~ (3) (a) Except as otherwise provided in ~~this division~~ 573
(C) (3) (c) of this section, vehicular assault committed in 574
violation of division (A) (3) (a) of this section is a misdemeanor 575
of the first degree. 576

(b) Except as otherwise provided in division (C) (3) (c) of 577
this section, vehicular assault committed in violation of 578
division (A) (3) (b) or (A) (3) (c) of this section is a felony of 579
the fifth degree. 580

(c) Vehicular assault committed in violation of division 581
~~(A) (3)~~ (A) (3) (a), (b), or (c) of this section is a felony of the 582

fourth degree if, at the time of the offense, the offender was 583
driving under a suspension imposed under Chapter 4510. or any 584
other provision of the Revised Code or if the offender 585
previously has been convicted of or pleaded guilty to a 586
violation of this section or any traffic-related homicide, 587
manslaughter, or assault offense. 588

(d) In addition to any other sanctions imposed under 589
division (C) (3) (a), (b), or (c) of this section, the court shall 590
impose upon the offender a class four suspension of the 591
offender's driver's license, commercial driver's license, 592
temporary instruction permit, probationary license, or 593
nonresident operating privilege from the range specified in 594
division (A) (4) of section 4510.02 of the Revised Code or, if 595
the offender previously has been convicted of or pleaded guilty 596
to a violation of this section, any traffic-related homicide, 597
manslaughter, or assault offense, or any traffic-related murder, 598
felonious assault, or attempted murder offense, a class three 599
suspension of the offender's driver's license, commercial 600
driver's license, temporary instruction permit, probationary 601
license, or nonresident operating privilege from the range 602
specified in division (A) (3) of section 4510.02 of the Revised 603
Code. 604

(D) (1) The court shall impose a mandatory prison term, as 605
described in division (D) (4) of this section, on an offender who 606
is convicted of or pleads guilty to a violation of division (A) 607
(1) of this section. 608

(2) The court shall impose a mandatory prison term, as 609
described in division (D) (4) of this section, on an offender who 610
is convicted of or pleads guilty to a violation of division ~~(A)~~ 611
~~(2)~~ (A) (2) (a) or (b) of this section or a felony violation of 612

division ~~(A) (3)~~ (A) (3) (a) of this section ~~if either of the~~ 613
~~following applies:~~ 614

~~(a) The offender previously has been convicted of or~~ 615
~~pleaded guilty to a violation of this section or section 2903.06~~ 616
~~of the Revised Code.~~ 617

~~(b) At the time of the offense, the offender was driving~~ 618
~~under suspension under Chapter 4510. or any other provision of~~ 619
~~the Revised Code.~~ 620

(3) The court shall impose a mandatory jail term of at 621
least seven days on an offender who is convicted of or pleads 622
guilty to a misdemeanor violation of division ~~(A) (3)~~ (A) (3) (a) of 623
this section and may impose upon the offender a longer jail term 624
as authorized pursuant to section 2929.24 of the Revised Code. 625

(4) A mandatory prison term required under division (D) (1) 626
or (2) of this section shall be a definite term from the range 627
of prison terms provided in division (A) (2) (b) of section 628
2929.14 of the Revised Code for a felony of the second degree, 629
from division (A) (3) (a) of that section for a felony of the 630
third degree, ~~or~~ from division (A) (4) of that section for a 631
felony of the fourth degree, whichever is applicable, except 632
that if the violation is a felony of the second degree committed 633
on or after March 22, 2019, the court shall impose as the 634
minimum prison term for the offense a mandatory prison term that 635
is one of the minimum terms prescribed for a felony of the 636
second degree in division (A) (2) (a) of section 2929.14 of the 637
Revised Code. 638

(E) Divisions ~~(A) (2) (a)~~ (A) (2) and (3) of this section do 639
not apply in a particular construction zone or active school 640
zone unless signs of the type described in section 2903.081 of 641

the Revised Code are erected in that construction zone or active 642
school zone in accordance with the guidelines and design 643
specifications established by the director of transportation 644
under section 5501.27 of the Revised Code. The failure to erect 645
signs of the type described in section 2903.081 of the Revised 646
Code in a particular construction zone or active school zone in 647
accordance with those guidelines and design specifications does 648
not limit or affect the application of division (A) (1) or (2) (b) 649
of this section in that construction zone or active school zone 650
or the prosecution of any person who violates either of those 651
divisions in that construction zone or active school zone. 652

(F) As used in this section: 653

(1) "Mandatory prison term" and "mandatory jail term" have 654
the same meanings as in section 2929.01 of the Revised Code. 655

(2) "Traffic-related homicide, manslaughter, or assault 656
offense" and "traffic-related murder, felonious assault, or 657
attempted murder offense" have the same meanings as in section 658
2903.06 of the Revised Code. 659

(3) "Construction zone" has the same meaning as in section 660
5501.27 of the Revised Code. 661

(4) "Reckless operation offense" and "speeding offense" 662
have the same meanings as in section 2903.06 of the Revised 663
Code. 664

(5) "Active school zone" has the same meaning as in 665
section 4511.01 of the Revised Code. 666

(G) For the purposes of this section, when a penalty or 667
suspension is enhanced because of a prior or current violation 668
of a specified law or a prior or current specified offense, the 669
reference to the violation of the specified law or the specified 670

offense includes any violation of any substantially equivalent 671
municipal ordinance, former law of this state, or current or 672
former law of another state or the United States. 673

Sec. 2903.081. (A) As used in this section: 674

(1) "Active school zone" has the same meaning as in 675
section 4511.01 of the Revised Code. 676

(2) "Construction zone" has the same meaning as in section 677
5501.27 of the Revised Code. 678

~~(2) "Reckless operation offense" and "speeding offense"~~ 679
~~have the same meanings as in section 2903.06 of the Revised~~ 680
~~Code.~~ 681

(B) The director of transportation, board of county 682
commissioners, or board of township trustees shall cause signs 683
to be erected in construction zones and areas that become active 684
school zones notifying motorists of the prohibitions set forth 685
in sections 2903.06 and 2903.08 of the Revised Code regarding 686
the death of or injury to any person in the construction zone ~~as~~ 687
~~a proximate result of a reckless operation offense or speeding~~ 688
~~offense in the construction zone~~ or active school zone. The 689
prohibitions set forth in divisions (A) (2) (b) ~~and~~, (2) (c), (3) 690
(b), (3) (c), and (4) (b) of section 2903.06 and divisions (A) (2) 691
(a), (2) (c), and (3) of section 2903.08 of the Revised Code 692
apply to persons who commit ~~a reckless operation~~ the applicable 693
~~offense or speeding offense~~ in a particular construction zone or 694
active school zone only when signs of that nature are erected in 695
that construction zone or active school zone in accordance with 696
the guidelines and design specifications established by the 697
director under section 5501.27 of the Revised Code. The failure 698
to erect signs of that nature in a particular construction zone 699

or area that becomes an active school zone in accordance with 700
those guidelines and design specifications does not limit or 701
affect the application of division (A) (1), (A) (2) (a), (A) (3) (a), 702
or ~~(A) (4)~~ (A) (4) (a) of section 2903.06 or division (A) (1) or (2) 703
(b) of section 2903.08 of the Revised Code in that construction 704
zone or active school zone or the prosecution of any person who 705
violates ~~either any~~ of those divisions in that construction zone 706
or active school zone. 707

Sec. 4510.039. (A) A court may prohibit any person whose 708
driver's or commercial driver's license or permit is suspended 709
under section 2903.06 or 2903.08 of the Revised Code for an 710
underlying offense that occurred in an active school zone, or 711
for a violation of a substantially equivalent municipal 712
ordinance, from retaining the license, obtaining limited driving 713
privileges, or having driving privileges reinstated, until both 714
of the following have occurred: 715

(1) The person successfully completes a course of remedial 716
driving instruction approved by the director of public safety. 717

(2) The person gives and maintains proof of financial 718
responsibility in accordance with section 4509.45 of the Revised 719
Code. 720

(B) Any course of remedial driving instruction the 721
director approves under this section shall require its students 722
to attend at least fifty per cent of the course in person. The 723
director shall not approve any course of remedial driving 724
instruction that permits its students to take more than fifty 725
per cent of the course in any other manner, including via video 726
teleconferencing or the internet. A minimum of twenty-five per 727
cent of the number of hours of instruction included in the 728
course shall be devoted to instruction on driver attitude. The 729

course also shall devote a designated number of hours to 730
instruction in the area of school zone safety and operation of a 731
motor vehicle in active school zones. The director shall 732
prescribe the content of the instruction. 733

Sec. 4511.01. As used in this chapter and in Chapter 4513. 734
of the Revised Code: 735

(A) "Vehicle" means every device, including a bicycle, 736
motorized bicycle, and an electric bicycle, in, upon, or by 737
which any person or property may be transported or drawn upon a 738
highway. "Vehicle" does not include any motorized wheelchair, 739
any electric personal assistive mobility device, any low-speed 740
micromobility device, any personal delivery device as defined in 741
section 4511.513 of the Revised Code, any device that is moved 742
by power collected from overhead electric trolley wires or that 743
is used exclusively upon stationary rails or tracks, or any 744
device that is moved by human power. 745

(B) "Motor vehicle" means every vehicle propelled or drawn 746
by power other than muscular power or power collected from 747
overhead electric trolley wires, except motorized bicycles, 748
electric bicycles, road rollers, traction engines, power 749
shovels, power cranes, and other equipment used in construction 750
work and not designed for or employed in general highway 751
transportation, hole-digging machinery, well-drilling machinery, 752
ditch-digging machinery, farm machinery, and trailers designed 753
and used exclusively to transport a boat between a place of 754
storage and a marina, or in and around a marina, when drawn or 755
towed on a street or highway for a distance of no more than ten 756
miles and at a speed of twenty-five miles per hour or less. 757

(C) "Motorcycle" means every motor vehicle, other than a 758
tractor, having a seat or saddle for the use of the operator and 759

designed to travel on not more than three wheels in contact with 760
the ground, including, but not limited to, motor vehicles known 761
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 762
enclosed motorcycle," or "motorcycle" without regard to weight 763
or brake horsepower. 764

(D) "Emergency vehicle" means emergency vehicles of 765
municipal, township, or county departments or public utility 766
corporations when identified as such as required by law, the 767
director of public safety, or local authorities, and motor 768
vehicles when commandeered by a police officer. 769

(E) "Public safety vehicle" means any of the following: 770

(1) Ambulances, including private ambulance companies 771
under contract to a municipal corporation, township, or county, 772
and private ambulances and nontransport vehicles bearing license 773
plates issued under section 4503.49 of the Revised Code; 774

(2) Motor vehicles used by public law enforcement officers 775
or other persons sworn to enforce the criminal and traffic laws 776
of the state; 777

(3) Any motor vehicle when properly identified as required 778
by the director of public safety, when used in response to fire 779
emergency calls or to provide emergency medical service to ill 780
or injured persons, and when operated by a duly qualified person 781
who is a member of a volunteer rescue service or a volunteer 782
fire department, and who is on duty pursuant to the rules or 783
directives of that service. The state fire marshal shall be 784
designated by the director of public safety as the certifying 785
agency for all public safety vehicles described in division (E) 786
(3) of this section. 787

(4) Vehicles used by fire departments, including motor 788

vehicles when used by volunteer fire fighters responding to 789
emergency calls in the fire department service when identified 790
as required by the director of public safety. 791

Any vehicle used to transport or provide emergency medical 792
service to an ill or injured person, when certified as a public 793
safety vehicle, shall be considered a public safety vehicle when 794
transporting an ill or injured person to a hospital regardless 795
of whether such vehicle has already passed a hospital. 796

(5) Vehicles used by the motor carrier enforcement unit 797
for the enforcement of orders and rules of the public utilities 798
commission as specified in section 5503.34 of the Revised Code. 799

(F) "School bus" means every bus designed for carrying 800
more than nine passengers that is owned by a public, private, or 801
governmental agency or institution of learning and operated for 802
the transportation of children to or from a school session or a 803
school function, or owned by a private person and operated for 804
compensation for the transportation of children to or from a 805
school session or a school function. "School bus" does not 806
include any of the following: 807

(1) A bus operated by a municipally owned transportation 808
system, a mass transit company operating exclusively within the 809
territorial limits of a municipal corporation, or within such 810
limits and the territorial limits of municipal corporations 811
immediately contiguous to such municipal corporation, nor a 812
common passenger carrier certified by the public utilities 813
commission unless such bus is devoted exclusively to the 814
transportation of children to and from a school session or a 815
school function; 816

(2) A van or bus used by a licensed child care center or 817

type A family child care home to transport children from the 818
child care center or type A family child care home to a school 819
if the van or bus does not have more than fifteen children in 820
the van or bus at any time; 821

(3) An alternative vehicle as defined in section 4511.76 822
of the Revised Code. 823

(G) "Bicycle" means a pedal-powered vehicle upon which a 824
human operator sits, including an electric bicycle. 825

(H) "Motorized bicycle" or "moped" means any vehicle 826
having either two tandem wheels or one wheel in the front and 827
two wheels in the rear, that may be pedaled, and that is 828
equipped with a helper motor of not more than fifty cubic 829
centimeters piston displacement that produces not more than one 830
brake horsepower and is capable of propelling the vehicle at a 831
speed of not greater than twenty miles per hour on a level 832
surface. "Motorized bicycle" or "moped" does not include an 833
electric bicycle. 834

(I) "Commercial tractor" means every motor vehicle having 835
motive power designed or used for drawing other vehicles and not 836
so constructed as to carry any load thereon, or designed or used 837
for drawing other vehicles while carrying a portion of such 838
other vehicles, or load thereon, or both. 839

(J) "Agricultural tractor" and "traction engine" mean 840
every self-propelling vehicle designed or used for drawing other 841
vehicles or wheeled machinery but having no provision for 842
carrying loads independently of such other vehicles, and used 843
principally for agricultural purposes. 844

(K) "Truck" means every motor vehicle, except trailers and 845
semitrailers, designed and used to carry property. 846

(L) "Bus" means every motor vehicle designed for carrying 847
more than nine passengers and used for the transportation of 848
persons other than in a ridesharing arrangement, and every motor 849
vehicle, automobile for hire, or funeral car, other than a 850
taxicab or motor vehicle used in a ridesharing arrangement, 851
designed and used for the transportation of persons for 852
compensation. 853

(M) "Trailer" means every vehicle designed or used for 854
carrying persons or property wholly on its own structure and for 855
being drawn by a motor vehicle, including any such vehicle when 856
formed by or operated as a combination of a "semitrailer" and a 857
vehicle of the dolly type, such as that commonly known as a 858
"trailer dolly," a vehicle used to transport agricultural 859
produce or agricultural production materials between a local 860
place of storage or supply and the farm when drawn or towed on a 861
street or highway at a speed greater than twenty-five miles per 862
hour, and a vehicle designed and used exclusively to transport a 863
boat between a place of storage and a marina, or in and around a 864
marina, when drawn or towed on a street or highway for a 865
distance of more than ten miles or at a speed of more than 866
twenty-five miles per hour. 867

(N) "Semitrailer" means every vehicle designed or used for 868
carrying persons or property with another and separate motor 869
vehicle so that in operation a part of its own weight or that of 870
its load, or both, rests upon and is carried by another vehicle. 871

(O) "Pole trailer" means every trailer or semitrailer 872
attached to the towing vehicle by means of a reach, pole, or by 873
being boomed or otherwise secured to the towing vehicle, and 874
ordinarily used for transporting long or irregular shaped loads 875
such as poles, pipes, or structural members capable, generally, 876

of sustaining themselves as beams between the supporting 877
connections. 878

(P) "Railroad" means a carrier of persons or property 879
operating upon rails or tracks placed principally on a private 880
right-of-way. 881

(Q) "Train" means one or more locomotives coupled, with or 882
without cars, that operates on rails or tracks and to which all 883
other traffic is required by law to yield the right-of-way at 884
highway-rail grade crossings. 885

(R) "Streetcar" means a car, other than a train, for 886
transporting persons or property, operated upon rails 887
principally within a street or highway. 888

(S) "Trackless trolley" means every car that collects its 889
power from overhead electric trolley wires and that is not 890
operated upon rails or tracks. 891

(T) "Explosives" means any chemical compound or mechanical 892
mixture that is intended for the purpose of producing an 893
explosion that contains any oxidizing and combustible units or 894
other ingredients in such proportions, quantities, or packing 895
that an ignition by fire, by friction, by concussion, by 896
percussion, or by a detonator of any part of the compound or 897
mixture may cause such a sudden generation of highly heated 898
gases that the resultant gaseous pressures are capable of 899
producing destructive effects on contiguous objects, or of 900
destroying life or limb. Manufactured articles shall not be held 901
to be explosives when the individual units contain explosives in 902
such limited quantities, of such nature, or in such packing, 903
that it is impossible to procure a simultaneous or a destructive 904
explosion of such units, to the injury of life, limb, or 905

property by fire, by friction, by concussion, by percussion, or 906
by a detonator, such as fixed ammunition for small arms, 907
firecrackers, or safety fuse matches. 908

(U) "Flammable liquid" means any liquid that has a flash 909
point of seventy degrees fahrenheit, or less, as determined by a 910
tagliabue or equivalent closed cup test device. 911

(V) "Gross weight" means the weight of a vehicle plus the 912
weight of any load thereon. 913

(W) "Person" means every natural person, firm, co- 914
partnership, association, or corporation. 915

(X) "Pedestrian" means any person on foot, in a motorized 916
or non-motorized wheelchair, or using another equivalent device, 917
such as skates or a skateboard. "Pedestrian" includes a personal 918
delivery device as defined in section 4511.513 of the Revised 919
Code unless the context clearly suggests otherwise. 920

(Y) "Driver or operator" means every person who drives or 921
is in actual physical control of a vehicle, trackless trolley, 922
or streetcar. 923

(Z) "Police officer" means every officer authorized to 924
direct or regulate traffic, or to make arrests for violations of 925
traffic regulations. 926

(AA) "Local authorities" means every county, municipal, 927
and other local board or body having authority to adopt police 928
regulations under the constitution and laws of this state. 929

(BB) "Street" or "highway" means a general term for 930
denoting a public way for purposes of travel by vehicles, 931
streetcars, trackless trolleys, and vulnerable road users, 932
including the entire area within the right-of-way. 933

(CC) "Controlled-access highway" means every street or 934
highway in respect to which owners or occupants of abutting 935
lands and other persons have no legal right of access to or from 936
the same except at such points only and in such manner as may be 937
determined by the public authority having jurisdiction over such 938
street or highway. 939

(DD) "Private road" means every way or place in private 940
ownership used for vehicular travel by the owner and those 941
having express or implied permission from the owner but not by 942
other persons. 943

(EE) "Roadway" means that portion of a highway improved, 944
designed, or ordinarily used for vehicular travel and parking 945
lanes, not including the berm, sidewalk, or shoulder, even if 946
the berm, sidewalk, or shoulder is used by a person operating a 947
bicycle or other human-powered vehicle. If a highway includes 948
two or more separate roadways the term "roadway" means any such 949
roadway separately but not all such roadways collectively. 950

(FF) "Sidewalk" means that portion of a street between the 951
curb lines, or the lateral lines of a roadway, and the adjacent 952
property lines or easements of private property, that is paved 953
or improved, and is intended for the use of pedestrians. 954

(GG) "Laned highway" means a highway the roadway of which 955
is divided into two or more clearly marked lanes for vehicular 956
traffic. 957

(HH) "Through highway" means every street or highway as 958
provided in section 4511.65 of the Revised Code. 959

(II) "State highway" means a highway under the 960
jurisdiction of the department of transportation, outside the 961
limits of municipal corporations, provided that the authority 962

conferred upon the director of transportation in section 5511.01 963
of the Revised Code to erect state highway route markers and 964
signs directing traffic shall not be modified by sections 965
4511.01 to 4511.79 and 4511.99 of the Revised Code. 966

(JJ) "State route" means every highway that is designated 967
with an official state route number and so marked. 968

(KK) "Intersection" means: 969

(1) The area embraced within the prolongation or 970
connection of the lateral curb lines, or, if none, the lateral 971
boundary lines of the roadways of two highways that join one 972
another at, or approximately at, right angles, or the area 973
within which vehicles traveling upon different highways that 974
join at any other angle might come into conflict. The junction 975
of an alley, driveway, or site roadway open to public travel 976
with a public roadway or highway does not constitute an 977
intersection, unless the public roadway or highway at the 978
junction is controlled by a traffic control device. 979

(2) If a highway includes two roadways separated by a 980
median, then every crossing of each roadway of such divided 981
highway by an intersecting highway constitutes a separate 982
intersection if the opposing left-turn paths cross and there is 983
sufficient interior storage for the design vehicle. As used in 984
this division, "design vehicle" means the longest vehicle 985
authorized under section 5577.05 of the Revised Code to operate 986
on that roadway without a permit. 987

(3) At a location controlled by a highway traffic signal, 988
regardless of the distance between the separate intersections as 989
described in division (KK) (2) of this section: 990

(a) If a stop line, yield line, or crosswalk has not been 991

designated on the roadway within the median between the separate 992
intersections, the two intersections and the roadway and median 993
constitute one intersection. 994

(b) Where a stop line, yield line, or crosswalk is 995
designated on the roadway on the intersection approach, the area 996
within the crosswalk and any area beyond the designated stop 997
line or yield line constitute part of the intersection. 998

(c) Where a crosswalk is designated on a roadway on the 999
departure from the intersection, the intersection includes the 1000
area that extends to the far side of the crosswalk. 1001

(LL) "Crosswalk" means: 1002

(1) That part of a roadway at an intersection included 1003
within the connections of the lateral lines of the sidewalks on 1004
opposite sides of the highway measured from the curbs, or, in 1005
the absence of curbs, from the edges of the traversable roadway, 1006
and in the absence of a sidewalk on one side of the roadway, the 1007
part of a roadway included within the extension of the lateral 1008
lines of the sidewalk at right angles to the center line; 1009

(2) Any portion of a roadway at an intersection or 1010
elsewhere, distinctly indicated for pedestrian crossing by lines 1011
or other markings on the surface, which might be supplemented by 1012
contrasting pavement texture, style, or color; 1013

(3) Notwithstanding divisions (LL)(1) and (2) of this 1014
section, "crosswalk" does not include an area where local 1015
authorities have placed signs indicating no crossing. 1016

(MM) "Safety zone" means the area or space officially set 1017
apart within a roadway for the exclusive use of pedestrians and 1018
protected or marked or indicated by adequate signs as to be 1019
plainly visible at all times. 1020

(NN) "Business district" means the territory fronting upon 1021
a street or highway, including the street or highway, between 1022
successive intersections within municipal corporations where 1023
fifty per cent or more of the frontage between such successive 1024
intersections is occupied by buildings in use for business, or 1025
within or outside municipal corporations where fifty per cent or 1026
more of the frontage for a distance of three hundred feet or 1027
more is occupied by buildings in use for business, and the 1028
character of such territory is indicated by official traffic 1029
control devices. 1030

(OO) "Residence district" means the territory, not 1031
comprising a business district, fronting on a street or highway, 1032
including the street or highway, where, for a distance of three 1033
hundred feet or more, the frontage is improved with residences 1034
or residences and buildings in use for business. 1035

(PP) "Urban district" means the territory contiguous to 1036
and including any street or highway which is built up with 1037
structures devoted to business, industry, or dwelling houses 1038
situated at intervals of less than one hundred feet for a 1039
distance of a quarter of a mile or more, and the character of 1040
such territory is indicated by official traffic control devices. 1041

(QQ) "Traffic control device" means a flagger, sign, 1042
signal, marking, channelization device, or other device that 1043
uses colors, shapes, symbols, words, sounds, or tactile 1044
information for the primary purpose of communicating a 1045
regulatory, warning, or guidance message to road users on a 1046
street, highway, site roadway open to public travel, pedestrian 1047
facility, bikeway, or pathway. 1048

(RR) "Traffic control signal" means a highway traffic 1049
signal placed at an intersection, movable bridge, fire station, 1050

midblock crosswalk, alternating one-way sections of a single 1051
lane road, private driveway, or other location that requires 1052
conflicting traffic to be directed to stop and permitted to 1053
proceed in an orderly manner. "Traffic control signal" includes 1054
a vehicular signal indication, a pedestrian signal indication, 1055
and a bicycle symbol signal indication. "Traffic control signal" 1056
does not include an emergency-vehicle hybrid beacon or a 1057
pedestrian hybrid beacon. 1058

(SS) "Railroad sign or signal" means any sign, signal, or 1059
device erected by authority of a public body or official or by a 1060
railroad and intended to give notice of the presence of railroad 1061
tracks or the approach of a train. 1062

(TT) "Traffic" means pedestrians, ridden or herded 1063
animals, vehicles, streetcars, trackless trolleys, and other 1064
devices, either singly or together, while using for purposes of 1065
travel any highway or site roadway open to public travel. 1066

(UU) "Right-of-way" means either of the following, as the 1067
context requires: 1068

(1) The right of a vehicle, streetcar, trackless trolley, 1069
or pedestrian to proceed uninterruptedly in a lawful manner in 1070
the direction in which it or the individual is moving in 1071
preference to another vehicle, streetcar, trackless trolley, or 1072
pedestrian approaching from a different direction into its or 1073
the individual's path; 1074

(2) A general term denoting land, property, or the 1075
interest therein, usually in the configuration of a strip, 1076
acquired for or devoted to transportation purposes. When used in 1077
this context, right-of-way includes the roadway, shoulders or 1078
berm, ditch, and slopes extending to the right-of-way limits 1079

under the control of the state or local authority. 1080

(VV) "Rural mail delivery vehicle" means every vehicle 1081
used to deliver United States mail on a rural mail delivery 1082
route. 1083

(WW) "Funeral escort vehicle" means any motor vehicle, 1084
including a funeral hearse, while used to facilitate the 1085
movement of a funeral procession. 1086

(XX) "Alley" means a street or highway intended to provide 1087
access to the rear or side of lots or buildings in urban 1088
districts and not intended for the purpose of through vehicular 1089
traffic, and includes any street or highway that has been 1090
declared an "alley" by the legislative authority of the 1091
municipal corporation in which such street or highway is 1092
located. 1093

(YY) "Freeway" means a divided multi-lane highway for 1094
through traffic with all crossroads separated in grade and with 1095
full control of access. 1096

(ZZ) "Expressway" means a divided arterial street or 1097
highway for through traffic with full or partial control of 1098
access with an excess of fifty per cent of all crossroads 1099
separated in grade. 1100

(AAA) "Thruway" means a through highway whose entire 1101
roadway is reserved for through traffic and on which roadway 1102
parking is prohibited. 1103

(BBB) "Stop intersection" means any intersection at one or 1104
more entrances of which stop signs are erected. 1105

(CCC) "Arterial street or highway" means a street or 1106
highway primarily used by through traffic, usually on a 1107

continuous route or a street or highway designated as part of an 1108
arterial system. 1109

(DDD) "Ridesharing arrangement" means the transportation 1110
of persons in a motor vehicle where such transportation is 1111
incidental to another purpose of a volunteer driver and includes 1112
ridesharing arrangements known as carpools, vanpools, and 1113
buspools. 1114

(EEE) "Motorized wheelchair" means any self-propelled 1115
vehicle designed for, and used by, a person with a disability 1116
and that is incapable of a speed in excess of eight miles per 1117
hour. 1118

(FFF) "Child care center" and "type A family child care 1119
home" have the same meanings as in section 5104.01 of the 1120
Revised Code. 1121

(GGG) "Multi-wheel agricultural tractor" means a type of 1122
agricultural tractor that has two or more wheels or tires on 1123
each side of one axle at the rear of the tractor, is designed or 1124
used for drawing other vehicles or wheeled machinery, has no 1125
provision for carrying loads independently of the drawn vehicles 1126
or machinery, and is used principally for agricultural purposes. 1127

(HHH) "Operate" means to cause or have caused movement of 1128
a vehicle, streetcar, or trackless trolley. 1129

(III) "Predicate motor vehicle or traffic offense" means 1130
any of the following: 1131

(1) A violation of section 4511.03, 4511.051, 4511.12, 1132
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 1133
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 1134
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 1135
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 1136

4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 1137
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 1138
4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 1139
4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 1140
4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 1141
4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 1142
4511.84 of the Revised Code; 1143

(2) A violation of division (A) (2) of section 4511.17, 1144
divisions (A) to (D) of section 4511.51, or division (A) of 1145
section 4511.74 of the Revised Code; 1146

(3) A violation of any provision of sections 4511.01 to 1147
4511.76 of the Revised Code for which no penalty otherwise is 1148
provided in the section that contains the provision violated; 1149

(4) A violation of section 4511.214 of the Revised Code; 1150

(5) A violation of a municipal ordinance that is 1151
substantially similar to any section or provision set forth or 1152
described in division (III) (1), (2), (3), or (4) of this 1153
section. 1154

(JJJ) "Road service vehicle" means wreckers, utility 1155
repair vehicles, and state, county, and municipal service 1156
vehicles equipped with visual signals by means of flashing, 1157
rotating, or oscillating lights. 1158

(KKK) "Beacon" means a highway traffic signal with one or 1159
more signal sections that operate in a flashing mode. 1160

(LLL) "Hybrid beacon" means a special type of beacon that 1161
is intentionally placed in a dark mode where no indications are 1162
displayed between periods of operation and, when operated, 1163
displays both steady and flashing highway traffic signal 1164
indications. "Hybrid beacon" includes both of the following: 1165

(1) An emergency-vehicle hybrid beacon used to warn and 1166
control traffic at an otherwise unsignalized location to assist 1167
authorized emergency vehicles in entering or crossing a street 1168
or highway; 1169

(2) A pedestrian hybrid beacon used to warn and control 1170
traffic at an otherwise unsignalized location to assist 1171
pedestrians in crossing a street or highway at a marked 1172
crosswalk. 1173

(MMM) "Highway traffic signal" means a power-operated 1174
traffic control device by which traffic is warned or directed to 1175
take some specific action. "Highway traffic signal" includes a 1176
beacon, an in-road warning light, a lane-use control signal, and 1177
a traffic control signal. "Highway traffic signal" does not 1178
include a power-operated sign, steadily illuminated pavement 1179
marker, gate, flashing light signal, warning light, or steady 1180
burning electric lamp. 1181

(NNN) "Median" means the portion of a highway separating 1182
opposing directions of the traveled way or the area between two 1183
roadways of a divided highway, measured from edge of traveled 1184
way to edge of traveled way. The median excludes turn lanes. The 1185
width of a median may be different between intersections, 1186
interchanges, and at opposite approaches of the same 1187
intersection. 1188

(OOO) "Site roadway open to public travel" means a roadway 1189
or bikeway on site of a shopping center, office park, airport, 1190
school, university, sports arena, recreational park, or other 1191
similar business, government, or recreation facility that is 1192
publicly or privately owned but where the public is allowed to 1193
travel without full-time access restrictions. "Site roadway open 1194
to public travel" does not include a roadway where access is 1195

restricted at all times by gates or guards to residents, 1196
employees, or other specifically authorized persons, a parking 1197
area, a driving aisle within a parking area, or a private 1198
highway-rail grade crossing. 1199

(PPP) "Shared-use path" means a bikeway outside the 1200
traveled way and physically separated from motorized vehicular 1201
traffic by an open space or barrier and either within the 1202
highway right-of-way or within an independent alignment. A 1203
shared-use path also may be used by pedestrians, including 1204
skaters, joggers, users of manual and motorized wheelchairs, and 1205
other authorized motorized and non-motorized users. A shared-use 1206
path does not include any trail that is intended to be used 1207
primarily for mountain biking, hiking, equestrian use, or other 1208
similar uses, or any other single track or natural surface trail 1209
that has historically been reserved for nonmotorized use. 1210

(QQQ) "Highway maintenance vehicle" means a vehicle used 1211
in snow and ice removal or road surface maintenance, including a 1212
snow plow, traffic line striper, road sweeper, mowing machine, 1213
asphalt distributing vehicle, or other such vehicle designed for 1214
use in specific highway maintenance activities. 1215

(RRR) "Waste collection vehicle" means a vehicle used in 1216
the collection of garbage, refuse, trash, or recyclable 1217
materials. 1218

(SSS) "Electric bicycle" means a "class 1 electric 1219
bicycle," a "class 2 electric bicycle," or a "class 3 electric 1220
bicycle" as defined in this section. 1221

(TTT) "Class 1 electric bicycle" means a bicycle that is 1222
equipped with fully operable pedals and an electric motor of 1223
less than seven hundred fifty watts that provides assistance 1224

only when the rider is pedaling and ceases to provide assistance 1225
when the bicycle reaches the speed of twenty miles per hour. 1226

(UUU) "Class 2 electric bicycle" means a bicycle that is 1227
equipped with fully operable pedals and an electric motor of 1228
less than seven hundred fifty watts that may provide assistance 1229
regardless of whether the rider is pedaling and is not capable 1230
of providing assistance when the bicycle reaches the speed of 1231
twenty miles per hour. 1232

(VVV) "Class 3 electric bicycle" means a bicycle that is 1233
equipped with fully operable pedals and an electric motor of 1234
less than seven hundred fifty watts that provides assistance 1235
only when the rider is pedaling and ceases to provide assistance 1236
when the bicycle reaches the speed of twenty-eight miles per 1237
hour. 1238

(WWW) "Low-speed micromobility device" means a device 1239
weighing less than one hundred pounds that has handlebars, is 1240
propelled by an electric motor or human power, and has an 1241
attainable speed on a paved level surface of not more than 1242
twenty miles per hour when propelled by the electric motor. 1243

(XXX) "Natural resources officer" means an officer 1244
appointed pursuant to section 1501.24 of the Revised Code. 1245

(YYY) "Wildlife officer" means an officer designated 1246
pursuant to section 1531.13 of the Revised Code. 1247

(ZZZ) "In-road warning light" means a special type of 1248
highway traffic signal that is installed in the roadway surface 1249
to warn road users that they are approaching a condition on or 1250
adjacent to the roadway that might not be readily apparent and 1251
might require the road users to reduce speed or come to a 1252
complete stop. 1253

(AAAA) "Lane-use control signal" means a signal face or 1254
comparable display on a full-matrix changeable message sign that 1255
displays indications to permit or prohibit the use of specific 1256
lanes of a roadway or a shoulder where driving is sometimes 1257
authorized or to indicate the impending prohibition of such use. 1258

(BBBB) "Bicycle box" means a designated area on the 1259
approach to a signalized intersection, between an advance 1260
motorist stop line and the crosswalk or intersection, that is 1261
intended to provide bicyclists a visible location to wait in 1262
front of stopped motorists during the red signal phase. 1263

(CCCC) "Two-stage bicycle turn box" means a designated 1264
area at an intersection that is intended to provide bicyclists a 1265
place to wait for traffic to clear before proceeding in a 1266
different direction of travel. 1267

(DDDD) "Bicycle lane" means a portion of a roadway that 1268
has been designated for preferential or exclusive use by 1269
bicyclists and is often delineated from the adjacent general- 1270
purpose lanes by longitudinal pavement markings and either a 1271
bicycle lane symbol, words, or signs. "Bicycle lane" includes 1272
all of the following: 1273

(1) A buffer-separated bicycle lane, which is separated 1274
from the adjacent general-purpose lanes by a pattern of standard 1275
longitudinal pavement markings that are wider than a normal or 1276
wide-lane pavement marking; 1277

(2) A counter-flow bicycle lane, which is a one- 1278
directional bicycle lane that provides a lawful path of travel 1279
for bicycles in the opposite direction from the general traffic 1280
on a roadway that otherwise requires the general traffic to 1281
travel in only one direction. A counter-flow bicycle lane is 1282

designated by the traffic control devices used for other bicycle 1283
lanes; 1284

(3) A separated bicycle lane, which is an exclusive 1285
facility for bicyclists that is located within or directly 1286
adjacent to the roadway and is physically separated from the 1287
motor vehicle traffic with a vertical element. 1288

(EEEE) "Bicycle signal face" means a signal face that 1289
displays only bicycle symbol signal indications in accordance 1290
with section 4511.15 of the Revised Code, that exclusively 1291
controls a bicyclist's movement from a designated bicycle lane 1292
or from a separate facility, and that displays signal 1293
indications that are applicable only to a bicyclist's movement. 1294

(FFFF) "Bicycle signal sign" means a sign meant to inform 1295
road users that the signal indications in the bicycle signal 1296
face are intended only for bicyclists, and to inform bicyclists 1297
which bicyclist movements are controlled by that bicycle signal 1298
face. 1299

(GGGG) "Bikeway" means any road, street, path, or way that 1300
in some manner is specifically designated for bicycle travel, 1301
regardless of whether the facility is designated for the 1302
exclusive use of bicycles or if it is shared with other modes of 1303
transportation. 1304

(HHHH) "Busway" means a traveled way that is used 1305
exclusively by buses. 1306

(IIII) "Driveway" means an access from a roadway to a 1307
building, site, or abutting property. 1308

(JJJJ) "Roundabout" means a circular intersection with a 1309
yield control at each entry, which permits a vehicle on the 1310
circulatory roadway to proceed, with deflection of the 1311

approaching vehicles counter-clockwise around a central island. 1312

(KKKK) "Shoulder" means a longitudinal area contiguous 1313
with the traveled way that is used for accommodating vehicles 1314
that are stopped for an emergency and for lateral support of 1315
base and surface courses; graded for emergency stopping; either 1316
paved or unpaved; and when paved, may be open for part-time 1317
travel by some or all vehicles or may also be available for use 1318
by pedestrians or bicycles in the absence of other pedestrian or 1319
bicycle facilities. 1320

(LLLL) "Autocycle," "cab-enclosed motorcycle," 1321
"electronic," "farm machinery," "motor-driven cycle or motor 1322
scooter," "limited driving privileges," and "state" have the 1323
same meanings as in section 4501.01 of the Revised Code. 1324

(MMMM) "Multifunction school activity bus" means a school 1325
bus whose purposes do not include transporting children to and 1326
from home or school bus stops. 1327

(NNNN) "Active school zone" means a school zone, as 1328
defined in section 4511.21 of the Revised Code, during school 1329
recess and while children are going to or leaving school during 1330
the opening or closing hours, when school speed limit signs are 1331
erected, and the twenty miles per hour speed limit is effective. 1332

(O000) "School-adjacent sector" means a portion of a 1333
street or highway within an active school zone to which either 1334
of the following applies: 1335

(1) The portion includes a crosswalk abutting school 1336
property that is used by pedestrians to access the school 1337
property; 1338

(2) The portion is surrounded by school property on both 1339
sides of the street or highway. 1340

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 1341
trackless trolley who approaches an intersection where traffic 1342
is controlled by highway traffic signals shall do all of the 1343
following if the signal facing the driver exhibits no colored 1344
lights or colored lighted arrows, exhibits a combination of such 1345
lights or arrows that fails to clearly indicate the assignment 1346
of right-of-way, or, if the vehicle is a bicycle or an electric 1347
bicycle, the signals are otherwise malfunctioning due to the 1348
failure of a vehicle detector to detect the presence of the 1349
bicycle or electric bicycle: 1350

(1) Stop at a clearly marked stop line, but if none, stop 1351
before entering the crosswalk on the near side of the 1352
intersection, or, if none, stop before entering the 1353
intersection; 1354

(2) Yield the right-of-way to all vehicles, streetcars, or 1355
trackless trolleys in the intersection or approaching on an 1356
intersecting road, if the vehicles, streetcars, or trackless 1357
trolleys will constitute an immediate hazard during the time the 1358
driver is moving across or within the intersection or junction 1359
of roadways; 1360

(3) Exercise ordinary care while proceeding through the 1361
intersection. 1362

(B) Except as otherwise provided in this division, whoever 1363
violates this section is guilty of a minor misdemeanor. If, 1364
within one year of the offense, the offender previously has been 1365
convicted of or pleaded guilty to one predicate motor vehicle or 1366
traffic offense, whoever violates this section is guilty of a 1367
misdemeanor of the fourth degree. If, within one year of the 1368
offense, the offender previously has been convicted of two or 1369
more predicate motor vehicle or traffic offenses, whoever 1370

violates this section is guilty of a misdemeanor of the third 1371
degree. 1372

If the offender commits the offense while distracted and 1373
the distracting activity is a contributing factor to the 1374
commission of the offense, the offender is subject to the 1375
additional fine established under section 4511.991 of the 1376
Revised Code. 1377

Notwithstanding section 2929.28 of the Revised Code, if 1378
the offender commits a violation of this section in a school- 1379
adjacent sector, the court, in addition to all other penalties 1380
provided by law, may impose a fine of two times the usual amount 1381
imposed for the violation. 1382

Sec. 4511.20. (A) No person shall operate a vehicle, 1383
trackless trolley, or streetcar on any street or highway in 1384
willful or wanton disregard of the safety of persons or 1385
property. 1386

(B) Except as otherwise provided in this division, whoever 1387
violates this section is guilty of a minor misdemeanor. If, 1388
within one year of the offense, the offender previously has been 1389
convicted of or pleaded guilty to one predicate motor vehicle or 1390
traffic offense, whoever violates this section is guilty of a 1391
misdemeanor of the fourth degree. If, within one year of the 1392
offense, the offender previously has been convicted of two or 1393
more predicate motor vehicle or traffic offenses, whoever 1394
violates this section is guilty of a misdemeanor of the third 1395
degree. 1396

(C) Notwithstanding section 2929.28 of the Revised Code, 1397
if the offender commits a violation of this section in a school- 1398
adjacent sector, the court, in addition to all other penalties 1399

provided by law, may impose a fine of two times the usual amount 1400
imposed for the violation. 1401

Sec. 4511.202. (A) No person shall operate a motor 1402
vehicle, trackless trolley, streetcar, agricultural tractor, or 1403
agricultural tractor that is towing, pulling, or otherwise 1404
drawing a unit of farm machinery on any street, highway, or 1405
property open to the public for vehicular traffic without being 1406
in reasonable control of the vehicle, trolley, streetcar, 1407
agricultural tractor, or unit of farm machinery. 1408

(B) Whoever violates this section is guilty of operating a 1409
motor vehicle or agricultural tractor without being in control 1410
of it, a minor misdemeanor. 1411

(C) Notwithstanding section 2929.28 of the Revised Code, 1412
if the offender commits a violation of this section in a school- 1413
adjacent sector, the court, in addition to all other penalties 1414
provided by law, may impose a fine of two times the usual amount 1415
imposed for the violation. 1416

Sec. 4511.204. (A) No person shall operate a motor 1417
vehicle, trackless trolley, or streetcar on any street, highway, 1418
or property open to the public for vehicular traffic while 1419
using, holding, or physically supporting with any part of the 1420
person's body an electronic wireless communications device. 1421

(B) Division (A) of this section does not apply to any of 1422
the following: 1423

(1) A person using an electronic wireless communications 1424
device to make contact, for emergency purposes, with a law 1425
enforcement agency, hospital or health care provider, fire 1426
department, or other similar emergency agency or entity; 1427

(2) A person driving a public safety vehicle while using 1428

an electronic wireless communications device in the course of 1429
the person's duties; 1430

(3) A person using an electronic wireless communications 1431
device when the person's motor vehicle is in a stationary 1432
position and is outside a lane of travel, at a highway traffic 1433
signal that is currently directing traffic to stop, or parked on 1434
a road or highway due to an emergency or road closure; 1435

(4) A person using and holding an electronic wireless 1436
communications device directly near the person's ear for the 1437
purpose of making, receiving, or conducting a telephone call, 1438
provided that the person does not manually enter letters, 1439
numbers, or symbols into the device; 1440

(5) A person receiving wireless messages on an electronic 1441
wireless communications device regarding the operation or 1442
navigation of a motor vehicle; safety-related information, 1443
including emergency, traffic, or weather alerts; or data used 1444
primarily by the motor vehicle, provided that the person does 1445
not hold or support the device with any part of the person's 1446
body; 1447

(6) A person using the speaker phone function of the 1448
electronic wireless communications device, provided that the 1449
person does not hold or support the device with any part of the 1450
person's body; 1451

(7) A person using an electronic wireless communications 1452
device for navigation purposes, provided that the person does 1453
not do either of the following during the use: 1454

(a) Manually enter letters, numbers, or symbols into the 1455
device; 1456

(b) Hold or support the device with any part of the 1457

person's body. 1458

(8) A person using a feature or function of the electronic 1459
wireless communications device with a single touch or single 1460
swipe, provided that the person does not do either of the 1461
following during the use: 1462

(a) Manually enter letters, numbers, or symbols into the 1463
device; 1464

(b) Hold or support the device with any part of the 1465
person's body. 1466

(9) A person operating a commercial truck while using a 1467
mobile data terminal that transmits and receives data; 1468

(10) A person operating a utility service vehicle or a 1469
vehicle for or on behalf of a utility, if the person is acting 1470
in response to an emergency, power outage, or circumstance that 1471
affects the health or safety of individuals; 1472

(11) A person using an electronic wireless communications 1473
device in conjunction with a voice-operated or hands-free 1474
feature or function of the vehicle or of the device without the 1475
use of either hand except to activate, deactivate, or initiate 1476
the feature or function with a single touch or swipe, provided 1477
the person does not hold or support the device with any part of 1478
the person's body; 1479

(12) A person using technology that physically or 1480
electronically integrates the device into the motor vehicle, 1481
provided that the person does not do either of the following 1482
during the use: 1483

(a) Manually enter letters, numbers, or symbols into the 1484
device; 1485

(b) Hold or support the device with any part of the 1486
person's body. 1487

(13) A person storing an electronic wireless 1488
communications device in a holster, harness, or article of 1489
clothing on the person's body. 1490

(C) (1) On January 31 of each year, the department of 1491
public safety shall issue a report to the general assembly that 1492
specifies the number of citations issued for violations of this 1493
section during the previous calendar year. 1494

(2) If a law enforcement officer issues an offender a 1495
ticket, citation, or summons for a violation of division (A) of 1496
this section, the officer shall do both of the following: 1497

(a) Report the issuance of the ticket, citation, or 1498
summons to the officer's law enforcement agency; 1499

(b) Ensure that such report indicates the offender's race. 1500

(D) Whoever violates division (A) of this section is 1501
guilty of operating a motor vehicle while using an electronic 1502
wireless communication device, an unclassified misdemeanor, and 1503
shall be punished as provided in divisions (D) (1) to ~~(5)~~ (6) of 1504
this section. 1505

(1) The offender shall be fined, and is subject to a 1506
suspension of the offender's driver's license, commercial 1507
driver's license, temporary instruction permit, probationary 1508
license, or nonresident operating privilege, as follows: 1509

(a) Except as provided in divisions (D) (1) (b), (c), (d), 1510
and (2) of this section, the court shall impose upon the 1511
offender a fine of not more than one hundred fifty dollars. 1512

(b) If, within two years of the violation, the offender 1513

has been convicted of or pleaded guilty to one prior violation 1514
of this section or a substantially equivalent municipal 1515
ordinance, the court shall impose upon the offender a fine of 1516
not more than two hundred fifty dollars. 1517

(c) If, within two years of the violation, the offender 1518
has been convicted of or pleaded guilty to two or more prior 1519
violations of this section or a substantially equivalent 1520
municipal ordinance, the court shall impose upon the offender a 1521
fine of not more than five hundred dollars. The court also may 1522
impose a suspension of the offender's driver's license, 1523
commercial driver's license, temporary instruction permit, 1524
probationary license, or nonresident operating privilege for 1525
ninety days. 1526

(d) Notwithstanding divisions (D) (1) (a) to (c) of this 1527
section, if the offender was operating the motor vehicle at the 1528
time of the violation in a construction zone where a sign was 1529
posted in accordance with section 4511.98 of the Revised Code, 1530
the court, in addition to all other penalties provided by law, 1531
shall impose upon the offender a fine of two times the amount 1532
imposed for the violation under division (D) (1) (a), (b), or (c) 1533
of this section, as applicable. 1534

(2) If the offender is in the category of offenders to 1535
whom division (D) (1) (a) of this section applies, in lieu of 1536
payment of the fine of one hundred fifty dollars under division 1537
(D) (1) (a) of this section and the assessment of points under 1538
division (D) (4) of this section, the offender instead may elect 1539
to attend the distracted driving safety course, as described in 1540
section 4511.991 of the Revised Code. If the offender attends 1541
and successfully completes the course, the offender shall be 1542
issued written evidence that the offender successfully completed 1543

the course. The offender shall not be required to pay the fine 1544
and shall not have the points assessed against that offender's 1545
driver's license if the offender submits the written evidence to 1546
the court within 90 days of the violation of division (A) of 1547
this section. However, successful completion of the course does 1548
not result in a dismissal of the charges for the violation, and 1549
the violation is a prior offense under divisions (D) (1) (b) and 1550
(c) of this section if the offender commits a subsequent 1551
violation or violations of division (A) of this section within 1552
two years of the offense for which the course was completed. 1553
This division does not apply with respect to any offender in the 1554
category of offenders to whom division (D) (1) (b), (c), ~~or~~ (d), 1555
or (5) of this section applies. 1556

(3) The court may impose any other penalty authorized 1557
under sections 2929.21 to 2929.28 of the Revised Code. However, 1558
the court shall not impose a fine or a suspension not otherwise 1559
specified in division (D) (1) of this section. The court also 1560
shall not impose a jail term or community residential sanction. 1561

(4) Except as provided in division (D) (2) of this section, 1562
points shall be assessed for a violation of division (A) of this 1563
section in accordance with section 4510.036 of the Revised Code. 1564

(5) Notwithstanding section 2929.28 of the Revised Code, 1565
if the offender commits a violation of this section in a school- 1566
adjacent sector, the court, in addition to all other penalties 1567
provided by law, may impose a fine of two times the usual amount 1568
imposed for the violation. 1569

(6) The offense established under this section is a strict 1570
liability offense and section 2901.20 of the Revised Code does 1571
not apply. The designation of this offense as a strict liability 1572
offense shall not be construed to imply that any other offense, 1573

for which there is no specified degree of culpability, is not a 1574
strict liability offense. 1575

(E) This section shall not be construed as invalidating, 1576
preempting, or superseding a substantially equivalent municipal 1577
ordinance that prescribes penalties for violations of that 1578
ordinance that are greater than the penalties prescribed in this 1579
section for violations of this section. 1580

(F) A prosecution for an offense in violation of this 1581
section does not preclude a prosecution for an offense in 1582
violation of a substantially equivalent municipal ordinance 1583
based on the same conduct. However, the two offenses are allied 1584
offenses of similar import under section 2941.25 of the Revised 1585
Code. 1586

(G) (1) A law enforcement officer does not have probable 1587
cause and shall not stop the operator of a motor vehicle for 1588
purposes of enforcing this section unless the officer visually 1589
observes the operator using, holding, or physically supporting 1590
with any part of the person's body the electronic wireless 1591
communications device. 1592

(2) A law enforcement officer who stops the operator of a 1593
motor vehicle, trackless trolley, or streetcar for a violation 1594
of division (A) of this section shall inform the operator that 1595
the operator may decline a search of the operator's electronic 1596
wireless communications device. The officer shall not do any of 1597
the following: 1598

(a) Access the device without a warrant, unless the 1599
operator voluntarily and unequivocally gives consent for the 1600
officer to access the device; 1601

(b) Confiscate the device while awaiting the issuance of a 1602

warrant to access the device; 1603

(c) Obtain consent from the operator to access the device 1604
through coercion or any other improper means. Any consent by the 1605
operator to access the device shall be voluntary and unequivocal 1606
before the officer may access the device without a warrant. 1607

(H) As used in this section: 1608

(1) "Electronic wireless communications device" includes 1609
any of the following: 1610

(a) A wireless telephone; 1611

(b) A text-messaging device; 1612

(c) A personal digital assistant; 1613

(d) A computer, including a laptop computer and a computer 1614
tablet; 1615

(e) Any device capable of displaying a video, movie, 1616
broadcast television image, or visual image; 1617

(f) Any other substantially similar wireless device that 1618
is designed or used to communicate text, initiate or receive 1619
communication, or exchange information or data. 1620

An "electronic wireless communications device" does not 1621
include a two-way radio transmitter or receiver used by a person 1622
who is licensed by the federal communications commission to 1623
participate in the amateur radio service. 1624

(2) "Voice-operated or hands-free feature or function" 1625
means a feature or function that allows a person to use an 1626
electronic wireless communications device without the use of 1627
either hand, except to activate, deactivate, or initiate the 1628
feature or function with a single touch or single swipe. 1629

(3) "Utility" means an entity specified in division (A), 1630
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 1631

(4) "Utility service vehicle" means a vehicle owned or 1632
operated by a utility. 1633

Sec. 4511.205. (A) No holder of a temporary instruction 1634
permit who has not attained the age of eighteen years and no 1635
holder of a probationary driver's license shall drive a motor 1636
vehicle on any street, highway, or property used by the public 1637
for purposes of vehicular traffic or parking while using in any 1638
manner an electronic wireless communications device. 1639

(B) Division (A) of this section does not apply to either 1640
of the following: 1641

(1) A person using an electronic wireless communications 1642
device for emergency purposes, including an emergency contact 1643
with a law enforcement agency, hospital or health care provider, 1644
fire department, or other similar emergency agency or entity; 1645

(2) A person using an electronic wireless communications 1646
device whose motor vehicle is in a stationary position and the 1647
motor vehicle is outside a lane of travel; 1648

(3) A person using a navigation device in a voice-operated 1649
or hands-free manner who does not manipulate the device while 1650
driving. 1651

(C) (1) Except as provided in division (C) (2) of this 1652
section, whoever violates division (A) of this section shall be 1653
fined one hundred fifty dollars. In addition, the court shall 1654
impose a class seven suspension of the offender's driver's 1655
license or permit for a definite period of sixty days. 1656

(2) If the person previously has been adjudicated a 1657

delinquent child or a juvenile traffic offender for a violation 1658
of this section, whoever violates this section shall be fined 1659
three hundred dollars. In addition, the court shall impose a 1660
class seven suspension of the person's driver's license or 1661
permit for a definite period of one year. 1662

(3) Notwithstanding section 2929.28 of the Revised Code, 1663
if the offender commits a violation of this section in a school- 1664
adjacent sector, the court, in addition to all other penalties 1665
provided by law, may impose a fine of two times the usual amount 1666
imposed for the violation. 1667

(D) The filing of a sworn complaint against a person for a 1668
violation of this section does not preclude the filing of a 1669
sworn complaint for a violation of a substantially equivalent 1670
municipal ordinance for the same conduct. However, if a person 1671
is adjudicated a delinquent child or a juvenile traffic offender 1672
for a violation of this section and is also adjudicated a 1673
delinquent child or a juvenile traffic offender for a violation 1674
of a substantially equivalent municipal ordinance for the same 1675
conduct, the two offenses are allied offenses of similar import 1676
under section 2941.25 of the Revised Code. 1677

(E) As used in this section, "electronic wireless 1678
communications device" includes any of the following: 1679

- (1) A wireless telephone; 1680
- (2) A personal digital assistant; 1681
- (3) A computer, including a laptop computer and a computer 1682
tablet; 1683
- (4) A text-messaging device; 1684
- (5) Any other substantially similar electronic wireless 1685

device that is designed or used to communicate via voice, image, 1686
or written word. 1687

Sec. 4511.21. (A) No person shall operate a motor vehicle, 1688
trackless trolley, or streetcar at a speed greater or less than 1689
is reasonable or proper, having due regard to the traffic, 1690
surface, and width of the street or highway and any other 1691
conditions, and no person shall drive any motor vehicle, 1692
trackless trolley, or streetcar in and upon any street or 1693
highway at a greater speed than will permit the person to bring 1694
it to a stop within the assured clear distance ahead. 1695

(B) It is prima-facie lawful, in the absence of a lower 1696
limit declared or established pursuant to this section by the 1697
director of transportation or local authorities, for the 1698
operator of a motor vehicle, trackless trolley, or streetcar to 1699
operate the same at a speed not exceeding the following: 1700

(1) (a) Twenty miles per hour in school zones during school 1701
recess and while children are going to or leaving school during 1702
the opening or closing hours, and when twenty miles per hour 1703
school speed limit signs are erected; except that, on 1704
controlled-access highways and expressways, if the right-of-way 1705
line fence has been erected without pedestrian opening, the 1706
speed shall be governed by division (B) (4) of this section and 1707
on freeways, if the right-of-way line fence has been erected 1708
without pedestrian opening, the speed shall be governed by 1709
divisions (B) (10) and (11) of this section. The end of every 1710
school zone may be marked by a sign indicating the end of the 1711
zone. Nothing in this section or in the manual and 1712
specifications for a uniform system of traffic control devices 1713
shall be construed to require school zones to be indicated by 1714
signs equipped with flashing or other lights, or giving other 1715

special notice of the hours in which the school zone speed limit 1716
is in effect. 1717

(b) As used in this section and in section 4511.212 of the 1718
Revised Code, "school" means all of the following: 1719

(i) Any school chartered under section 3301.16 of the 1720
Revised Code; 1721

(ii) Any nonchartered school that during the preceding 1722
year filed with the department of education and workforce in 1723
compliance with rule 3301-35-08 of the Ohio Administrative Code, 1724
a copy of the school's report for the parents of the school's 1725
pupils certifying that the school meets Ohio minimum standards 1726
for nonchartered, nontax-supported schools and presents evidence 1727
of this filing to the jurisdiction from which it is requesting 1728
the establishment of a school zone; 1729

(iii) Any special elementary school that in writing 1730
requests the county engineer of the county in which the special 1731
elementary school is located to create a school zone at the 1732
location of that school. Upon receipt of such a written request, 1733
the county engineer shall create a school zone at that location 1734
by erecting the appropriate signs. 1735

(iv) Any preschool education program operated by an 1736
educational service center that is located on a street or 1737
highway with a speed limit of forty-five miles per hour or more, 1738
when the educational service center in writing requests that 1739
either the director of transportation or the county engineer of 1740
the county in which the program is located, as applicable based 1741
on who has jurisdiction of the street or highway, to create a 1742
school zone at the location of that program. Upon receipt of 1743
such a written request, the director or the county engineer 1744

shall create a school zone at that location by erecting the 1745
appropriate signs. 1746

(c) As used in this section, "school zone" means that 1747
portion of a street or highway passing a school fronting upon 1748
the street or highway that is encompassed by projecting the 1749
school property lines to the fronting street or highway, and 1750
also includes that portion of a state highway. Upon request from 1751
local authorities for streets and highways under their 1752
jurisdiction and that portion of a state highway under the 1753
jurisdiction of the director of transportation or a request from 1754
a county engineer in the case of a school zone for a special 1755
elementary school, the director may extend the traditional 1756
school zone boundaries. The distances in divisions (B) (1) (c) (i), 1757
(ii), and (iii) of this section shall not exceed three hundred 1758
feet per approach per direction and are bounded by whichever of 1759
the following distances or combinations thereof the director 1760
approves as most appropriate: 1761

(i) The distance encompassed by projecting the school 1762
building lines normal to the fronting highway and extending a 1763
distance of three hundred feet on each approach direction; 1764

(ii) The distance encompassed by projecting the school 1765
property lines intersecting the fronting highway and extending a 1766
distance of three hundred feet on each approach direction; 1767

(iii) The distance encompassed by the special marking of 1768
the pavement for a principal school pupil crosswalk plus a 1769
distance of three hundred feet on each approach direction of the 1770
highway. 1771

Nothing in this section shall be construed to invalidate 1772
the director's initial action on August 9, 1976, establishing 1773

all school zones at the traditional school zone boundaries 1774
defined by projecting school property lines, except when those 1775
boundaries are extended as provided in divisions (B) (1) (a) and 1776
(c) of this section. 1777

(d) As used in this division, "crosswalk" has the meaning 1778
given that term in division (LL) (2) of section 4511.01 of the 1779
Revised Code. 1780

The director may, upon request by resolution of the 1781
legislative authority of a municipal corporation, the board of 1782
trustees of a township, or a county board of developmental 1783
disabilities created pursuant to Chapter 5126. of the Revised 1784
Code, and upon submission by the municipal corporation, 1785
township, or county board of such engineering, traffic, and 1786
other information as the director considers necessary, designate 1787
a school zone on any portion of a state route lying within the 1788
municipal corporation, lying within the unincorporated territory 1789
of the township, or lying adjacent to the property of a school 1790
that is operated by such county board, that includes a crosswalk 1791
customarily used by children going to or leaving a school during 1792
recess and opening and closing hours, whenever the distance, as 1793
measured in a straight line, from the school property line 1794
nearest the crosswalk to the nearest point of the crosswalk is 1795
no more than one thousand three hundred twenty feet. Such a 1796
school zone shall include the distance encompassed by the 1797
crosswalk and extending three hundred feet on each approach 1798
direction of the state route. 1799

(e) As used in this section, "special elementary school" 1800
means a school that meets all of the following criteria: 1801

(i) It is not chartered and does not receive tax revenue 1802
from any source. 1803

(ii) It does not educate children beyond the eighth grade. 1804

(iii) It is located outside the limits of a municipal 1805
corporation. 1806

(iv) A majority of the total number of students enrolled 1807
at the school are not related by blood. 1808

(v) The principal or other person in charge of the special 1809
elementary school annually sends a report to the superintendent 1810
of the school district in which the special elementary school is 1811
located indicating the total number of students enrolled at the 1812
school, but otherwise the principal or other person in charge 1813
does not report any other information or data to the 1814
superintendent. 1815

(2) Twenty-five miles per hour in all other portions of a 1816
municipal corporation, except on state routes outside business 1817
districts, through highways outside business districts, and 1818
alleys; 1819

(3) Thirty-five miles per hour on all state routes or 1820
through highways within municipal corporations outside business 1821
districts, except as provided in divisions (B) (4) and (6) of 1822
this section; 1823

(4) Fifty miles per hour on controlled-access highways and 1824
expressways within municipal corporations, except as provided in 1825
divisions (B) (12), (13), (14), (15), and (16) of this section; 1826

(5) Fifty-five miles per hour on highways outside 1827
municipal corporations, other than highways within island 1828
jurisdictions as provided in division (B) (8) of this section, 1829
highways as provided in divisions (B) (9) and (10) of this 1830
section, and highways, expressways, and freeways as provided in 1831
divisions (B) (12), (13), (14), and (16) of this section; 1832

(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	1833 1834 1835
(7) Fifteen miles per hour on all alleys within the municipal corporation;	1836 1837
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	1838 1839
(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;	1840 1841 1842 1843
(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;	1844 1845 1846
(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;	1847 1848 1849
(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;	1850 1851 1852 1853
(13) Sixty-five miles per hour on all rural expressways without traffic control signals;	1854 1855
(14) Seventy miles per hour on all rural freeways;	1856
(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)	1857 1858 1859 1860

(16) of this section; 1861

(16) Sixty-five miles per hour on all portions of freeways 1862
or expressways without traffic control signals in urbanized 1863
areas. 1864

(C) It is prima-facie unlawful for any person to exceed 1865
any of the speed limitations in divisions (B) (1) (a), (2), (3), 1866
(4), (6), (7), (8), and (9) of this section, or any declared or 1867
established pursuant to this section by the director or local 1868
authorities and it is unlawful for any person to exceed any of 1869
the speed limitations in division (D) of this section. No person 1870
shall be convicted of more than one violation of this section 1871
for the same conduct, although violations of more than one 1872
provision of this section may be charged in the alternative in a 1873
single affidavit. 1874

(D) No person shall operate a motor vehicle, trackless 1875
trolley, or streetcar upon a street or highway as follows: 1876

(1) At a speed exceeding fifty-five miles per hour, except 1877
upon a two-lane state route as provided in division (B) (10) of 1878
this section and upon a highway, expressway, or freeway as 1879
provided in divisions (B) (12), (13), (14), and (16) of this 1880
section; 1881

(2) At a speed exceeding sixty miles per hour upon a two- 1882
lane state route as provided in division (B) (10) of this section 1883
and upon a highway as provided in division (B) (12) of this 1884
section; 1885

(3) At a speed exceeding sixty-five miles per hour upon an 1886
expressway as provided in division (B) (13) or upon a freeway as 1887
provided in division (B) (16) of this section, except upon a 1888
freeway as provided in division (B) (14) of this section; 1889

(4) At a speed exceeding seventy miles per hour upon a 1890
freeway as provided in division (B)(14) of this section; 1891

(5) At a speed exceeding the posted speed limit upon a 1892
highway, expressway, or freeway for which the director has 1893
determined and declared a speed limit pursuant to division (I) 1894
(2) or (L)(2) of this section. 1895

(E) In every charge of violation of this section the 1896
affidavit and warrant shall specify the time, place, and speed 1897
at which the defendant is alleged to have driven, and in charges 1898
made in reliance upon division (C) of this section also the 1899
speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or 1900
(9) of, or a limit declared or established pursuant to, this 1901
section declares is prima-facie lawful at the time and place of 1902
such alleged violation, except that in affidavits where a person 1903
is alleged to have driven at a greater speed than will permit 1904
the person to bring the vehicle to a stop within the assured 1905
clear distance ahead the affidavit and warrant need not specify 1906
the speed at which the defendant is alleged to have driven. 1907

(F) When a speed in excess of both a prima-facie 1908
limitation and a limitation in division (D) of this section is 1909
alleged, the defendant shall be charged in a single affidavit, 1910
alleging a single act, with a violation indicated of both 1911
division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this 1912
section, or of a limit declared or established pursuant to this 1913
section by the director or local authorities, and of the 1914
limitation in division (D) of this section. If the court finds a 1915
violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), 1916
or (9) of, or a limit declared or established pursuant to, this 1917
section has occurred, it shall enter a judgment of conviction 1918
under such division and dismiss the charge under division (D) of 1919

this section. If it finds no violation of division (B) (1) (a), 1920
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 1921
established pursuant to, this section, it shall then consider 1922
whether the evidence supports a conviction under division (D) of 1923
this section. 1924

(G) Points shall be assessed for violation of a limitation 1925
under division (D) of this section in accordance with section 1926
4510.036 of the Revised Code. 1927

(H) (1) Whenever the director determines upon the basis of 1928
criteria established by an engineering study, as defined by the 1929
director, that any speed limit set forth in divisions (B) (1) (a) 1930
to (D) of this section is greater or less than is reasonable or 1931
safe under the conditions found to exist at any portion of a 1932
street or highway under the jurisdiction of the director, the 1933
director shall determine and declare a reasonable and safe 1934
prima-facie speed limit, which shall be effective when 1935
appropriate signs giving notice of it are erected at the 1936
location. 1937

(2) Whenever the director determines upon the basis of 1938
criteria established by an engineering study, as defined by the 1939
director, that the speed limit of fifty-five miles per hour on a 1940
two-lane state route outside a municipal corporation is less 1941
than is reasonable or safe under the conditions found to exist 1942
at that portion of the state route, the director may determine 1943
and declare a speed limit of sixty miles per hour for that 1944
portion of the state route, which shall be effective when 1945
appropriate signs giving notice of it are erected at the 1946
location. 1947

(3) (a) For purposes of the safe and orderly movement of 1948
traffic upon any portion of a street or highway under the 1949

jurisdiction of the director, the director may establish a 1950
variable speed limit that is different than the speed limit 1951
established by or under this section on all or portions of 1952
interstate six hundred seventy, interstate two hundred seventy- 1953
five, and interstate ninety commencing at the intersection of 1954
that interstate with interstate seventy-one and continuing to 1955
the border of the state of Ohio with the state of Pennsylvania. 1956
The director shall establish criteria for determining the 1957
appropriate use of variable speed limits and shall establish 1958
variable speed limits in accordance with the criteria. The 1959
director may establish variable speed limits based upon the time 1960
of day, weather conditions, traffic incidents, or other factors 1961
that affect the safe speed on a street or highway. The director 1962
shall not establish a variable speed limit that is based on a 1963
particular type or class of vehicle. A variable speed limit 1964
established by the director under this section is effective when 1965
appropriate signs giving notice of the speed limit are displayed 1966
at the location. 1967

(b) Except for variable speed limits established under 1968
division (H) (3) (a) of this section, the director shall establish 1969
a variable speed limit under the authority granted to the 1970
director by this section on not more than two additional 1971
highways and only pursuant to criteria established in rules 1972
adopted in accordance with Chapter 119. of the Revised Code. The 1973
rules shall be based on the criteria described in division (H) 1974
(3) (a) of this section. The rules also shall establish the 1975
parameters of any engineering study necessary for determining 1976
when variable speed limits are appropriate. 1977

(4) Nothing in this section shall be construed to limit 1978
the authority of the director to establish speed limits within a 1979
construction zone as authorized under section 4511.98 of the 1980

Revised Code. 1981

(I) (1) Except as provided in divisions (I) (2), (J), (K), 1982
and (N) of this section, whenever local authorities determine 1983
upon the basis of criteria established by an engineering study, 1984
as defined by the director, that the speed permitted by 1985
divisions (B) (1) (a) to (D) of this section, on any part of a 1986
highway under their jurisdiction, is greater than is reasonable 1987
and safe under the conditions found to exist at such location, 1988
the local authorities may by resolution request the director to 1989
determine and declare a reasonable and safe prima-facie speed 1990
limit. Upon receipt of such request the director may determine 1991
and declare a reasonable and safe prima-facie speed limit at 1992
such location, and if the director does so, then such declared 1993
speed limit shall become effective only when appropriate signs 1994
giving notice thereof are erected at such location by the local 1995
authorities. The director may withdraw the declaration of a 1996
prima-facie speed limit whenever in the director's opinion the 1997
altered prima-facie speed limit becomes unreasonable. Upon such 1998
withdrawal, the declared prima-facie speed limit shall become 1999
ineffective and the signs relating thereto shall be immediately 2000
removed by the local authorities. 2001

(2) A local authority may determine on the basis of 2002
criteria established by an engineering study, as defined by the 2003
director, that the speed limit of sixty-five or seventy miles 2004
per hour on a portion of a freeway under its jurisdiction is 2005
greater than is reasonable or safe under the conditions found to 2006
exist at that portion of the freeway. If the local authority 2007
makes such a determination, the local authority by resolution 2008
may request the director to determine and declare a reasonable 2009
and safe speed limit of not less than fifty-five miles per hour 2010
for that portion of the freeway. If the director takes such 2011

action, the declared speed limit becomes effective only when 2012
appropriate signs giving notice of it are erected at such 2013
location by the local authority. 2014

(J) Local authorities in their respective jurisdictions 2015
may authorize by ordinance higher prima-facie speeds than those 2016
stated in this section upon through highways, or upon highways 2017
or portions thereof where there are no intersections, or between 2018
widely spaced intersections, provided signs are erected giving 2019
notice of the authorized speed, but local authorities shall not 2020
modify or alter the basic rule set forth in division (A) of this 2021
section or in any event authorize by ordinance a speed in excess 2022
of the maximum speed permitted by division (D) of this section 2023
for the specified type of highway. 2024

Alteration of prima-facie limits on state routes by local 2025
authorities shall not be effective until the alteration has been 2026
approved by the director. The director may withdraw approval of 2027
any altered prima-facie speed limits whenever in the director's 2028
opinion any altered prima-facie speed becomes unreasonable, and 2029
upon such withdrawal, the altered prima-facie speed shall become 2030
ineffective and the signs relating thereto shall be immediately 2031
removed by the local authorities. 2032

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 2033
this section, "unimproved highway" means a highway consisting of 2034
any of the following: 2035

(a) Unimproved earth; 2036

(b) Unimproved graded and drained earth; 2037

(c) Gravel. 2038

(2) Except as otherwise provided in divisions (K) (4) and 2039
(5) of this section, whenever a board of township trustees 2040

determines upon the basis of criteria established by an 2041
engineering study, as defined by the director, that the speed 2042
permitted by division (B) (5) of this section on any part of an 2043
unimproved highway under its jurisdiction and in the 2044
unincorporated territory of the township is greater than is 2045
reasonable or safe under the conditions found to exist at the 2046
location, the board may by resolution declare a reasonable and 2047
safe prima-facie speed limit of fifty-five but not less than 2048
twenty-five miles per hour. An altered speed limit adopted by a 2049
board of township trustees under this division becomes effective 2050
when appropriate traffic control devices, as prescribed in 2051
section 4511.11 of the Revised Code, giving notice thereof are 2052
erected at the location, which shall be no sooner than sixty 2053
days after adoption of the resolution. 2054

(3) (a) Whenever, in the opinion of a board of township 2055
trustees, any altered prima-facie speed limit established by the 2056
board under this division becomes unreasonable, the board may 2057
adopt a resolution withdrawing the altered prima-facie speed 2058
limit. Upon the adoption of such a resolution, the altered 2059
prima-facie speed limit becomes ineffective and the traffic 2060
control devices relating thereto shall be immediately removed. 2061

(b) Whenever a highway ceases to be an unimproved highway 2062
and the board has adopted an altered prima-facie speed limit 2063
pursuant to division (K) (2) of this section, the board shall, by 2064
resolution, withdraw the altered prima-facie speed limit as soon 2065
as the highway ceases to be unimproved. Upon the adoption of 2066
such a resolution, the altered prima-facie speed limit becomes 2067
ineffective and the traffic control devices relating thereto 2068
shall be immediately removed. 2069

(4) (a) If the boundary of two townships rests on the 2070

centerline of an unimproved highway in unincorporated territory 2071
and both townships have jurisdiction over the highway, neither 2072
of the boards of township trustees of such townships may declare 2073
an altered prima-facie speed limit pursuant to division (K) (2) 2074
of this section on the part of the highway under their joint 2075
jurisdiction unless the boards of township trustees of both of 2076
the townships determine, upon the basis of criteria established 2077
by an engineering study, as defined by the director, that the 2078
speed permitted by division (B) (5) of this section is greater 2079
than is reasonable or safe under the conditions found to exist 2080
at the location and both boards agree upon a reasonable and safe 2081
prima-facie speed limit of less than fifty-five but not less 2082
than twenty-five miles per hour for that location. If both 2083
boards so agree, each shall follow the procedure specified in 2084
division (K) (2) of this section for altering the prima-facie 2085
speed limit on the highway. Except as otherwise provided in 2086
division (K) (4) (b) of this section, no speed limit altered 2087
pursuant to division (K) (4) (a) of this section may be withdrawn 2088
unless the boards of township trustees of both townships 2089
determine that the altered prima-facie speed limit previously 2090
adopted becomes unreasonable and each board adopts a resolution 2091
withdrawing the altered prima-facie speed limit pursuant to the 2092
procedure specified in division (K) (3) (a) of this section. 2093

(b) Whenever a highway described in division (K) (4) (a) of 2094
this section ceases to be an unimproved highway and two boards 2095
of township trustees have adopted an altered prima-facie speed 2096
limit pursuant to division (K) (4) (a) of this section, both 2097
boards shall, by resolution, withdraw the altered prima-facie 2098
speed limit as soon as the highway ceases to be unimproved. Upon 2099
the adoption of the resolution, the altered prima-facie speed 2100
limit becomes ineffective and the traffic control devices 2101

relating thereto shall be immediately removed. 2102

(5) As used in division (K) (5) of this section: 2103

(a) "Commercial subdivision" means any platted territory 2104
outside the limits of a municipal corporation and fronting a 2105
highway where, for a distance of three hundred feet or more, the 2106
frontage is improved with buildings in use for commercial 2107
purposes, or where the entire length of the highway is less than 2108
three hundred feet long and the frontage is improved with 2109
buildings in use for commercial purposes. 2110

(b) "Residential subdivision" means any platted territory 2111
outside the limits of a municipal corporation and fronting a 2112
highway, where, for a distance of three hundred feet or more, 2113
the frontage is improved with residences or residences and 2114
buildings in use for business, or where the entire length of the 2115
highway is less than three hundred feet long and the frontage is 2116
improved with residences or residences and buildings in use for 2117
business. 2118

Whenever a board of township trustees finds upon the basis 2119
of criteria established by an engineering study, as defined by 2120
the director, that the prima-facie speed permitted by division 2121
(B) (5) of this section on any part of a highway under its 2122
jurisdiction that is located in a commercial or residential 2123
subdivision, except on highways or portions thereof at the 2124
entrances to which vehicular traffic from the majority of 2125
intersecting highways is required to yield the right-of-way to 2126
vehicles on such highways in obedience to stop or yield signs or 2127
traffic control signals, is greater than is reasonable and safe 2128
under the conditions found to exist at the location, the board 2129
may by resolution declare a reasonable and safe prima-facie 2130
speed limit of less than fifty-five but not less than twenty- 2131

five miles per hour at the location. An altered speed limit 2132
adopted by a board of township trustees under this division 2133
shall become effective when appropriate signs giving notice 2134
thereof are erected at the location by the township. Whenever, 2135
in the opinion of a board of township trustees, any altered 2136
prima-facie speed limit established by it under this division 2137
becomes unreasonable, it may adopt a resolution withdrawing the 2138
altered prima-facie speed, and upon such withdrawal, the altered 2139
prima-facie speed shall become ineffective, and the signs 2140
relating thereto shall be immediately removed by the township. 2141

(L) (1) The director of transportation, based upon an 2142
engineering study, as defined by the director, of a highway, 2143
expressway, or freeway described in division (B) (12), (13), 2144
(14), (15), or (16) of this section, in consultation with the 2145
director of public safety and, if applicable, the local 2146
authority having jurisdiction over the studied highway, 2147
expressway, or freeway, may determine and declare that the speed 2148
limit established on such highway, expressway, or freeway under 2149
division (B) (12), (13), (14), (15), or (16) of this section 2150
either is reasonable and safe or is more or less than that which 2151
is reasonable and safe. 2152

(2) If the established speed limit for a highway, 2153
expressway, or freeway studied pursuant to division (L) (1) of 2154
this section is determined to be more or less than that which is 2155
reasonable and safe, the director of transportation, in 2156
consultation with the director of public safety and, if 2157
applicable, the local authority having jurisdiction over the 2158
studied highway, expressway, or freeway, shall determine and 2159
declare a reasonable and safe speed limit for that highway, 2160
expressway, or freeway. 2161

(M) (1) (a) If the boundary of two local authorities rests 2162
on the centerline of a highway and both authorities have 2163
jurisdiction over the highway, the speed limit for the part of 2164
the highway within their joint jurisdiction shall be either one 2165
of the following as agreed to by both authorities: 2166

(i) Either prima-facie speed limit permitted by division 2167
(B) of this section; 2168

(ii) An altered speed limit determined and posted in 2169
accordance with this section. 2170

(b) If the local authorities are unable to reach an 2171
agreement, the speed limit shall remain as established and 2172
posted under this section. 2173

(2) Neither local authority may declare an altered prima- 2174
facie speed limit pursuant to this section on the part of the 2175
highway under their joint jurisdiction unless both of the local 2176
authorities determine, upon the basis of criteria established by 2177
an engineering study, as defined by the director, that the speed 2178
permitted by this section is greater than is reasonable or safe 2179
under the conditions found to exist at the location and both 2180
authorities agree upon a uniform reasonable and safe prima-facie 2181
speed limit of less than fifty-five but not less than twenty- 2182
five miles per hour for that location. If both authorities so 2183
agree, each shall follow the procedure specified in this section 2184
for altering the prima-facie speed limit on the highway, and the 2185
speed limit for the part of the highway within their joint 2186
jurisdiction shall be uniformly altered. No altered speed limit 2187
may be withdrawn unless both local authorities determine that 2188
the altered prima-facie speed limit previously adopted becomes 2189
unreasonable and each adopts a resolution withdrawing the 2190
altered prima-facie speed limit pursuant to the procedure 2191

specified in this section. 2192

(N) The legislative authority of a municipal corporation 2193
or township in which a boarding school is located, by resolution 2194
or ordinance, may establish a boarding school zone. The 2195
legislative authority may alter the speed limit on any street or 2196
highway within the boarding school zone and shall specify the 2197
hours during which the altered speed limit is in effect. For 2198
purposes of determining the boundaries of the boarding school 2199
zone, the altered speed limit within the boarding school zone, 2200
and the hours the altered speed limit is in effect, the 2201
legislative authority shall consult with the administration of 2202
the boarding school and with the county engineer or other 2203
appropriate engineer, as applicable. A boarding school zone 2204
speed limit becomes effective only when appropriate signs giving 2205
notice thereof are erected at the appropriate locations. 2206

(O) As used in this section: 2207

(1) "Interstate system" has the same meaning as in 23 2208
U.S.C. 101. 2209

(2) "Commercial bus" means a motor vehicle designed for 2210
carrying more than nine passengers and used for the 2211
transportation of persons for compensation. 2212

(3) "Noncommercial bus" includes but is not limited to a 2213
school bus or a motor vehicle operated solely for the 2214
transportation of persons associated with a charitable or 2215
nonprofit organization. 2216

(4) "Outerbelt" means a portion of a freeway that is part 2217
of the interstate system and is located in the outer vicinity of 2218
a major municipal corporation or group of municipal 2219
corporations, as designated by the director. 2220

(5) "Rural" means an area outside urbanized areas and 2221
outside of a business or urban district, and areas that extend 2222
within urbanized areas where the roadway characteristics remain 2223
mostly unchanged from those outside the urbanized areas. 2224

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 2225
101. 2226

(7) "Divided" means a roadway having two or more travel 2227
lanes for vehicles moving in opposite directions and that is 2228
separated by a median of more than four feet, excluding turn 2229
lanes. 2230

(P) (1) A violation of any provision of this section is one 2231
of the following: 2232

(a) Except as otherwise provided in divisions (P) (1) (b), 2233
(1) (c), (2), and (3) of this section, a minor misdemeanor; 2234

(b) If, within one year of the offense, the offender 2235
previously has been convicted of or pleaded guilty to two 2236
violations of any provision of this section or of any provision 2237
of a municipal ordinance that is substantially similar to any 2238
provision of this section, a misdemeanor of the fourth degree; 2239

(c) If, within one year of the offense, the offender 2240
previously has been convicted of or pleaded guilty to three or 2241
more violations of any provision of this section or of any 2242
provision of a municipal ordinance that is substantially similar 2243
to any provision of this section, a misdemeanor of the third 2244
degree. 2245

(2) If the offender operated a motor vehicle faster than 2246
thirty-five miles an hour in a business district of a municipal 2247
corporation, or faster than fifty miles an hour in other 2248
portions of a municipal corporation, or faster than thirty-five 2249

miles an hour in ~~a an active school zone during recess or while~~ 2250
~~children are going to or leaving school during the school's~~ 2251
~~opening or closing hours,~~ a misdemeanor of the fourth degree. 2252
Division (P) (2) of this section does not apply if penalties may 2253
be imposed under division (P) (1) (b) or (c) of this section. 2254

(3) Notwithstanding division (P) (1) of this section, if 2255
the offender operated a motor vehicle in a construction zone 2256
where a sign was then posted in accordance with section 4511.98 2257
of the Revised Code, the court, in addition to all other 2258
penalties provided by law, shall impose upon the offender a fine 2259
of two times the usual amount imposed for the violation. No 2260
court shall impose a fine of two times the usual amount imposed 2261
for the violation upon an offender if the offender alleges, in 2262
an affidavit filed with the court prior to the offender's 2263
sentencing, that the offender is indigent and is unable to pay 2264
the fine imposed pursuant to this division and if the court 2265
determines that the offender is an indigent person and unable to 2266
pay the fine. 2267

(4) If the offender commits the offense while distracted 2268
and the distracting activity is a contributing factor to the 2269
commission of the offense, the offender is subject to the 2270
additional fine established under section 4511.991 of the 2271
Revised Code. 2272

(5) Notwithstanding division (P) (1) of this section, if 2273
the offender operated a motor vehicle in a school-adjacent 2274
sector, the court, in addition to all other penalties provided 2275
by law, may impose upon the offender a fine of two times the 2276
usual amount imposed for the violation. No court shall impose a 2277
fine of two times the usual amount imposed for the violation 2278
upon an offender if the offender alleges, in an affidavit filed 2279

with the court prior to the offender's sentencing, that the 2280
offender is indigent and is unable to pay the fine imposed 2281
pursuant to this division and if the court determines that the 2282
offender is an indigent person and unable to pay the fine. 2283

Sec. 4511.25. (A) Upon all roadways of sufficient width, a 2284
vehicle or trackless trolley shall be driven upon the right half 2285
of the roadway, except as follows: 2286

(1) When overtaking and passing another vehicle proceeding 2287
in the same direction, or when making a left turn under the 2288
rules governing such movements; 2289

(2) When an obstruction exists making it necessary to 2290
drive to the left of the center of the highway; provided, any 2291
person so doing shall yield the right of way to all vehicles 2292
traveling in the proper direction upon the unobstructed portion 2293
of the highway within such distance as to constitute an 2294
immediate hazard; 2295

(3) When driving upon a roadway divided into three or more 2296
marked lanes for traffic under the rules applicable thereon; 2297

(4) When driving upon a roadway designated and posted with 2298
signs for one-way traffic; 2299

(5) When otherwise directed by a police officer or traffic 2300
control device. 2301

(B) (1) Upon all roadways any vehicle or trackless trolley 2302
proceeding at less than the prevailing and lawful speed of 2303
traffic at the time and place and under the conditions then 2304
existing shall be driven in the right-hand lane then available 2305
for traffic, and far enough to the right to allow passing by 2306
faster vehicles if such passing is safe and reasonable, except 2307
under any of the following circumstances: 2308

(a) When overtaking and passing another vehicle or 2309
trackless trolley proceeding in the same direction; 2310

(b) When preparing for a left turn; 2311

(c) When the driver must necessarily drive in a lane other 2312
than the right-hand lane to continue on the driver's intended 2313
route. 2314

(2) Nothing in division (B) (1) of this section requires a 2315
driver of a slower vehicle to compromise the driver's safety to 2316
allow overtaking by a faster vehicle. 2317

(C) Upon any roadway having four or more lanes for moving 2318
traffic and providing for two-way movement of traffic, no 2319
vehicle or trackless trolley shall be driven to the left of the 2320
center line of the roadway, except when authorized by official 2321
traffic control devices designating certain lanes to the left of 2322
the center of the roadway for use by traffic not otherwise 2323
permitted to use the lanes, or except as permitted under 2324
division (A) (2) of this section. 2325

This division shall not be construed as prohibiting the 2326
crossing of the center line in making a left turn into or from 2327
an alley, private road, or driveway. 2328

(D) Except as otherwise provided in this division, whoever 2329
violates this section is guilty of a minor misdemeanor. If, 2330
within one year of the offense, the offender previously has been 2331
convicted of or pleaded guilty to one predicate motor vehicle or 2332
traffic offense, whoever violates this section is guilty of a 2333
misdemeanor of the fourth degree. If, within one year of the 2334
offense, the offender previously has been convicted of two or 2335
more predicate motor vehicle or traffic offenses, whoever 2336
violates this section is guilty of a misdemeanor of the third 2337

degree. 2338

If the offender commits the offense while distracted and 2339
the distracting activity is a contributing factor to the 2340
commission of the offense, the offender is subject to the 2341
additional fine established under section 4511.991 of the 2342
Revised Code. 2343

Notwithstanding section 2929.28 of the Revised Code, if 2344
the offender commits a violation of this section in a school- 2345
adjacent sector, the court, in addition to all other penalties 2346
provided by law, may impose a fine of two times the usual amount 2347
imposed for the violation. 2348

Sec. 4511.251. (A) As used in this section and section 2349
4510.036 of the Revised Code: 2350

(1) "Street racing" means the operation of two or more 2351
vehicles from a point side by side at accelerating speeds in a 2352
competitive attempt to out-distance each other or the operation 2353
of one or more vehicles over a common selected course, from the 2354
same point to the same point, wherein timing is made of the 2355
participating vehicles involving competitive accelerations or 2356
speeds. The operation of two or more vehicles side by side 2357
either at speeds in excess of prima-facie lawful speeds 2358
established by divisions (B) (1) (a) to (B) (9) of section 4511.21 2359
of the Revised Code or rapidly accelerating from a common 2360
starting point to a speed in excess of such prima-facie lawful 2361
speeds shall be prima-facie evidence of street racing. 2362

(2) "Burnout" means a maneuver performed while operating a 2363
vehicle whereby the vehicle is kept in a stationary position, 2364
but the wheels of the vehicle are spun, which may cause the 2365
tires of the vehicle to become heated and emit smoke from the 2366

friction. 2367

(3) "Doughnut" means a maneuver performed while operating 2368
a vehicle whereby the front or rear of the vehicle is rotated 2369
around the opposite set of wheels in a continuous motion, which 2370
may cause a circular skid-mark pattern of rubber on the driving 2371
surface, or the tires of the vehicle to become heated and emit 2372
smoke from the friction, or both. 2373

(4) "Drifting" means a maneuver performed while operating 2374
a vehicle whereby the vehicle is driven in a manner that causes 2375
a controlled, sideways skid during a turn, with the front wheels 2376
pointing in a direction that is the opposite of the direction of 2377
the turn. 2378

(5) "Wheelie" means a maneuver performed while operating a 2379
vehicle whereby the front wheel or wheels of the vehicle are 2380
raised off of the ground or whereby two wheels that are on the 2381
same side of the vehicle are raised off of the ground. 2382

(6) "Stunt driving" means performing or engaging in 2383
burnouts, doughnuts, drifting, or wheelies, or allowing a 2384
passenger to ride either partially or fully outside of the 2385
vehicle while operating that vehicle. 2386

(7) "Street takeover" means blocking or impeding the 2387
regular flow of vehicle or pedestrian traffic on a public road, 2388
street, or highway or on private property that is open to the 2389
general public for the purpose of street racing or stunt 2390
driving. 2391

(B) No person shall knowingly participate in street 2392
racing, stunt driving, or street takeover upon any public road, 2393
street, or highway, or on private property that is open to the 2394
general public. 2395

(C) Whoever violates this section is guilty of street 2396
racing, stunt driving, or street takeover, a misdemeanor of the 2397
first degree. In addition to any other sanctions, the court 2398
shall suspend the offender's driver's license, commercial 2399
driver's license, temporary instruction permit, probationary 2400
license, or nonresident operating privilege for not less than 2401
thirty days or more than three years. No judge shall suspend the 2402
first thirty days of any suspension of an offender's license, 2403
permit, or privilege imposed under this division. 2404

(D) Persons rendering assistance in any manner to street 2405
racing, stunt driving, or street takeover shall be equally 2406
charged as the participants. 2407

(E) This section does not apply to the competitive 2408
operation of vehicles on public or private property when the 2409
political subdivision with jurisdiction of the location or owner 2410
of the property knowingly permits such operation thereon. 2411

(F) Notwithstanding section 2929.28 of the Revised Code, 2412
if the offender commits a violation of this section in a school- 2413
adjacent sector, the court, in addition to all other penalties 2414
provided by law, may impose a fine of two times the usual amount 2415
imposed for the violation. 2416

Sec. 4511.26. (A) Operators of vehicles and trackless 2417
trolleys proceeding in opposite directions shall pass each other 2418
to the right, and upon roadways having width for not more than 2419
one line of traffic in each direction, each operator shall give 2420
to the other one-half of the main traveled portion of the 2421
roadway or as nearly one-half as is reasonable possible. 2422

(B) Except as otherwise provided in this division, whoever 2423
violates this section is guilty of a minor misdemeanor. If, 2424

within one year of the offense, the offender previously has been 2425
convicted of or pleaded guilty to one predicate motor vehicle or 2426
traffic offense, whoever violates this section is guilty of a 2427
misdemeanor of the fourth degree. If, within one year of the 2428
offense, the offender previously has been convicted of two or 2429
more predicate motor vehicle or traffic offenses, whoever 2430
violates this section is guilty of a misdemeanor of the third 2431
degree. 2432

If the offender commits the offense while distracted and 2433
the distracting activity is a contributing factor to the 2434
commission of the offense, the offender is subject to the 2435
additional fine established under section 4511.991 of the 2436
Revised Code. 2437

Notwithstanding section 2929.28 of the Revised Code, if 2438
the offender commits a violation of this section in a school- 2439
adjacent sector, the court, in addition to all other penalties 2440
provided by law, may impose a fine of two times the usual amount 2441
imposed for the violation. 2442

Sec. 4511.27. (A) The following rules govern the 2443
overtaking and passing of vehicles or trackless trolleys 2444
proceeding in the same direction: 2445

(1) The operator of a vehicle or trackless trolley 2446
overtaking another vehicle or trackless trolley proceeding in 2447
the same direction shall, except as provided in division (A)(3) 2448
of this section, signal to the vehicle or trackless trolley to 2449
be overtaken, shall pass to the left thereof at a safe distance, 2450
and shall not again drive to the right side of the roadway until 2451
safely clear of the overtaken vehicle or trackless trolley. When 2452
a motor vehicle or trackless trolley overtakes and passes a 2453
bicycle or electric bicycle, three feet or greater is considered 2454

a safe passing distance. 2455

(2) Except when overtaking and passing on the right is 2456
permitted, the operator of an overtaken vehicle shall give way 2457
to the right in favor of the overtaking vehicle at the latter's 2458
audible signal, and the operator shall not increase the speed of 2459
the operator's vehicle until completely passed by the overtaking 2460
vehicle. 2461

(3) The operator of a vehicle or trackless trolley 2462
overtaking and passing another vehicle or trackless trolley 2463
proceeding in the same direction on a divided highway as defined 2464
in section 4511.35 of the Revised Code, a limited access highway 2465
as defined in section 5511.02 of the Revised Code, or a highway 2466
with four or more traffic lanes, is not required to signal 2467
audibly to the vehicle or trackless trolley being overtaken and 2468
passed. 2469

(B) Except as otherwise provided in this division, whoever 2470
violates this section is guilty of a minor misdemeanor. If, 2471
within one year of the offense, the offender previously has been 2472
convicted of or pleaded guilty to one predicate motor vehicle or 2473
traffic offense, whoever violates this section is guilty of a 2474
misdemeanor of the fourth degree. If, within one year of the 2475
offense, the offender previously has been convicted of two or 2476
more predicate motor vehicle or traffic offenses, whoever 2477
violates this section is guilty of a misdemeanor of the third 2478
degree. 2479

If the offender commits the offense while distracted and 2480
the distracting activity is a contributing factor to the 2481
commission of the offense, the offender is subject to the 2482
additional fine established under section 4511.991 of the 2483
Revised Code. 2484

Notwithstanding section 2929.28 of the Revised Code, if 2485
the offender commits a violation of this section in a school- 2486
adjacent sector, the court, in addition to all other penalties 2487
provided by law, may impose a fine of two times the usual amount 2488
imposed for the violation. 2489

Sec. 4511.28. (A) The driver of a vehicle or trackless 2490
trolley may overtake and pass upon the right of another vehicle 2491
or trackless trolley only under the following conditions: 2492

(1) When the vehicle or trackless trolley overtaken is 2493
making or about to make a left turn; 2494

(2) Upon a roadway with unobstructed pavement of 2495
sufficient width for two or more lines of vehicles moving 2496
lawfully in the direction being traveled by the overtaking 2497
vehicle. 2498

(B) The driver of a vehicle or trackless trolley may 2499
overtake and pass another vehicle or trackless trolley only 2500
under conditions permitting such movement in safety. The 2501
movement shall not be made by driving off the roadway. 2502

(C) Except as otherwise provided in this division, whoever 2503
violates this section is guilty of a minor misdemeanor. If, 2504
within one year of the offense, the offender previously has been 2505
convicted of or pleaded guilty to one predicate motor vehicle or 2506
traffic offense, whoever violates this section is guilty of a 2507
misdemeanor of the fourth degree. If, within one year of the 2508
offense, the offender previously has been convicted of two or 2509
more predicate motor vehicle or traffic offenses, whoever 2510
violates this section is guilty of a misdemeanor of the third 2511
degree. 2512

If the offender commits the offense while distracted and 2513

the distracting activity is a contributing factor to the 2514
commission of the offense, the offender is subject to the 2515
additional fine established under section 4511.991 of the 2516
Revised Code. 2517

Notwithstanding section 2929.28 of the Revised Code, if 2518
the offender commits a violation of this section in a school- 2519
adjacent sector, the court, in addition to all other penalties 2520
provided by law, may impose a fine of two times the usual amount 2521
imposed for the violation. 2522

Sec. 4511.29. (A) No vehicle or trackless trolley shall be 2523
driven to the left of the center of the roadway in overtaking 2524
and passing traffic proceeding in the same direction, unless 2525
such left side is clearly visible and is free of oncoming 2526
traffic for a sufficient distance ahead to permit such 2527
overtaking and passing to be completely made, without 2528
interfering with the safe operation of any traffic approaching 2529
from the opposite direction or any traffic overtaken. In every 2530
event the overtaking vehicle or trackless trolley must return to 2531
an authorized lane of travel as soon as practicable and in the 2532
event the passing movement involves the use of a lane authorized 2533
for traffic approaching from the opposite direction, before 2534
coming within two hundred feet of any approaching vehicle. 2535

(B) Except as otherwise provided in this division, whoever 2536
violates this section is guilty of a minor misdemeanor. If, 2537
within one year of the offense, the offender previously has been 2538
convicted of or pleaded guilty to one predicate motor vehicle or 2539
traffic offense, whoever violates this section is guilty of a 2540
misdemeanor of the fourth degree. If, within one year of the 2541
offense, the offender previously has been convicted of two or 2542
more predicate motor vehicle or traffic offenses, whoever 2543

violates this section is guilty of a misdemeanor of the third 2544
degree. 2545

If the offender commits the offense while distracted and 2546
the distracting activity is a contributing factor to the 2547
commission of the offense, the offender is subject to the 2548
additional fine established under section 4511.991 of the 2549
Revised Code. 2550

Notwithstanding section 2929.28 of the Revised Code, if 2551
the offender commits a violation of this section in a school- 2552
adjacent sector, the court, in addition to all other penalties 2553
provided by law, may impose a fine of two times the usual amount 2554
imposed for the violation. 2555

Sec. 4511.30. (A) No vehicle or trackless trolley shall be 2556
driven upon the left side of the roadway under the following 2557
conditions: 2558

(1) When approaching the crest of a grade or upon a curve 2559
in the highway, where the operator's view is obstructed within 2560
such a distance as to create a hazard in the event traffic might 2561
approach from the opposite direction; 2562

(2) When the view is obstructed upon approaching within 2563
one hundred feet of any bridge, viaduct, or tunnel; 2564

(3) When approaching within one hundred feet of or 2565
traversing any intersection or railroad grade crossing. 2566

(B) This section does not apply to vehicles or trackless 2567
trolleys upon a one-way roadway, upon a roadway where traffic is 2568
lawfully directed to be driven to the left side, or under the 2569
conditions described in division (A) (2) of section 4511.25 of 2570
the Revised Code. 2571

(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.

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.

Notwithstanding section 2929.28 of the Revised Code, if
the offender commits a violation of this section in a school-
adjacent sector, the court, in addition to all other penalties
provided by law, may impose a fine of two times the usual amount
imposed for the violation.

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

(B) Division (A) of this section does not apply when all 2602
of the following apply: 2603

(1) The slower vehicle is proceeding at less than half the 2604
speed of the speed limit applicable to that location. 2605

(2) The faster vehicle is capable of overtaking and 2606
passing the slower vehicle without exceeding the speed limit. 2607

(3) There is sufficient clear sight distance to the left 2608
of the center or center line of the roadway to meet the 2609
overtaking and passing provisions of section 4511.29 of the 2610
Revised Code, considering the speed of the slower vehicle. 2611

(C) Except as otherwise provided in this division, whoever 2612
violates this section is guilty of a minor misdemeanor. If, 2613
within one year of the offense, the offender previously has been 2614
convicted of or pleaded guilty to one predicate motor vehicle or 2615
traffic offense, whoever violates this section is guilty of a 2616
misdemeanor of the fourth degree. If, within one year of the 2617
offense, the offender previously has been convicted of two or 2618
more predicate motor vehicle or traffic offenses, whoever 2619
violates this section is guilty of a misdemeanor of the third 2620
degree. 2621

If the offender commits the offense while distracted and 2622
the distracting activity is a contributing factor to the 2623
commission of the offense, the offender is subject to the 2624
additional fine established under section 4511.991 of the 2625
Revised Code. 2626

Notwithstanding section 2929.28 of the Revised Code, if 2627
the offender commits a violation of this section in a school- 2628
adjacent sector, the court, in addition to all other penalties 2629
provided by law, may impose a fine of two times the usual amount 2630

imposed for the violation. 2631

Sec. 4511.32. (A) The department of transportation may 2632
designate any highway or any separate roadway under its 2633
jurisdiction for one-way traffic and shall erect appropriate 2634
signs giving notice thereof. 2635

Upon a roadway designated and posted with signs for one- 2636
way traffic a vehicle shall be driven only in the direction 2637
designated. 2638

A vehicle passing around a rotary traffic island shall be 2639
driven only to the right of the rotary traffic island. 2640

(B) Except as otherwise provided in this division, whoever 2641
violates this section is guilty of a minor misdemeanor. If, 2642
within one year of the offense, the offender previously has been 2643
convicted of or pleaded guilty to one predicate motor vehicle or 2644
traffic offense, whoever violates this section is guilty of a 2645
misdemeanor of the fourth degree. If, within one year of the 2646
offense, the offender previously has been convicted of two or 2647
more predicate motor vehicle or traffic offenses, whoever 2648
violates this section is guilty of a misdemeanor of the third 2649
degree. 2650

If the offender commits the offense while distracted and 2651
the distracting activity is a contributing factor to the 2652
commission of the offense, the offender is subject to the 2653
additional fine established under section 4511.991 of the 2654
Revised Code. 2655

Notwithstanding section 2929.28 of the Revised Code, if 2656
the offender commits a violation of this section in a school- 2657
adjacent sector, the court, in addition to all other penalties 2658
provided by law, may impose a fine of two times the usual amount 2659

imposed for the violation.

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

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

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

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

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(4) Official traffic control devices may be installed

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prohibiting the changing of lanes on sections of roadway and 2689
drivers of vehicles shall obey the directions of every such 2690
device. 2691

(B) Except as otherwise provided in this division, whoever 2692
violates this section is guilty of a minor misdemeanor. If, 2693
within one year of the offense, the offender previously has been 2694
convicted of or pleaded guilty to one predicate motor vehicle or 2695
traffic offense, whoever violates this section is guilty of a 2696
misdemeanor of the fourth degree. If, within one year of the 2697
offense, the offender previously has been convicted of two or 2698
more predicate motor vehicle or traffic offenses, whoever 2699
violates this section is guilty of a misdemeanor of the third 2700
degree. 2701

If the offender commits the offense while distracted and 2702
the distracting activity is a contributing factor to the 2703
commission of the offense, the offender is subject to the 2704
additional fine established under section 4511.991 of the 2705
Revised Code. 2706

Notwithstanding section 2929.28 of the Revised Code, if 2707
the offender commits a violation of this section in a school- 2708
adjacent sector, the court, in addition to all other penalties 2709
provided by law, may impose a fine of two times the usual amount 2710
imposed for the violation. 2711

Sec. 4511.34. (A) The operator of a motor vehicle, 2712
streetcar, or trackless trolley shall not follow another 2713
vehicle, streetcar, or trackless trolley more closely than is 2714
reasonable and prudent, having due regard for the speed of such 2715
vehicle, streetcar, or trackless trolley, and the traffic upon 2716
and the condition of the highway. 2717

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

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

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

(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 2748
the distracting activity is a contributing factor to the 2749
commission of the offense, the offender is subject to the 2750
additional fine established under section 4511.991 of the 2751
Revised Code. 2752

Notwithstanding section 2929.28 of the Revised Code, if 2753
the offender commits a violation of this section in a school- 2754
adjacent sector, the court, in addition to all other penalties 2755
provided by law, may impose a fine of two times the usual amount 2756
imposed for the violation. 2757

Sec. 4511.35. (A) Whenever any highway has been divided 2758
into two roadways by an intervening space, or by a physical 2759
barrier, or clearly indicated dividing section so constructed as 2760
to impede vehicular traffic, every vehicle shall be driven only 2761
upon the right-hand roadway, and no vehicle shall be driven 2762
over, across, or within any such dividing space, barrier, or 2763
section, except through an opening, crossover, or intersection 2764
established by public authority. This section does not prohibit 2765
the occupancy of such dividing space, barrier, or section for 2766
the purpose of an emergency stop or in compliance with an order 2767
of a police officer. 2768

(B) Except as otherwise provided in this division, whoever 2769
violates this section is guilty of a minor misdemeanor. If, 2770
within one year of the offense, the offender previously has been 2771
convicted of or pleaded guilty to one predicate motor vehicle or 2772
traffic offense, whoever violates this section is guilty of a 2773
misdemeanor of the fourth degree. If, within one year of the 2774
offense, the offender previously has been convicted of two or 2775
more predicate motor vehicle or traffic offenses, whoever 2776
violates this section is guilty of a misdemeanor of the third 2777

degree. 2778

If the offender commits the offense while distracted and 2779
the distracting activity is a contributing factor to the 2780
commission of the offense, the offender is subject to the 2781
additional fine established under section 4511.991 of the 2782
Revised Code. 2783

Notwithstanding section 2929.28 of the Revised Code, if 2784
the offender commits a violation of this section in a school- 2785
adjacent sector, the court, in addition to all other penalties 2786
provided by law, may impose a fine of two times the usual amount 2787
imposed for the violation. 2788

Sec. 4511.36. (A) The driver of a vehicle intending to 2789
turn at an intersection shall be governed by the following 2790
rules: 2791

(1) Approach for a right turn and a right turn shall be 2792
made as close as practicable to the right-hand curb or edge of 2793
the roadway. 2794

(2) At any intersection where traffic is permitted to move 2795
in both directions on each roadway entering the intersection, an 2796
approach for a left turn shall be made in that portion of the 2797
right half of the roadway nearest the center line thereof and by 2798
passing to the right of such center line where it enters the 2799
intersection and after entering the intersection the left turn 2800
shall be made so as to leave the intersection to the right of 2801
the center line of the roadway being entered. Whenever 2802
practicable the left turn shall be made in that portion of the 2803
intersection to the left of the center of the intersection. 2804

(3) At any intersection where traffic is restricted to one 2805
direction on one or more of the roadways, the driver of a 2806

vehicle intending to turn left at any such intersection shall 2807
approach the intersection in the extreme left-hand lane lawfully 2808
available to traffic moving in the direction of travel of such 2809
vehicle, and after entering the intersection the left turn shall 2810
be made so as to leave the intersection, as nearly as 2811
practicable, in the left-hand lane of the roadway being entered 2812
lawfully available to traffic moving in that lane. 2813

(B) The operator of a trackless trolley shall comply with 2814
divisions (A) (1), (2), and (3) of this section wherever 2815
practicable. 2816

(C) The department of transportation and local authorities 2817
in their respective jurisdictions may cause markers, buttons, or 2818
signs to be placed within or adjacent to intersections and 2819
thereby require and direct that a different course from that 2820
specified in this section be traveled by vehicles, streetcars, 2821
or trackless trolleys, turning at an intersection, and when 2822
markers, buttons, or signs are so placed, no operator of a 2823
vehicle, streetcar, or trackless trolley shall turn such 2824
vehicle, streetcar, or trackless trolley at an intersection 2825
other than as directed and required by such markers, buttons, or 2826
signs. 2827

(D) Except as otherwise provided in this division, whoever 2828
violates this section is guilty of a minor misdemeanor. If, 2829
within one year of the offense, the offender previously has been 2830
convicted of or pleaded guilty to one predicate motor vehicle or 2831
traffic offense, whoever violates this section is guilty of a 2832
misdemeanor of the fourth degree. If, within one year of the 2833
offense, the offender previously has been convicted of two or 2834
more predicate motor vehicle or traffic offenses, whoever 2835
violates this section is guilty of a misdemeanor of the third 2836

degree. 2837

If the offender commits the offense while distracted and 2838
the distracting activity is a contributing factor to the 2839
commission of the offense, the offender is subject to the 2840
additional fine established under section 4511.991 of the 2841
Revised Code. 2842

Notwithstanding section 2929.28 of the Revised Code, if 2843
the offender commits a violation of this section in a school- 2844
adjacent sector, the court, in addition to all other penalties 2845
provided by law, may impose a fine of two times the usual amount 2846
imposed for the violation. 2847

Sec. 4511.37. (A) Except as provided in section 4511.13 of 2848
the Revised Code and division (B) of this section, no vehicle 2849
shall be turned so as to proceed in the opposite direction upon 2850
any curve, or upon the approach to or near the crest of a grade, 2851
if the vehicle cannot be seen within five hundred feet by the 2852
driver of any other vehicle approaching from either direction. 2853

(B) The driver of an emergency vehicle or public safety 2854
vehicle, when responding to an emergency call, may turn the 2855
vehicle so as to proceed in the opposite direction. This 2856
division applies only when the emergency vehicle or public 2857
safety vehicle is responding to an emergency call, is equipped 2858
with and displaying at least one flashing, rotating, or 2859
oscillating light visible under normal atmospheric conditions 2860
from a distance of five hundred feet to the front of the 2861
vehicle, and when the driver of the vehicle is giving an audible 2862
signal by siren, exhaust whistle, or bell. This division does 2863
not relieve the driver of an emergency vehicle or public safety 2864
vehicle from the duty to drive with due regard for the safety of 2865
all persons and property upon the highway. 2866

(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.

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.

Notwithstanding section 2929.28 of the Revised Code, if
the offender commits a violation of this section in a school-
adjacent sector, the court, in addition to all other penalties
provided by law, may impose a fine of two times the usual amount
imposed for the violation.

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

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

No person shall back a motor vehicle on a freeway, except:
in a rest area; in the performance of public works or official

duties; as a result of an emergency caused by an accident or 2896
breakdown of a motor vehicle. 2897

(B) Except as otherwise provided in this division, whoever 2898
violates this section is guilty of a minor misdemeanor. If, 2899
within one year of the offense, the offender previously has been 2900
convicted of or pleaded guilty to one predicate motor vehicle or 2901
traffic offense, whoever violates this section is guilty of a 2902
misdemeanor of the fourth degree. If, within one year of the 2903
offense, the offender previously has been convicted of two or 2904
more predicate motor vehicle or traffic offenses, whoever 2905
violates this section is guilty of a misdemeanor of the third 2906
degree. 2907

If the offender commits the offense while distracted and 2908
the distracting activity is a contributing factor to the 2909
commission of the offense, the offender is subject to the 2910
additional fine established under section 4511.991 of the 2911
Revised Code. 2912

Notwithstanding section 2929.28 of the Revised Code, if 2913
the offender commits a violation of this section in a school- 2914
adjacent sector, the court, in addition to all other penalties 2915
provided by law, may impose a fine of two times the usual amount 2916
imposed for the violation. 2917

Sec. 4511.39. (A) No person shall turn a vehicle or 2918
trackless trolley or move right or left upon a highway unless 2919
and until such person has exercised due care to ascertain that 2920
the movement can be made with reasonable safety nor without 2921
giving an appropriate signal in the manner hereinafter provided. 2922

When required, a signal of intention to turn or move right 2923
or left shall be given continuously during not less than the 2924

last one hundred feet traveled by the vehicle or trackless 2925
trolley before turning, except that in the case of a person 2926
operating a bicycle or electric bicycle, the signal shall be 2927
made not less than one time but is not required to be 2928
continuous. A bicycle or electric bicycle operator is not 2929
required to make a signal if the bicycle or electric bicycle is 2930
in a designated turn lane, and a signal shall not be given when 2931
the operator's hands are needed for the safe operation of the 2932
bicycle or electric bicycle. 2933

No person shall stop or suddenly decrease the speed of a 2934
vehicle or trackless trolley without first giving an appropriate 2935
signal in the manner provided herein to the driver of any 2936
vehicle or trackless trolley immediately to the rear when there 2937
is opportunity to give a signal. 2938

Any stop or turn signal required by this section shall be 2939
given either by means of the hand and arm, or by signal lights 2940
that clearly indicate to both approaching and following traffic 2941
intention to turn or move right or left, except that any motor 2942
vehicle in use on a highway shall be equipped with, and the 2943
required signal shall be given by, signal lights when the 2944
distance from the center of the top of the steering post to the 2945
left outside limit of the body, cab, or load of such motor 2946
vehicle exceeds twenty-four inches, or when the distance from 2947
the center of the top of the steering post to the rear limit of 2948
the body or load thereof exceeds fourteen feet, whether a single 2949
vehicle or a combination of vehicles. 2950

The signal lights required by this section shall not be 2951
flashed on one side only on a disabled vehicle or trackless 2952
trolley, flashed as a courtesy or "do pass" signal to operators 2953
of other vehicles or trackless trolleys approaching from the 2954

rear, nor be flashed on one side only of a parked vehicle or 2955
trackless trolley except as may be necessary for compliance with 2956
this section. 2957

(B) Except as otherwise provided in this division, whoever 2958
violates this section is guilty of a minor misdemeanor. If, 2959
within one year of the offense, the offender previously has been 2960
convicted of or pleaded guilty to one predicate motor vehicle or 2961
traffic offense, whoever violates this section is guilty of a 2962
misdemeanor of the fourth degree. If, within one year of the 2963
offense, the offender previously has been convicted of two or 2964
more predicate motor vehicle or traffic offenses, whoever 2965
violates this section is guilty of a misdemeanor of the third 2966
degree. 2967

If the offender commits the offense while distracted and 2968
the distracting activity is a contributing factor to the 2969
commission of the offense, the offender is subject to the 2970
additional fine established under section 4511.991 of the 2971
Revised Code. 2972

Notwithstanding section 2929.28 of the Revised Code, if 2973
the offender commits a violation of this section in a school- 2974
adjacent sector, the court, in addition to all other penalties 2975
provided by law, may impose a fine of two times the usual amount 2976
imposed for the violation. 2977

Sec. 4511.41. (A) When two vehicles, including any 2978
trackless trolley or streetcar, approach or enter an 2979
intersection from different streets or highways at approximately 2980
the same time, the driver of the vehicle on the left shall yield 2981
the right-of-way to the vehicle on the right. 2982

(B) The right-of-way rule declared in division (A) of this 2983

section is modified at through highways and otherwise as stated 2984
in Chapter 4511. of the Revised Code. 2985

(C) Except as otherwise provided in this division, whoever 2986
violates this section is guilty of a minor misdemeanor. If, 2987
within one year of the offense, the offender previously has been 2988
convicted of or pleaded guilty to one predicate motor vehicle or 2989
traffic offense, whoever violates this section is guilty of a 2990
misdemeanor of the fourth degree. If, within one year of the 2991
offense, the offender previously has been convicted of two or 2992
more predicate motor vehicle or traffic offenses, whoever 2993
violates this section is guilty of a misdemeanor of the third 2994
degree. 2995

If the offender commits the offense while distracted and 2996
the distracting activity is a contributing factor to the 2997
commission of the offense, the offender is subject to the 2998
additional fine established under section 4511.991 of the 2999
Revised Code. 3000

Notwithstanding section 2929.28 of the Revised Code, if 3001
the offender commits a violation of this section in a school- 3002
adjacent sector, the court, in addition to all other penalties 3003
provided by law, may impose a fine of two times the usual amount 3004
imposed for the violation. 3005

Sec. 4511.42. (A) The operator of a vehicle, streetcar, or 3006
trackless trolley intending to turn to the left within an 3007
intersection or into an alley, private road, or driveway shall 3008
yield the right of way to any vehicle, streetcar, or trackless 3009
trolley approaching from the opposite direction, whenever the 3010
approaching vehicle, streetcar, or trackless trolley is within 3011
the intersection or so close to the intersection, alley, private 3012
road, or driveway as to constitute an immediate hazard. 3013

(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.

Notwithstanding section 2929.28 of the Revised Code, if
the offender commits a violation of this section in a school-
adjacent sector, the court, in addition to all other penalties
provided by law, may impose a fine of two times the usual amount
imposed for the violation.

Sec. 4511.43. (A) Except when directed to proceed by a law
enforcement officer, every driver of a vehicle or trackless
trolley approaching a stop sign shall stop at a clearly marked
stop line, but if none, before entering the crosswalk on the
near side of the intersection, or, if none, then at the point
nearest the intersecting roadway where the driver has a view of
approaching traffic on the intersecting roadway before entering
it. After having stopped, the driver shall yield the right-of-
way to any vehicle in the intersection or approaching on another
roadway so closely as to constitute an immediate hazard during

the time the driver is moving across or within the intersection 3044
or junction of roadways. 3045

(B) The driver of a vehicle or trackless trolley 3046
approaching a yield sign shall slow down to a speed reasonable 3047
for the existing conditions and, if required for safety to stop, 3048
shall stop at a clearly marked stop line, but if none, before 3049
entering the crosswalk on the near side of the intersection, or, 3050
if none, then at the point nearest the intersecting roadway 3051
where the driver has a view of approaching traffic on the 3052
intersecting roadway before entering it. After slowing or 3053
stopping, the driver shall yield the right-of-way to any vehicle 3054
or trackless trolley in the intersection or approaching on 3055
another roadway so closely as to constitute an immediate hazard 3056
during the time the driver is moving across or within the 3057
intersection or junction of roadways. Whenever a driver is 3058
involved in a collision with a vehicle or trackless trolley in 3059
the intersection or junction of roadways, after driving past a 3060
yield sign without stopping, the collision shall be prima-facie 3061
evidence of the driver's failure to yield the right-of-way. 3062

(C) Except as otherwise provided in this division, whoever 3063
violates this section is guilty of a minor misdemeanor. If, 3064
within one year of the offense, the offender previously has been 3065
convicted of or pleaded guilty to one predicate motor vehicle or 3066
traffic offense, whoever violates this section is guilty of a 3067
misdemeanor of the fourth degree. If, within one year of the 3068
offense, the offender previously has been convicted of two or 3069
more predicate motor vehicle or traffic offenses, whoever 3070
violates this section is guilty of a misdemeanor of the third 3071
degree. 3072

If the offender commits the offense while distracted and 3073

the distracting activity is a contributing factor to the 3074
commission of the offense, the offender is subject to the 3075
additional fine established under section 4511.991 of the 3076
Revised Code. 3077

Notwithstanding section 2929.28 of the Revised Code, if 3078
the offender commits a violation of this section in a school- 3079
adjacent sector, the court, in addition to all other penalties 3080
provided by law, may impose a fine of two times the usual amount 3081
imposed for the violation. 3082

Sec. 4511.431. (A) The driver of a vehicle or trackless 3083
trolley emerging from an alley, building, private road, or 3084
driveway within a business or residence district shall stop the 3085
vehicle or trackless trolley immediately prior to driving onto a 3086
sidewalk or onto the sidewalk area extending across the alley, 3087
building entrance, road, or driveway, or in the event there is 3088
no sidewalk area, shall stop at the point nearest the street to 3089
be entered where the driver has a view of approaching traffic 3090
thereon. 3091

(B) Except as otherwise provided in this division, whoever 3092
violates this section is guilty of a minor misdemeanor. If, 3093
within one year of the offense, the offender previously has been 3094
convicted of or pleaded guilty to one predicate motor vehicle or 3095
traffic offense, whoever violates this section is guilty of a 3096
misdemeanor of the fourth degree. If, within one year of the 3097
offense, the offender previously has been convicted of two or 3098
more predicate motor vehicle or traffic offenses, whoever 3099
violates this section is guilty of a misdemeanor of the third 3100
degree. 3101

If the offender commits the offense while distracted and 3102
the distracting activity is a contributing factor to the 3103

commission of the offense, the offender is subject to the 3104
additional fine established under section 4511.991 of the 3105
Revised Code. 3106

Notwithstanding section 2929.28 of the Revised Code, if 3107
the offender commits a violation of this section in a school- 3108
adjacent sector, the court, in addition to all other penalties 3109
provided by law, may impose a fine of two times the usual amount 3110
imposed for the violation. 3111

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or 3112
trackless trolley about to enter or cross a highway from any 3113
place other than another roadway shall yield the right of way to 3114
all traffic approaching on the roadway to be entered or crossed. 3115

(B) Except as otherwise provided in this division, whoever 3116
violates this section is guilty of a minor misdemeanor. If, 3117
within one year of the offense, the offender previously has been 3118
convicted of or pleaded guilty to one predicate motor vehicle or 3119
traffic offense, whoever violates this section is guilty of a 3120
misdemeanor of the fourth degree. If, within one year of the 3121
offense, the offender previously has been convicted of two or 3122
more predicate motor vehicle or traffic offenses, whoever 3123
violates this section is guilty of a misdemeanor of the third 3124
degree. 3125

If the offender commits the offense while distracted and 3126
the distracting activity is a contributing factor to the 3127
commission of the offense, the offender is subject to the 3128
additional fine established under section 4511.991 of the 3129
Revised Code. 3130

Notwithstanding section 2929.28 of the Revised Code, if 3131
the offender commits a violation of this section in a school- 3132

adjacent sector, the court, in addition to all other penalties 3133
provided by law, may impose a fine of two times the usual amount 3134
imposed for the violation. 3135

Sec. 4511.441. (A) The driver of a vehicle shall yield the 3136
right-of-way to any pedestrian on a sidewalk. 3137

(B) Except as otherwise provided in this division, whoever 3138
violates this section is guilty of a minor misdemeanor. If, 3139
within one year of the offense, the offender previously has been 3140
convicted of or pleaded guilty to one predicate motor vehicle or 3141
traffic offense, whoever violates this section is guilty of a 3142
misdemeanor of the fourth degree. If, within one year of the 3143
offense, the offender previously has been convicted of two or 3144
more predicate motor vehicle or traffic offenses, whoever 3145
violates this section is guilty of a misdemeanor of the third 3146
degree. 3147

If the offender commits the offense while distracted and 3148
the distracting activity is a contributing factor to the 3149
commission of the offense, the offender is subject to the 3150
additional fine established under section 4511.991 of the 3151
Revised Code. 3152

Notwithstanding section 2929.28 of the Revised Code, if 3153
the offender commits a violation of this section in a school- 3154
adjacent sector, the court, in addition to all other penalties 3155
provided by law, may impose a fine of two times the usual amount 3156
imposed for the violation. 3157

Sec. 4511.46. (A) When highway traffic signals are not in 3158
place, not in operation, or are not clearly assigning the right- 3159
of-way, the driver of a vehicle, trackless trolley, or streetcar 3160
shall yield the right of way, slowing down or stopping if need 3161

be to so yield or if required by section 4511.132 of the Revised 3162
Code, to a pedestrian crossing the roadway within a crosswalk 3163
when the pedestrian is upon the half of the roadway upon which 3164
the vehicle is traveling, or when the pedestrian is approaching 3165
so closely from the opposite half of the roadway as to be in 3166
danger. 3167

(B) No pedestrian shall suddenly leave a curb or other 3168
place of safety and walk or run into the path of a vehicle, 3169
trackless trolley, or streetcar which is so close as to 3170
constitute an immediate hazard. 3171

(C) Division (A) of this section does not apply under the 3172
conditions stated in division (B) of section 4511.48 of the 3173
Revised Code. 3174

(D) Whenever any vehicle, trackless trolley, or streetcar 3175
is stopped at a marked crosswalk or at any unmarked crosswalk at 3176
an intersection to permit a pedestrian to cross the roadway, the 3177
driver of any other vehicle, trackless trolley, or streetcar 3178
approaching from the rear shall not overtake and pass the 3179
stopped vehicle. 3180

(E) Except as otherwise provided in this division, whoever 3181
violates this section is guilty of a minor misdemeanor. If, 3182
within one year of the offense, the offender previously has been 3183
convicted of or pleaded guilty to one predicate motor vehicle or 3184
traffic offense, whoever violates this section is guilty of a 3185
misdemeanor of the fourth degree. If, within one year of the 3186
offense, the offender previously has been convicted of two or 3187
more predicate motor vehicle or traffic offenses, whoever 3188
violates this section is guilty of a misdemeanor of the third 3189
degree. 3190

If the offender commits the offense while distracted and 3191
the distracting activity is a contributing factor to the 3192
commission of the offense, the offender is subject to the 3193
additional fine established under section 4511.991 of the 3194
Revised Code. 3195

Notwithstanding section 2929.28 of the Revised Code, if 3196
the offender commits a violation of this section in a school- 3197
adjacent sector, the court, in addition to all other penalties 3198
provided by law, may impose a fine of two times the usual amount 3199
imposed for the violation. 3200

Sec. 4511.54. (A) No person riding upon any bicycle, 3201
electric bicycle, coaster, roller skates, sled, skateboard, or 3202
toy vehicle shall attach the same or self to any streetcar, 3203
trackless trolley, or vehicle upon a roadway. 3204

No operator shall knowingly permit any person riding upon 3205
any bicycle, electric bicycle, coaster, roller skates, sled, 3206
skateboard, or toy vehicle to attach the same or self to any 3207
streetcar, trackless trolley, or vehicle while it is moving upon 3208
a roadway. 3209

This section does not apply to the towing of a disabled 3210
vehicle. 3211

(B) Except as otherwise provided in this division, whoever 3212
violates this section is guilty of a minor misdemeanor. If, 3213
within one year of the offense, the offender previously has been 3214
convicted of or pleaded guilty to one predicate motor vehicle or 3215
traffic offense, whoever violates this section is guilty of a 3216
misdemeanor of the fourth degree. If, within one year of the 3217
offense, the offender previously has been convicted of two or 3218
more predicate motor vehicle or traffic offenses, whoever 3219

violates this section is guilty of a misdemeanor of the third 3220
degree. 3221

If the offender commits the offense while distracted and 3222
the distracting activity is a contributing factor to the 3223
commission of the offense, the offender is subject to the 3224
additional fine established under section 4511.991 of the 3225
Revised Code. 3226

Notwithstanding section 2929.28 of the Revised Code, if 3227
the offender commits a violation of this section in a school- 3228
adjacent sector, the court, in addition to all other penalties 3229
provided by law, may impose a fine of two times the usual amount 3230
imposed for the violation. 3231

Sec. 4511.60. (A) No vehicle shall at any time be driven 3232
through or within a safety zone. 3233

(B) Except as otherwise provided in this division, whoever 3234
violates this section is guilty of a minor misdemeanor. If, 3235
within one year of the offense, the offender previously has been 3236
convicted of or pleaded guilty to one predicate motor vehicle or 3237
traffic offense, whoever violates this section is guilty of a 3238
misdemeanor of the fourth degree. If, within one year of the 3239
offense, the offender previously has been convicted of two or 3240
more predicate motor vehicle or traffic offenses, whoever 3241
violates this section is guilty of a misdemeanor of the third 3242
degree. 3243

If the offender commits the offense while distracted and 3244
the distracting activity is a contributing factor to the 3245
commission of the offense, the offender is subject to the 3246
additional fine established under section 4511.991 of the 3247
Revised Code. 3248

Notwithstanding section 2929.28 of the Revised Code, if 3249
the offender commits a violation of this section in a school- 3250
adjacent sector, the court, in addition to all other penalties 3251
provided by law, may impose a fine of two times the usual amount 3252
imposed for the violation. 3253

Sec. 4511.711. (A) No person shall drive any vehicle, 3254
other than a bicycle or an electric bicycle if the motor is not 3255
engaged, upon a sidewalk or sidewalk area except upon a 3256
permanent or duly authorized temporary driveway. 3257

This prohibition does not apply to a law enforcement 3258
officer, or other person sworn to enforce the criminal and 3259
traffic laws of the state, using an electric bicycle with the 3260
motor engaged while in the performance of the officer's duties. 3261

Nothing in this section shall be construed as prohibiting 3262
local authorities from regulating the operation of bicycles or 3263
electric bicycles within their respective jurisdictions, except 3264
that no local authority may require that bicycles or electric 3265
bicycles be operated on sidewalks. 3266

(B) Except as otherwise provided in this division, whoever 3267
violates this section is guilty of a minor misdemeanor. If, 3268
within one year of the offense, the offender previously has been 3269
convicted of or pleaded guilty to one predicate motor vehicle or 3270
traffic offense, whoever violates this section is guilty of a 3271
misdemeanor of the fourth degree. If, within one year of the 3272
offense, the offender previously has been convicted of two or 3273
more predicate motor vehicle or traffic offenses, whoever 3274
violates this section is guilty of a misdemeanor of the third 3275
degree. 3276

If the offender commits the offense while distracted and 3277

the distracting activity is a contributing factor to the 3278
commission of the offense, the offender is subject to the 3279
additional fine established under section 4511.991 of the 3280
Revised Code. 3281

Notwithstanding section 2929.28 of the Revised Code, if 3282
the offender commits a violation of this section in a school- 3283
adjacent sector, the court, in addition to all other penalties 3284
provided by law, may impose a fine of two times the usual amount 3285
imposed for the violation. 3286

Sec. 4511.712. (A) No driver shall enter an intersection 3287
or marked crosswalk or drive onto any railroad grade crossing 3288
unless there is sufficient space on the other side of the 3289
intersection, crosswalk, or grade crossing to accommodate the 3290
vehicle, streetcar, or trackless trolley the driver is operating 3291
without obstructing the passage of other vehicles, streetcars, 3292
trackless trolleys, pedestrians, or trains, notwithstanding any 3293
highway traffic signal indication to proceed. 3294

(B) This section does not apply to a bicyclist using a 3295
two-stage bicycle turn box. 3296

(C) Except as otherwise provided in this division, whoever 3297
violates this section is guilty of a minor misdemeanor. If, 3298
within one year of the offense, the offender previously has been 3299
convicted of or pleaded guilty to one predicate motor vehicle or 3300
traffic offense, whoever violates this section is guilty of a 3301
misdemeanor of the fourth degree. If, within one year of the 3302
offense, the offender previously has been convicted of two or 3303
more predicate motor vehicle or traffic offenses, whoever 3304
violates this section is guilty of a misdemeanor of the third 3305
degree. 3306

If the offender commits the offense while distracted and 3307
the distracting activity is a contributing factor to the 3308
commission of the offense, the offender is subject to the 3309
additional fine established under section 4511.991 of the 3310
Revised Code. 3311

Notwithstanding section 2929.28 of the Revised Code, if 3312
the offender commits a violation of this section in a school- 3313
adjacent sector, the court, in addition to all other penalties 3314
provided by law, may impose a fine of two times the usual amount 3315
imposed for the violation. 3316

Sec. 5501.27. (A) The director of transportation shall 3317
adopt rules that do the following: 3318

(1) Rules governing the posting of signs advising 3319
motorists that increased penalties apply for certain traffic 3320
violations occurring on streets or highways in a construction 3321
zone or an active school zone; 3322

(2) Rules governing the posting of signs to be used 3323
pursuant to section 2903.081 of the Revised Code giving notice 3324
to motorists of the prohibitions set forth in sections 2903.06 3325
and 2903.08 of the Revised Code regarding the death of or injury 3326
to any person in a construction zone ~~as a proximate result of a~~ 3327
~~reckless operation offense or speeding offense~~ or an active 3328
school zone. 3329

~~(B)~~ (B) (1) The rules required under divisions (A) (1) and 3330
(2) of this section shall include guidelines to determine which 3331
areas are appropriate to the posting of such signs. 3332

(2) The guidelines for signage in a construction zone may 3333
include consideration of the following: the duration of the work 3334
on the street or highway, the proximity of workers to moving 3335

traffic, the existence of any unusual or hazardous conditions, 3336
the volume of traffic on the street or highway, and any other 3337
appropriate factors. 3338

(3) The guidelines for signage in areas that become an 3339
active school zone may include consideration of the following: 3340
the number of students who typically walk to the school rather 3341
than arrive on buses or through motor vehicles, the existence of 3342
any unusual or hazardous conditions, the speed limit of the 3343
highways adjacent to the school when the school zone speed limit 3344
is not in effect, the volume of traffic on the street or 3345
highway, and any other appropriate factors. 3346

(C) The director shall formulate design specifications for 3347
the signs described in division (A)(1) of this section advising 3348
motorists of the increased penalties and the signs described in 3349
division (A)(2) of this section notifying motorists of the 3350
prohibitions set forth in sections 2903.06 and 2903.08 of the 3351
Revised Code regarding the death of or injury to any person in a 3352
construction zone ~~as a proximate result of a reckless operation-~~ 3353
~~offense or speeding offense as described in that division~~ or an 3354
active school zone. For purposes of traffic violation penalties, 3355
nothing in this section is intended to conflict with any 3356
standard set forth in the federal manual of uniform traffic 3357
control devices for streets and highways. 3358

~~(C)~~ (D) As used in this section and in section 4511.98 of 3359
the Revised Code, ~~"construction:~~ 3360

(1) "Construction zone" means that lane or portion of 3361
street or highway open to vehicular traffic and adjacent to a 3362
lane, berm, or shoulder of a street or highway within which 3363
lane, berm, or shoulder construction, reconstruction, 3364
resurfacing, or any other work of a repair or maintenance 3365

nature, including public utility work, is being conducted, 3366
commencing with the point where the first worker or piece of 3367
equipment is located and ending where the last worker or piece 3368
of equipment is located. 3369

(2) "Active school zone" has the same meaning as in 3370
section 4511.01 of the Revised Code. 3371

Section 2. That existing sections 2903.06, 2903.08, 3372
2903.081, 4511.01, 4511.132, 4511.20, 4511.202, 4511.204, 3373
4511.205, 4511.21, 4511.25, 4511.251, 4511.26, 4511.27, 4511.28, 3374
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 3375
4511.36, 4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 3376
4511.431, 4511.44, 4511.441, 4511.46, 4511.54, 4511.60, 3377
4511.711, 4511.712, and 5501.27 of the Revised Code are hereby 3378
repealed. 3379

Section 3. This act shall be known as Aspen Runnels' Law. 3380

Section 4. The General Assembly, applying the principle 3381
stated in division (B) of section 1.52 of the Revised Code that 3382
amendments are to be harmonized if reasonably capable of 3383
simultaneous operation, finds that the following sections, 3384
presented in this act as composites of the sections as amended 3385
by the acts indicated, are the resulting versions of the 3386
sections in effect prior to the effective date of the sections 3387
as presented in this act: 3388

Section 4511.27 of the Revised Code is presented in this 3389
act as a composite of the section as amended by both H.B. 95 and 3390
H.B. 250 of the 132nd General Assembly. 3391

Section 4511.39 of the Revised Code is presented in this 3392
act as a composite of the section as amended by both H.B. 95 and 3393
H.B. 250 of the 132nd General Assembly. 3394