

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 82**

**Representatives Click, Johnson**

**Cosponsors: Representatives Brennan, Daniels, Hall, T., John**



**A BILL**

To amend sections 4508.02, 4511.03, 4511.12, 1  
4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 2  
4511.205, 4511.21, 4511.211, 4511.213, 4511.22, 3  
4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 4  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 5  
4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 6  
4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 7  
4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 8  
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 9  
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 10  
4511.712, 4511.72, 4511.73, 4511.991, and 11  
5517.07 and to enact section 4511.993 of the 12  
Revised Code regarding traffic offenses in 13  
construction zones. 14

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

**Section 1.** That sections 4508.02, 4511.03, 4511.12, 15  
4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 4511.205, 16  
4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 17  
4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 18  
4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 19

4511.39, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 20  
4511.451, 4511.46, 4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 21  
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.72, 22  
4511.73, 4511.991, and 5517.07 be amended and section 4511.993 23  
of the Revised Code be enacted to read as follows: 24

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

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

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

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

(c) Establish attendance standards, including a maximum 50  
number of course hours that may be completed in a twenty-four- 51  
hour period; 52

(d) Allow an enrolled applicant to begin the required 53  
eight hours of actual behind-the-wheel instruction upon 54  
completing all twenty-four hours of course instruction; 55

(e) Establish any other requirements necessary to regulate 56  
online driver education. 57

(B) The director shall administer and enforce this 58  
chapter. 59

(C) The rules shall require twenty-four hours of completed 60  
in-person classroom instruction or the completion of an 61  
approved, equivalent online driver education course offered via 62  
the internet by a licensed online driver training enterprise, 63  
followed by eight hours of actual behind-the-wheel instruction 64  
conducted on public streets and highways of this state for all 65  
beginning drivers of noncommercial motor vehicles who are under 66  
age eighteen. The rules also shall require the classroom 67  
instruction or online driver education course for such drivers 68  
to include instruction on ~~both~~all of the following: 69

(1) The dangers of driving a motor vehicle while 70  
distracted, including while using an electronic wireless 71  
communications device, or engaging in any other activity that 72  
distracts a driver from the safe and effective operation of a 73  
motor vehicle; 74

(2) The dangers of driving a motor vehicle while under the 75  
influence of a controlled substance, prescription medication, or 76  
alcohol; 77

(3) The dangers of and requirements related to driving a 78

motor vehicle in a construction zone. 79

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<u>the additional penalties established under that section.</u>	196
<b>Sec. 4511.17.</b> (A) No person, without lawful authority,	197
shall do any of the following:	198
(1) Knowingly move, deface, damage, destroy, or otherwise	199
improperly tamper with any traffic control device, any railroad	200
sign or signal, or any inscription, shield, or insignia on the	201
device, sign, or signal, or any part of the device, sign, or	202
signal;	203
(2) Knowingly drive upon or over any freshly applied	204
pavement marking material on the surface of a roadway while the	205
marking material is in an undried condition and is marked by	206
flags, markers, signs, or other devices intended to protect it;	207
(3) Knowingly move, damage, destroy, or otherwise	208
improperly tamper with a manhole cover.	209
(B) (1) Except as otherwise provided in this division,	210
whoever violates division (A) (1) or (3) of this section is	211
guilty of a misdemeanor of the third degree. If a violation of	212
division (A) (1) or (3) of this section creates a risk of	213
physical harm to any person, the offender is guilty of a	214
misdemeanor of the first degree. If a violation of division (A)	215
(1) or (3) of this section causes serious physical harm to	216
property that is owned, leased, or controlled by a state or	217
local authority, the offender is guilty of a felony of the fifth	218
degree.	219
(2) Except as otherwise provided in this division, whoever	220
violates division (A) (2) of this section is guilty of a minor	221
misdemeanor. If, within one year of the offense, the offender	222
previously has been convicted of or pleaded guilty to one	223
predicate motor vehicle or traffic offense, whoever violates	224



division (A) (2) of this section is guilty of a misdemeanor of 225  
the fourth degree. If, within one year of the offense, the 226  
offender previously has been convicted of two or more predicate 227  
motor vehicle or traffic offenses, whoever violates division (A) 228  
(2) of this section is guilty of a misdemeanor of the third 229  
degree. 230

(C) If the offender commits the offense while distracted 231  
and the distracting activity is a contributing factor to the 232  
commission of the offense, the offender is subject to the 233  
additional fine established under section 4511.991 of the 234  
Revised Code. 235

**Sec. 4511.20.** (A) No person shall operate a vehicle, 236  
trackless trolley, or streetcar on any street or highway in 237  
willful or wanton disregard of the safety of persons or 238  
property. 239

(B) Except as otherwise provided in this division, whoever 240  
violates this section is guilty of a minor misdemeanor. If, 241  
within one year of the offense, the offender previously has been 242  
convicted of or pleaded guilty to one predicate motor vehicle or 243  
traffic offense, whoever violates this section is guilty of a 244  
misdemeanor of the fourth degree. If, within one year of the 245  
offense, the offender previously has been convicted of two or 246  
more predicate motor vehicle or traffic offenses, whoever 247  
violates this section is guilty of a misdemeanor of the third 248  
degree. Whoever violates this section within a construction 249  
zone, as defined in section 4511.993 of the Revised Code, is 250  
guilty of a misdemeanor of the first degree. 251

**Sec. 4511.202.** (A) No person shall operate a motor 252  
vehicle, trackless trolley, streetcar, agricultural tractor, or 253  
agricultural tractor that is towing, pulling, or otherwise 254

drawing a unit of farm machinery on any street, highway, or 255  
property open to the public for vehicular traffic without being 256  
in reasonable control of the vehicle, trolley, streetcar, 257  
agricultural tractor, or unit of farm machinery. 258

(B) Whoever violates this section is guilty of operating a 259  
motor vehicle or agricultural tractor without being in control 260  
of it, a minor misdemeanor. 261

(C) If the offender commits the offense while distracted 262  
and the distracting activity is a contributing factor to the 263  
commission of the offense, the offender is subject to the 264  
additional fine established under section 4511.991 of the 265  
Revised Code. 266

(D) If the offender commits the offense while operating a 267  
motor vehicle in a construction zone and division (C) of section 268  
4511.993 of the Revised Code applies, the offender is subject to 269  
the additional penalties established under that section. 270

**Sec. 4511.204.** (A) No person shall operate a motor 271  
vehicle, trackless trolley, or streetcar on any street, highway, 272  
or property open to the public for vehicular traffic while 273  
using, holding, or physically supporting with any part of the 274  
person's body an electronic wireless communications device. 275

(B) Division (A) of this section does not apply to any of 276  
the following: 277

(1) A person using an electronic wireless communications 278  
device to make contact, for emergency purposes, with a law 279  
enforcement agency, hospital or health care provider, fire 280  
department, or other similar emergency agency or entity; 281

(2) A person driving a public safety vehicle while using 282  
an electronic wireless communications device in the course of 283

the person's duties;	284
(3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;	285 286 287 288 289
(4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;	290 291 292 293 294
(5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;	295 296 297 298 299 300 301
(6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;	302 303 304 305
(7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:	306 307 308
(a) Manually enter letters, numbers, or symbols into the device;	309 310
(b) Hold or support the device with any part of the person's body.	311 312

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

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

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

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

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

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

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

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

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

person's body. 341

(13) A person storing an electronic wireless 342  
communications device in a holster, harness, or article of 343  
clothing on the person's body. 344

(C) (1) On January 31 of each year, the department of 345  
public safety shall issue a report to the general assembly that 346  
specifies the number of citations issued for violations of this 347  
section during the previous calendar year. 348

(2) If a law enforcement officer issues an offender a 349  
ticket, citation, or summons for a violation of division (A) of 350  
this section, the officer shall do both of the following: 351

(a) Report the issuance of the ticket, citation, or 352  
summons to the officer's law enforcement agency; 353

(b) Ensure that such report indicates the offender's race. 354

(D) Whoever violates division (A) of this section is 355  
guilty of operating a motor vehicle while using an electronic 356  
wireless communication device, an unclassified misdemeanor, and 357  
shall be punished as provided in divisions (D) (1) to ~~(5)~~ (6) of 358  
this section. 359

(1) The offender shall be fined, and is subject to a 360  
suspension of the offender's driver's license, commercial 361  
driver's license, temporary instruction permit, probationary 362  
license, or nonresident operating privilege, as follows: 363

(a) Except as provided in divisions (D) (1) (b), (c), (d), 364  
and (2) of this section, the court shall impose upon the 365  
offender a fine of not more than one hundred fifty dollars. 366

(b) If, within two years of the violation, the offender 367  
has been convicted of or pleaded guilty to one prior violation 368

of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

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

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

(2) If the offender is in the category of offenders to whom division (D) (1) (a) of this section applies, in lieu of payment of the fine of one hundred fifty dollars under division (D) (1) (a) of this section and the assessment of points under division (D) (4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine

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

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

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

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

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

strict liability offense. 429

(E) This section shall not be construed as invalidating, 430  
preempting, or superseding a substantially equivalent municipal 431  
ordinance that prescribes penalties for violations of that 432  
ordinance that are greater than the penalties prescribed in this 433  
section for violations of this section. 434

(F) A prosecution for an offense in violation of this 435  
section does not preclude a prosecution for an offense in 436  
violation of a substantially equivalent municipal ordinance 437  
based on the same conduct. However, the two offenses are allied 438  
offenses of similar import under section 2941.25 of the Revised 439  
Code. 440

(G) (1) A law enforcement officer does not have probable 441  
cause and shall not stop the operator of a motor vehicle for 442  
purposes of enforcing this section unless the officer visually 443  
observes the operator using, holding, or physically supporting 444  
with any part of the person's body the electronic wireless 445  
communications device. 446

(2) A law enforcement officer who stops the operator of a 447  
motor vehicle, trackless trolley, or streetcar for a violation 448  
of division (A) of this section shall inform the operator that 449  
the operator may decline a search of the operator's electronic 450  
wireless communications device. The officer shall not do any of 451  
the following: 452

(a) Access the device without a warrant, unless the 453  
operator voluntarily and unequivocally gives consent for the 454  
officer to access the device; 455

(b) Confiscate the device while awaiting the issuance of a 456  
warrant to access the device; 457



(c) Obtain consent from the operator to access the device 458  
through coercion or any other improper means. Any consent by the 459  
operator to access the device shall be voluntary and unequivocal 460  
before the officer may access the device without a warrant. 461

(H) As used in this section: 462

(1) "Electronic wireless communications device" includes 463  
any of the following: 464

(a) A wireless telephone; 465

(b) A text-messaging device; 466

(c) A personal digital assistant; 467

(d) A computer, including a laptop computer and a computer 468  
tablet; 469

(e) Any device capable of displaying a video, movie, 470  
broadcast television image, or visual image; 471

(f) Any other substantially similar wireless device that 472  
is designed or used to communicate text, initiate or receive 473  
communication, or exchange information or data. 474

An "electronic wireless communications device" does not 475  
include a two-way radio transmitter or receiver used by a person 476  
who is licensed by the federal communications commission to 477  
participate in the amateur radio service. 478

(2) "Voice-operated or hands-free feature or function" 479  
means a feature or function that allows a person to use an 480  
electronic wireless communications device without the use of 481  
either hand, except to activate, deactivate, or initiate the 482  
feature or function with a single touch or single swipe. 483

(3) "Utility" means an entity specified in division (A), 484

(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 485

(4) "Utility service vehicle" means a vehicle owned or 486  
operated by a utility. 487

**Sec. 4511.205.** (A) No holder of a temporary instruction 488  
permit who has not attained the age of eighteen years and no 489  
holder of a probationary driver's license shall drive a motor 490  
vehicle on any street, highway, or property used by the public 491  
for purposes of vehicular traffic or parking while using in any 492  
manner an electronic wireless communications device. 493

(B) Division (A) of this section does not apply to either 494  
of the following: 495

(1) A person using an electronic wireless communications 496  
device for emergency purposes, including an emergency contact 497  
with a law enforcement agency, hospital or health care provider, 498  
fire department, or other similar emergency agency or entity; 499

(2) A person using an electronic wireless communications 500  
device whose motor vehicle is in a stationary position and the 501  
motor vehicle is outside a lane of travel; 502

(3) A person using a navigation device in a voice-operated 503  
or hands-free manner who does not manipulate the device while 504  
driving. 505

(C) (1) Except as provided in division (C) (2) of this 506  
section, whoever violates division (A) of this section shall be 507  
fined one hundred fifty dollars. In addition, the court shall 508  
impose a class seven suspension of the offender's driver's 509  
license or permit for a definite period of sixty days. 510

(2) If the person previously has been adjudicated a 511  
delinquent child or a juvenile traffic offender for a violation 512

of this section, whoever violates this section shall be fined 513  
three hundred dollars. In addition, the court shall impose a 514  
class seven suspension of the person's driver's license or 515  
permit for a definite period of one year. 516

(3) If the offender commits the offense while operating a 517  
motor vehicle in a construction zone and division (C) of section 518  
4511.993 of the Revised Code applies, the offender is subject to 519  
the additional penalties established under that section. 520

(D) The filing of a sworn complaint against a person for a 521  
violation of this section does not preclude the filing of a 522  
sworn complaint for a violation of a substantially equivalent 523  
municipal ordinance for the same conduct. However, if a person 524  
is adjudicated a delinquent child or a juvenile traffic offender 525  
for a violation of this section and is also adjudicated a 526  
delinquent child or a juvenile traffic offender for a violation 527  
of a substantially equivalent municipal ordinance for the same 528  
conduct, the two offenses are allied offenses of similar import 529  
under section 2941.25 of the Revised Code. 530

(E) As used in this section, "electronic wireless 531  
communications device" includes any of the following: 532

(1) A wireless telephone; 533

(2) A personal digital assistant; 534

(3) A computer, including a laptop computer and a computer 535  
tablet; 536

(4) A text-messaging device; 537

(5) Any other substantially similar electronic wireless 538  
device that is designed or used to communicate via voice, image, 539  
or written word. 540

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 541  
trackless trolley, or streetcar at a speed greater or less than 542  
is reasonable or proper, having due regard to the traffic, 543  
surface, and width of the street or highway and any other 544  
conditions, and no person shall drive any motor vehicle, 545  
trackless trolley, or streetcar in and upon any street or 546  
highway at a greater speed than will permit the person to bring 547  
it to a stop within the assured clear distance ahead. 548

(B) It is prima-facie lawful, in the absence of a lower 549  
limit declared or established pursuant to this section by the 550  
director of transportation or local authorities, for the 551  
operator of a motor vehicle, trackless trolley, or streetcar to 552  
operate the same at a speed not exceeding the following: 553

(1) (a) Twenty miles per hour in school zones during school 554  
recess and while children are going to or leaving school during 555  
the opening or closing hours, and when twenty miles per hour 556  
school speed limit signs are erected; except that, on 557  
controlled-access highways and expressways, if the right-of-way 558  
line fence has been erected without pedestrian opening, the 559  
speed shall be governed by division (B) (4) of this section and 560  
on freeways, if the right-of-way line fence has been erected 561  
without pedestrian opening, the speed shall be governed by 562  
divisions (B) (10) and (11) of this section. The end of every 563  
school zone may be marked by a sign indicating the end of the 564  
zone. Nothing in this section or in the manual and 565  
specifications for a uniform system of traffic control devices 566  
shall be construed to require school zones to be indicated by 567  
signs equipped with flashing or other lights, or giving other 568  
special notice of the hours in which the school zone speed limit 569  
is in effect. 570

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

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

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

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

(iv) Any preschool education program operated by an educational service center that is located on a street or highway with a speed limit of forty-five miles per hour or more, when the educational service center in writing requests that the county engineer of the county in which the program is located create a school zone at the location of that program. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon

the street or highway that is encompassed by projecting the 600  
school property lines to the fronting street or highway, and 601  
also includes that portion of a state highway. Upon request from 602  
local authorities for streets and highways under their 603  
jurisdiction and that portion of a state highway under the 604  
jurisdiction of the director of transportation or a request from 605  
a county engineer in the case of a school zone for a special 606  
elementary school, the director may extend the traditional 607  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 608  
(ii), and (iii) of this section shall not exceed three hundred 609  
feet per approach per direction and are bounded by whichever of 610  
the following distances or combinations thereof the director 611  
approves as most appropriate: 612

(i) The distance encompassed by projecting the school 613  
building lines normal to the fronting highway and extending a 614  
distance of three hundred feet on each approach direction; 615

(ii) The distance encompassed by projecting the school 616  
property lines intersecting the fronting highway and extending a 617  
distance of three hundred feet on each approach direction; 618

(iii) The distance encompassed by the special marking of 619  
the pavement for a principal school pupil crosswalk plus a 620  
distance of three hundred feet on each approach direction of the 621  
highway. 622

Nothing in this section shall be construed to invalidate 623  
the director's initial action on August 9, 1976, establishing 624  
all school zones at the traditional school zone boundaries 625  
defined by projecting school property lines, except when those 626  
boundaries are extended as provided in divisions (B) (1) (a) and 627  
(c) of this section. 628

(d) As used in this division, "crosswalk" has the meaning 629  
given that term in division (LL) (2) of section 4511.01 of the 630  
Revised Code. 631

The director may, upon request by resolution of the 632  
legislative authority of a municipal corporation, the board of 633  
trustees of a township, or a county board of developmental 634  
disabilities created pursuant to Chapter 5126. of the Revised 635  
Code, and upon submission by the municipal corporation, 636  
township, or county board of such engineering, traffic, and 637  
other information as the director considers necessary, designate 638  
a school zone on any portion of a state route lying within the 639  
municipal corporation, lying within the unincorporated territory 640  
of the township, or lying adjacent to the property of a school 641  
that is operated by such county board, that includes a crosswalk 642  
customarily used by children going to or leaving a school during 643  
recess and opening and closing hours, whenever the distance, as 644  
measured in a straight line, from the school property line 645  
nearest the crosswalk to the nearest point of the crosswalk is 646  
no more than one thousand three hundred twenty feet. Such a 647  
school zone shall include the distance encompassed by the 648  
crosswalk and extending three hundred feet on each approach 649  
direction of the state route. 650

(e) As used in this section, "special elementary school" 651  
means a school that meets all of the following criteria: 652

(i) It is not chartered and does not receive tax revenue 653  
from any source. 654

(ii) It does not educate children beyond the eighth grade. 655

(iii) It is located outside the limits of a municipal 656  
corporation. 657

- (iv) A majority of the total number of students enrolled 658  
at the school are not related by blood. 659
- (v) The principal or other person in charge of the special 660  
elementary school annually sends a report to the superintendent 661  
of the school district in which the special elementary school is 662  
located indicating the total number of students enrolled at the 663  
school, but otherwise the principal or other person in charge 664  
does not report any other information or data to the 665  
superintendent. 666
- (2) Twenty-five miles per hour in all other portions of a 667  
municipal corporation, except on state routes outside business 668  
districts, through highways outside business districts, and 669  
alleys; 670
- (3) Thirty-five miles per hour on all state routes or 671  
through highways within municipal corporations outside business 672  
districts, except as provided in divisions (B) (4) and (6) of 673  
this section; 674
- (4) Fifty miles per hour on controlled-access highways and 675  
expressways within municipal corporations, except as provided in 676  
divisions (B) (12), (13), (14), (15), and (16) of this section; 677
- (5) Fifty-five miles per hour on highways outside 678  
municipal corporations, other than highways within island 679  
jurisdictions as provided in division (B) (8) of this section, 680  
highways as provided in divisions (B) (9) and (10) of this 681  
section, and highways, expressways, and freeways as provided in 682  
divisions (B) (12), (13), (14), and (16) of this section; 683
- (6) Fifty miles per hour on state routes within municipal 684  
corporations outside urban districts unless a lower prima-facie 685  
speed is established as further provided in this section; 686



(7) Fifteen miles per hour on all alleys within the municipal corporation;	687 688
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	689 690
(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;	691 692 693 694
(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;	695 696 697
(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;	698 699 700
(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;	701 702 703 704
(13) Sixty-five miles per hour on all rural expressways without traffic control signals;	705 706
(14) Seventy miles per hour on all rural freeways;	707
(15) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B) (16) of this section;	708 709 710 711 712
(16) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized	713 714

areas. 715

(C) It is prima-facie unlawful for any person to exceed 716  
any of the speed limitations in divisions (B) (1) (a), (2), (3), 717  
(4), (6), (7), (8), and (9) of this section, or any declared or 718  
established pursuant to this section by the director or local 719  
authorities and it is unlawful for any person to exceed any of 720  
the speed limitations in division (D) of this section. No person 721  
shall be convicted of more than one violation of this section 722  
for the same conduct, although violations of more than one 723  
provision of this section may be charged in the alternative in a 724  
single affidavit. 725

(D) No person shall operate a motor vehicle, trackless 726  
trolley, or streetcar upon a street or highway as follows: 727

(1) At a speed exceeding fifty-five miles per hour, except 728  
upon a two-lane state route as provided in division (B) (10) of 729  
this section and upon a highway, expressway, or freeway as 730  
provided in divisions (B) (12), (13), (14), and (16) of this 731  
section; 732

(2) At a speed exceeding sixty miles per hour upon a two- 733  
lane state route as provided in division (B) (10) of this section 734  
and upon a highway as provided in division (B) (12) of this 735  
section; 736

(3) At a speed exceeding sixty-five miles per hour upon an 737  
expressway as provided in division (B) (13) or upon a freeway as 738  
provided in division (B) (16) of this section, except upon a 739  
freeway as provided in division (B) (14) of this section; 740

(4) At a speed exceeding seventy miles per hour upon a 741  
freeway as provided in division (B) (14) of this section; 742

(5) At a speed exceeding the posted speed limit upon a 743

highway, expressway, or freeway for which the director has 744  
determined and declared a speed limit pursuant to division (I) 745  
(2) or (L) (2) of this section. 746

(E) In every charge of violation of this section the 747  
affidavit and warrant shall specify the time, place, and speed 748  
at which the defendant is alleged to have driven, and in charges 749  
made in reliance upon division (C) of this section also the 750  
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 751  
(9) of, or a limit declared or established pursuant to, this 752  
section declares is prima-facie lawful at the time and place of 753  
such alleged violation, except that in affidavits where a person 754  
is alleged to have driven at a greater speed than will permit 755  
the person to bring the vehicle to a stop within the assured 756  
clear distance ahead the affidavit and warrant need not specify 757  
the speed at which the defendant is alleged to have driven. 758

(F) When a speed in excess of both a prima-facie 759  
limitation and a limitation in division (D) of this section is 760  
alleged, the defendant shall be charged in a single affidavit, 761  
alleging a single act, with a violation indicated of both 762  
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 763  
section, or of a limit declared or established pursuant to this 764  
section by the director or local authorities, and of the 765  
limitation in division (D) of this section. If the court finds a 766  
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 767  
or (9) of, or a limit declared or established pursuant to, this 768  
section has occurred, it shall enter a judgment of conviction 769  
under such division and dismiss the charge under division (D) of 770  
this section. If it finds no violation of division (B) (1) (a), 771  
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 772  
established pursuant to, this section, it shall then consider 773  
whether the evidence supports a conviction under division (D) of 774

this section. 775

(G) Points shall be assessed for violation of a limitation 776  
under division (D) of this section in accordance with section 777  
4510.036 of the Revised Code. 778

(H) (1) Whenever the director determines upon the basis of 779  
criteria established by an engineering study, as defined by the 780  
director, that any speed limit set forth in divisions (B) (1) (a) 781  
to (D) of this section is greater or less than is reasonable or 782  
safe under the conditions found to exist at any portion of a 783  
street or highway under the jurisdiction of the director, the 784  
director shall determine and declare a reasonable and safe 785  
prima-facie speed limit, which shall be effective when 786  
appropriate signs giving notice of it are erected at the 787  
location. 788

(2) Whenever the director determines upon the basis of 789  
criteria established by an engineering study, as defined by the 790  
director, that the speed limit of fifty-five miles per hour on a 791  
two-lane state route outside a municipal corporation is less 792  
than is reasonable or safe under the conditions found to exist 793  
at that portion of the state route, the director may determine 794  
and declare a speed limit of sixty miles per hour for that 795  
portion of the state route, which shall be effective when 796  
appropriate signs giving notice of it are erected at the 797  
location. 798

(3) (a) For purposes of the safe and orderly movement of 799  
traffic upon any portion of a street or highway under the 800  
jurisdiction of the director, the director may establish a 801  
variable speed limit that is different than the speed limit 802  
established by or under this section on all or portions of 803  
interstate six hundred seventy, interstate two hundred seventy- 804

five, and interstate ninety commencing at the intersection of 805  
that interstate with interstate seventy-one and continuing to 806  
the border of the state of Ohio with the state of Pennsylvania. 807  
The director shall establish criteria for determining the 808  
appropriate use of variable speed limits and shall establish 809  
variable speed limits in accordance with the criteria. The 810  
director may establish variable speed limits based upon the time 811  
of day, weather conditions, traffic incidents, or other factors 812  
that affect the safe speed on a street or highway. The director 813  
shall not establish a variable speed limit that is based on a 814  
particular type or class of vehicle. A variable speed limit 815  
established by the director under this section is effective when 816  
appropriate signs giving notice of the speed limit are displayed 817  
at the location. 818

(b) Except for variable speed limits established under 819  
division (H) (3) (a) of this section, the director shall establish 820  
a variable speed limit under the authority granted to the 821  
director by this section on not more than two additional 822  
highways and only pursuant to criteria established in rules 823  
adopted in accordance with Chapter 119. of the Revised Code. The 824  
rules shall be based on the criteria described in division (H) 825  
(3) (a) of this section. The rules also shall establish the 826  
parameters of any engineering study necessary for determining 827  
when variable speed limits are appropriate. 828

(4) Nothing in this section shall be construed to limit 829  
the authority of the director to establish speed limits within a 830  
construction zone as authorized under section 4511.98 of the 831  
Revised Code. 832

(I) (1) Except as provided in divisions (I) (2), (J), (K), 833  
and (N) of this section, whenever local authorities determine 834

upon the basis of criteria established by an engineering study, 835  
as defined by the director, that the speed permitted by 836  
divisions (B) (1) (a) to (D) of this section, on any part of a 837  
highway under their jurisdiction, is greater than is reasonable 838  
and safe under the conditions found to exist at such location, 839  
the local authorities may by resolution request the director to 840  
determine and declare a reasonable and safe prima-facie speed 841  
limit. Upon receipt of such request the director may determine 842  
and declare a reasonable and safe prima-facie speed limit at 843  
such location, and if the director does so, then such declared 844  
speed limit shall become effective only when appropriate signs 845  
giving notice thereof are erected at such location by the local 846  
authorities. The director may withdraw the declaration of a 847  
prima-facie speed limit whenever in the director's opinion the 848  
altered prima-facie speed limit becomes unreasonable. Upon such 849  
withdrawal, the declared prima-facie speed limit shall become 850  
ineffective and the signs relating thereto shall be immediately 851  
removed by the local authorities. 852

(2) A local authority may determine on the basis of 853  
criteria established by an engineering study, as defined by the 854  
director, that the speed limit of sixty-five or seventy miles 855  
per hour on a portion of a freeway under its jurisdiction is 856  
greater than is reasonable or safe under the conditions found to 857  
exist at that portion of the freeway. If the local authority 858  
makes such a determination, the local authority by resolution 859  
may request the director to determine and declare a reasonable 860  
and safe speed limit of not less than fifty-five miles per hour 861  
for that portion of the freeway. If the director takes such 862  
action, the declared speed limit becomes effective only when 863  
appropriate signs giving notice of it are erected at such 864  
location by the local authority. 865

(J) Local authorities in their respective jurisdictions 866  
may authorize by ordinance higher prima-facie speeds than those 867  
stated in this section upon through highways, or upon highways 868  
or portions thereof where there are no intersections, or between 869  
widely spaced intersections, provided signs are erected giving 870  
notice of the authorized speed, but local authorities shall not 871  
modify or alter the basic rule set forth in division (A) of this 872  
section or in any event authorize by ordinance a speed in excess 873  
of the maximum speed permitted by division (D) of this section 874  
for the specified type of highway. 875

Alteration of prima-facie limits on state routes by local 876  
authorities shall not be effective until the alteration has been 877  
approved by the director. The director may withdraw approval of 878  
any altered prima-facie speed limits whenever in the director's 879  
opinion any altered prima-facie speed becomes unreasonable, and 880  
upon such withdrawal, the altered prima-facie speed shall become 881  
ineffective and the signs relating thereto shall be immediately 882  
removed by the local authorities. 883

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 884  
this section, "unimproved highway" means a highway consisting of 885  
any of the following: 886

- (a) Unimproved earth; 887
- (b) Unimproved graded and drained earth; 888
- (c) Gravel. 889

(2) Except as otherwise provided in divisions (K) (4) and 890  
(5) of this section, whenever a board of township trustees 891  
determines upon the basis of criteria established by an 892  
engineering study, as defined by the director, that the speed 893  
permitted by division (B) (5) of this section on any part of an 894

unimproved highway under its jurisdiction and in the 895  
unincorporated territory of the township is greater than is 896  
reasonable or safe under the conditions found to exist at the 897  
location, the board may by resolution declare a reasonable and 898  
safe prima-facie speed limit of fifty-five but not less than 899  
twenty-five miles per hour. An altered speed limit adopted by a 900  
board of township trustees under this division becomes effective 901  
when appropriate traffic control devices, as prescribed in 902  
section 4511.11 of the Revised Code, giving notice thereof are 903  
erected at the location, which shall be no sooner than sixty 904  
days after adoption of the resolution. 905

(3) (a) Whenever, in the opinion of a board of township 906  
trustees, any altered prima-facie speed limit established by the 907  
board under this division becomes unreasonable, the board may 908  
adopt a resolution withdrawing the altered prima-facie speed 909  
limit. Upon the adoption of such a resolution, the altered 910  
prima-facie speed limit becomes ineffective and the traffic 911  
control devices relating thereto shall be immediately removed. 912

(b) Whenever a highway ceases to be an unimproved highway 913  
and the board has adopted an altered prima-facie speed limit 914  
pursuant to division (K) (2) of this section, the board shall, by 915  
resolution, withdraw the altered prima-facie speed limit as soon 916  
as the highway ceases to be unimproved. Upon the adoption of 917  
such a resolution, the altered prima-facie speed limit becomes 918  
ineffective and the traffic control devices relating thereto 919  
shall be immediately removed. 920

(4) (a) If the boundary of two townships rests on the 921  
centerline of an unimproved highway in unincorporated territory 922  
and both townships have jurisdiction over the highway, neither 923  
of the boards of township trustees of such townships may declare 924



an altered prima-facie speed limit pursuant to division (K) (2) 925  
of this section on the part of the highway under their joint 926  
jurisdiction unless the boards of township trustees of both of 927  
the townships determine, upon the basis of criteria established 928  
by an engineering study, as defined by the director, that the 929  
speed permitted by division (B) (5) of this section is greater 930  
than is reasonable or safe under the conditions found to exist 931  
at the location and both boards agree upon a reasonable and safe 932  
prima-facie speed limit of less than fifty-five but not less 933  
than twenty-five miles per hour for that location. If both 934  
boards so agree, each shall follow the procedure specified in 935  
division (K) (2) of this section for altering the prima-facie 936  
speed limit on the highway. Except as otherwise provided in 937  
division (K) (4) (b) of this section, no speed limit altered 938  
pursuant to division (K) (4) (a) of this section may be withdrawn 939  
unless the boards of township trustees of both townships 940  
determine that the altered prima-facie speed limit previously 941  
adopted becomes unreasonable and each board adopts a resolution 942  
withdrawing the altered prima-facie speed limit pursuant to the 943  
procedure specified in division (K) (3) (a) of this section. 944

(b) Whenever a highway described in division (K) (4) (a) of 945  
this section ceases to be an unimproved highway and two boards 946  
of township trustees have adopted an altered prima-facie speed 947  
limit pursuant to division (K) (4) (a) of this section, both 948  
boards shall, by resolution, withdraw the altered prima-facie 949  
speed limit as soon as the highway ceases to be unimproved. Upon 950  
the adoption of the resolution, the altered prima-facie speed 951  
limit becomes ineffective and the traffic control devices 952  
relating thereto shall be immediately removed. 953

(5) As used in division (K) (5) of this section: 954

(a) "Commercial subdivision" means any platted territory 955  
outside the limits of a municipal corporation and fronting a 956  
highway where, for a distance of three hundred feet or more, the 957  
frontage is improved with buildings in use for commercial 958  
purposes, or where the entire length of the highway is less than 959  
three hundred feet long and the frontage is improved with 960  
buildings in use for commercial purposes. 961

(b) "Residential subdivision" means any platted territory 962  
outside the limits of a municipal corporation and fronting a 963  
highway, where, for a distance of three hundred feet or more, 964  
the frontage is improved with residences or residences and 965  
buildings in use for business, or where the entire length of the 966  
highway is less than three hundred feet long and the frontage is 967  
improved with residences or residences and buildings in use for 968  
business. 969

Whenever a board of township trustees finds upon the basis 970  
of criteria established by an engineering study, as defined by 971  
the director, that the prima-facie speed permitted by division 972  
(B) (5) of this section on any part of a highway under its 973  
jurisdiction that is located in a commercial or residential 974  
subdivision, except on highways or portions thereof at the 975  
entrances to which vehicular traffic from the majority of 976  
intersecting highways is required to yield the right-of-way to 977  
vehicles on such highways in obedience to stop or yield signs or 978  
traffic control signals, is greater than is reasonable and safe 979  
under the conditions found to exist at the location, the board 980  
may by resolution declare a reasonable and safe prima-facie 981  
speed limit of less than fifty-five but not less than twenty- 982  
five miles per hour at the location. An altered speed limit 983  
adopted by a board of township trustees under this division 984  
shall become effective when appropriate signs giving notice 985

thereof are erected at the location by the township. Whenever, 986  
in the opinion of a board of township trustees, any altered 987  
prima-facie speed limit established by it under this division 988  
becomes unreasonable, it may adopt a resolution withdrawing the 989  
altered prima-facie speed, and upon such withdrawal, the altered 990  
prima-facie speed shall become ineffective, and the signs 991  
relating thereto shall be immediately removed by the township. 992

(L) (1) The director of transportation, based upon an 993  
engineering study, as defined by the director, of a highway, 994  
expressway, or freeway described in division (B) (12), (13), 995  
(14), (15), or (16) of this section, in consultation with the 996  
director of public safety and, if applicable, the local 997  
authority having jurisdiction over the studied highway, 998  
expressway, or freeway, may determine and declare that the speed 999  
limit established on such highway, expressway, or freeway under 1000  
division (B) (12), (13), (14), (15), or (16) of this section 1001  
either is reasonable and safe or is more or less than that which 1002  
is reasonable and safe. 1003

(2) If the established speed limit for a highway, 1004  
expressway, or freeway studied pursuant to division (L) (1) of 1005  
this section is determined to be more or less than that which is 1006  
reasonable and safe, the director of transportation, in 1007  
consultation with the director of public safety and, if 1008  
applicable, the local authority having jurisdiction over the 1009  
studied highway, expressway, or freeway, shall determine and 1010  
declare a reasonable and safe speed limit for that highway, 1011  
expressway, or freeway. 1012

(M) (1) (a) If the boundary of two local authorities rests 1013  
on the centerline of a highway and both authorities have 1014  
jurisdiction over the highway, the speed limit for the part of 1015

the highway within their joint jurisdiction shall be either one 1016  
of the following as agreed to by both authorities: 1017

(i) Either prima-facie speed limit permitted by division 1018  
(B) of this section; 1019

(ii) An altered speed limit determined and posted in 1020  
accordance with this section. 1021

(b) If the local authorities are unable to reach an 1022  
agreement, the speed limit shall remain as established and 1023  
posted under this section. 1024

(2) Neither local authority may declare an altered prima- 1025  
facie speed limit pursuant to this section on the part of the 1026  
highway under their joint jurisdiction unless both of the local 1027  
authorities determine, upon the basis of criteria established by 1028  
an engineering study, as defined by the director, that the speed 1029  
permitted by this section is greater than is reasonable or safe 1030  
under the conditions found to exist at the location and both 1031  
authorities agree upon a uniform reasonable and safe prima-facie 1032  
speed limit of less than fifty-five but not less than twenty- 1033  
five miles per hour for that location. If both authorities so 1034  
agree, each shall follow the procedure specified in this section 1035  
for altering the prima-facie speed limit on the highway, and the 1036  
speed limit for the part of the highway within their joint 1037  
jurisdiction shall be uniformly altered. No altered speed limit 1038  
may be withdrawn unless both local authorities determine that 1039  
the altered prima-facie speed limit previously adopted becomes 1040  
unreasonable and each adopts a resolution withdrawing the 1041  
altered prima-facie speed limit pursuant to the procedure 1042  
specified in this section. 1043

(N) The legislative authority of a municipal corporation 1044

or township in which a boarding school is located, by resolution 1045  
or ordinance, may establish a boarding school zone. The 1046  
legislative authority may alter the speed limit on any street or 1047  
highway within the boarding school zone and shall specify the 1048  
hours during which the altered speed limit is in effect. For 1049  
purposes of determining the boundaries of the boarding school 1050  
zone, the altered speed limit within the boarding school zone, 1051  
and the hours the altered speed limit is in effect, the 1052  
legislative authority shall consult with the administration of 1053  
the boarding school and with the county engineer or other 1054  
appropriate engineer, as applicable. A boarding school zone 1055  
speed limit becomes effective only when appropriate signs giving 1056  
notice thereof are erected at the appropriate locations. 1057

(0) As used in this section: 1058

(1) "Interstate system" has the same meaning as in 23 1059  
U.S.C. 101. 1060

(2) "Commercial bus" means a motor vehicle designed for 1061  
carrying more than nine passengers and used for the 1062  
transportation of persons for compensation. 1063

(3) "Noncommercial bus" includes but is not limited to a 1064  
school bus or a motor vehicle operated solely for the 1065  
transportation of persons associated with a charitable or 1066  
nonprofit organization. 1067

(4) "Outerbelt" means a portion of a freeway that is part 1068  
of the interstate system and is located in the outer vicinity of 1069  
a major municipal corporation or group of municipal 1070  
corporations, as designated by the director. 1071

(5) "Rural" means an area outside urbanized areas and 1072  
outside of a business or urban district, and areas that extend 1073

within urbanized areas where the roadway characteristics remain 1074  
mostly unchanged from those outside the urbanized areas. 1075

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 1076  
101. 1077

(7) "Divided" means a roadway having two or more travel 1078  
lanes for vehicles moving in opposite directions and that is 1079  
separated by a median of more than four feet, excluding turn 1080  
lanes. 1081

(P) (1) A violation of any provision of this section is one 1082  
of the following: 1083

(a) Except as otherwise provided in divisions (P) (1) (b), 1084  
(1) (c), (2), and (3) of this section, a minor misdemeanor; 1085

(b) If, within one year of the offense, the offender 1086  
previously has been convicted of or pleaded guilty to two 1087  
violations of any provision of this section or of any provision 1088  
of a municipal ordinance that is substantially similar to any 1089  
provision of this section, a misdemeanor of the fourth degree; 1090

(c) If, within one year of the offense, the offender 1091  
previously has been convicted of or pleaded guilty to three or 1092  
more violations of any provision of this section or of any 1093  
provision of a municipal ordinance that is substantially similar 1094  
to any provision of this section, a misdemeanor of the third 1095  
degree. 1096

(2) If the offender operated a motor vehicle faster than 1097  
thirty-five miles an hour in a business district of a municipal 1098  
corporation, faster than fifty miles an hour in other portions 1099  
of a municipal corporation, or faster than thirty-five miles an 1100  
hour in a school zone during recess or while children are going 1101  
to or leaving school during the school's opening or closing 1102

hours, a misdemeanor of the fourth degree. Division (P)(2) of 1103  
this section does not apply if penalties may be imposed under 1104  
division (P)(1)(b) or (c) of this section. 1105

(3) Notwithstanding division (P)(1) of this section, if 1106  
the offender operated a motor vehicle in a construction zone 1107  
where a sign was then posted in accordance with section 4511.98 1108  
of the Revised Code, ~~the~~ both of the following apply: 1109

(a) The court, in addition to all other penalties provided 1110  
by law, shall impose upon the offender a fine of two times the 1111  
usual amount imposed for the violation. No court shall impose a 1112  
fine of two times the usual amount imposed for the violation 1113  
upon an offender if the offender alleges, in an affidavit filed 1114  
with the court prior to the offender's sentencing, that the 1115  
offender is indigent and is unable to pay the fine imposed 1116  
pursuant to this division and if the court determines that the 1117  
offender is an indigent person and unable to pay the fine. 1118

(b) If division (C) of section 4511.993 of the Revised 1119  
Code also applies, the offender is subject to the additional 1120  
penalties established under that section. 1121

(4) If the offender commits the offense while distracted 1122  
and the distracting activity is a contributing factor to the 1123  
commission of the offense, the offender is subject to the 1124  
additional fine established under section 4511.991 of the 1125  
Revised Code. 1126

**Sec. 4511.211.** (A) The owner of a private road or driveway 1127  
located in a private residential area containing twenty or more 1128  
dwelling units may establish a speed limit on the road or 1129  
driveway by complying with all of the following requirements: 1130

(1) The speed limit is not less than twenty-five miles per 1131

hour and is indicated by a sign that is in a proper position, is 1132  
sufficiently legible to be seen by an ordinarily observant 1133  
person, and meets the specifications for the basic speed limit 1134  
sign included in the manual adopted by the department of 1135  
transportation pursuant to section 4511.09 of the Revised Code; 1136

(2) The owner has posted a sign at the entrance of the 1137  
private road or driveway that is in plain view and clearly 1138  
informs persons entering the road or driveway that they are 1139  
entering private property, a speed limit has been established 1140  
for the road or driveway, and the speed limit is enforceable by 1141  
law enforcement officers under state law. 1142

(B) No person shall operate a vehicle upon a private road 1143  
or driveway as provided in division (A) of this section at a 1144  
speed exceeding any speed limit established and posted pursuant 1145  
to that division. 1146

(C) When a speed limit is established and posted in 1147  
accordance with division (A) of this section, any law 1148  
enforcement officer may apprehend a person violating the speed 1149  
limit of the residential area by utilizing any of the means 1150  
described in section 4511.091 of the Revised Code or by any 1151  
other accepted method of determining the speed of a motor 1152  
vehicle and may stop and charge the person with exceeding the 1153  
speed limit. 1154

(D) Points shall be assessed for violation of a speed 1155  
limit established and posted in accordance with division (A) of 1156  
this section in accordance with section 4510.036 of the Revised 1157  
Code. 1158

(E) As used in this section: 1159

(1) "Owner" includes but is not limited to a person who 1160



holds title to the real property in fee simple, a condominium 1161  
owners' association, a property owner's association, the board 1162  
of directors or trustees of a private community, and a nonprofit 1163  
corporation governing a private community. 1164

(2) "Private residential area containing twenty or more 1165  
dwelling units" does not include a Chautauqua assembly as 1166  
defined in section 4511.90 of the Revised Code. 1167

(F) (1) A violation of division (B) of this section is one 1168  
of the following: 1169

(a) Except as otherwise provided in divisions (F) (1) (b) 1170  
and (c) of this section, a minor misdemeanor; 1171

(b) If, within one year of the offense, the offender 1172  
previously has been convicted of or pleaded guilty to two 1173  
violations of division (B) of this section or of any municipal 1174  
ordinance that is substantially similar to division (B) of this 1175  
section, a misdemeanor of the fourth degree; 1176

(c) If, within one year of the offense, the offender 1177  
previously has been convicted of or pleaded guilty to three or 1178  
more violations of division (B) of this section or of any 1179  
municipal ordinance that is substantially similar to division 1180  
(B) of this section, a misdemeanor of the third degree. 1181

(2) If the offender commits the offense while distracted 1182  
and the distracting activity is a contributing factor to the 1183  
commission of the offense, the offender is subject to the 1184  
additional fine established under section 4511.991 of the 1185  
Revised Code. 1186

(3) If the offender commits the offense while operating a 1187  
motor vehicle in a construction zone and division (C) of section 1188  
4511.993 of the Revised Code applies, the offender is subject to 1189

the additional penalties established under that section. 1190

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon 1191  
approaching a stationary public safety vehicle, emergency 1192  
vehicle, road service vehicle, waste collection vehicle, vehicle 1193  
used by the public utilities commission to conduct motor vehicle 1194  
inspections in accordance with sections 4923.04 and 4923.06 of 1195  
the Revised Code, or a highway maintenance vehicle that is 1196  
displaying the appropriate visual signals by means of flashing, 1197  
oscillating, or rotating lights, as prescribed in section 1198  
4513.17 of the Revised Code, shall do either of the following: 1199

(1) If the driver of the motor vehicle is traveling on a 1200  
highway that consists of at least two lanes that carry traffic 1201  
in the same direction of travel as that of the driver's motor 1202  
vehicle, the driver shall proceed with due caution and, if 1203  
possible and with due regard to the road, weather, and traffic 1204  
conditions, shall change lanes into a lane that is not adjacent 1205  
to that of the stationary public safety vehicle, emergency 1206  
vehicle, road service vehicle, waste collection vehicle, vehicle 1207  
used by the public utilities commission to conduct motor vehicle 1208  
inspections in accordance with sections 4923.04 and 4923.06 of 1209  
the Revised Code, or a highway maintenance vehicle. 1210

(2) If the driver is not traveling on a highway of a type 1211  
described in division (A) (1) of this section, or if the driver 1212  
is traveling on a highway of that type but it is not possible to 1213  
change lanes or if to do so would be unsafe, the driver shall 1214  
proceed with due caution, reduce the speed of the motor vehicle, 1215  
and maintain a safe speed for the road, weather, and traffic 1216  
conditions. 1217

(B) This section does not relieve the driver of a public 1218  
safety vehicle, emergency vehicle, road service vehicle, waste 1219

collection vehicle, vehicle used by the public utilities 1220  
commission to conduct motor vehicle inspections in accordance 1221  
with sections 4923.04 and 4923.06 of the Revised Code, or a 1222  
highway maintenance vehicle from the duty to drive with due 1223  
regard for the safety of all persons and property upon the 1224  
highway. 1225

(C) No person shall fail to drive a motor vehicle in 1226  
compliance with division (A) (1) or (2) of this section when so 1227  
required by division (A) of this section. 1228

(D) (1) Except as otherwise provided in this division, 1229  
whoever violates this section is guilty of a minor misdemeanor. 1230  
If, within one year of the offense, the offender previously has 1231  
been convicted of or pleaded guilty to one predicate motor 1232  
vehicle or traffic offense, whoever violates this section is 1233  
guilty of a misdemeanor of the fourth degree. If, within one 1234  
year of the offense, the offender previously has been convicted 1235  
of two or more predicate motor vehicle or traffic offenses, 1236  
whoever violates this section is guilty of a misdemeanor of the 1237  
third degree. 1238

(2) Notwithstanding section 2929.28 of the Revised Code, 1239  
upon a finding that a person operated a motor vehicle in 1240  
violation of division (C) of this section, the court, in 1241  
addition to all other penalties provided by law, shall impose a 1242  
fine of two times the usual amount imposed for the violation. 1243

(3) If the offender commits the offense while distracted 1244  
and the distracting activity is a contributing factor to the 1245  
commission of the offense, the offender is subject to the 1246  
additional fine established under section 4511.991 of the 1247  
Revised Code. 1248

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

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

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

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

(C) In a case involving a violation of this section, the

trier of fact, in determining whether the vehicle was being 1279  
operated at an unreasonably slow speed, shall consider the 1280  
capabilities of the vehicle and its operator. 1281

(D) Except as otherwise provided in this division, whoever 1282  
violates this section is guilty of a minor misdemeanor. If, 1283  
within one year of the offense, the offender previously has been 1284  
convicted of or pleaded guilty to one predicate motor vehicle or 1285  
traffic offense, whoever violates this section is guilty of a 1286  
misdemeanor of the fourth degree. If, within one year of the 1287  
offense, the offender previously has been convicted of two or 1288  
more predicate motor vehicle or traffic offenses, whoever 1289  
violates this section is guilty of a misdemeanor of the third 1290  
degree. 1291

If the offender commits the offense while distracted and 1292  
the distracting activity is a contributing factor to the 1293  
commission of the offense, the offender is subject to the 1294  
additional fine established under section 4511.991 of the 1295  
Revised Code. 1296

If the offender commits the offense while operating a 1297  
motor vehicle in a construction zone and division (C) of section 1298  
4511.993 of the Revised Code applies, the offender is subject to 1299  
the additional penalties established under that section. 1300

**Sec. 4511.23.** (A) No person shall operate a vehicle, 1301  
trackless trolley, or streetcar over any bridge or other 1302  
elevated structure constituting a part of a highway at a speed 1303  
which is greater than the maximum speed that can be maintained 1304  
with safety to such bridge or structure, when such structure is 1305  
posted with signs as provided in this section. 1306

The department of transportation upon request from any 1307

local authority shall, or upon its own initiative may, conduct 1308  
an investigation of any bridge or other elevated structure 1309  
constituting a part of a highway, and if it finds that such 1310  
structure cannot with safety withstand traffic traveling at the 1311  
speed otherwise permissible under sections 4511.01 to 4511.85 1312  
and ~~4511.98~~ 4511.993 of the Revised Code, the department shall 1313  
determine and declare the maximum speed of traffic which such 1314  
structure can withstand, and shall cause or permit suitable 1315  
signs stating such maximum speed to be erected and maintained at 1316  
a distance of at least one hundred feet before each end of such 1317  
structure. 1318

Upon the trial of any person charged with a violation of 1319  
this section, proof of said determination of the maximum speed 1320  
by the department and the existence of said signs shall 1321  
constitute prima-facie evidence of the maximum speed which can 1322  
be maintained with safety to such bridge or structure. 1323

(B) Except as otherwise provided in this division, whoever 1324  
violates this section is guilty of a minor misdemeanor. If, 1325  
within one year of the offense, the offender previously has been 1326  
convicted of or pleaded guilty to one predicate motor vehicle or 1327  
traffic offense, whoever violates this section is guilty of a 1328  
misdemeanor of the fourth degree. If, within one year of the 1329  
offense, the offender previously has been convicted of two or 1330  
more predicate motor vehicle or traffic offenses, whoever 1331  
violates this section is guilty of a misdemeanor of the third 1332  
degree. 1333

If the offender commits the offense while distracted and 1334  
the distracting activity is a contributing factor to the 1335  
commission of the offense, the offender is subject to the 1336  
additional fine established under section 4511.991 of the 1337

Revised Code. 1338

If the offender commits the offense while operating a 1339  
motor vehicle in a construction zone and division (C) of section 1340  
4511.993 of the Revised Code applies, the offender is subject to 1341  
the additional penalties established under that section. 1342

**Sec. 4511.25.** (A) Upon all roadways of sufficient width, a 1343  
vehicle or trackless trolley shall be driven upon the right half 1344  
of the roadway, except as follows: 1345

(1) When overtaking and passing another vehicle proceeding 1346  
in the same direction, or when making a left turn under the 1347  
rules governing such movements; 1348

(2) When an obstruction exists making it necessary to 1349  
drive to the left of the center of the highway; provided, any 1350  
person so doing shall yield the right of way to all vehicles 1351  
traveling in the proper direction upon the unobstructed portion 1352  
of the highway within such distance as to constitute an 1353  
immediate hazard; 1354

(3) When driving upon a roadway divided into three or more 1355  
marked lanes for traffic under the rules applicable thereon; 1356

(4) When driving upon a roadway designated and posted with 1357  
signs for one-way traffic; 1358

(5) When otherwise directed by a police officer or traffic 1359  
control device. 1360

(B) (1) Upon all roadways any vehicle or trackless trolley 1361  
proceeding at less than the prevailing and lawful speed of 1362  
traffic at the time and place and under the conditions then 1363  
existing shall be driven in the right-hand lane then available 1364  
for traffic, and far enough to the right to allow passing by 1365

faster vehicles if such passing is safe and reasonable, except 1366  
under any of the following circumstances: 1367

(a) When overtaking and passing another vehicle or 1368  
trackless trolley proceeding in the same direction; 1369

(b) When preparing for a left turn; 1370

(c) When the driver must necessarily drive in a lane other 1371  
than the right-hand lane to continue on the driver's intended 1372  
route. 1373

(2) Nothing in division (B) (1) of this section requires a 1374  
driver of a slower vehicle to compromise the driver's safety to 1375  
allow overtaking by a faster vehicle. 1376

(C) Upon any roadway having four or more lanes for moving 1377  
traffic and providing for two-way movement of traffic, no 1378  
vehicle or trackless trolley shall be driven to the left of the 1379  
center line of the roadway, except when authorized by official 1380  
traffic control devices designating certain lanes to the left of 1381  
the center of the roadway for use by traffic not otherwise 1382  
permitted to use the lanes, or except as permitted under 1383  
division (A) (2) of this section. 1384

This division shall not be construed as prohibiting the 1385  
crossing of the center line in making a left turn into or from 1386  
an alley, private road, or driveway. 1387

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



more predicate motor vehicle or traffic offenses, whoever 1395  
violates this section is guilty of a misdemeanor of the third 1396  
degree. 1397

If the offender commits the offense while distracted and 1398  
the distracting activity is a contributing factor to the 1399  
commission of the offense, the offender is subject to the 1400  
additional fine established under section 4511.991 of the 1401  
Revised Code. 1402

If the offender commits the offense while operating a 1403  
motor vehicle in a construction zone and division (C) of section 1404  
4511.993 of the Revised Code applies, the offender is subject to 1405  
the additional penalties established under that section. 1406

**Sec. 4511.251.** (A) As used in this section and section 1407  
4510.036 of the Revised Code: 1408

(1) "Street racing" means the operation of two or more 1409  
vehicles from a point side by side at accelerating speeds in a 1410  
competitive attempt to out-distance each other or the operation 1411  
of one or more vehicles over a common selected course, from the 1412  
same point to the same point, wherein timing is made of the 1413  
participating vehicles involving competitive accelerations or 1414  
speeds. The operation of two or more vehicles side by side 1415  
either at speeds in excess of prima-facie lawful speeds 1416  
established by divisions (B) (1) (a) to (B) (9) of section 4511.21 1417  
of the Revised Code or rapidly accelerating from a common 1418  
starting point to a speed in excess of such prima-facie lawful 1419  
speeds shall be prima-facie evidence of street racing. 1420

(2) "Burnout" means a maneuver performed while operating a 1421  
vehicle whereby the vehicle is kept in a stationary position, 1422  
but the wheels of the vehicle are spun, which may cause the 1423

tires of the vehicle to become heated and emit smoke from the 1424  
friction. 1425

(3) "Doughnut" means a maneuver performed while operating 1426  
a vehicle whereby the front or rear of the vehicle is rotated 1427  
around the opposite set of wheels in a continuous motion, which 1428  
may cause a circular skid-mark pattern of rubber on the driving 1429  
surface, or the tires of the vehicle to become heated and emit 1430  
smoke from the friction, or both. 1431

(4) "Drifting" means a maneuver performed while operating 1432  
a vehicle whereby the vehicle is driven in a manner that causes 1433  
a controlled, sideways skid during a turn, with the front wheels 1434  
pointing in a direction that is the opposite of the direction of 1435  
the turn. 1436

(5) "Wheelie" means a maneuver performed while operating a 1437  
vehicle whereby the front wheel or wheels of the vehicle are 1438  
raised off of the ground or whereby two wheels that are on the 1439  
same side of the vehicle are raised off of the ground. 1440

(6) "Stunt driving" means performing or engaging in 1441  
burnouts, doughnuts, drifting, or wheelies, or allowing a 1442  
passenger to ride either partially or fully outside of the 1443  
vehicle while operating that vehicle. 1444

(7) "Street takeover" means blocking or impeding the 1445  
regular flow of vehicle or pedestrian traffic on a public road, 1446  
street, or highway or on private property that is open to the 1447  
general public for the purpose of street racing or stunt 1448  
driving. 1449

(B) No person shall knowingly participate in street 1450  
racing, stunt driving, or street takeover upon any public road, 1451  
street, or highway, or on private property that is open to the 1452

general public. 1453

(C) Whoever violates this section is guilty of street 1454  
racing, stunt driving, or street takeover, a misdemeanor of the 1455  
first degree. In addition to any other sanctions, the court 1456  
shall suspend the offender's driver's license, commercial 1457  
driver's license, temporary instruction permit, probationary 1458  
license, or nonresident operating privilege for not less than 1459  
thirty days or more than three years. No judge shall suspend the 1460  
first thirty days of any suspension of an offender's license, 1461  
permit, or privilege imposed under this division. 1462

(D) Persons rendering assistance in any manner to street 1463  
racing, stunt driving, or street takeover shall be equally 1464  
charged as the participants. 1465

(E) This section does not apply to the competitive 1466  
operation of vehicles on public or private property when the 1467  
political subdivision with jurisdiction of the location or owner 1468  
of the property knowingly permits such operation thereon. 1469

(F) If the offender commits the offense while operating a 1470  
motor vehicle in a construction zone and division (C) of section 1471  
4511.993 of the Revised Code applies, the offender is subject to 1472  
the additional penalties established under that section. 1473

**Sec. 4511.26.** (A) Operators of vehicles and trackless 1474  
trolleys proceeding in opposite directions shall pass each other 1475  
to the right, and upon roadways having width for not more than 1476  
one line of traffic in each direction, each operator shall give 1477  
to the other one-half of the main traveled portion of the 1478  
roadway or as nearly one-half as is reasonable possible. 1479

(B) Except as otherwise provided in this division, whoever 1480  
violates this section is guilty of a minor misdemeanor. If, 1481

within one year of the offense, the offender previously has been 1482  
convicted of or pleaded guilty to one predicate motor vehicle or 1483  
traffic offense, whoever violates this section is guilty of a 1484  
misdemeanor of the fourth degree. If, within one year of the 1485  
offense, the offender previously has been convicted of two or 1486  
more predicate motor vehicle or traffic offenses, whoever 1487  
violates this section is guilty of a misdemeanor of the third 1488  
degree. 1489

If the offender commits the offense while distracted and 1490  
the distracting activity is a contributing factor to the 1491  
commission of the offense, the offender is subject to the 1492  
additional fine established under section 4511.991 of the 1493  
Revised Code. 1494

If the offender commits the offense while operating a 1495  
motor vehicle in a construction zone and division (C) of section 1496  
4511.993 of the Revised Code applies, the offender is subject to 1497  
the additional penalties established under that section. 1498

**Sec. 4511.27.** (A) The following rules govern the 1499  
overtaking and passing of vehicles or trackless trolleys 1500  
proceeding in the same direction: 1501

(1) The operator of a vehicle or trackless trolley 1502  
overtaking another vehicle or trackless trolley proceeding in 1503  
the same direction shall, except as provided in division (A) (3) 1504  
of this section, signal to the vehicle or trackless trolley to 1505  
be overtaken, shall pass to the left thereof at a safe distance, 1506  
and shall not again drive to the right side of the roadway until 1507  
safely clear of the overtaken vehicle or trackless trolley. When 1508  
a motor vehicle or trackless trolley overtakes and passes a 1509  
bicycle or electric bicycle, three feet or greater is considered 1510  
a safe passing distance. 1511

(2) Except when overtaking and passing on the right is 1512  
permitted, the operator of an overtaken vehicle shall give way 1513  
to the right in favor of the overtaking vehicle at the latter's 1514  
audible signal, and the operator shall not increase the speed of 1515  
the operator's vehicle until completely passed by the overtaking 1516  
vehicle. 1517

(3) The operator of a vehicle or trackless trolley 1518  
overtaking and passing another vehicle or trackless trolley 1519  
proceeding in the same direction on a divided highway as defined 1520  
in section 4511.35 of the Revised Code, a limited access highway 1521  
as defined in section 5511.02 of the Revised Code, or a highway 1522  
with four or more traffic lanes, is not required to signal 1523  
audibly to the vehicle or trackless trolley being overtaken and 1524  
passed. 1525

(B) Except as otherwise provided in this division, whoever 1526  
violates this section is guilty of a minor misdemeanor. If, 1527  
within one year of the offense, the offender previously has been 1528  
convicted of or pleaded guilty to one predicate motor vehicle or 1529  
traffic offense, whoever violates this section is guilty of a 1530  
misdemeanor of the fourth degree. If, within one year of the 1531  
offense, the offender previously has been convicted of two or 1532  
more predicate motor vehicle or traffic offenses, whoever 1533  
violates this section is guilty of a misdemeanor of the third 1534  
degree. 1535

If the offender commits the offense while distracted and 1536  
the distracting activity is a contributing factor to the 1537  
commission of the offense, the offender is subject to the 1538  
additional fine established under section 4511.991 of the 1539  
Revised Code. 1540

If the offender commits the offense while operating a 1541

motor vehicle in a construction zone and division (C) of section 1542  
4511.993 of the Revised Code applies, the offender is subject to 1543  
the additional penalties established under that section. 1544

**Sec. 4511.28.** (A) The driver of a vehicle or trackless 1545  
trolley may overtake and pass upon the right of another vehicle 1546  
or trackless trolley only under the following conditions: 1547

(1) When the vehicle or trackless trolley overtaken is 1548  
making or about to make a left turn; 1549

(2) Upon a roadway with unobstructed pavement of 1550  
sufficient width for two or more lines of vehicles moving 1551  
lawfully in the direction being traveled by the overtaking 1552  
vehicle. 1553

(B) The driver of a vehicle or trackless trolley may 1554  
overtake and pass another vehicle or trackless trolley only 1555  
under conditions permitting such movement in safety. The 1556  
movement shall not be made by driving off the roadway. 1557

(C) Except as otherwise provided in this division, whoever 1558  
violates this section is guilty of a minor misdemeanor. If, 1559  
within one year of the offense, the offender previously has been 1560  
convicted of or pleaded guilty to one predicate motor vehicle or 1561  
traffic offense, whoever violates this section is guilty of a 1562  
misdemeanor of the fourth degree. If, within one year of the 1563  
offense, the offender previously has been convicted of two or 1564  
more predicate motor vehicle or traffic offenses, whoever 1565  
violates this section is guilty of a misdemeanor of the third 1566  
degree. 1567

If the offender commits the offense while distracted and 1568  
the distracting activity is a contributing factor to the 1569  
commission of the offense, the offender is subject to the 1570

additional fine established under section 4511.991 of the Revised Code.

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

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

(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 1601  
commission of the offense, the offender is subject to the 1602  
additional fine established under section 4511.991 of the 1603  
Revised Code. 1604

If the offender commits the offense while operating a 1605  
motor vehicle in a construction zone and division (C) of section 1606  
4511.993 of the Revised Code applies, the offender is subject to 1607  
the additional penalties established under that section. 1608

**Sec. 4511.30.** (A) No vehicle or trackless trolley shall be 1609  
driven upon the left side of the roadway under the following 1610  
conditions: 1611

(1) When approaching the crest of a grade or upon a curve 1612  
in the highway, where the operator's view is obstructed within 1613  
such a distance as to create a hazard in the event traffic might 1614  
approach from the opposite direction; 1615

(2) When the view is obstructed upon approaching within 1616  
one hundred feet of any bridge, viaduct, or tunnel; 1617

(3) When approaching within one hundred feet of or 1618  
traversing any intersection or railroad grade crossing. 1619

(B) This section does not apply to vehicles or trackless 1620  
trolleys upon a one-way roadway, upon a roadway where traffic is 1621  
lawfully directed to be driven to the left side, or under the 1622  
conditions described in division (A) (2) of section 4511.25 of 1623  
the Revised Code. 1624

(C) Except as otherwise provided in this division, whoever 1625  
violates this section is guilty of a minor misdemeanor. If, 1626  
within one year of the offense, the offender previously has been 1627  
convicted of or pleaded guilty to one predicate motor vehicle or 1628  
traffic offense, whoever violates this section is guilty of a 1629



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

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

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

**Sec. 4511.31.** (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 of the following apply:

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

(2) The faster vehicle is capable of overtaking and

passing the slower vehicle without exceeding the speed limit. 1659

(3) There is sufficient clear sight distance to the left 1660  
of the center or center line of the roadway to meet the 1661  
overtaking and passing provisions of section 4511.29 of the 1662  
Revised Code, considering the speed of the slower vehicle. 1663

(C) Except as otherwise provided in this division, whoever 1664  
violates this section is guilty of a minor misdemeanor. If, 1665  
within one year of the offense, the offender previously has been 1666  
convicted of or pleaded guilty to one predicate motor vehicle or 1667  
traffic offense, whoever violates this section is guilty of a 1668  
misdemeanor of the fourth degree. If, within one year of the 1669  
offense, the offender previously has been convicted of two or 1670  
more predicate motor vehicle or traffic offenses, whoever 1671  
violates this section is guilty of a misdemeanor of the third 1672  
degree. 1673

If the offender commits the offense while distracted and 1674  
the distracting activity is a contributing factor to the 1675  
commission of the offense, the offender is subject to the 1676  
additional fine established under section 4511.991 of the 1677  
Revised Code. 1678

If the offender commits the offense while operating a 1679  
motor vehicle in a construction zone and division (C) of section 1680  
4511.993 of the Revised Code applies, the offender is subject to 1681  
the additional penalties established under that section. 1682

**Sec. 4511.32.** (A) The department of transportation may 1683  
designate any highway or any separate roadway under its 1684  
jurisdiction for one-way traffic and shall erect appropriate 1685  
signs giving notice thereof. 1686

Upon a roadway designated and posted with signs for one- 1687

way traffic a vehicle shall be driven only in the direction 1688  
designated. 1689

A vehicle passing around a rotary traffic island shall be 1690  
driven only to the right of the rotary traffic island. 1691

(B) Except as otherwise provided in this division, whoever 1692  
violates this section is guilty of a minor misdemeanor. If, 1693  
within one year of the offense, the offender previously has been 1694  
convicted of or pleaded guilty to one predicate motor vehicle or 1695  
traffic offense, whoever violates this section is guilty of a 1696  
misdemeanor of the fourth degree. If, within one year of the 1697  
offense, the offender previously has been convicted of two or 1698  
more predicate motor vehicle or traffic offenses, whoever 1699  
violates this section is guilty of a misdemeanor of the third 1700  
degree. 1701

If the offender commits the offense while distracted and 1702  
the distracting activity is a contributing factor to the 1703  
commission of the offense, the offender is subject to the 1704  
additional fine established under section 4511.991 of the 1705  
Revised Code. 1706

If the offender commits the offense while operating a 1707  
motor vehicle in a construction zone and division (C) of section 1708  
4511.993 of the Revised Code applies, the offender is subject to 1709  
the additional penalties established under that section. 1710

**Sec. 4511.33.** (A) Whenever any roadway has been divided 1711  
into two or more clearly marked lanes for traffic, or wherever 1712  
within municipal corporations traffic is lawfully moving in two 1713  
or more substantially continuous lines in the same direction, 1714  
the following rules apply: 1715

(1) A vehicle or trackless trolley shall be driven, as 1716

nearly as is practicable, entirely within a single lane or line 1717  
of traffic and shall not be moved from such lane or line until 1718  
the driver has first ascertained that such movement can be made 1719  
with safety. 1720

(2) Upon a roadway which is divided into three lanes and 1721  
provides for two-way movement of traffic, a vehicle or trackless 1722  
trolley shall not be driven in the center lane except when 1723  
overtaking and passing another vehicle or trackless trolley 1724  
where the roadway is clearly visible and such center lane is 1725  
clear of traffic within a safe distance, or when preparing for a 1726  
left turn, or where such center lane is at the time allocated 1727  
exclusively to traffic moving in the direction the vehicle or 1728  
trackless trolley is proceeding and is posted with signs to give 1729  
notice of such allocation. 1730

(3) Official signs may be erected directing specified 1731  
traffic to use a designated lane or designating those lanes to 1732  
be used by traffic moving in a particular direction regardless 1733  
of the center of the roadway, or restricting the use of a 1734  
particular lane to only buses during certain hours or during all 1735  
hours, and drivers of vehicles and trackless trolleys shall obey 1736  
the directions of such signs. 1737

(4) Official traffic control devices may be installed 1738  
prohibiting the changing of lanes on sections of roadway and 1739  
drivers of vehicles shall obey the directions of every such 1740  
device. 1741

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

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

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

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

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

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

Outside a municipal corporation, the driver of any truck,

or motor vehicle when drawing another vehicle, while ascending 1776  
to the crest of a grade beyond which the driver's view of a 1777  
roadway is obstructed, shall not follow within three hundred 1778  
feet of another truck, or motor vehicle drawing another vehicle. 1779  
This paragraph shall not apply to any lane specially designated 1780  
for use by trucks. 1781

Motor vehicles being driven upon any roadway outside of a 1782  
business or residence district in a caravan or motorcade, shall 1783  
maintain a sufficient space between such vehicles so an 1784  
overtaking vehicle may enter and occupy such space without 1785  
danger. This paragraph shall not apply to funeral processions. 1786

(B) Except as otherwise provided in this division, whoever 1787  
violates this section is guilty of a minor misdemeanor. If, 1788  
within one year of the offense, the offender previously has been 1789  
convicted of or pleaded guilty to one predicate motor vehicle or 1790  
traffic offense, whoever violates this section is guilty of a 1791  
misdemeanor of the fourth degree. If, within one year of the 1792  
offense, the offender previously has been convicted of two or 1793  
more predicate motor vehicle or traffic offenses, whoever 1794  
violates this section is guilty of a misdemeanor of the third 1795  
degree. 1796

If the offender commits the offense while distracted and 1797  
the distracting activity is a contributing factor to the 1798  
commission of the offense, the offender is subject to the 1799  
additional fine established under section 4511.991 of the 1800  
Revised Code. 1801

If the offender commits the offense while operating a 1802  
motor vehicle in a construction zone and division (C) of section 1803  
4511.993 of the Revised Code applies, the offender is subject to 1804  
the additional penalties established under that section. 1805

**Sec. 4511.35.** (A) Whenever any highway has been divided 1806  
into two roadways by an intervening space, or by a physical 1807  
barrier, or clearly indicated dividing section so constructed as 1808  
to impede vehicular traffic, every vehicle shall be driven only 1809  
upon the right-hand roadway, and no vehicle shall be driven 1810  
over, across, or within any such dividing space, barrier, or 1811  
section, except through an opening, crossover, or intersection 1812  
established by public authority. This section does not prohibit 1813  
the occupancy of such dividing space, barrier, or section for 1814  
the purpose of an emergency stop or in compliance with an order 1815  
of a police officer. 1816

(B) Except as otherwise provided in this division, whoever 1817  
violates this section is guilty of a minor misdemeanor. If, 1818  
within one year of the offense, the offender previously has been 1819  
convicted of or pleaded guilty to one predicate motor vehicle or 1820  
traffic offense, whoever violates this section is guilty of a 1821  
misdemeanor of the fourth degree. If, within one year of the 1822  
offense, the offender previously has been convicted of two or 1823  
more predicate motor vehicle or traffic offenses, whoever 1824  
violates this section is guilty of a misdemeanor of the third 1825  
degree. 1826

If the offender commits the offense while distracted and 1827  
the distracting activity is a contributing factor to the 1828  
commission of the offense, the offender is subject to the 1829  
additional fine established under section 4511.991 of the 1830  
Revised Code. 1831

If the offender commits the offense while operating a 1832  
motor vehicle in a construction zone and division (C) of section 1833  
4511.993 of the Revised Code applies, the offender is subject to 1834  
the additional penalties established under that section. 1835

**Sec. 4511.36.** (A) The driver of a vehicle intending to 1836  
turn at an intersection shall be governed by the following 1837  
rules: 1838

(1) Approach for a right turn and a right turn shall be 1839  
made as close as practicable to the right-hand curb or edge of 1840  
the roadway. 1841

(2) At any intersection where traffic is permitted to move 1842  
in both directions on each roadway entering the intersection, an 1843  
approach for a left turn shall be made in that portion of the 1844  
right half of the roadway nearest the center line thereof and by 1845  
passing to the right of such center line where it enters the 1846  
intersection and after entering the intersection the left turn 1847  
shall be made so as to leave the intersection to the right of 1848  
the center line of the roadway being entered. Whenever 1849  
practicable the left turn shall be made in that portion of the 1850  
intersection to the left of the center of the intersection. 1851

(3) At any intersection where traffic is restricted to one 1852  
direction on one or more of the roadways, the driver of a 1853  
vehicle intending to turn left at any such intersection shall 1854  
approach the intersection in the extreme left-hand lane lawfully 1855  
available to traffic moving in the direction of travel of such 1856  
vehicle, and after entering the intersection the left turn shall 1857  
be made so as to leave the intersection, as nearly as 1858  
practicable, in the left-hand lane of the roadway being entered 1859  
lawfully available to traffic moving in that lane. 1860

(B) The operator of a trackless trolley shall comply with 1861  
divisions (A) (1), (2), and (3) of this section wherever 1862  
practicable. 1863

(C) The department of transportation and local authorities 1864



in their respective jurisdictions may cause markers, buttons, or 1865  
signs to be placed within or adjacent to intersections and 1866  
thereby require and direct that a different course from that 1867  
specified in this section be traveled by vehicles, streetcars, 1868  
or trackless trolleys, turning at an intersection, and when 1869  
markers, buttons, or signs are so placed, no operator of a 1870  
vehicle, streetcar, or trackless trolley shall turn such 1871  
vehicle, streetcar, or trackless trolley at an intersection 1872  
other than as directed and required by such markers, buttons, or 1873  
signs. 1874

(D) Except as otherwise provided in this division, whoever 1875  
violates this section is guilty of a minor misdemeanor. If, 1876  
within one year of the offense, the offender previously has been 1877  
convicted of or pleaded guilty to one predicate motor vehicle or 1878  
traffic offense, whoever violates this section is guilty of a 1879  
misdemeanor of the fourth degree. If, within one year of the 1880  
offense, the offender previously has been convicted of two or 1881  
more predicate motor vehicle or traffic offenses, whoever 1882  
violates this section is guilty of a misdemeanor of the third 1883  
degree. 1884

If the offender commits the offense while distracted and 1885  
the distracting activity is a contributing factor to the 1886  
commission of the offense, the offender is subject to the 1887  
additional fine established under section 4511.991 of the 1888  
Revised Code. 1889

If the offender commits the offense while operating a 1890  
motor vehicle in a construction zone and division (C) of section 1891  
4511.993 of the Revised Code applies, the offender is subject to 1892  
the additional penalties established under that section. 1893

**Sec. 4511.37.** (A) Except as provided in section 4511.13 of 1894

the Revised Code and division (B) of this section, no vehicle 1895  
shall be turned so as to proceed in the opposite direction upon 1896  
any curve, or upon the approach to or near the crest of a grade, 1897  
if the vehicle cannot be seen within five hundred feet by the 1898  
driver of any other vehicle approaching from either direction. 1899

(B) The driver of an emergency vehicle or public safety 1900  
vehicle, when responding to an emergency call, may turn the 1901  
vehicle so as to proceed in the opposite direction. This 1902  
division applies only when the emergency vehicle or public 1903  
safety vehicle is responding to an emergency call, is equipped 1904  
with and displaying at least one flashing, rotating, or 1905  
oscillating light visible under normal atmospheric conditions 1906  
from a distance of five hundred feet to the front of the 1907  
vehicle, and when the driver of the vehicle is giving an audible 1908  
signal by siren, exhaust whistle, or bell. This division does 1909  
not relieve the driver of an emergency vehicle or public safety 1910  
vehicle from the duty to drive with due regard for the safety of 1911  
all persons and property upon the highway. 1912

(C) Except as otherwise provided in this division, whoever 1913  
violates this section is guilty of a minor misdemeanor. If, 1914  
within one year of the offense, the offender previously has been 1915  
convicted of or pleaded guilty to one predicate motor vehicle or 1916  
traffic offense, whoever violates this section is guilty of a 1917  
misdemeanor of the fourth degree. If, within one year of the 1918  
offense, the offender previously has been convicted of two or 1919  
more predicate motor vehicle or traffic offenses, whoever 1920  
violates this section is guilty of a misdemeanor of the third 1921  
degree. 1922

If the offender commits the offense while distracted and 1923  
the distracting activity is a contributing factor to the 1924

commission of the offense, the offender is subject to the 1925  
additional fine established under section 4511.991 of the 1926  
Revised Code. 1927

If the offender commits the offense while operating a 1928  
motor vehicle in a construction zone and division (C) of section 1929  
4511.993 of the Revised Code applies, the offender is subject to 1930  
the additional penalties established under that section. 1931

**Sec. 4511.38.** (A) No person shall start a vehicle, 1932  
streetcar, or trackless trolley which is stopped, standing, or 1933  
parked until such movement can be made with reasonable safety. 1934

Before backing, operators of vehicle, streetcars, or 1935  
trackless trolleys shall give ample warning, and while backing 1936  
they shall exercise vigilance not to injure person or property 1937  
on the street or highway. 1938

No person shall back a motor vehicle on a freeway, except: 1939  
in a rest area; in the performance of public works or official 1940  
duties; as a result of an emergency caused by an accident or 1941  
breakdown of a motor vehicle. 1942

(B) Except as otherwise provided in this division, whoever 1943  
violates this section is guilty of a minor misdemeanor. If, 1944  
within one year of the offense, the offender previously has been 1945  
convicted of or pleaded guilty to one predicate motor vehicle or 1946  
traffic offense, whoever violates this section is guilty of a 1947  
misdemeanor of the fourth degree. If, within one year of the 1948  
offense, the offender previously has been convicted of two or 1949  
more predicate motor vehicle or traffic offenses, whoever 1950  
violates this section is guilty of a misdemeanor of the third 1951  
degree. 1952

If the offender commits the offense while distracted and 1953

the distracting activity is a contributing factor to the 1954  
commission of the offense, the offender is subject to the 1955  
additional fine established under section 4511.991 of the 1956  
Revised Code. 1957

If the offender commits the offense while operating a 1958  
motor vehicle in a construction zone and division (C) of section 1959  
4511.993 of the Revised Code applies, the offender is subject to 1960  
the additional penalties established under that section. 1961

**Sec. 4511.39.** (A) No person shall turn a vehicle or 1962  
trackless trolley or move right or left upon a highway unless 1963  
and until such person has exercised due care to ascertain that 1964  
the movement can be made with reasonable safety nor without 1965  
giving an appropriate signal in the manner hereinafter provided. 1966

When required, a signal of intention to turn or move right 1967  
or left shall be given continuously during not less than the 1968  
last one hundred feet traveled by the vehicle or trackless 1969  
trolley before turning, except that in the case of a person 1970  
operating a bicycle or electric bicycle, the signal shall be 1971  
made not less than one time but is not required to be 1972  
continuous. A bicycle or electric bicycle operator is not 1973  
required to make a signal if the bicycle or electric bicycle is 1974  
in a designated turn lane, and a signal shall not be given when 1975  
the operator's hands are needed for the safe operation of the 1976  
bicycle or electric bicycle. 1977

No person shall stop or suddenly decrease the speed of a 1978  
vehicle or trackless trolley without first giving an appropriate 1979  
signal in the manner provided herein to the driver of any 1980  
vehicle or trackless trolley immediately to the rear when there 1981  
is opportunity to give a signal. 1982

Any stop or turn signal required by this section shall be 1983  
given either by means of the hand and arm, or by signal lights 1984  
that clearly indicate to both approaching and following traffic 1985  
intention to turn or move right or left, except that any motor 1986  
vehicle in use on a highway shall be equipped with, and the 1987  
required signal shall be given by, signal lights when the 1988  
distance from the center of the top of the steering post to the 1989  
left outside limit of the body, cab, or load of such motor 1990  
vehicle exceeds twenty-four inches, or when the distance from 1991  
the center of the top of the steering post to the rear limit of 1992  
the body or load thereof exceeds fourteen feet, whether a single 1993  
vehicle or a combination of vehicles. 1994

The signal lights required by this section shall not be 1995  
flashed on one side only on a disabled vehicle or trackless 1996  
trolley, flashed as a courtesy or "do pass" signal to operators 1997  
of other vehicles or trackless trolleys approaching from the 1998  
rear, nor be flashed on one side only of a parked vehicle or 1999  
trackless trolley except as may be necessary for compliance with 2000  
this section. 2001

(B) Except as otherwise provided in this division, whoever 2002  
violates this section is guilty of a minor misdemeanor. If, 2003  
within one year of the offense, the offender previously has been 2004  
convicted of or pleaded guilty to one predicate motor vehicle or 2005  
traffic offense, whoever violates this section is guilty of a 2006  
misdemeanor of the fourth degree. If, within one year of the 2007  
offense, the offender previously has been convicted of two or 2008  
more predicate motor vehicle or traffic offenses, whoever 2009  
violates this section is guilty of a misdemeanor of the third 2010  
degree. 2011

If the offender commits the offense while distracted and 2012

the distracting activity is a contributing factor to the 2013  
commission of the offense, the offender is subject to the 2014  
additional fine established under section 4511.991 of the 2015  
Revised Code. 2016

If the offender commits the offense while operating a 2017  
motor vehicle in a construction zone and division (C) of section 2018  
4511.993 of the Revised Code applies, the offender is subject to 2019  
the additional penalties established under that section. 2020

**Sec. 4511.41.** (A) When two vehicles, including any 2021  
trackless trolley or streetcar, approach or enter an 2022  
intersection from different streets or highways at approximately 2023  
the same time, the driver of the vehicle on the left shall yield 2024  
the right-of-way to the vehicle on the right. 2025

(B) The right-of-way rule declared in division (A) of this 2026  
section is modified at through highways and otherwise as stated 2027  
in Chapter 4511. of the Revised Code. 2028

(C) Except as otherwise provided in this division, whoever 2029  
violates this section is guilty of a minor misdemeanor. If, 2030  
within one year of the offense, the offender previously has been 2031  
convicted of or pleaded guilty to one predicate motor vehicle or 2032  
traffic offense, whoever violates this section is guilty of a 2033  
misdemeanor of the fourth degree. If, within one year of the 2034  
offense, the offender previously has been convicted of two or 2035  
more predicate motor vehicle or traffic offenses, whoever 2036  
violates this section is guilty of a misdemeanor of the third 2037  
degree. 2038

If the offender commits the offense while distracted and 2039  
the distracting activity is a contributing factor to the 2040  
commission of the offense, the offender is subject to the 2041

additional fine established under section 4511.991 of the Revised Code.

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

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

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

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

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

**Sec. 4511.43.** (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 or junction of roadways.

(B) The driver of a vehicle or trackless trolley approaching a yield sign shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, 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 slowing or stopping, the driver shall yield the right-of-way to any vehicle or trackless trolley 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 or junction of roadways. Whenever a driver is involved in a collision with a vehicle or trackless trolley in the intersection or junction of roadways, after driving past a



yield sign without stopping, the collision shall be prima-facie 2102  
evidence of the driver's failure to yield the right-of-way. 2103

(C) Except as otherwise provided in this division, whoever 2104  
violates this section is guilty of a minor misdemeanor. If, 2105  
within one year of the offense, the offender previously has been 2106  
convicted of or pleaded guilty to one predicate motor vehicle or 2107  
traffic offense, whoever violates this section is guilty of a 2108  
misdemeanor of the fourth degree. If, within one year of the 2109  
offense, the offender previously has been convicted of two or 2110  
more predicate motor vehicle or traffic offenses, whoever 2111  
violates this section is guilty of a misdemeanor of the third 2112  
degree. 2113

If the offender commits the offense while distracted and 2114  
the distracting activity is a contributing factor to the 2115  
commission of the offense, the offender is subject to the 2116  
additional fine established under section 4511.991 of the 2117  
Revised Code. 2118

If the offender commits the offense while operating a 2119  
motor vehicle in a construction zone and division (C) of section 2120  
4511.993 of the Revised Code applies, the offender is subject to 2121  
the additional penalties established under that section. 2122

**Sec. 4511.431.** (A) The driver of a vehicle or trackless 2123  
trolley emerging from an alley, building, private road, or 2124  
driveway within a business or residence district shall stop the 2125  
vehicle or trackless trolley immediately prior to driving onto a 2126  
sidewalk or onto the sidewalk area extending across the alley, 2127  
building entrance, road, or driveway, or in the event there is 2128  
no sidewalk area, shall stop at the point nearest the street to 2129  
be entered where the driver has a view of approaching traffic 2130  
thereon. 2131

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

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

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

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

(B) Except as otherwise provided in this division, whoever  
violates this section is guilty of a minor misdemeanor. If,  
within one year of the offense, the offender previously has been  
convicted of or pleaded guilty to one predicate motor vehicle or  
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 2162  
violates this section is guilty of a misdemeanor of the third 2163  
degree. 2164

If the offender commits the offense while distracted and 2165  
the distracting activity is a contributing factor to the 2166  
commission of the offense, the offender is subject to the 2167  
additional fine established under section 4511.991 of the 2168  
Revised Code. 2169

If the offender commits the offense while operating a 2170  
motor vehicle in a construction zone and division (C) of section 2171  
4511.993 of the Revised Code applies, the offender is subject to 2172  
the additional penalties established under that section. 2173

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 2174  
right-of-way to any pedestrian on a sidewalk. 2175

(B) Except as otherwise provided in this division, whoever 2176  
violates this section is guilty of a minor misdemeanor. If, 2177  
within one year of the offense, the offender previously has been 2178  
convicted of or pleaded guilty to one predicate motor vehicle or 2179  
traffic offense, whoever violates this section is guilty of a 2180  
misdemeanor of the fourth degree. If, within one year of the 2181  
offense, the offender previously has been convicted of two or 2182  
more predicate motor vehicle or traffic offenses, whoever 2183  
violates this section is guilty of a misdemeanor of the third 2184  
degree. 2185

If the offender commits the offense while distracted and 2186  
the distracting activity is a contributing factor to the 2187  
commission of the offense, the offender is subject to the 2188  
additional fine established under section 4511.991 of the 2189  
Revised Code. 2190

If the offender commits the offense while operating a 2191  
motor vehicle in a construction zone and division (C) of section 2192  
4511.993 of the Revised Code applies, the offender is subject to 2193  
the additional penalties established under that section. 2194

**Sec. 4511.451.** (A) As used in this section, "funeral 2195  
procession" means two or more vehicles accompanying the cremated 2196  
remains or the body of a deceased person in the daytime when 2197  
each of the vehicles has its headlights lighted and is 2198  
displaying a purple and white or an orange and white pennant 2199  
attached to each vehicle in such a manner as to be clearly 2200  
visible to traffic approaching from any direction. 2201

(B) Excepting public safety vehicles proceeding in 2202  
accordance with section 4511.45 of the Revised Code or when 2203  
directed otherwise by a police officer, pedestrians and the 2204  
operators of all vehicles, street cars, and trackless trolleys 2205  
shall yield the right of way to each vehicle that is a part of a 2206  
funeral procession. Whenever the lead vehicle in a funeral 2207  
procession lawfully enters an intersection, the remainder of the 2208  
vehicles in the procession may continue to follow the lead 2209  
vehicle through the intersection notwithstanding any traffic 2210  
control devices or right of way provisions of the Revised Code, 2211  
provided that the operator of each vehicle exercises due care to 2212  
avoid colliding with any other vehicle or pedestrian. 2213

(C) No person shall operate any vehicle as a part of a 2214  
funeral procession without having the headlights of the vehicle 2215  
lighted and without displaying a purple and white or an orange 2216  
and white pennant in such a manner as to be clearly visible to 2217  
traffic approaching from any direction. 2218

(D) Except as otherwise provided in this division, whoever 2219  
violates this section is guilty of a minor misdemeanor. If, 2220

within one year of the offense, the offender previously has been 2221  
convicted of or pleaded guilty to one predicate motor vehicle or 2222  
traffic offense, whoever violates this section is guilty of a 2223  
misdemeanor of the fourth degree. If, within one year of the 2224  
offense, the offender previously has been convicted of two or 2225  
more predicate motor vehicle or traffic offenses, whoever 2226  
violates this section is guilty of a misdemeanor of the third 2227  
degree. 2228

If the offender commits the offense while distracted and 2229  
the distracting activity is a contributing factor to the 2230  
commission of the offense, the offender is subject to the 2231  
additional fine established under section 4511.991 of the 2232  
Revised Code. 2233

If the offender commits the offense while operating a 2234  
motor vehicle in a construction zone and division (C) of section 2235  
4511.993 of the Revised Code applies, the offender is subject to 2236  
the additional penalties established under that section. 2237

**Sec. 4511.46.** (A) When traffic control signals are not in 2238  
place, not in operation, or are not clearly assigning the right- 2239  
of-way, the driver of a vehicle, trackless trolley, or streetcar 2240  
shall yield the right of way, slowing down or stopping if need 2241  
be to so yield or if required by section 4511.132 of the Revised 2242  
Code, to a pedestrian crossing the roadway within a crosswalk 2243  
when the pedestrian is upon the half of the roadway upon which 2244  
the vehicle is traveling, or when the pedestrian is approaching 2245  
so closely from the opposite half of the roadway as to be in 2246  
danger. 2247

(B) No pedestrian shall suddenly leave a curb or other 2248  
place of safety and walk or run into the path of a vehicle, 2249  
trackless trolley, or streetcar which is so close as to 2250

constitute an immediate hazard. 2251

(C) Division (A) of this section does not apply under the 2252  
conditions stated in division (B) of section 4511.48 of the 2253  
Revised Code. 2254

(D) Whenever any vehicle, trackless trolley, or streetcar 2255  
is stopped at a marked crosswalk or at any unmarked crosswalk at 2256  
an intersection to permit a pedestrian to cross the roadway, the 2257  
driver of any other vehicle, trackless trolley, or streetcar 2258  
approaching from the rear shall not overtake and pass the 2259  
stopped vehicle. 2260

(E) Except as otherwise provided in this division, whoever 2261  
violates this section is guilty of a minor misdemeanor. If, 2262  
within one year of the offense, the offender previously has been 2263  
convicted of or pleaded guilty to one predicate motor vehicle or 2264  
traffic offense, whoever violates this section is guilty of a 2265  
misdemeanor of the fourth degree. If, within one year of the 2266  
offense, the offender previously has been convicted of two or 2267  
more predicate motor vehicle or traffic offenses, whoever 2268  
violates this section is guilty of a misdemeanor of the third 2269  
degree. 2270

If the offender commits the offense while distracted and 2271  
the distracting activity is a contributing factor to the 2272  
commission of the offense, the offender is subject to the 2273  
additional fine established under section 4511.991 of the 2274  
Revised Code. 2275

If the offender commits the offense while operating a 2276  
motor vehicle in a construction zone and division (C) of section 2277  
4511.993 of the Revised Code applies, the offender is subject to 2278  
the additional penalties established under that section. 2279

**Sec. 4511.47.** (A) As used in this section "blind person" 2280  
or "blind pedestrian" means a person having not more than 20/200 2281  
visual acuity in the better eye with correcting lenses or visual 2282  
acuity greater than 20/200 but with a limitation in the fields 2283  
of vision such that the widest diameter of the visual field 2284  
subtends an angle no greater than twenty degrees. 2285

The driver of every vehicle shall yield the right of way 2286  
to every blind pedestrian guided by a guide dog, or carrying a 2287  
cane which is predominantly white or metallic in color, with or 2288  
without a red tip. 2289

(B) No person, other than a blind person, while on any 2290  
public highway, street, alley, or other public thoroughfare 2291  
shall carry a white or metallic cane with or without a red tip. 2292

(C) Except as otherwise provided in this division, whoever 2293  
violates this section is guilty of a minor misdemeanor. If, 2294  
within one year of the offense, the offender previously has been 2295  
convicted of or pleaded guilty to one predicate motor vehicle or 2296  
traffic offense, whoever violates this section is guilty of a 2297  
misdemeanor of the fourth degree. If, within one year of the 2298  
offense, the offender previously has been convicted of two or 2299  
more predicate motor vehicle or traffic offenses, whoever 2300  
violates this section is guilty of a misdemeanor of the third 2301  
degree. 2302

If the offender commits the offense while distracted and 2303  
the distracting activity is a contributing factor to the 2304  
commission of the offense, the offender is subject to the 2305  
additional fine established under section 4511.991 of the 2306  
Revised Code. 2307

If the offender commits the offense while operating a 2308

motor vehicle in a construction zone and division (C) of section 2309  
4511.993 of the Revised Code applies, the offender is subject to 2310  
the additional penalties established under that section. 2311

**Sec. 4511.54.** (A) No person riding upon any bicycle, 2312  
electric bicycle, coaster, roller skates, sled, skateboard, or 2313  
toy vehicle shall attach the same or self to any streetcar, 2314  
trackless trolley, or vehicle upon a roadway. 2315

No operator shall knowingly permit any person riding upon 2316  
any bicycle, electric bicycle, coaster, roller skates, sled, 2317  
skateboard, or toy vehicle to attach the same or self to any 2318  
streetcar, trackless trolley, or vehicle while it is moving upon 2319  
a roadway. 2320

This section does not apply to the towing of a disabled 2321  
vehicle. 2322

(B) Except as otherwise provided in this division, whoever 2323  
violates this section is guilty of a minor misdemeanor. If, 2324  
within one year of the offense, the offender previously has been 2325  
convicted of or pleaded guilty to one predicate motor vehicle or 2326  
traffic offense, whoever violates this section is guilty of a 2327  
misdemeanor of the fourth degree. If, within one year of the 2328  
offense, the offender previously has been convicted of two or 2329  
more predicate motor vehicle or traffic offenses, whoever 2330  
violates this section is guilty of a misdemeanor of the third 2331  
degree. 2332

If the offender commits the offense while distracted and 2333  
the distracting activity is a contributing factor to the 2334  
commission of the offense, the offender is subject to the 2335  
additional fine established under section 4511.991 of the 2336  
Revised Code. 2337



If the offender commits the offense while operating a 2338  
motor vehicle in a construction zone and division (C) of section 2339  
4511.993 of the Revised Code applies, the offender is subject to 2340  
the additional penalties established under that section. 2341

**Sec. 4511.57.** (A) The driver of a vehicle shall not 2342  
overtake and pass upon the left nor drive upon the left side of 2343  
any streetcar proceeding in the same direction, whether such 2344  
streetcar is in motion or at rest, except: 2345

(1) When so directed by a police officer or traffic 2346  
control device; 2347

(2) When upon a one-way street; 2348

(3) When upon a street where the tracks are so located as 2349  
to prevent compliance with this section; 2350

(4) When authorized by local authorities. 2351

(B) The driver of any vehicle when permitted to overtake 2352  
and pass upon the left of a streetcar which has stopped for the 2353  
purpose of receiving or discharging any passenger shall accord 2354  
pedestrians the right of way. 2355

(C) Except as otherwise provided in this division, whoever 2356  
violates this section is guilty of a minor misdemeanor. If, 2357  
within one year of the offense, the offender previously has been 2358  
convicted of or pleaded guilty to one predicate motor vehicle or 2359  
traffic offense, whoever violates this section is guilty of a 2360  
misdemeanor of the fourth degree. If, within one year of the 2361  
offense, the offender previously has been convicted of two or 2362  
more predicate motor vehicle or traffic offenses, whoever 2363  
violates this section is guilty of a misdemeanor of the third 2364  
degree. 2365

If the offender commits the offense while distracted and 2366  
the distracting activity is a contributing factor to the 2367  
commission of the offense, the offender is subject to the 2368  
additional fine established under section 4511.991 of the 2369  
Revised Code. 2370

If the offender commits the offense while operating a 2371  
motor vehicle in a construction zone and division (C) of section 2372  
4511.993 of the Revised Code applies, the offender is subject to 2373  
the additional penalties established under that section. 2374

**Sec. 4511.58.** (A) The driver of a vehicle overtaking upon 2375  
the right any streetcar stopped for the purpose of receiving or 2376  
discharging any passenger shall stop such vehicle at least five 2377  
feet to the rear of the nearest running board or door of such 2378  
streetcar and remain standing until all passengers have boarded 2379  
such streetcar, or upon alighting therefrom have reached a place 2380  
of safety, except that where a safety zone has been established, 2381  
a vehicle need not be brought to a stop before passing any such 2382  
streetcar or any trackless trolley, but may proceed past such 2383  
streetcar or trackless trolley at a speed not greater than is 2384  
reasonable and proper considering the safety of pedestrians. 2385

(B) Except as otherwise provided in this division, whoever 2386  
violates this section is guilty of a minor misdemeanor. If, 2387  
within one year of the offense, the offender previously has been 2388  
convicted of or pleaded guilty to one predicate motor vehicle or 2389  
traffic offense, whoever violates this section is guilty of a 2390  
misdemeanor of the fourth degree. If, within one year of the 2391  
offense, the offender previously has been convicted of two or 2392  
more predicate motor vehicle or traffic offenses, whoever 2393  
violates this section is guilty of a misdemeanor of the third 2394  
degree. 2395

If the offender commits the offense while distracted and 2396  
the distracting activity is a contributing factor to the 2397  
commission of the offense, the offender is subject to the 2398  
additional fine established under section 4511.991 of the 2399  
Revised Code. 2400

If the offender commits the offense while operating a 2401  
motor vehicle in a construction zone and division (C) of section 2402  
4511.993 of the Revised Code applies, the offender is subject to 2403  
the additional penalties established under that section. 2404

**Sec. 4511.59.** (A) The driver of any vehicle proceeding 2405  
upon any streetcar tracks in front of a streetcar shall remove 2406  
such vehicle from the track as soon as practicable after signal 2407  
from the operator of said streetcar. 2408

The driver of a vehicle upon overtaking and passing a 2409  
streetcar shall not turn in front of such streetcar unless such 2410  
movement can be made in safety. 2411

(B) Except as otherwise provided in this division, whoever 2412  
violates this section is guilty of a minor misdemeanor. If, 2413  
within one year of the offense, the offender previously has been 2414  
convicted of or pleaded guilty to one predicate motor vehicle or 2415  
traffic offense, whoever violates this section is guilty of a 2416  
misdemeanor of the fourth degree. If, within one year of the 2417  
offense, the offender previously has been convicted of two or 2418  
more predicate motor vehicle or traffic offenses, whoever 2419  
violates this section is guilty of a misdemeanor of the third 2420  
degree. 2421

If the offender commits the offense while distracted and 2422  
the distracting activity is a contributing factor to the 2423  
commission of the offense, the offender is subject to the 2424

additional fine established under section 4511.991 of the Revised Code. 2425  
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If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section. 2427  
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**Sec. 4511.60.** (A) No vehicle shall at any time be driven through or within a safety zone. 2431  
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(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. 2433  
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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. 2443  
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If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section. 2448  
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**Sec. 4511.61.** (A) As used in this section, "active grade crossing warning device" means signs, signals, gates, or other 2452  
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protective devices erected or installed at a public highway- 2454  
railway crossing at common grade and activated by an electrical 2455  
circuit. 2456

(B) The department of transportation and local authorities 2457  
in their respective jurisdictions, with the approval of the 2458  
department, may designate dangerous highway crossings over 2459  
railroad tracks whether on state, county, or township highways 2460  
or on streets or ways within municipal corporations, and erect 2461  
stop signs thereat. 2462

(C) (1) The department and local authorities shall erect 2463  
stop signs at a railroad highway grade crossing in either of the 2464  
following circumstances: 2465

(a) New warning devices that are not active grade crossing 2466  
warning devices are being installed at the grade crossing, and 2467  
railroad crossbucks were the only warning devices at the grade 2468  
crossing prior to the installation of the new warning devices. 2469

(b) The grade crossing is constructed after July 1, 2013, 2470  
and only warning devices that are not active grade crossing 2471  
warning devices are installed at the grade crossing. 2472

(2) Division (C) (1) of this section does not apply to a 2473  
railroad highway grade crossing that the director of 2474  
transportation has exempted from that division because of 2475  
traffic flow or other considerations or factors. 2476

(D) When stop signs are erected pursuant to division (B) 2477  
or (C) of this section, the operator of any vehicle, streetcar, 2478  
or trackless trolley shall stop within fifty, but not less than 2479  
fifteen, feet from the nearest rail of the railroad tracks and 2480  
shall exercise due care before proceeding across such grade 2481  
crossing. 2482

(E) Except as otherwise provided in this division, whoever 2483  
violates division (D) of this section is guilty of a minor 2484  
misdemeanor. If, within one year of the offense, the offender 2485  
previously has been convicted of or pleaded guilty to one 2486  
predicate motor vehicle or traffic offense, whoever violates 2487  
this section is guilty of a misdemeanor of the fourth degree. 2488  
If, within one year of the offense, the offender previously has 2489  
been convicted of two or more predicate motor vehicle or traffic 2490  
offenses, whoever violates this section is guilty of a 2491  
misdemeanor of the third degree. 2492

If the offender commits the offense while distracted and 2493  
the distracting activity is a contributing factor to the 2494  
commission of the offense, the offender is subject to the 2495  
additional fine established under section 4511.991 of the 2496  
Revised Code. 2497

If the offender commits the offense while operating a 2498  
motor vehicle in a construction zone and division (C) of section 2499  
4511.993 of the Revised Code applies, the offender is subject to 2500  
the additional penalties established under that section. 2501

**Sec. 4511.64.** (A) No person shall operate or move any 2502  
crawler-type tractor, steam shovel, derrick, roller, or any 2503  
equipment or structure having a normal operating speed of six or 2504  
less miles per hour or a vertical body or load clearance of less 2505  
than nine inches above the level surface of a roadway, upon or 2506  
across any tracks at a railroad grade crossing without first 2507  
complying with divisions (A) (1) and (2) of this section. 2508

(1) Before making any such crossing, the person operating 2509  
or moving any such vehicle or equipment shall first stop the 2510  
same, and while stopped the person shall listen and look in both 2511  
directions along such track for any approaching train and for 2512

signals indicating the approach of a train, and shall proceed 2513  
only upon exercising due care. 2514

(2) No such crossing shall be made when warning is given 2515  
by automatic signal or crossing gates or a flagperson or 2516  
otherwise of the immediate approach of a railroad train or car. 2517

(B) If the normal sustained speed of such vehicle, 2518  
equipment, or structure is not more than three miles per hour, 2519  
the person owning, operating, or moving the same shall also give 2520  
notice of such intended crossing to a station agent or 2521  
superintendent of the railroad, and a reasonable time shall be 2522  
given to such railroad to provide proper protection for such 2523  
crossing. Where such vehicles or equipment are being used in 2524  
constructing or repairing a section of highway lying on both 2525  
sides of a railroad grade crossing, and in such construction or 2526  
repair it is necessary to repeatedly move such vehicles or 2527  
equipment over such crossing, one daily notice specifying when 2528  
such work will start and stating the hours during which it will 2529  
be prosecuted is sufficient. 2530

(C) Except as otherwise provided in this division, whoever 2531  
violates this section is guilty of a minor misdemeanor. If, 2532  
within one year of the offense, the offender previously has been 2533  
convicted of or pleaded guilty to one predicate motor vehicle or 2534  
traffic offense, whoever violates this section is guilty of a 2535  
misdemeanor of the fourth degree. If, within one year of the 2536  
offense, the offender previously has been convicted of two or 2537  
more predicate motor vehicle or traffic offenses, whoever 2538  
violates this section is guilty of a misdemeanor of the third 2539  
degree. 2540

If the offender commits the offense while distracted and 2541  
the distracting activity is a contributing factor to the 2542

commission of the offense, the offender is subject to the 2543  
additional fine established under section 4511.991 of the 2544  
Revised Code. 2545

If the offender commits the offense while operating a 2546  
motor vehicle in a construction zone and division (C) of section 2547  
4511.993 of the Revised Code applies, the offender is subject to 2548  
the additional penalties established under that section. 2549

**Sec. 4511.71.** (A) No person shall drive upon, along, or 2550  
across a street or highway, or any part of a street or highway 2551  
that has been closed in the process of its construction, 2552  
reconstruction, or repair, and posted with appropriate signs by 2553  
the authority having jurisdiction to close such highway. 2554

(B) Except as otherwise provided in this division, whoever 2555  
violates this section is guilty of a minor misdemeanor. If, 2556  
within one year of the offense, the offender previously has been 2557  
convicted of or pleaded guilty to one predicate motor vehicle or 2558  
traffic offense, whoever violates this section is guilty of a 2559  
misdemeanor of the fourth degree. If, within one year of the 2560  
offense, the offender previously has been convicted of two or 2561  
more predicate motor vehicle or traffic offenses, whoever 2562  
violates this section is guilty of a misdemeanor of the third 2563  
degree. 2564

If the offender commits the offense while distracted and 2565  
the distracting activity is a contributing factor to the 2566  
commission of the offense, the offender is subject to the 2567  
additional fine established under section 4511.991 of the 2568  
Revised Code. 2569

If the offender commits the offense while operating a 2570  
motor vehicle in a construction zone and division (C) of section 2571



4511.993 of the Revised Code applies, the offender is subject to 2572  
the additional penalties established under that section. 2573

**Sec. 4511.711.** (A) No person shall drive any vehicle, 2574  
other than a bicycle or an electric bicycle if the motor is not 2575  
engaged, upon a sidewalk or sidewalk area except upon a 2576  
permanent or duly authorized temporary driveway. 2577

This prohibition does not apply to a law enforcement 2578  
officer, or other person sworn to enforce the criminal and 2579  
traffic laws of the state, using an electric bicycle with the 2580  
motor engaged while in the performance of the officer's duties. 2581

Nothing in this section shall be construed as prohibiting 2582  
local authorities from regulating the operation of bicycles or 2583  
electric bicycles within their respective jurisdictions, except 2584  
that no local authority may require that bicycles or electric 2585  
bicycles be operated on sidewalks. 2586

(B) Except as otherwise provided in this division, whoever 2587  
violates this section is guilty of a minor misdemeanor. If, 2588  
within one year of the offense, the offender previously has been 2589  
convicted of or pleaded guilty to one predicate motor vehicle or 2590  
traffic offense, whoever violates this section is guilty of a 2591  
misdemeanor of the fourth degree. If, within one year of the 2592  
offense, the offender previously has been convicted of two or 2593  
more predicate motor vehicle or traffic offenses, whoever 2594  
violates this section is guilty of a misdemeanor of the third 2595  
degree. 2596

If the offender commits the offense while distracted and 2597  
the distracting activity is a contributing factor to the 2598  
commission of the offense, the offender is subject to the 2599  
additional fine established under section 4511.991 of the 2600

Revised Code. 2601

If the offender commits the offense while operating a 2602  
motor vehicle in a construction zone, the offender is subject to 2603  
the additional penalties established under section 4511.993 of 2604  
the Revised Code. 2605

**Sec. 4511.712.** (A) No driver shall enter an intersection 2606  
or marked crosswalk or drive onto any railroad grade crossing 2607  
unless there is sufficient space on the other side of the 2608  
intersection, crosswalk, or grade crossing to accommodate the 2609  
vehicle, streetcar, or trackless trolley the driver is operating 2610  
without obstructing the passage of other vehicles, streetcars, 2611  
trackless trolleys, pedestrians, or railroad trains, 2612  
notwithstanding any traffic control signal indication to 2613  
proceed. 2614

(B) Except as otherwise provided in this division, whoever 2615  
violates this section is guilty of a minor misdemeanor. If, 2616  
within one year of the offense, the offender previously has been 2617  
convicted of or pleaded guilty to one predicate motor vehicle or 2618  
traffic offense, whoever violates this section is guilty of a 2619  
misdemeanor of the fourth degree. If, within one year of the 2620  
offense, the offender previously has been convicted of two or 2621  
more predicate motor vehicle or traffic offenses, whoever 2622  
violates this section is guilty of a misdemeanor of the third 2623  
degree. 2624

If the offender commits the offense while distracted and 2625  
the distracting activity is a contributing factor to the 2626  
commission of the offense, the offender is subject to the 2627  
additional fine established under section 4511.991 of the 2628  
Revised Code. 2629

If the offender commits the offense while operating a 2630  
motor vehicle in a construction zone and division (C) of section 2631  
4511.993 of the Revised Code applies, the offender is subject to 2632  
the additional penalties established under that section. 2633

**Sec. 4511.72.** (A) The driver of any vehicle, other than an 2634  
emergency vehicle or public safety vehicle on official business, 2635  
shall not follow any emergency vehicle or public safety vehicle 2636  
traveling in response to an alarm closer than five hundred feet, 2637  
or drive into or park such vehicle within the block where fire 2638  
apparatus has stopped in answer to a fire alarm, unless directed 2639  
to do so by a police officer or a firefighter. 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

If the offender commits the offense while operating a 2656  
motor vehicle in a construction zone and division (C) of section 2657  
4511.993 of the Revised Code applies, the offender is subject to 2658  
the additional penalties established under that section. 2659

**Sec. 4511.73.** (A) No streetcar, trackless trolley, or 2660  
vehicle shall, without the consent of the fire department 2661  
official in command, be driven over any unprotected hose of a 2662  
fire department that is laid down on any street, private 2663  
driveway, or streetcar track to be used at any fire or alarm of 2664  
fire. 2665

(B) Except as otherwise provided in this division, whoever 2666  
violates this section is guilty of a minor misdemeanor. If, 2667  
within one year of the offense, the offender previously has been 2668  
convicted of or pleaded guilty to one predicate motor vehicle or 2669  
traffic offense, whoever violates this section is guilty of a 2670  
misdemeanor of the fourth degree. If, within one year of the 2671  
offense, the offender previously has been convicted of two or 2672  
more predicate motor vehicle or traffic offenses, whoever 2673  
violates this section is guilty of a misdemeanor of the third 2674  
degree. 2675

If the offender commits the offense while distracted and 2676  
the distracting activity is a contributing factor to the 2677  
commission of the offense, the offender is subject to the 2678  
additional fine established under section 4511.991 of the 2679  
Revised Code. 2680

If the offender commits the offense while operating a 2681  
motor vehicle in a construction zone and division (C) of section 2682  
4511.993 of the Revised Code applies, the offender is subject to 2683  
the additional penalties established under that section. 2684

**Sec. 4511.991.** (A) As used in this section and each 2685  
section referenced in division (B) of this section, all of the 2686  
following apply: 2687

(1) "Distracted" means doing either of the following while 2688

operating a vehicle:	2689
(a) Using an electronic wireless communications device, as defined in section 4511.204 of the Revised Code, in violation of that section;	2690 2691 2692
(b) Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.	2693 2694 2695 2696
(2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of section 4511.84 of the Revised Code.	2697 2698 2699 2700 2701
(3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage, or a circumstance affecting the health or safety of individuals.	2702 2703 2704 2705 2706
As used in division (A) (3) of this section:	2707
(a) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.	2708 2709
(b) "Utility service vehicle" means a vehicle owned or operated by a utility.	2710 2711
(B) If an offender violates section 4511.03, 4511.051, 4511.12, 4511.121, 4511.132, <u>4511.17</u> , <u>4511.202</u> , 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41,	2712 2713 2714 2715 2716

4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 2717  
4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 2718  
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2719  
4511.713, 4511.72, or 4511.73 of the Revised Code while 2720  
distracted and the distracting activity is a contributing factor 2721  
to the commission of the violation, the offender is subject to 2722  
the applicable penalty for the violation and, notwithstanding 2723  
section 2929.28 of the Revised Code, is subject to an additional 2724  
fine of not more than one hundred dollars as follows: 2725

(1) Subject to Traffic Rule 13, if a law enforcement 2726  
officer issues an offender a ticket, citation, or summons for a 2727  
violation of any of the aforementioned sections of the Revised 2728  
Code that indicates that the offender was distracted while 2729  
committing the violation and that the distracting activity was a 2730  
contributing factor to the commission of the violation, the 2731  
offender may enter a written plea of guilty and waive the 2732  
offender's right to contest the ticket, citation, or summons in 2733  
a trial provided that the offender pays the total amount of the 2734  
fine established for the violation and pays the additional fine 2735  
of one hundred dollars. 2736

In lieu of payment of the additional fine of one hundred 2737  
dollars, the offender instead may elect to attend a distracted 2738  
driving safety course, the duration and contents of which shall 2739  
be established by the director of public safety. If the offender 2740  
attends and successfully completes the course, the offender 2741  
shall be issued written evidence that the offender successfully 2742  
completed the course. The offender shall be required to pay the 2743  
total amount of the fine established for the violation, but 2744  
shall not be required to pay the additional fine of one hundred 2745  
dollars, so long as the offender submits to the court both the 2746  
offender's payment in full and such written evidence within 2747

ninety days of the underlying violation that resulted in the 2748  
imposition of the additional fine under division (B) of this 2749  
section. 2750

(2) If the offender appears in person to contest the 2751  
ticket, citation, or summons in a trial and the offender pleads 2752  
guilty to or is convicted of the violation, the court, in 2753  
addition to all other penalties provided by law, may impose the 2754  
applicable penalty for the violation and may impose the 2755  
additional fine of not more than one hundred dollars. 2756

If the court imposes upon the offender the applicable 2757  
penalty for the violation and an additional fine of not more 2758  
than one hundred dollars, the court shall inform the offender 2759  
that, in lieu of payment of the additional fine of not more than 2760  
one hundred dollars, the offender instead may elect to attend 2761  
the distracted driving safety course described in division (B) 2762  
(1) of this section. If the offender elects the course option 2763  
and attends and successfully completes the course, the offender 2764  
shall be issued written evidence that the offender successfully 2765  
completed the course. The offender shall be required to pay the 2766  
total amount of the fine established for the violation, but 2767  
shall not be required to pay the additional fine of not more 2768  
than one hundred dollars, so long as the offender submits to the 2769  
court the offender's payment and such written evidence within 2770  
ninety days of the underlying violation that resulted in the 2771  
imposition of the additional fine under division (B) of this 2772  
section. 2773

(C) If a law enforcement officer issues an offender a 2774  
ticket, citation, or summons for a violation of any of the 2775  
sections of the Revised Code listed in division (B) of this 2776  
section that indicates that the offender was distracted while 2777

committing the violation and that the distracting activity was a 2778  
contributing factor to the commission of the violation, the 2779  
officer shall do both of the following: 2780

(1) Report the issuance of the ticket, citation, or 2781  
summons to the officer's law enforcement agency; 2782

(2) Ensure that such report indicates the offender's race. 2783

**Sec. 4511.993.** (A) As used in this section, "construction 2784  
zone" means that lane or portion of street or highway open to 2785  
vehicular traffic and adjacent to a lane, berm, or shoulder of a 2786  
street or highway within which lane, berm, or shoulder 2787  
construction, reconstruction, resurfacing, or any other work of 2788  
a repair or maintenance nature, including public utility work, 2789  
is being conducted, commencing with the point where the first 2790  
sign indicating work is occurring and ending where the last sign 2791  
specifying the end of the construction zone is located. 2792

(B) Subject to division (C) of this section, if an 2793  
operator of a motor vehicle violates section 4511.03, 4511.12, 2794  
4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 4511.211, 2795  
4511.213, 4511.22, 4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 2796  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2797  
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 2798  
4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 2799  
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 2800  
4511.64, 4511.71, 4511.711, 4511.712, 4511.72, or 4511.73 of the 2801  
Revised Code while driving in a construction zone, the operator 2802  
is subject to the applicable penalty for the violation and, 2803  
notwithstanding section 2929.28 of the Revised Code, the 2804  
following: 2805

(1) Except as provided in division (B) (2) or (3) of this 2806



section, a mandatory completion of a driving safety course 2807  
approved by the director of public safety to be completed by the 2808  
operator within thirty days after the conviction for the 2809  
underlying offense; 2810

(2) Except as provided in division (B) (3) of this section, 2811  
if, within five years of the violation, the operator has 2812  
previously been penalized under this section, a driver's license 2813  
suspension of ninety days, which shall be in addition to any 2814  
driver's license suspension imposed for the underlying offense, 2815  
and mandatory completion of a driving safety course approved by 2816  
the director of public safety to be completed by the operator 2817  
within thirty days after the conviction for the underlying 2818  
offense; 2819

(3) If, within five years of the violation, an offender 2820  
has previously been penalized two or more times under this 2821  
section, a driver's license suspension of one year, which shall 2822  
be in addition to any driver's license suspension imposed for 2823  
the underlying offense, and mandatory completion of a driving 2824  
safety course approved by the director of public safety to be 2825  
completed by the operator within thirty days after the 2826  
conviction for the underlying offense. 2827

(C) Notwithstanding any other provision of law to the 2828  
contrary, the court shall only impose additional penalties as 2829  
specified under division (B) of this section when all of the 2830  
following apply: 2831

(1) The offense occurs within a construction zone in which 2832  
a sign is posted in accordance with the rules adopted by the 2833  
director of transportation under section 5501.27 of the Revised 2834  
Code. 2835

(2) The underlying violation occurs when a construction worker is present in the construction zone. 2836  
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(D) If an offender does not complete the mandatory driving safety course required under division (B) of this section within the applicable thirty days, the court shall impose an additional fine of four hundred dollars on the offender, which shall be in addition to any fine imposed for the underlying offense. 2838  
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(E) The director of public safety shall approve driving safety courses for purposes of this section and shall list approved courses on the web site of the department of public safety. 2843  
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(F) (1) If a law enforcement agency receives a report from any person, including a law enforcement officer, that a violation of one of the traffic offenses listed in division (B) of this section has occurred in a construction zone, that agency may conduct an investigation to attempt to determine or confirm the following: 2847  
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(a) The license plate number, the color, and the make and model of the vehicle used in the alleged violation; 2853  
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(b) The date, approximate time, and location of the alleged violation; 2855  
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(c) The identity of the operator of the vehicle at the time of the alleged violation. 2857  
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(2) A law enforcement agency may request and use any sufficiently clear image, images, or video captured by a video camera installed pursuant to section 5517.07 of the Revised Code to determine or confirm the information specified in division (F) (1) of this section. 2859  
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(3) Any images or video obtained by a law enforcement agency pursuant to an investigation in accordance with division (F) of this section is prima facie evidence of the facts contained therein and is admissible in a criminal or traffic prosecution. 2864  
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**Sec. 5517.07.** ~~(A)~~(A) (1) If not already present, the 2869  
department of transportation shall install signs and other 2870  
traffic control devices designed to slow down the flow of 2871  
traffic in construction and similar work zones. The signs and 2872  
devices may include arrow boards, channelizing devices, 2873  
temporary raise pavement markers, portable changeable message 2874  
signs, temporary traffic barriers, screens, rumble strips, and 2875  
any other signs or devices the director of transportation 2876  
determines are appropriate for the highway and local conditions. 2877

(2) A private contractor performing construction work in a construction zone, after consulting with the department or local jurisdiction, as applicable, may install speed monitoring devices in the construction zone that display the speed of passing traffic and that include flashing lights. 2878  
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(B) The department may install video cameras in a construction zone to monitor and record the flow of traffic. The following parameters apply to any video camera installed in a construction zone: 2883  
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(1) The department shall allow a law enforcement agency investigating a possible traffic violation in a construction zone in accordance with division (F) of section 4511.993 of the Revised Code to obtain a copy of any video or image captured by the video camera at the time of the alleged violation. 2887  
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(2) The department may cooperate with a local 2892

jurisdiction, at the request of that local jurisdiction, to 2893  
assist in installing video cameras in a construction zone in 2894  
that local jurisdiction. 2895

(C) The department shall ensure that the placement and 2896  
specifications for the signs and devices under this section 2897  
conform to the department's manual of uniform traffic control 2898  
devices as adopted under section 4511.09 of the Revised Code. 2899

**Section 2.** That existing sections 4508.02, 4511.03, 2900  
4511.12, 4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 2901  
4511.205, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 2902  
4511.25, 4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 2903  
4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 2904  
4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 2905  
4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 4511.57, 4511.58, 2906  
4511.59, 4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2907  
4511.72, 4511.73, 4511.991, and 5517.07 of the Revised Code are 2908  
hereby repealed. 2909

**Section 3.** The General Assembly, applying the principle 2910  
stated in division (B) of section 1.52 of the Revised Code that 2911  
amendments are to be harmonized if reasonably capable of 2912  
simultaneous operation, finds that the following sections, 2913  
presented in this act as composites of the sections as amended 2914  
by the acts indicated, are the resulting versions of the 2915  
sections in effect prior to the effective date of the sections 2916  
as presented in this act: 2917

Section 4511.132 of the Revised Code as amended by H.B. 9, 2918  
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 2919  
Assembly. 2920

Section 4511.213 of the Revised Code as amended by both 2921

H.B. 95 and S.B. 127 of the 132nd General Assembly.	2922
Section 4511.27 of the Revised Code as amended by both	2923
H.B. 95 and H.B. 250 of the 132nd General Assembly.	2924
Section 4511.39 of the Revised Code as amended by both	2925
H.B. 95 and H.B. 250 of the 132nd General Assembly.	2926
Section 4511.61 of the Revised Code as amended by both	2927
H.B. 26 and H.B. 95 of the 132nd General Assembly.	2928