

**As Reported by the House Public Safety Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Sub. H. B. No. 82**

**Representatives Click, Johnson**

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

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To amend sections 4508.02, 4511.20, 4511.21, 1  
4511.98, and 5501.27 of the Revised Code 2  
regarding traffic offenses in construction zones 3  
and to name this act the Trenton Gallaway Work 4  
Zone Safety Act. 5

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

**Section 1.** That sections 4508.02, 4511.20, 4511.21, 6  
4511.98, and 5501.27 of the Revised Code be amended to read as 7  
follows: 8

**Sec. 4508.02.** (A) (1) The director of public safety, 9  
subject to Chapter 119. of the Revised Code, shall adopt and 10  
prescribe such rules concerning the administration and 11  
enforcement of this chapter as are necessary to protect the 12  
public. The rules shall require an assessment of the holder of a 13  
probationary instructor license. The director shall inspect the 14  
school facilities and equipment of applicants and licensees and 15  
examine applicants for instructor's licenses. 16

(2) The director shall adopt rules governing online driver 17  
education courses that may be completed via the internet to 18  
satisfy the classroom instruction under division (C) of this 19

section. The rules shall do all of the following: 20

(a) Establish standards that an online driver training 21  
enterprise must satisfy to be licensed to offer an online driver 22  
education course via the internet, including, at a minimum, 23  
proven expertise in providing driver education and an acceptable 24  
infrastructure capable of providing secure online driver 25  
education in accord with advances in internet technology. The 26  
rules shall allow an online driver training enterprise to be 27  
affiliated with a licensed driver training school offering in- 28  
person classroom instruction, but shall not require such an 29  
affiliation. 30

(b) Establish content requirements that an online driver 31  
education course must satisfy to be approved as equivalent to 32  
twenty-four hours of in-person classroom instruction; 33

(c) Establish attendance standards, including a maximum 34  
number of course hours that may be completed in a twenty-four- 35  
hour period; 36

(d) Allow an enrolled applicant to begin the required 37  
eight hours of actual behind-the-wheel instruction upon 38  
completing all twenty-four hours of course instruction; 39

(e) Establish any other requirements necessary to regulate 40  
online driver education. 41

(B) The director shall administer and enforce this 42  
chapter. 43

(C) The rules shall require twenty-four hours of completed 44  
in-person classroom instruction or the completion of an 45  
approved, equivalent online driver education course offered via 46  
the internet by a licensed online driver training enterprise, 47  
followed by eight hours of actual behind-the-wheel instruction 48

conducted on public streets and highways of this state for all 49  
beginning drivers of noncommercial motor vehicles who are 50  
required to complete the training under section 4507.21 of the 51  
Revised Code. The rules shall allow beginning drivers of 52  
noncommercial motor vehicles to complete the driver education 53  
course at any point while holding a valid temporary instruction 54  
permit. The rules also shall require the classroom instruction 55  
or online driver education course for such drivers to include 56  
instruction on ~~both~~all of the following: 57

(1) The dangers of driving a motor vehicle while 58  
distracted, including while using an electronic wireless 59  
communications device, or engaging in any other activity that 60  
distracts a driver from the safe and effective operation of a 61  
motor vehicle; 62

(2) The dangers of driving a motor vehicle while under the 63  
influence of a controlled substance, prescription medication, or 64  
alcohol; 65

(3) The dangers of and requirements related to driving a 66  
motor vehicle in a construction zone. 67

(D) The rules shall state the minimum hours for classroom 68  
and behind-the-wheel instruction required for beginning drivers 69  
of commercial trucks, commercial cars, buses, and commercial 70  
tractors, trailers, and semitrailers. 71

(E) (1) The department of public safety may charge a fee to 72  
each online driver training enterprise in an amount sufficient 73  
to pay the actual expenses the department incurs in the 74  
regulation of online driver education courses. 75

(2) The department shall supply to each licensed online 76  
driver training enterprise certificates to be used for 77

certifying an applicant's enrollment in an approved online 78  
driver education course and a separate certificate to be issued 79  
upon successful completion of an approved online driver 80  
education course. The certificates shall be numbered serially. 81  
The department may charge a fee to each online driver training 82  
enterprise per certificate supplied to pay the actual expenses 83  
the department incurs in supplying the certificates. 84

(F) The director shall adopt rules in accordance with 85  
Chapter 119. of the Revised Code governing an abbreviated driver 86  
training course for adults. 87

**Sec. 4511.20.** (A) No person shall operate a vehicle, 88  
trackless trolley, or streetcar on any street or highway in 89  
willful or wanton disregard of the safety of persons or 90  
property. 91

~~(B)~~(B) (1) Except as otherwise provided in this division, 92  
whoever violates this section is guilty of a minor misdemeanor. 93  
If, within one year of the offense, the offender previously has 94  
been convicted of or pleaded guilty to one predicate motor 95  
vehicle or traffic offense, whoever violates this section is 96  
guilty of a misdemeanor of the fourth degree. If, within one 97  
year of the offense, the offender previously has been convicted 98  
of two or more predicate motor vehicle or traffic offenses, 99  
whoever violates this section is guilty of a misdemeanor of the 100  
third degree. 101

(2) (a) Notwithstanding division (B) (1) of this section, if 102  
the offender operated the vehicle, trackless trolley, or 103  
streetcar while in a construction zone where a sign was then 104  
posted in accordance with section 4511.98 of the Revised Code, 105  
the court, in addition to all other penalties provided by law, 106  
shall impose upon the offender an additional fine of not more 107

than one hundred dollars for the violation. 108

(b) In lieu of payment of the additional fine imposed 109  
under division (B) (2) (a) of this section, the offender instead 110  
may elect to attend a driving safety course, the duration and 111  
contents of which shall be established by the director of public 112  
safety. If the offender attends and successfully completes the 113  
course, the offender shall be issued written evidence that the 114  
offender successfully completed the course. The offender shall 115  
be required to pay the total amount of the fine established for 116  
the violation but shall not be required to pay the additional 117  
fine of not more than one hundred dollars, so long as the 118  
offender submits to the court both the offender's payment in 119  
full and such written evidence within ninety days of the 120  
underlying violation that resulted in the imposition of the 121  
additional fine under this section. 122

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 123  
trackless trolley, or streetcar at a speed greater or less than 124  
is reasonable or proper, having due regard to the traffic, 125  
surface, and width of the street or highway and any other 126  
conditions, and no person shall drive any motor vehicle, 127  
trackless trolley, or streetcar in and upon any street or 128  
highway at a greater speed than will permit the person to bring 129  
it to a stop within the assured clear distance ahead. 130

(B) It is prima-facie lawful, in the absence of a lower 131  
limit declared or established pursuant to this section by the 132  
director of transportation or local authorities, for the 133  
operator of a motor vehicle, trackless trolley, or streetcar to 134  
operate the same at a speed not exceeding the following: 135

(1) (a) Twenty miles per hour in school zones during school 136  
recess and while children are going to or leaving school during 137

the opening or closing hours, and when twenty miles per hour 138  
school speed limit signs are erected; except that, on 139  
controlled-access highways and expressways, if the right-of-way 140  
line fence has been erected without pedestrian opening, the 141  
speed shall be governed by division (B) (4) of this section and 142  
on freeways, if the right-of-way line fence has been erected 143  
without pedestrian opening, the speed shall be governed by 144  
divisions (B) (10) and (11) of this section. The end of every 145  
school zone may be marked by a sign indicating the end of the 146  
zone. Nothing in this section or in the manual and 147  
specifications for a uniform system of traffic control devices 148  
shall be construed to require school zones to be indicated by 149  
signs equipped with flashing or other lights, or giving other 150  
special notice of the hours in which the school zone speed limit 151  
is in effect. 152

(b) As used in this section and in section 4511.212 of the 153  
Revised Code, "school" means all of the following: 154

(i) Any school chartered under section 3301.16 of the 155  
Revised Code; 156

(ii) Any nonchartered school that during the preceding 157  
year filed with the department of education and workforce in 158  
compliance with rule 3301-35-08 of the Ohio Administrative Code, 159  
a copy of the school's report for the parents of the school's 160  
pupils certifying that the school meets Ohio minimum standards 161  
for nonchartered, nontax-supported schools and presents evidence 162  
of this filing to the jurisdiction from which it is requesting 163  
the establishment of a school zone; 164

(iii) Any special elementary school that in writing 165  
requests the county engineer of the county in which the special 166  
elementary school is located to create a school zone at the 167

location of that school. Upon receipt of such a written request, 168  
the county engineer shall create a school zone at that location 169  
by erecting the appropriate signs. 170

(iv) Any preschool education program operated by an 171  
educational service center that is located on a street or 172  
highway with a speed limit of forty-five miles per hour or more, 173  
when the educational service center in writing requests that 174  
either the director of transportation or the county engineer of 175  
the county in which the program is located, as applicable based 176  
on who has jurisdiction of the street or highway, to create a 177  
school zone at the location of that program. Upon receipt of 178  
such a written request, the director or the county engineer 179  
shall create a school zone at that location by erecting the 180  
appropriate signs. 181

(c) As used in this section, "school zone" means that 182  
portion of a street or highway passing a school fronting upon 183  
the street or highway that is encompassed by projecting the 184  
school property lines to the fronting street or highway, and 185  
also includes that portion of a state highway. Upon request from 186  
local authorities for streets and highways under their 187  
jurisdiction and that portion of a state highway under the 188  
jurisdiction of the director of transportation or a request from 189  
a county engineer in the case of a school zone for a special 190  
elementary school, the director may extend the traditional 191  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 192  
(ii), and (iii) of this section shall not exceed three hundred 193  
feet per approach per direction and are bounded by whichever of 194  
the following distances or combinations thereof the director 195  
approves as most appropriate: 196

(i) The distance encompassed by projecting the school 197

building lines normal to the fronting highway and extending a	198
distance of three hundred feet on each approach direction;	199
(ii) The distance encompassed by projecting the school	200
property lines intersecting the fronting highway and extending a	201
distance of three hundred feet on each approach direction;	202
(iii) The distance encompassed by the special marking of	203
the pavement for a principal school pupil crosswalk plus a	204
distance of three hundred feet on each approach direction of the	205
highway.	206
Nothing in this section shall be construed to invalidate	207
the director's initial action on August 9, 1976, establishing	208
all school zones at the traditional school zone boundaries	209
defined by projecting school property lines, except when those	210
boundaries are extended as provided in divisions (B) (1) (a) and	211
(c) of this section.	212
(d) As used in this division, "crosswalk" has the meaning	213
given that term in division (LL) (2) of section 4511.01 of the	214
Revised Code.	215
The director may, upon request by resolution of the	216
legislative authority of a municipal corporation, the board of	217
trustees of a township, or a county board of developmental	218
disabilities created pursuant to Chapter 5126. of the Revised	219
Code, and upon submission by the municipal corporation,	220
township, or county board of such engineering, traffic, and	221
other information as the director considers necessary, designate	222
a school zone on any portion of a state route lying within the	223
municipal corporation, lying within the unincorporated territory	224
of the township, or lying adjacent to the property of a school	225
that is operated by such county board, that includes a crosswalk	226

customarily used by children going to or leaving a school during	227
recess and opening and closing hours, whenever the distance, as	228
measured in a straight line, from the school property line	229
nearest the crosswalk to the nearest point of the crosswalk is	230
no more than one thousand three hundred twenty feet. Such a	231
school zone shall include the distance encompassed by the	232
crosswalk and extending three hundred feet on each approach	233
direction of the state route.	234
(e) As used in this section, "special elementary school"	235
means a school that meets all of the following criteria:	236
(i) It is not chartered and does not receive tax revenue	237
from any source.	238
(ii) It does not educate children beyond the eighth grade.	239
(iii) It is located outside the limits of a municipal	240
corporation.	241
(iv) A majority of the total number of students enrolled	242
at the school are not related by blood.	243
(v) The principal or other person in charge of the special	244
elementary school annually sends a report to the superintendent	245
of the school district in which the special elementary school is	246
located indicating the total number of students enrolled at the	247
school, but otherwise the principal or other person in charge	248
does not report any other information or data to the	249
superintendent.	250
(2) Twenty-five miles per hour in all other portions of a	251
municipal corporation, except on state routes outside business	252
districts, through highways outside business districts, and	253
alleys;	254

(3) Thirty-five miles per hour on all state routes or	255
through highways within municipal corporations outside business	256
districts, except as provided in divisions (B) (4) and (6) of	257
this section;	258
(4) Fifty miles per hour on controlled-access highways and	259
expressways within municipal corporations, except as provided in	260
divisions (B) (12), (13), (14), (15), and (16) of this section;	261
(5) Fifty-five miles per hour on highways outside	262
municipal corporations, other than highways within island	263
jurisdictions as provided in division (B) (8) of this section,	264
highways as provided in divisions (B) (9) and (10) of this	265
section, and highways, expressways, and freeways as provided in	266
divisions (B) (12), (13), (14), and (16) of this section;	267
(6) Fifty miles per hour on state routes within municipal	268
corporations outside urban districts unless a lower prima-facie	269
speed is established as further provided in this section;	270
(7) Fifteen miles per hour on all alleys within the	271
municipal corporation;	272
(8) Thirty-five miles per hour on highways outside	273
municipal corporations that are within an island jurisdiction;	274
(9) Thirty-five miles per hour on through highways, except	275
state routes, that are outside municipal corporations and that	276
are within a national park with boundaries extending through two	277
or more counties;	278
(10) Sixty miles per hour on two-lane state routes outside	279
municipal corporations as established by the director under	280
division (H) (2) of this section;	281
(11) Fifty-five miles per hour on freeways with paved	282

shoulders inside municipal corporations, other than freeways as	283
provided in divisions (B) (14) and (16) of this section;	284
(12) Sixty miles per hour on rural expressways with	285
traffic control signals and on all portions of rural divided	286
highways, except as provided in divisions (B) (13) and (14) of	287
this section;	288
(13) Sixty-five miles per hour on all rural expressways	289
without traffic control signals;	290
(14) Seventy miles per hour on all rural freeways;	291
(15) Fifty-five miles per hour on all portions of freeways	292
or expressways in congested areas as determined by the director	293
and that are located within a municipal corporation or within an	294
interstate freeway outerbelt, except as provided in division (B)	295
(16) of this section;	296
(16) Sixty-five miles per hour on all portions of freeways	297
or expressways without traffic control signals in urbanized	298
areas.	299
(C) It is prima-facie unlawful for any person to exceed	300
any of the speed limitations in divisions (B) (1) (a), (2), (3),	301
(4), (6), (7), (8), and (9) of this section, or any declared or	302
established pursuant to this section by the director or local	303
authorities and it is unlawful for any person to exceed any of	304
the speed limitations in division (D) of this section. No person	305
shall be convicted of more than one violation of this section	306
for the same conduct, although violations of more than one	307
provision of this section may be charged in the alternative in a	308
single affidavit.	309
(D) No person shall operate a motor vehicle, trackless	310
trolley, or streetcar upon a street or highway as follows:	311

(1) At a speed exceeding fifty-five miles per hour, except 312  
upon a two-lane state route as provided in division (B) (10) of 313  
this section and upon a highway, expressway, or freeway as 314  
provided in divisions (B) (12), (13), (14), and (16) of this 315  
section; 316

(2) At a speed exceeding sixty miles per hour upon a two- 317  
lane state route as provided in division (B) (10) of this section 318  
and upon a highway as provided in division (B) (12) of this 319  
section; 320

(3) At a speed exceeding sixty-five miles per hour upon an 321  
expressway as provided in division (B) (13) or upon a freeway as 322  
provided in division (B) (16) of this section, except upon a 323  
freeway as provided in division (B) (14) of this section; 324

(4) At a speed exceeding seventy miles per hour upon a 325  
freeway as provided in division (B) (14) of this section; 326

(5) At a speed exceeding the posted speed limit upon a 327  
highway, expressway, or freeway for which the director has 328  
determined and declared a speed limit pursuant to division (I) 329  
(2) or (L) (2) of this section. 330

(E) In every charge of violation of this section the 331  
affidavit and warrant shall specify the time, place, and speed 332  
at which the defendant is alleged to have driven, and in charges 333  
made in reliance upon division (C) of this section also the 334  
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 335  
(9) of, or a limit declared or established pursuant to, this 336  
section declares is prima-facie lawful at the time and place of 337  
such alleged violation, except that in affidavits where a person 338  
is alleged to have driven at a greater speed than will permit 339  
the person to bring the vehicle to a stop within the assured 340

clear distance ahead the affidavit and warrant need not specify 341  
the speed at which the defendant is alleged to have driven. 342

(F) When a speed in excess of both a prima-facie 343  
limitation and a limitation in division (D) of this section is 344  
alleged, the defendant shall be charged in a single affidavit, 345  
alleging a single act, with a violation indicated of both 346  
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 347  
section, or of a limit declared or established pursuant to this 348  
section by the director or local authorities, and of the 349  
limitation in division (D) of this section. If the court finds a 350  
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 351  
or (9) of, or a limit declared or established pursuant to, this 352  
section has occurred, it shall enter a judgment of conviction 353  
under such division and dismiss the charge under division (D) of 354  
this section. If it finds no violation of division (B) (1) (a), 355  
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 356  
established pursuant to, this section, it shall then consider 357  
whether the evidence supports a conviction under division (D) of 358  
this section. 359

(G) Points shall be assessed for violation of a limitation 360  
under division (D) of this section in accordance with section 361  
4510.036 of the Revised Code. 362

(H) (1) Whenever the director determines upon the basis of 363  
criteria established by an engineering study, as defined by the 364  
director, that any speed limit set forth in divisions (B) (1) (a) 365  
to (D) of this section is greater or less than is reasonable or 366  
safe under the conditions found to exist at any portion of a 367  
street or highway under the jurisdiction of the director, the 368  
director shall determine and declare a reasonable and safe 369  
prima-facie speed limit, which shall be effective when 370

appropriate signs giving notice of it are erected at the 371  
location. 372

(2) Whenever the director determines upon the basis of 373  
criteria established by an engineering study, as defined by the 374  
director, that the speed limit of fifty-five miles per hour on a 375  
two-lane state route outside a municipal corporation is less 376  
than is reasonable or safe under the conditions found to exist 377  
at that portion of the state route, the director may determine 378  
and declare a speed limit of sixty miles per hour for that 379  
portion of the state route, which shall be effective when 380  
appropriate signs giving notice of it are erected at the 381  
location. 382

(3) (a) For purposes of the safe and orderly movement of 383  
traffic upon any portion of a street or highway under the 384  
jurisdiction of the director, the director may establish a 385  
variable speed limit that is different than the speed limit 386  
established by or under this section on all or portions of 387  
interstate six hundred seventy, interstate two hundred seventy- 388  
five, and interstate ninety commencing at the intersection of 389  
that interstate with interstate seventy-one and continuing to 390  
the border of the state of Ohio with the state of Pennsylvania. 391  
The director shall establish criteria for determining the 392  
appropriate use of variable speed limits and shall establish 393  
variable speed limits in accordance with the criteria. The 394  
director may establish variable speed limits based upon the time 395  
of day, weather conditions, traffic incidents, or other factors 396  
that affect the safe speed on a street or highway. The director 397  
shall not establish a variable speed limit that is based on a 398  
particular type or class of vehicle. A variable speed limit 399  
established by the director under this section is effective when 400  
appropriate signs giving notice of the speed limit are displayed 401

at the location. 402

(b) Except for variable speed limits established under 403  
division (H) (3) (a) of this section, the director shall establish 404  
a variable speed limit under the authority granted to the 405  
director by this section on not more than two additional 406  
highways and only pursuant to criteria established in rules 407  
adopted in accordance with Chapter 119. of the Revised Code. The 408  
rules shall be based on the criteria described in division (H) 409  
(3) (a) of this section. The rules also shall establish the 410  
parameters of any engineering study necessary for determining 411  
when variable speed limits are appropriate. 412

(4) Nothing in this section shall be construed to limit 413  
the authority of the director to establish speed limits within a 414  
construction zone as authorized under section 4511.98 of the 415  
Revised Code. 416

(I) (1) Except as provided in divisions (I) (2), (J), (K), 417  
and (N) of this section, whenever local authorities determine 418  
upon the basis of criteria established by an engineering study, 419  
as defined by the director, that the speed permitted by 420  
divisions (B) (1) (a) to (D) of this section, on any part of a 421  
highway under their jurisdiction, is greater than is reasonable 422  
and safe under the conditions found to exist at such location, 423  
the local authorities may by resolution request the director to 424  
determine and declare a reasonable and safe prima-facie speed 425  
limit. Upon receipt of such request the director may determine 426  
and declare a reasonable and safe prima-facie speed limit at 427  
such location, and if the director does so, then such declared 428  
speed limit shall become effective only when appropriate signs 429  
giving notice thereof are erected at such location by the local 430  
authorities. The director may withdraw the declaration of a 431

prima-facie speed limit whenever in the director's opinion the 432  
altered prima-facie speed limit becomes unreasonable. Upon such 433  
withdrawal, the declared prima-facie speed limit shall become 434  
ineffective and the signs relating thereto shall be immediately 435  
removed by the local authorities. 436

(2) A local authority may determine on the basis of 437  
criteria established by an engineering study, as defined by the 438  
director, that the speed limit of sixty-five or seventy miles 439  
per hour on a portion of a freeway under its jurisdiction is 440  
greater than is reasonable or safe under the conditions found to 441  
exist at that portion of the freeway. If the local authority 442  
makes such a determination, the local authority by resolution 443  
may request the director to determine and declare a reasonable 444  
and safe speed limit of not less than fifty-five miles per hour 445  
for that portion of the freeway. If the director takes such 446  
action, the declared speed limit becomes effective only when 447  
appropriate signs giving notice of it are erected at such 448  
location by the local authority. 449

(J) Local authorities in their respective jurisdictions 450  
may authorize by ordinance higher prima-facie speeds than those 451  
stated in this section upon through highways, or upon highways 452  
or portions thereof where there are no intersections, or between 453  
widely spaced intersections, provided signs are erected giving 454  
notice of the authorized speed, but local authorities shall not 455  
modify or alter the basic rule set forth in division (A) of this 456  
section or in any event authorize by ordinance a speed in excess 457  
of the maximum speed permitted by division (D) of this section 458  
for the specified type of highway. 459

Alteration of prima-facie limits on state routes by local 460  
authorities shall not be effective until the alteration has been 461

approved by the director. The director may withdraw approval of 462  
any altered prima-facie speed limits whenever in the director's 463  
opinion any altered prima-facie speed becomes unreasonable, and 464  
upon such withdrawal, the altered prima-facie speed shall become 465  
ineffective and the signs relating thereto shall be immediately 466  
removed by the local authorities. 467

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 468  
this section, "unimproved highway" means a highway consisting of 469  
any of the following: 470

(a) Unimproved earth; 471

(b) Unimproved graded and drained earth; 472

(c) Gravel. 473

(2) Except as otherwise provided in divisions (K) (4) and 474  
(5) of this section, whenever a board of township trustees 475  
determines upon the basis of criteria established by an 476  
engineering study, as defined by the director, that the speed 477  
permitted by division (B) (5) of this section on any part of an 478  
unimproved highway under its jurisdiction and in the 479  
unincorporated territory of the township is greater than is 480  
reasonable or safe under the conditions found to exist at the 481  
location, the board may by resolution declare a reasonable and 482  
safe prima-facie speed limit of fifty-five but not less than 483  
twenty-five miles per hour. An altered speed limit adopted by a 484  
board of township trustees under this division becomes effective 485  
when appropriate traffic control devices, as prescribed in 486  
section 4511.11 of the Revised Code, giving notice thereof are 487  
erected at the location, which shall be no sooner than sixty 488  
days after adoption of the resolution. 489

(3) (a) Whenever, in the opinion of a board of township 490

trustees, any altered prima-facie speed limit established by the 491  
board under this division becomes unreasonable, the board may 492  
adopt a resolution withdrawing the altered prima-facie speed 493  
limit. Upon the adoption of such a resolution, the altered 494  
prima-facie speed limit becomes ineffective and the traffic 495  
control devices relating thereto shall be immediately removed. 496

(b) Whenever a highway ceases to be an unimproved highway 497  
and the board has adopted an altered prima-facie speed limit 498  
pursuant to division (K) (2) of this section, the board shall, by 499  
resolution, withdraw the altered prima-facie speed limit as soon 500  
as the highway ceases to be unimproved. Upon the adoption of 501  
such a resolution, the altered prima-facie speed limit becomes 502  
ineffective and the traffic control devices relating thereto 503  
shall be immediately removed. 504

(4) (a) If the boundary of two townships rests on the 505  
centerline of an unimproved highway in unincorporated territory 506  
and both townships have jurisdiction over the highway, neither 507  
of the boards of township trustees of such townships may declare 508  
an altered prima-facie speed limit pursuant to division (K) (2) 509  
of this section on the part of the highway under their joint 510  
jurisdiction unless the boards of township trustees of both of 511  
the townships determine, upon the basis of criteria established 512  
by an engineering study, as defined by the director, that the 513  
speed permitted by division (B) (5) of this section is greater 514  
than is reasonable or safe under the conditions found to exist 515  
at the location and both boards agree upon a reasonable and safe 516  
prima-facie speed limit of less than fifty-five but not less 517  
than twenty-five miles per hour for that location. If both 518  
boards so agree, each shall follow the procedure specified in 519  
division (K) (2) of this section for altering the prima-facie 520  
speed limit on the highway. Except as otherwise provided in 521

division (K) (4) (b) of this section, no speed limit altered 522  
pursuant to division (K) (4) (a) of this section may be withdrawn 523  
unless the boards of township trustees of both townships 524  
determine that the altered prima-facie speed limit previously 525  
adopted becomes unreasonable and each board adopts a resolution 526  
withdrawing the altered prima-facie speed limit pursuant to the 527  
procedure specified in division (K) (3) (a) of this section. 528

(b) Whenever a highway described in division (K) (4) (a) of 529  
this section ceases to be an unimproved highway and two boards 530  
of township trustees have adopted an altered prima-facie speed 531  
limit pursuant to division (K) (4) (a) of this section, both 532  
boards shall, by resolution, withdraw the altered prima-facie 533  
speed limit as soon as the highway ceases to be unimproved. Upon 534  
the adoption of the resolution, the altered prima-facie speed 535  
limit becomes ineffective and the traffic control devices 536  
relating thereto shall be immediately removed. 537

(5) As used in division (K) (5) of this section: 538

(a) "Commercial subdivision" means any platted territory 539  
outside the limits of a municipal corporation and fronting a 540  
highway where, for a distance of three hundred feet or more, the 541  
frontage is improved with buildings in use for commercial 542  
purposes, or where the entire length of the highway is less than 543  
three hundred feet long and the frontage is improved with 544  
buildings in use for commercial purposes. 545

(b) "Residential subdivision" means any platted territory 546  
outside the limits of a municipal corporation and fronting a 547  
highway, where, for a distance of three hundred feet or more, 548  
the frontage is improved with residences or residences and 549  
buildings in use for business, or where the entire length of the 550  
highway is less than three hundred feet long and the frontage is 551

improved with residences or residences and buildings in use for 552  
business. 553

Whenever a board of township trustees finds upon the basis 554  
of criteria established by an engineering study, as defined by 555  
the director, that the prima-facie speed permitted by division 556  
(B) (5) of this section on any part of a highway under its 557  
jurisdiction that is located in a commercial or residential 558  
subdivision, except on highways or portions thereof at the 559  
entrances to which vehicular traffic from the majority of 560  
intersecting highways is required to yield the right-of-way to 561  
vehicles on such highways in obedience to stop or yield signs or 562  
traffic control signals, is greater than is reasonable and safe 563  
under the conditions found to exist at the location, the board 564  
may by resolution declare a reasonable and safe prima-facie 565  
speed limit of less than fifty-five but not less than twenty- 566  
five miles per hour at the location. An altered speed limit 567  
adopted by a board of township trustees under this division 568  
shall become effective when appropriate signs giving notice 569  
thereof are erected at the location by the township. Whenever, 570  
in the opinion of a board of township trustees, any altered 571  
prima-facie speed limit established by it under this division 572  
becomes unreasonable, it may adopt a resolution withdrawing the 573  
altered prima-facie speed, and upon such withdrawal, the altered 574  
prima-facie speed shall become ineffective, and the signs 575  
relating thereto shall be immediately removed by the township. 576

(L) (1) The director of transportation, based upon an 577  
engineering study, as defined by the director, of a highway, 578  
expressway, or freeway described in division (B) (12), (13), 579  
(14), (15), or (16) of this section, in consultation with the 580  
director of public safety and, if applicable, the local 581  
authority having jurisdiction over the studied highway, 582

expressway, or freeway, may determine and declare that the speed 583  
limit established on such highway, expressway, or freeway under 584  
division (B) (12), (13), (14), (15), or (16) of this section 585  
either is reasonable and safe or is more or less than that which 586  
is reasonable and safe. 587

(2) If the established speed limit for a highway, 588  
expressway, or freeway studied pursuant to division (L) (1) of 589  
this section is determined to be more or less than that which is 590  
reasonable and safe, the director of transportation, in 591  
consultation with the director of public safety and, if 592  
applicable, the local authority having jurisdiction over the 593  
studied highway, expressway, or freeway, shall determine and 594  
declare a reasonable and safe speed limit for that highway, 595  
expressway, or freeway. 596

(M) (1) (a) If the boundary of two local authorities rests 597  
on the centerline of a highway and both authorities have 598  
jurisdiction over the highway, the speed limit for the part of 599  
the highway within their joint jurisdiction shall be either one 600  
of the following as agreed to by both authorities: 601

(i) Either prima-facie speed limit permitted by division 602  
(B) of this section; 603

(ii) An altered speed limit determined and posted in 604  
accordance with this section. 605

(b) If the local authorities are unable to reach an 606  
agreement, the speed limit shall remain as established and 607  
posted under this section. 608

(2) Neither local authority may declare an altered prima- 609  
facie speed limit pursuant to this section on the part of the 610  
highway under their joint jurisdiction unless both of the local 611

authorities determine, upon the basis of criteria established by 612  
an engineering study, as defined by the director, that the speed 613  
permitted by this section is greater than is reasonable or safe 614  
under the conditions found to exist at the location and both 615  
authorities agree upon a uniform reasonable and safe prima-facie 616  
speed limit of less than fifty-five but not less than twenty- 617  
five miles per hour for that location. If both authorities so 618  
agree, each shall follow the procedure specified in this section 619  
for altering the prima-facie speed limit on the highway, and the 620  
speed limit for the part of the highway within their joint 621  
jurisdiction shall be uniformly altered. No altered speed limit 622  
may be withdrawn unless both local authorities determine that 623  
the altered prima-facie speed limit previously adopted becomes 624  
unreasonable and each adopts a resolution withdrawing the 625  
altered prima-facie speed limit pursuant to the procedure 626  
specified in this section. 627

(N) The legislative authority of a municipal corporation 628  
or township in which a boarding school is located, by resolution 629  
or ordinance, may establish a boarding school zone. The 630  
legislative authority may alter the speed limit on any street or 631  
highway within the boarding school zone and shall specify the 632  
hours during which the altered speed limit is in effect. For 633  
purposes of determining the boundaries of the boarding school 634  
zone, the altered speed limit within the boarding school zone, 635  
and the hours the altered speed limit is in effect, the 636  
legislative authority shall consult with the administration of 637  
the boarding school and with the county engineer or other 638  
appropriate engineer, as applicable. A boarding school zone 639  
speed limit becomes effective only when appropriate signs giving 640  
notice thereof are erected at the appropriate locations. 641

(O) As used in this section: 642

- (1) "Interstate system" has the same meaning as in 23 U.S.C. 101. 643  
644
- (2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation. 645  
646  
647
- (3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization. 648  
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- (4) "Outerbelt" means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the director. 652  
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- (5) "Rural" means an area outside urbanized areas and outside of a business or urban district, and areas that extend within urbanized areas where the roadway characteristics remain mostly unchanged from those outside the urbanized areas. 656  
657  
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659
- (6) "Urbanized area" has the same meaning as in 23 U.S.C. 101. 660  
661
- (7) "Divided" means a roadway having two or more travel lanes for vehicles moving in opposite directions and that is separated by a median of more than four feet, excluding turn lanes. 662  
663  
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- (P) (1) A violation of any provision of this section is one of the following: 666  
667
- (a) Except as otherwise provided in divisions (P) (1) (b), (1) (c), (2), and (3) of this section, a minor misdemeanor; 668  
669
- (b) If, within one year of the offense, the offender 670

previously has been convicted of or pleaded guilty to two 671  
violations of any provision of this section or of any provision 672  
of a municipal ordinance that is substantially similar to any 673  
provision of this section, a misdemeanor of the fourth degree; 674

(c) If, within one year of the offense, the offender 675  
previously has been convicted of or pleaded guilty to three or 676  
more violations of any provision of this section or of any 677  
provision of a municipal ordinance that is substantially similar 678  
to any provision of this section, a misdemeanor of the third 679  
degree. 680

(2) If the offender operated a motor vehicle faster than 681  
thirty-five miles an hour in a business district of a municipal 682  
corporation, faster than fifty miles an hour in other portions 683  
of a municipal corporation, or faster than thirty-five miles an 684  
hour in a school zone during recess or while children are going 685  
to or leaving school during the school's opening or closing 686  
hours, a misdemeanor of the fourth degree. Division (P) (2) of 687  
this section does not apply if penalties may be imposed under 688  
division (P) (1) (b) or (c) of this section. 689

(3) Notwithstanding division (P) (1) of this section, if 690  
the offender operated a motor vehicle in a construction zone 691  
where one or more construction workers were present and a sign 692  
was then posted in accordance with section 4511.98 of the 693  
Revised Code, the court, in addition to all other penalties 694  
provided by law, shall impose upon the offender a fine of two 695  
times the usual amount imposed for the violation. No court shall 696  
impose a fine of two times the usual amount imposed for the 697  
violation upon an offender if the offender alleges, in an 698  
affidavit filed with the court prior to the offender's 699  
sentencing, that the offender is indigent and is unable to pay 700

the fine imposed pursuant to this division and if the court 701  
determines that the offender is an indigent person and unable to 702  
pay the fine. 703

(4) If the offender commits the offense while distracted 704  
and the distracting activity is a contributing factor to the 705  
commission of the offense, the offender is subject to the 706  
additional fine established under section 4511.991 of the 707  
Revised Code. 708

**Sec. 4511.98.** The director of transportation may establish 709  
speed limits within construction zones that vary based on the 710  
type of work being conducted, the time of day, or any other 711  
criteria the director may consider appropriate. The director, 712  
board of county commissioners, or board of township trustees 713  
shall cause signs to be erected advising motorists that 714  
increased penalties apply for certain traffic violations 715  
occurring on streets or highways in a construction zone. The 716  
increased penalties shall be effective only when signs are 717  
erected in accordance with the guidelines and design 718  
specifications established by the director under section 5501.27 719  
of the Revised Code, and when a violation occurs ~~during hours of~~ 720  
~~actual work within~~ when one or more construction workers are 721  
present in the construction zone. 722

**Sec. 5501.27.** (A) The director of transportation shall 723  
adopt rules that do the following: 724

(1) Rules governing the posting of signs advising 725  
motorists that increased penalties apply for certain traffic 726  
violations occurring on streets or highways in a construction 727  
zone when one or more construction workers are present; 728

(2) Rules governing the posting of signs to be used 729

pursuant to section 2903.081 of the Revised Code giving notice 730  
to motorists of the prohibitions set forth in sections 2903.06 731  
and 2903.08 of the Revised Code regarding the death of or injury 732  
to any person in a construction zone as a proximate result of a 733  
reckless operation offense or speeding offense. 734

~~(B) The~~ (B) (1) Subject to division (B) (2) of this section, 735  
the rules required under divisions (A) (1) and (2) of this 736  
section shall include guidelines to determine which ~~areas~~ 737  
locations exterior to and within the construction zone are 738  
appropriate to the posting of such signs. The guidelines may 739  
include consideration of the following: ~~the~~ 740

(a) The duration of the work on the street or highway, ~~the~~ 741  
i 742

(b) The proximity of workers to moving traffic, ~~the~~; 743

(c) The existence of any unusual or hazardous conditions, ~~the~~; 744  
the; 745

(d) The volume of traffic on the street or highway, ~~and~~ 746  
any; 747

(e) Any other appropriate factors. 748

(2) Within the guidelines specified under division (B) (1) 749  
of this section, the director shall specify that signs are 750  
required to be posted for every construction zone, regardless of 751  
the expected duration or the length of the construction zone on 752  
the road or highway. 753

(3) The director shall formulate design specifications for 754  
the signs described in division (A) (1) of this section advising 755  
motorists of the increased penalties and the signs described in 756  
division (A) (2) of this section notifying motorists of the 757

prohibitions set forth in sections 2903.06 and 2903.08 of the Revised Code regarding the death of or injury to any person in a construction zone as a proximate result of a reckless operation offense or speeding offense as described in that division. ~~For~~

(4) For purposes of traffic violation penalties, nothing in this section is intended to conflict with any standard set forth in the federal manual of uniform traffic control devices for streets and highways.

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

**Section 2.** That existing sections 4508.02, 4511.20, 4511.21, 4511.98, and 5501.27 of the Revised Code are hereby repealed.

**Section 3.** This act shall be known as the Trenton Gallaway Work Zone Safety Act.