

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 95**

**Representatives Hughes, Seitz**

**Cosponsors: Representatives Duffey, Carfagna**

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**A BILL**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Sec. 4511.132.** (A) The driver of a vehicle, streetcar, or 157  
trackless trolley who approaches an intersection where traffic 158  
is controlled by traffic control signals shall do all of the 159  
following, if the signal facing the driver exhibits no colored 160  
lights or colored lighted arrows, exhibits a combination of such 161  
lights or arrows that fails to clearly indicate the assignment 162  
of right-of-way, or the signals are otherwise malfunctioning, 163  
including the failure of a vehicle detector to detect the 164  
vehicle: 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 the apparent cause of the offense, 189  
the offender is subject to the additional fine established under 190  
section 4511.991 of the Revised Code. 191

**Sec. 4511.204.** (A) No person shall drive a motor vehicle, 192  
trackless trolley, or streetcar on any street, highway, or 193  
property open to the public for vehicular traffic while using a 194  
handheld electronic wireless communications device to write, 195  
send, or read a text-based communication. 196

(B) Division (A) of this section does not apply to any of the following:	197 198
(1) A person using a handheld electronic wireless communications device in that manner for emergency purposes, including an emergency contact with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;	199 200 201 202 203
(2) A person driving a public safety vehicle who uses a handheld electronic wireless communications device in that manner in the course of the person's duties;	204 205 206
(3) A person using a handheld electronic wireless communications device in that manner whose motor vehicle is in a stationary position and who is outside a lane of travel;	207 208 209
(4) A person reading, selecting, or entering a name or telephone number in a handheld electronic wireless communications device for the purpose of making or receiving a telephone call;	210 211 212 213
(5) A person receiving wireless messages on a device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle;	214 215 216 217
(6) A person receiving wireless messages via radio waves;	218
(7) A person using a device for navigation purposes;	219
(8) A person conducting wireless interpersonal communication with a device that does not require manually entering letters, numbers, or symbols or reading text messages, except to activate, deactivate, or initiate the device or a feature or function of the device;	220 221 222 223 224



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

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

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

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

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

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

~~(F) A prosecution for a violation of this section does not~~ 254  
~~preclude a prosecution for a violation of a substantially~~ 255  
~~equivalent municipal ordinance based on the same conduct.~~ 256  
~~However, if an offender is convicted of or pleads guilty to a~~ 257  
~~violation of this section and is also convicted of or pleads~~ 258  
~~guilty to a violation of a substantially equivalent municipal~~ 259  
~~ordinance based on the same conduct, the two offenses are allied~~ 260  
~~offenses of similar import under section 2941.25 of the Revised~~ 261  
~~Code.~~ 262  
A prosecution for a violation of this section does not 262  
preclude a prosecution for a violation of a substantially 263  
equivalent municipal ordinance based on the same conduct. 264  
However, if an offender is convicted of or pleads guilty to a 265  
violation of this section and is also convicted of or pleads 266  
guilty to a violation of a substantially equivalent municipal 267  
ordinance based on the same conduct, the two offenses are allied 268  
offenses of similar import under section 2941.25 of the Revised 269  
Code. 270

(G) As used in this section: 271

(1) "Electronic wireless communications device" includes 272  
any of the following: 273

(a) A wireless telephone; 274

(b) A text-messaging device; 275

(c) A personal digital assistant; 276

(d) A computer, including a laptop computer and a computer 277  
tablet; 278

(e) Any other substantially similar wireless device that 279  
is designed or used to communicate text. 280

(2) "Voice-operated or hands-free device" means a device 281

that allows the user to vocally compose or send, or to listen to 282  
a text-based communication without the use of either hand except 283  
to activate or deactivate a feature or function. 284

(3) "Write, send, or read a text-based communication" 285  
means to manually write or send, or read a text-based 286  
communication using an electronic wireless communications 287  
device, including manually writing or sending, or reading 288  
communications referred to as text messages, instant messages, 289  
or electronic mail. 290

**Sec. 4511.205.** (A) No holder of a temporary instruction 291  
permit who has not attained the age of eighteen years and no 292  
holder of a probationary driver's license shall drive a motor 293  
vehicle on any street, highway, or property used by the public 294  
for purposes of vehicular traffic or parking while using in any 295  
manner an electronic wireless communications device. 296

(B) Division (A) of this section does not apply to either 297  
of the following: 298

(1) A person using an electronic wireless communications 299  
device for emergency purposes, including an emergency contact 300  
with a law enforcement agency, hospital or health care provider, 301  
fire department, or other similar emergency agency or entity; 302

(2) A person using an electronic wireless communications 303  
device whose motor vehicle is in a stationary position and the 304  
motor vehicle is outside a lane of travel; 305

(3) A person using a navigation device in a voice-operated 306  
or hands-free manner who does not manipulate the device while 307  
driving. 308

(C) (1) Except as provided in division (C) (2) of this 309  
section, whoever violates division (A) of this section shall be 310

fined one hundred fifty dollars. In addition, the court shall 311  
impose a class seven suspension of the offender's driver's 312  
license or permit for a definite period of sixty days. 313

(2) If the ~~person~~person previously has been adjudicated a 314  
~~delinquent child or a juvenile traffic offender~~ adjudicated a 315  
delinquent child or a juvenile traffic offender for a violation 316  
of this section, whoever violates this section shall be fined 317  
three hundred dollars. In addition, the court shall impose a 318  
class seven suspension of the ~~person's~~person's driver's license 319  
or permit for a definite period of one year. 320

(D) ~~The filing of a sworn complaint against a person for a~~ 321  
~~violation of this section does not preclude the filing of a~~ 322  
~~sworn complaint for a violation of a substantially equivalent~~ 323  
~~municipal ordinance for the same conduct. However, if a person~~ 324  
~~is adjudicated a delinquent child or a juvenile traffic offender~~ 325  
~~for a violation of this section and is also adjudicated a~~ 326  
~~delinquent child or a juvenile traffic offender for a violation~~ 327  
~~of a substantially equivalent municipal ordinance for the same~~ 328  
~~conduct, the two offenses are allied offenses of similar import~~ 329  
~~under section 2941.25 of the Revised Code.~~ The filing of a sworn 330  
complaint against a person for a violation of this section does 331  
not preclude the filing of a sworn complaint for a violation of 332  
a substantially equivalent municipal ordinance for the same 333  
conduct. However, if a person is adjudicated a delinquent child 334  
or a juvenile traffic offender for a violation of this section 335  
and is also adjudicated a delinquent child or a juvenile traffic 336  
offender for a violation of a substantially equivalent municipal 337  
ordinance for the same conduct, the two offenses are allied 338  
offenses of similar import under section 2941.25 of the Revised 339  
Code. 340

(E) As used in this section, "electronic wireless communications device" includes any of the following:	341 342
(1) A wireless telephone;	343
(2) A personal digital assistant;	344
(3) A computer, including a laptop computer and a computer tablet;	345 346
(4) A text-messaging device;	347
(5) Any other substantially similar electronic wireless device that is designed or used to communicate via voice, image, or written word.	348 349 350
<b>Sec. 4511.21.</b> (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.	351 352 353 354 355 356 357 358
(B) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor vehicle, trackless trolley, or streetcar to operate the same at a speed not exceeding the following:	359 360 361 362 363
(1) (a) Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way	364 365 366 367 368

line fence has been erected without pedestrian opening, the 369  
speed shall be governed by division (B) (4) of this section and 370  
on freeways, if the right-of-way line fence has been erected 371  
without pedestrian opening, the speed shall be governed by 372  
divisions (B) (10) and (11) of this section. The end of every 373  
school zone may be marked by a sign indicating the end of the 374  
zone. Nothing in this section or in the manual and 375  
specifications for a uniform system of traffic control devices 376  
shall be construed to require school zones to be indicated by 377  
signs equipped with flashing or other lights, or giving other 378  
special notice of the hours in which the school zone speed limit 379  
is in effect. 380

(b) As used in this section and in section 4511.212 of the 381  
Revised Code, "school" means any school chartered under section 382  
3301.16 of the Revised Code and any nonchartered school that 383  
during the preceding year filed with the department of education 384  
in compliance with rule 3301-35-08 of the Ohio Administrative 385  
Code, a copy of the school's report for the parents of the 386  
school's pupils certifying that the school meets Ohio minimum 387  
standards for nonchartered, nontax-supported schools and 388  
presents evidence of this filing to the jurisdiction from which 389  
it is requesting the establishment of a school zone. "School" 390  
also includes a special elementary school that in writing 391  
requests the county engineer of the county in which the special 392  
elementary school is located to create a school zone at the 393  
location of that school. Upon receipt of such a written request, 394  
the county engineer shall create a school zone at that location 395  
by erecting the appropriate signs. 396

(c) As used in this section, "school zone" means that 397  
portion of a street or highway passing a school fronting upon 398  
the street or highway that is encompassed by projecting the 399

school property lines to the fronting street or highway, and 400  
also includes that portion of a state highway. Upon request from 401  
local authorities for streets and highways under their 402  
jurisdiction and that portion of a state highway under the 403  
jurisdiction of the director of transportation or a request from 404  
a county engineer in the case of a school zone for a special 405  
elementary school, the director may extend the traditional 406  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 407  
(ii), and (iii) of this section shall not exceed three hundred 408  
feet per approach per direction and are bounded by whichever of 409  
the following distances or combinations thereof the director 410  
approves as most appropriate: 411

(i) The distance encompassed by projecting the school 412  
building lines normal to the fronting highway and extending a 413  
distance of three hundred feet on each approach direction; 414

(ii) The distance encompassed by projecting the school 415  
property lines intersecting the fronting highway and extending a 416  
distance of three hundred feet on each approach direction; 417

(iii) The distance encompassed by the special marking of 418  
the pavement for a principal school pupil crosswalk plus a 419  
distance of three hundred feet on each approach direction of the 420  
highway. 421

Nothing in this section shall be construed to invalidate 422  
the director's initial action on August 9, 1976, establishing 423  
all school zones at the traditional school zone boundaries 424  
defined by projecting school property lines, except when those 425  
boundaries are extended as provided in divisions (B) (1) (a) and 426  
(c) of this section. 427

(d) As used in this division, "crosswalk" has the meaning 428

given that term in division (LL)(2) of section 4511.01 of the Revised Code.

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

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

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

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

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

(iv) A majority of the total number of students enrolled



at the school are not related by blood. 458

(v) The principal or other person in charge of the special 459  
elementary school annually sends a report to the superintendent 460  
of the school district in which the special elementary school is 461  
located indicating the total number of students enrolled at the 462  
school, but otherwise the principal or other person in charge 463  
does not report any other information or data to the 464  
superintendent. 465

(2) Twenty-five miles per hour in all other portions of a 466  
municipal corporation, except on state routes outside business 467  
districts, through highways outside business districts, and 468  
alleys; 469

(3) Thirty-five miles per hour on all state routes or 470  
through highways within municipal corporations outside business 471  
districts, except as provided in divisions (B) (4) and (6) of 472  
this section; 473

(4) Fifty miles per hour on controlled-access highways and 474  
expressways within municipal corporations; 475

(5) Fifty-five miles per hour on highways outside 476  
municipal corporations, other than highways within island 477  
jurisdictions as provided in division (B) (8) of this section, 478  
highways as provided in divisions (B) (9) and (10) of this 479  
section, and highways, expressways, and freeways as provided in 480  
divisions (B) (13), (14), (15), and (17) of this section; 481

(6) Fifty miles per hour on state routes within municipal 482  
corporations outside urban districts unless a lower prima-facie 483  
speed is established as further provided in this section; 484

(7) Fifteen miles per hour on all alleys within the 485  
municipal corporation; 486

(8) Thirty-five miles per hour on highways outside	487
municipal corporations that are within an island jurisdiction;	488
(9) Thirty-five miles per hour on through highways, except	489
state routes, that are outside municipal corporations and that	490
are within a national park with boundaries extending through two	491
or more counties;	492
(10) Sixty miles per hour on two-lane state routes outside	493
municipal corporations as established by the director under	494
division (H) (2) of this section;	495
(11) Fifty-five miles per hour at all times on freeways	496
with paved shoulders inside municipal corporations, other than	497
freeways as provided in divisions (B) (15) and (17) of this	498
section;	499
(12) Fifty-five miles per hour at all times on freeways	500
outside municipal corporations, other than freeways as provided	501
in divisions (B) (15) and (17) of this section;	502
(13) Sixty miles per hour for operators of any motor	503
vehicle at all times on all portions of rural divided highways;	504
(14) Sixty-five miles per hour for operators of any motor	505
vehicle at all times on all rural expressways without traffic	506
control signals;	507
(15) Seventy miles per hour for operators of any motor	508
vehicle at all times on all rural freeways;	509
(16) Fifty-five miles per hour for operators of any motor	510
vehicle at all times on all portions of freeways in congested	511
areas as determined by the director and that are part of the	512
interstate system and are located within a municipal corporation	513
or within an interstate freeway outerbelt;	514

(17) Sixty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in urban areas as determined by the director and that are part of the interstate system and are part of an interstate freeway outerbelt.

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

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

(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B) (10) of this section and upon a highway, expressway, or freeway as provided in divisions (B) (13), (14), (15), and (17) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B) (10) of this section and upon a highway as provided in division (B) (13) of this section;

(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B) (14) or upon a freeway as provided in division (B) (17) of this section, except upon a

freeway as provided in division (B) (15) of this section;	544
(4) At a speed exceeding seventy miles per hour upon a	545
freeway as provided in division (B) (15) of this section;	546
(5) At a speed exceeding the posted speed limit upon a	547
highway, expressway, or freeway for which the director has	548
determined and declared a speed limit pursuant to division (I)	549
(2) or (L) (2) of this section.	550
(E) In every charge of violation of this section the	551
affidavit and warrant shall specify the time, place, and speed	552
at which the defendant is alleged to have driven, and in charges	553
made in reliance upon division (C) of this section also the	554
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or	555
(9) of, or a limit declared or established pursuant to, this	556
section declares is prima-facie lawful at the time and place of	557
such alleged violation, except that in affidavits where a person	558
is alleged to have driven at a greater speed than will permit	559
the person to bring the vehicle to a stop within the assured	560
clear distance ahead the affidavit and warrant need not specify	561
the speed at which the defendant is alleged to have driven.	562
(F) When a speed in excess of both a prima-facie	563
limitation and a limitation in division (D) of this section is	564
alleged, the defendant shall be charged in a single affidavit,	565
alleging a single act, with a violation indicated of both	566
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this	567
section, or of a limit declared or established pursuant to this	568
section by the director or local authorities, and of the	569
limitation in division (D) of this section. If the court finds a	570
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8),	571
or (9) of, or a limit declared or established pursuant to, this	572
section has occurred, it shall enter a judgment of conviction	573

under such division and dismiss the charge under division (D) of 574  
this section. If it finds no violation of division (B) (1) (a), 575  
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 576  
established pursuant to, this section, it shall then consider 577  
whether the evidence supports a conviction under division (D) of 578  
this section. 579

(G) Points shall be assessed for violation of a limitation 580  
under division (D) of this section in accordance with section 581  
4510.036 of the Revised Code. 582

(H) (1) Whenever the director determines upon the basis of 583  
a geometric and traffic characteristic study that any speed 584  
limit set forth in divisions (B) (1) (a) to (D) of this section is 585  
greater or less than is reasonable or safe under the conditions 586  
found to exist at any portion of a street or highway under the 587  
jurisdiction of the director, the director shall determine and 588  
declare a reasonable and safe prima-facie speed limit, which 589  
shall be effective when appropriate signs giving notice of it 590  
are erected at the location. 591

(2) Whenever the director determines upon the basis of a 592  
geometric and traffic characteristic study that the speed limit 593  
of fifty-five miles per hour on a two-lane state route outside a 594  
municipal corporation is less than is reasonable or safe under 595  
the conditions found to exist at that portion of the state 596  
route, the director may determine and declare a speed limit of 597  
sixty miles per hour for that portion of the state route, which 598  
shall be effective when appropriate signs giving notice of it 599  
are erected at the location. 600

(I) (1) Except as provided in divisions (I) (2) and (K) of 601  
this section, whenever local authorities determine upon the 602  
basis of an engineering and traffic investigation that the speed 603

permitted by divisions (B) (1) (a) to (D) of this section, on any 604  
part of a highway under their jurisdiction, is greater than is 605  
reasonable and safe under the conditions found to exist at such 606  
location, the local authorities may by resolution request the 607  
director to determine and declare a reasonable and safe prima- 608  
facie speed limit. Upon receipt of such request the director may 609  
determine and declare a reasonable and safe prima-facie speed 610  
limit at such location, and if the director does so, then such 611  
declared speed limit shall become effective only when 612  
appropriate signs giving notice thereof are erected at such 613  
location by the local authorities. The director may withdraw the 614  
declaration of a prima-facie speed limit whenever in the 615  
director's opinion the altered prima-facie speed becomes 616  
unreasonable. Upon such withdrawal, the declared prima-facie 617  
speed shall become ineffective and the signs relating thereto 618  
shall be immediately removed by the local authorities. 619

(2) A local authority may determine on the basis of a 620  
geometric and traffic characteristic study that the speed limit 621  
of sixty-five miles per hour on a portion of a freeway under its 622  
jurisdiction that was established through the operation of 623  
division (L) (3) of this section is greater than is reasonable or 624  
safe under the conditions found to exist at that portion of the 625  
freeway. If the local authority makes such a determination, the 626  
local authority by resolution may request the director to 627  
determine and declare a reasonable and safe speed limit of not 628  
less than fifty-five miles per hour for that portion of the 629  
freeway. If the director takes such action, the declared speed 630  
limit becomes effective only when appropriate signs giving 631  
notice of it are erected at such location by the local 632  
authority. 633

(J) Local authorities in their respective jurisdictions 634

may authorize by ordinance higher prima-facie speeds than those 635  
stated in this section upon through highways, or upon highways 636  
or portions thereof where there are no intersections, or between 637  
widely spaced intersections, provided signs are erected giving 638  
notice of the authorized speed, but local authorities shall not 639  
modify or alter the basic rule set forth in division (A) of this 640  
section or in any event authorize by ordinance a speed in excess 641  
of fifty miles per hour. 642

Alteration of prima-facie limits on state routes by local 643  
authorities shall not be effective until the alteration has been 644  
approved by the director. The director may withdraw approval of 645  
any altered prima-facie speed limits whenever in the director's 646  
opinion any altered prima-facie speed becomes unreasonable, and 647  
upon such withdrawal, the altered prima-facie speed shall become 648  
ineffective and the signs relating thereto shall be immediately 649  
removed by the local authorities. 650

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 651  
this section, "unimproved highway" means a highway consisting of 652  
any of the following: 653

(a) Unimproved earth; 654

(b) Unimproved graded and drained earth; 655

(c) Gravel. 656

(2) Except as otherwise provided in divisions (K) (4) and 657  
(5) of this section, whenever a board of township trustees 658  
determines upon the basis of an engineering and traffic 659  
investigation that the speed permitted by division (B) (5) of 660  
this section on any part of an unimproved highway under its 661  
jurisdiction and in the unincorporated territory of the township 662  
is greater than is reasonable or safe under the conditions found 663

to exist at the location, the board may by resolution declare a 664  
reasonable and safe prima-facie speed limit of fifty-five but 665  
not less than twenty-five miles per hour. An altered speed limit 666  
adopted by a board of township trustees under this division 667  
becomes effective when appropriate traffic control devices, as 668  
prescribed in section 4511.11 of the Revised Code, giving notice 669  
thereof are erected at the location, which shall be no sooner 670  
than sixty days after adoption of the resolution. 671

(3) (a) Whenever, in the opinion of a board of township 672  
trustees, any altered prima-facie speed limit established by the 673  
board under this division becomes unreasonable, the board may 674  
adopt a resolution withdrawing the altered prima-facie speed 675  
limit. Upon the adoption of such a resolution, the altered 676  
prima-facie speed limit becomes ineffective and the traffic 677  
control devices relating thereto shall be immediately removed. 678

(b) Whenever a highway ceases to be an unimproved highway 679  
and the board has adopted an altered prima-facie speed limit 680  
pursuant to division (K) (2) of this section, the board shall, by 681  
resolution, withdraw the altered prima-facie speed limit as soon 682  
as the highway ceases to be unimproved. Upon the adoption of 683  
such a resolution, the altered prima-facie speed limit becomes 684  
ineffective and the traffic control devices relating thereto 685  
shall be immediately removed. 686

(4) (a) If the boundary of two townships rests on the 687  
centerline of an unimproved highway in unincorporated territory 688  
and both townships have jurisdiction over the highway, neither 689  
of the boards of township trustees of such townships may declare 690  
an altered prima-facie speed limit pursuant to division (K) (2) 691  
of this section on the part of the highway under their joint 692  
jurisdiction unless the boards of township trustees of both of 693



the townships determine, upon the basis of an engineering and 694  
traffic investigation, that the speed permitted by division (B) 695  
(5) of this section is greater than is reasonable or safe under 696  
the conditions found to exist at the location and both boards 697  
agree upon a reasonable and safe prima-facie speed limit of less 698  
than fifty-five but not less than twenty-five miles per hour for 699  
that location. If both boards so agree, each shall follow the 700  
procedure specified in division (K) (2) of this section for 701  
altering the prima-facie speed limit on the highway. Except as 702  
otherwise provided in division (K) (4) (b) of this section, no 703  
speed limit altered pursuant to division (K) (4) (a) of this 704  
section may be withdrawn unless the boards of township trustees 705  
of both townships determine that the altered prima-facie speed 706  
limit previously adopted becomes unreasonable and each board 707  
adopts a resolution withdrawing the altered prima-facie speed 708  
limit pursuant to the procedure specified in division (K) (3) (a) 709  
of this section. 710

(b) Whenever a highway described in division (K) (4) (a) of 711  
this section ceases to be an unimproved highway and two boards 712  
of township trustees have adopted an altered prima-facie speed 713  
limit pursuant to division (K) (4) (a) of this section, both 714  
boards shall, by resolution, withdraw the altered prima-facie 715  
speed limit as soon as the highway ceases to be unimproved. Upon 716  
the adoption of the resolution, the altered prima-facie speed 717  
limit becomes ineffective and the traffic control devices 718  
relating thereto shall be immediately removed. 719

(5) As used in division (K) (5) of this section: 720

(a) "Commercial subdivision" means any platted territory 721  
outside the limits of a municipal corporation and fronting a 722  
highway where, for a distance of three hundred feet or more, the 723

frontage is improved with buildings in use for commercial 724  
purposes, or where the entire length of the highway is less than 725  
three hundred feet long and the frontage is improved with 726  
buildings in use for commercial purposes. 727

(b) "Residential subdivision" means any platted territory 728  
outside the limits of a municipal corporation and fronting a 729  
highway, where, for a distance of three hundred feet or more, 730  
the frontage is improved with residences or residences and 731  
buildings in use for business, or where the entire length of the 732  
highway is less than three hundred feet long and the frontage is 733  
improved with residences or residences and buildings in use for 734  
business. 735

Whenever a board of township trustees finds upon the basis 736  
of an engineering and traffic investigation that the prima-facie 737  
speed permitted by division (B) (5) of this section on any part 738  
of a highway under its jurisdiction that is located in a 739  
commercial or residential subdivision, except on highways or 740  
portions thereof at the entrances to which vehicular traffic 741  
from the majority of intersecting highways is required to yield 742  
the right-of-way to vehicles on such highways in obedience to 743  
stop or yield signs or traffic control signals, is greater than 744  
is reasonable and safe under the conditions found to exist at 745  
the location, the board may by resolution declare a reasonable 746  
and safe prima-facie speed limit of less than fifty-five but not 747  
less than twenty-five miles per hour at the location. An altered 748  
speed limit adopted by a board of township trustees under this 749  
division shall become effective when appropriate signs giving 750  
notice thereof are erected at the location by the township. 751  
Whenever, in the opinion of a board of township trustees, any 752  
altered prima-facie speed limit established by it under this 753  
division becomes unreasonable, it may adopt a resolution 754

withdrawing the altered prima-facie speed, and upon such 755  
withdrawal, the altered prima-facie speed shall become 756  
ineffective, and the signs relating thereto shall be immediately 757  
removed by the township. 758

(L) (1) On September 29, 2013, the director of 759  
transportation, based upon an engineering study of a highway, 760  
expressway, or freeway described in division (B) (13), (14), 761  
(15), (16), or (17) of this section, in consultation with the 762  
director of public safety and, if applicable, the local 763  
authority having jurisdiction over the studied highway, 764  
expressway, or freeway, may determine and declare that the speed 765  
limit established on such highway, expressway, or freeway under 766  
division (B) (13), (14), (15), (16), or (17) of this section 767  
either is reasonable and safe or is more or less than that which 768  
is reasonable and safe. 769

(2) If the established speed limit for a highway, 770  
expressway, or freeway studied pursuant to division (L) (1) of 771  
this section is determined to be more or less than that which is 772  
reasonable and safe, the director of transportation, in 773  
consultation with the director of public safety and, if 774  
applicable, the local authority having jurisdiction over the 775  
studied highway, expressway, or freeway, shall determine and 776  
declare a reasonable and safe speed limit for that highway, 777  
expressway, or freeway. 778

(M) (1) (a) If the boundary of two local authorities rests 779  
on the centerline of a highway and both authorities have 780  
jurisdiction over the highway, the speed limit for the part of 781  
the highway within their joint jurisdiction shall be either one 782  
of the following as agreed to by both authorities: 783

(i) Either prima-facie speed limit permitted by division 784

(B) of this section; 785

(ii) An altered speed limit determined and posted in 786  
accordance with this section. 787

(b) If the local authorities are unable to reach an 788  
agreement, the speed limit shall remain as established and 789  
posted under this section. 790

(2) Neither local authority may declare an altered prima- 791  
facie speed limit pursuant to this section on the part of the 792  
highway under their joint jurisdiction unless both of the local 793  
authorities determine, upon the basis of an engineering and 794  
traffic investigation, that the speed permitted by this section 795  
is greater than is reasonable or safe under the conditions found 796  
to exist at the location and both authorities agree upon a 797  
uniform reasonable and safe prima-facie speed limit of less than 798  
fifty-five but not less than twenty-five miles per hour for that 799  
location. If both authorities so agree, each shall follow the 800  
procedure specified in this section for altering the prima-facie 801  
speed limit on the highway, and the speed limit for the part of 802  
the highway within their joint jurisdiction shall be uniformly 803  
altered. No altered speed limit may be withdrawn unless both 804  
local authorities determine that the altered prima-facie speed 805  
limit previously adopted becomes unreasonable and each adopts a 806  
resolution withdrawing the altered prima-facie speed limit 807  
pursuant to the procedure specified in this section. 808

(N) The legislative authority of a municipal corporation 809  
or township in which a boarding school is located, by resolution 810  
or ordinance, may establish a boarding school zone. The 811  
legislative authority may alter the speed limit on any street or 812  
highway within the boarding school zone and shall specify the 813  
hours during which the altered speed limit is in effect. For 814

purposes of determining the boundaries of the boarding school zone, the altered speed limit within the boarding school zone, and the hours the altered speed limit is in effect, the legislative authority shall consult with the administration of the boarding school and with the county engineer or other appropriate engineer, as applicable. A boarding school zone speed limit becomes effective only when appropriate signs giving notice thereof are erected at the appropriate locations.

(0) As used in this section: 823

(1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101. 824  
825

(2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation. 826  
827  
828

(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. 829  
830  
831  
832

(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. 833  
834  
835  
836

(5) "Rural" means outside urbanized areas, as designated in accordance with 23 U.S.C. 101, and outside of a business or urban district. 837  
838  
839

(P) (1) A violation of any provision of this section is one of the following: 840  
841

(a) Except as otherwise provided in divisions (P) (1) (b), 842

(1) (c), (2), and (3) of this section, a minor misdemeanor; 843

(b) If, within one year of the offense, the offender 844  
previously has been convicted of or pleaded guilty to two 845  
violations of any provision of this section or of any provision 846  
of a municipal ordinance that is substantially similar to any 847  
provision of this section, a misdemeanor of the fourth degree; 848

(c) If, within one year of the offense, the offender 849  
previously has been convicted of or pleaded guilty to three or 850  
more violations of any provision of this section or of any 851  
provision of a municipal ordinance that is substantially similar 852  
to any provision of this section, a misdemeanor of the third 853  
degree. 854

(2) If the offender has not previously been convicted of 855  
or pleaded guilty to a violation of any provision of this 856  
section or of any provision of a municipal ordinance that is 857  
substantially similar to this section and operated a motor 858  
vehicle faster than thirty-five miles an hour in a business 859  
district of a municipal corporation, faster than fifty miles an 860  
hour in other portions of a municipal corporation, or faster 861  
than thirty-five miles an hour in a school zone during recess or 862  
while children are going to or leaving school during the 863  
school's opening or closing hours, a misdemeanor of the fourth 864  
degree. 865

(3) Notwithstanding division (P) (1) of this section, if 866  
the offender operated a motor vehicle in a construction zone 867  
where a sign was then posted in accordance with section 4511.98 868  
of the Revised Code, the court, in addition to all other 869  
penalties provided by law, shall impose upon the offender a fine 870  
of two times the usual amount imposed for the violation. No 871  
court shall impose a fine of two times the usual amount imposed 872

for the violation upon an offender if the offender alleges, in 873  
an affidavit filed with the court prior to the offender's 874  
sentencing, that the offender is indigent and is unable to pay 875  
the fine imposed pursuant to this division and if the court 876  
determines that the offender is an indigent person and unable to 877  
pay the fine. 878

(4) If the offender commits the offense while distracted 879  
and the distracting activity is the apparent cause of the 880  
offense, the offender is subject to the additional fine 881  
established under section 4511.991 of the Revised Code. 882

**Sec. 4511.211.** (A) The owner of a private road or driveway 883  
located in a private residential area containing twenty or more 884  
dwelling units may establish a speed limit on the road or 885  
driveway by complying with all of the following requirements: 886

(1) The speed limit is not less than twenty-five miles per 887  
hour and is indicated by a sign that is in a proper position, is 888  
sufficiently legible to be seen by an ordinarily observant 889  
person, and meets the specifications for the basic speed limit 890  
sign included in the manual adopted by the department of 891  
transportation pursuant to section 4511.09 of the Revised Code; 892

(2) The owner has posted a sign at the entrance of the 893  
private road or driveway that is in plain view and clearly 894  
informs persons entering the road or driveway that they are 895  
entering private property, a speed limit has been established 896  
for the road or driveway, and the speed limit is enforceable by 897  
law enforcement officers under state law. 898

(B) No person shall operate a vehicle upon a private road 899  
or driveway as provided in division (A) of this section at a 900  
speed exceeding any speed limit established and posted pursuant 901

to that division. 902

(C) When a speed limit is established and posted in 903  
accordance with division (A) of this section, any law 904  
enforcement officer may apprehend a person violating the speed 905  
limit of the residential area by utilizing any of the means 906  
described in section 4511.091 of the Revised Code or by any 907  
other accepted method of determining the speed of a motor 908  
vehicle and may stop and charge the person with exceeding the 909  
speed limit. 910

(D) Points shall be assessed for violation of a speed 911  
limit established and posted in accordance with division (A) of 912  
this section in accordance with section 4510.036 of the Revised 913  
Code. 914

(E) As used in this section: 915

(1) "Owner" includes but is not limited to a person who 916  
holds title to the real property in fee simple, a condominium 917  
owners' association, a property owner's association, the board 918  
of directors or trustees of a private community, and a nonprofit 919  
corporation governing a private community. 920

(2) "Private residential area containing twenty or more 921  
dwelling units" does not include a Chautauqua assembly as 922  
defined in section 4511.90 of the Revised Code. 923

(F) (1) A violation of division (B) of this section is one 924  
of the following: 925

~~(1)~~ (a) Except as otherwise provided in divisions (F) ~~(2)~~ 926  
(1) ~~(b)~~ and ~~(3)~~ (c) of this section, a minor misdemeanor; 927

~~(2)~~ (b) If, within one year of the offense, the offender 928  
previously has been convicted of or pleaded guilty to two 929



violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the fourth degree;

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

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

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

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle, emergency vehicle, road service vehicle, vehicle used by the public utilities commission to conduct motor vehicle inspections in

accordance with sections 4923.04 and 4923.06 of the Revised Code, or a highway maintenance vehicle.

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

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

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

(D)(1) 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.

(2) Notwithstanding section 2929.28 of the Revised Code, 989  
upon a finding that a person operated a motor vehicle in 990  
violation of division (C) of this section, the court, in 991  
addition to all other penalties provided by law, shall impose a 992  
fine of two times the usual amount imposed for the violation. 993

(3) If the offender commits the offense while distracted 994  
and the distracting activity is the apparent cause of the 995  
offense, the offender is subject to the additional fine 996  
established under section 4511.991 of the Revised Code. 997

**Sec. 4511.22.** (A) No person shall stop or operate a 998  
vehicle, trackless trolley, or street car at such an 999  
unreasonably slow speed as to impede or block the normal and 1000  
reasonable movement of traffic, except when stopping or reduced 1001  
speed is necessary for safe operation or to comply with law. 1002

(B) Whenever the director of transportation or local 1003  
authorities determine on the basis of an engineering and traffic 1004  
investigation that slow speeds on any part of a controlled- 1005  
access highway, expressway, or freeway consistently impede the 1006  
normal and reasonable movement of traffic, the director or such 1007  
local authority may declare a minimum speed limit below which no 1008  
person shall operate a motor vehicle, trackless trolley, or 1009  
street car except when necessary for safe operation or in 1010  
compliance with law. No minimum speed limit established 1011  
hereunder shall be less than thirty miles per hour, greater than 1012  
fifty miles per hour, nor effective until the provisions of 1013  
section 4511.21 of the Revised Code, relating to appropriate 1014  
signs, have been fulfilled and local authorities have obtained 1015  
the approval of the director. 1016

(C) In a case involving a violation of this section, the 1017  
trier of fact, in determining whether the vehicle was being 1018

operated at an unreasonably slow speed, shall consider the 1019  
capabilities of the vehicle and its operator. 1020

(D) Except as otherwise provided in this division, whoever 1021  
violates this section is guilty of a minor misdemeanor. If, 1022  
within one year of the offense, the offender previously has been 1023  
convicted of or pleaded guilty to one predicate motor vehicle or 1024  
traffic offense, whoever violates this section is guilty of a 1025  
misdemeanor of the fourth degree. If, within one year of the 1026  
offense, the offender previously has been convicted of two or 1027  
more predicate motor vehicle or traffic offenses, whoever 1028  
violates this section is guilty of a misdemeanor of the third 1029  
degree. 1030

If the offender commits the offense while distracted and 1031  
the distracting activity is the apparent cause of the offense, 1032  
the offender is subject to the additional fine established under 1033  
section 4511.991 of the Revised Code. 1034

**Sec. 4511.23.** (A) No person shall operate a vehicle, 1035  
trackless trolley, or streetcar over any bridge or other 1036  
elevated structure constituting a part of a highway at a speed 1037  
which is greater than the maximum speed that can be maintained 1038  
with safety to such bridge or structure, when such structure is 1039  
posted with signs as provided in this section. 1040

The department of transportation upon request from any 1041  
local authority shall, or upon its own initiative may, conduct 1042  
an investigation of any bridge or other elevated structure 1043  
constituting a part of a highway, and if it finds that such 1044  
structure cannot with safety withstand traffic traveling at the 1045  
speed otherwise permissible under sections 4511.01 to 4511.85 1046  
and 4511.98 of the Revised Code, the department shall determine 1047  
and declare the maximum speed of traffic which such structure 1048

can withstand, and shall cause or permit suitable signs stating 1049  
such maximum speed to be erected and maintained at a distance of 1050  
at least one hundred feet before each end of such structure. 1051

Upon the trial of any person charged with a violation of 1052  
this section, proof of said determination of the maximum speed 1053  
by the department and the existence of said signs shall 1054  
constitute prima-facie evidence of the maximum speed which can 1055  
be maintained with safety to such bridge or structure. 1056

(B) Except as otherwise provided in this division, whoever 1057  
violates this section is guilty of a minor misdemeanor. If, 1058  
within one year of the offense, the offender previously has been 1059  
convicted of or pleaded guilty to one predicate motor vehicle or 1060  
traffic offense, whoever violates this section is guilty of a 1061  
misdemeanor of the fourth degree. If, within one year of the 1062  
offense, the offender previously has been convicted of two or 1063  
more predicate motor vehicle or traffic offenses, whoever 1064  
violates this section is guilty of a misdemeanor of the third 1065  
degree. 1066

If the offender commits the offense while distracted and 1067  
the distracting activity is the apparent cause of the offense, 1068  
the offender is subject to the additional fine established under 1069  
section 4511.991 of the Revised Code. 1070

**Sec. 4511.25.** (A) Upon all roadways of sufficient width, a 1071  
vehicle or trackless trolley shall be driven upon the right half 1072  
of the roadway, except as follows: 1073

(1) When overtaking and passing another vehicle proceeding 1074  
in the same direction, or when making a left turn under the 1075  
rules governing such movements; 1076

(2) When an obstruction exists making it necessary to 1077

drive to the left of the center of the highway; provided, any 1078  
person so doing shall yield the right of way to all vehicles 1079  
traveling in the proper direction upon the unobstructed portion 1080  
of the highway within such distance as to constitute an 1081  
immediate hazard; 1082

(3) When driving upon a roadway divided into three or more 1083  
marked lanes for traffic under the rules applicable thereon; 1084

(4) When driving upon a roadway designated and posted with 1085  
signs for one-way traffic; 1086

(5) When otherwise directed by a police officer or traffic 1087  
control device. 1088

(B) (1) Upon all roadways any vehicle or trackless trolley 1089  
proceeding at less than the prevailing and lawful speed of 1090  
traffic at the time and place and under the conditions then 1091  
existing shall be driven in the right-hand lane then available 1092  
for traffic, and far enough to the right to allow passing by 1093  
faster vehicles if such passing is safe and reasonable, except 1094  
under any of the following circumstances: 1095

(a) When overtaking and passing another vehicle or 1096  
trackless trolley proceeding in the same direction; 1097

(b) When preparing for a left turn; 1098

(c) When the driver must necessarily drive in a lane other 1099  
than the right-hand lane to continue on the driver's intended 1100  
route. 1101

(2) Nothing in division (B) (1) of this section requires a 1102  
driver of a slower vehicle to compromise the driver's safety to 1103  
allow overtaking by a faster vehicle. 1104

(C) Upon any roadway having four or more lanes for moving 1105

traffic and providing for two-way movement of traffic, no 1106  
vehicle or trackless trolley shall be driven to the left of the 1107  
center line of the roadway, except when authorized by official 1108  
traffic control devices designating certain lanes to the left of 1109  
the center of the roadway for use by traffic not otherwise 1110  
permitted to use the lanes, or except as permitted under 1111  
division (A) (2) of this section. 1112

This division shall not be construed as prohibiting the 1113  
crossing of the center line in making a left turn into or from 1114  
an alley, private road, or driveway. 1115

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

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

**Sec. 4511.26.** (A) Operators of vehicles and trackless 1130  
trolleys proceeding in opposite directions shall pass each other 1131  
to the right, and upon roadways having width for not more than 1132  
one line of traffic in each direction, each operator shall give 1133  
to the other one-half of the main traveled portion of the 1134  
roadway or as nearly one-half as is reasonable possible. 1135

(B) Except as otherwise provided in this division, whoever 1136  
violates this section is guilty of a minor misdemeanor. If, 1137  
within one year of the offense, the offender previously has been 1138  
convicted of or pleaded guilty to one predicate motor vehicle or 1139  
traffic offense, whoever violates this section is guilty of a 1140  
misdemeanor of the fourth degree. If, within one year of the 1141  
offense, the offender previously has been convicted of two or 1142  
more predicate motor vehicle or traffic offenses, whoever 1143  
violates this section is guilty of a misdemeanor of the third 1144  
degree. 1145

If the offender commits the offense while distracted and 1146  
the distracting activity is the apparent cause of the offense, 1147  
the offender is subject to the additional fine established under 1148  
section 4511.991 of the Revised Code. 1149

**Sec. 4511.27.** (A) The following rules govern the 1150  
overtaking and passing of vehicles or trackless trolleys 1151  
proceeding in the same direction: 1152

(1) The operator of a vehicle or trackless trolley 1153  
overtaking another vehicle or trackless trolley proceeding in 1154  
the same direction shall, except as provided in division (A) (3) 1155  
of this section, signal to the vehicle or trackless trolley to 1156  
be overtaken, shall pass to the left thereof at a safe distance, 1157  
and shall not again drive to the right side of the roadway until 1158  
safely clear of the overtaken vehicle or trackless trolley. When 1159  
a motor vehicle or trackless trolley overtakes and passes a 1160  
bicycle, three feet or greater is considered a safe passing 1161  
distance. 1162

(2) Except when overtaking and passing on the right is 1163  
permitted, the operator of an overtaken vehicle shall give way 1164  
to the right in favor of the overtaking vehicle at the latter's 1165



audible signal, and the operator shall not increase the speed of 1166  
the operator's vehicle until completely passed by the overtaking 1167  
vehicle. 1168

(3) The operator of a vehicle or trackless trolley 1169  
overtaking and passing another vehicle or trackless trolley 1170  
proceeding in the same direction on a divided highway as defined 1171  
in section 4511.35 of the Revised Code, a limited access highway 1172  
as defined in section 5511.02 of the Revised Code, or a highway 1173  
with four or more traffic lanes, is not required to signal 1174  
audibly to the vehicle or trackless trolley being overtaken and 1175  
passed. 1176

(B) Except as otherwise provided in this division, whoever 1177  
violates this section is guilty of a minor misdemeanor. If, 1178  
within one year of the offense, the offender previously has been 1179  
convicted of or pleaded guilty to one predicate motor vehicle or 1180  
traffic offense, whoever violates this section is guilty of a 1181  
misdemeanor of the fourth degree. If, within one year of the 1182  
offense, the offender previously has been convicted of two or 1183  
more predicate motor vehicle or traffic offenses, whoever 1184  
violates this section is guilty of a misdemeanor of the third 1185  
degree. 1186

If the offender commits the offense while distracted and 1187  
the distracting activity is the apparent cause of the offense, 1188  
the offender is subject to the additional fine established under 1189  
section 4511.991 of the Revised Code. 1190

**Sec. 4511.28.** (A) The driver of a vehicle or trackless 1191  
trolley may overtake and pass upon the right of another vehicle 1192  
or trackless trolley only under the following conditions: 1193

(1) When the vehicle or trackless trolley overtaken is 1194

making or about to make a left turn; 1195

(2) Upon a roadway with unobstructed pavement of 1196  
sufficient width for two or more lines of vehicles moving 1197  
lawfully in the direction being traveled by the overtaking 1198  
vehicle. 1199

(B) The driver of a vehicle or trackless trolley may 1200  
overtake and pass another vehicle or trackless trolley only 1201  
under conditions permitting such movement in safety. The 1202  
movement shall not be made by driving off the roadway. 1203

(C) Except as otherwise provided in this division, whoever 1204  
violates this section is guilty of a minor misdemeanor. If, 1205  
within one year of the offense, the offender previously has been 1206  
convicted of or pleaded guilty to one predicate motor vehicle or 1207  
traffic offense, whoever violates this section is guilty of a 1208  
misdemeanor of the fourth degree. If, within one year of the 1209  
offense, the offender previously has been convicted of two or 1210  
more predicate motor vehicle or traffic offenses, whoever 1211  
violates this section is guilty of a misdemeanor of the third 1212  
degree. 1213

If the offender commits the offense while distracted and 1214  
the distracting activity is the apparent cause of the offense, 1215  
the offender is subject to the additional fine established under 1216  
section 4511.991 of the Revised Code. 1217

**Sec. 4511.29.** (A) No vehicle or trackless trolley shall be 1218  
driven to the left of the center of the roadway in overtaking 1219  
and passing traffic proceeding in the same direction, unless 1220  
such left side is clearly visible and is free of oncoming 1221  
traffic for a sufficient distance ahead to permit such 1222  
overtaking and passing to be completely made, without 1223

interfering with the safe operation of any traffic approaching 1224  
from the opposite direction or any traffic overtaken. In every 1225  
event the overtaking vehicle or trackless trolley must return to 1226  
an authorized lane of travel as soon as practicable and in the 1227  
event the passing movement involves the use of a lane authorized 1228  
for traffic approaching from the opposite direction, before 1229  
coming within two hundred feet of any approaching vehicle. 1230

(B) Except as otherwise provided in this division, whoever 1231  
violates this section is guilty of a minor misdemeanor. If, 1232  
within one year of the offense, the offender previously has been 1233  
convicted of or pleaded guilty to one predicate motor vehicle or 1234  
traffic offense, whoever violates this section is guilty of a 1235  
misdemeanor of the fourth degree. If, within one year of the 1236  
offense, the offender previously has been convicted of two or 1237  
more predicate motor vehicle or traffic offenses, whoever 1238  
violates this section is guilty of a misdemeanor of the third 1239  
degree. 1240

If the offender commits the offense while distracted and 1241  
the distracting activity is the apparent cause of the offense, 1242  
the offender is subject to the additional fine established under 1243  
section 4511.991 of the Revised Code. 1244

**Sec. 4511.30.** (A) No vehicle or trackless trolley shall be 1245  
driven upon the left side of the roadway under the following 1246  
conditions: 1247

(1) When approaching the crest of a grade or upon a curve 1248  
in the highway, where the operator's view is obstructed within 1249  
such a distance as to create a hazard in the event traffic might 1250  
approach from the opposite direction; 1251

(2) When the view is obstructed upon approaching within 1252

one hundred feet of any bridge, viaduct, or tunnel; 1253

(3) When approaching within one hundred feet of or 1254  
traversing any intersection or railroad grade crossing. 1255

(B) This section does not apply to vehicles or trackless 1256  
trolleys upon a one-way roadway, upon a roadway where traffic is 1257  
lawfully directed to be driven to the left side, or under the 1258  
conditions described in division (A) (2) of section 4511.25 of 1259  
the Revised Code. 1260

(C) Except as otherwise provided in this division, whoever 1261  
violates this section is guilty of a minor misdemeanor. If, 1262  
within one year of the offense, the offender previously has been 1263  
convicted of or pleaded guilty to one predicate motor vehicle or 1264  
traffic offense, whoever violates this section is guilty of a 1265  
misdemeanor of the fourth degree. If, within one year of the 1266  
offense, the offender previously has been convicted of two or 1267  
more predicate motor vehicle or traffic offenses, whoever 1268  
violates this section is guilty of a misdemeanor of the third 1269  
degree. 1270

If the offender commits the offense while distracted and 1271  
the distracting activity is the apparent cause of the offense, 1272  
the offender is subject to the additional fine established under 1273  
section 4511.991 of the Revised Code. 1274

**Sec. 4511.31.** (A) The department of transportation may 1275  
determine those portions of any state highway where overtaking 1276  
and passing other traffic or driving to the left of the center 1277  
or center line of the roadway would be especially hazardous and 1278  
may, by appropriate signs or markings on the highway, indicate 1279  
the beginning and end of such zones. When such signs or markings 1280  
are in place and clearly visible, every operator of a vehicle or 1281

trackless trolley shall obey the directions of the signs or 1282  
markings, notwithstanding the distances set out in section 1283  
4511.30 of the Revised Code. 1284

(B) Division (A) of this section does not apply when all 1285  
of the following apply: 1286

(1) The slower vehicle is proceeding at less than half the 1287  
speed of the speed limit applicable to that location. 1288

(2) The faster vehicle is capable of overtaking and 1289  
passing the slower vehicle without exceeding the speed limit. 1290

(3) There is sufficient clear sight distance to the left 1291  
of the center or center line of the roadway to meet the 1292  
overtaking and passing provisions of section 4511.29 of the 1293  
Revised Code, considering the speed of the slower vehicle. 1294

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

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

**Sec. 4511.32.** (A) The department of transportation may 1309  
designate any highway or any separate roadway under its 1310

jurisdiction for one-way traffic and shall erect appropriate 1311  
signs giving notice thereof. 1312

Upon a roadway designated and posted with signs for one- 1313  
way traffic a vehicle shall be driven only in the direction 1314  
designated. 1315

A vehicle passing around a rotary traffic island shall be 1316  
driven only to the right of the rotary traffic island. 1317

(B) Except as otherwise provided in this division, whoever 1318  
violates this section is guilty of a minor misdemeanor. If, 1319  
within one year of the offense, the offender previously has been 1320  
convicted of or pleaded guilty to one predicate motor vehicle or 1321  
traffic offense, whoever violates this section is guilty of a 1322  
misdemeanor of the fourth degree. If, within one year of the 1323  
offense, the offender previously has been convicted of two or 1324  
more predicate motor vehicle or traffic offenses, whoever 1325  
violates this section is guilty of a misdemeanor of the third 1326  
degree. 1327

If the offender commits the offense while distracted and 1328  
the distracting activity is the apparent cause of the offense, 1329  
the offender is subject to the additional fine established under 1330  
section 4511.991 of the Revised Code. 1331

**Sec. 4511.33.** (A) Whenever any roadway has been divided 1332  
into two or more clearly marked lanes for traffic, or wherever 1333  
within municipal corporations traffic is lawfully moving in two 1334  
or more substantially continuous lines in the same direction, 1335  
the following rules apply: 1336

(1) A vehicle or trackless trolley shall be driven, as 1337  
nearly as is practicable, entirely within a single lane or line 1338  
of traffic and shall not be moved from such lane or line until 1339

the driver has first ascertained that such movement can be made 1340  
with safety. 1341

(2) Upon a roadway which is divided into three lanes and 1342  
provides for two-way movement of traffic, a vehicle or trackless 1343  
trolley shall not be driven in the center lane except when 1344  
overtaking and passing another vehicle or trackless trolley 1345  
where the roadway is clearly visible and such center lane is 1346  
clear of traffic within a safe distance, or when preparing for a 1347  
left turn, or where such center lane is at the time allocated 1348  
exclusively to traffic moving in the direction the vehicle or 1349  
trackless trolley is proceeding and is posted with signs to give 1350  
notice of such allocation. 1351

(3) Official signs may be erected directing specified 1352  
traffic to use a designated lane or designating those lanes to 1353  
be used by traffic moving in a particular direction regardless 1354  
of the center of the roadway, or restricting the use of a 1355  
particular lane to only buses during certain hours or during all 1356  
hours, and drivers of vehicles and trackless trolleys shall obey 1357  
the directions of such signs. 1358

(4) Official traffic control devices may be installed 1359  
prohibiting the changing of lanes on sections of roadway and 1360  
drivers of vehicles shall obey the directions of every such 1361  
device. 1362

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

more predicate motor vehicle or traffic offenses, whoever 1370  
violates this section is guilty of a misdemeanor of the third 1371  
degree. 1372

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

**Sec. 4511.34.** (A) The operator of a motor vehicle, 1377  
streetcar, or trackless trolley shall not follow another 1378  
vehicle, streetcar, or trackless trolley more closely than is 1379  
reasonable and prudent, having due regard for the speed of such 1380  
vehicle, streetcar, or trackless trolley, and the traffic upon 1381  
and the condition of the highway. 1382

The driver of any truck, or motor vehicle drawing another 1383  
vehicle, when traveling upon a roadway outside a business or 1384  
residence district shall maintain a sufficient space, whenever 1385  
conditions permit, between such vehicle and another vehicle 1386  
ahead so an overtaking motor vehicle may enter and occupy such 1387  
space without danger. This paragraph does not prevent overtaking 1388  
and passing nor does it apply to any lane specially designated 1389  
for use by trucks. 1390

Outside a municipal corporation, the driver of any truck, 1391  
or motor vehicle when drawing another vehicle, while ascending 1392  
to the crest of a grade beyond which the driver's view of a 1393  
roadway is obstructed, shall not follow within three hundred 1394  
feet of another truck, or motor vehicle drawing another vehicle. 1395  
This paragraph shall not apply to any lane specially designated 1396  
for use by trucks. 1397

Motor vehicles being driven upon any roadway outside of a 1398



business or residence district in a caravan or motorcade, shall 1399  
maintain a sufficient space between such vehicles so an 1400  
overtaking vehicle may enter and occupy such space without 1401  
danger. This paragraph shall not apply to funeral processions. 1402

(B) Except as otherwise provided in this division, whoever 1403  
violates this section is guilty of a minor misdemeanor. If, 1404  
within one year of the offense, the offender previously has been 1405  
convicted of or pleaded guilty to one predicate motor vehicle or 1406  
traffic offense, whoever violates this section is guilty of a 1407  
misdemeanor of the fourth degree. If, within one year of the 1408  
offense, the offender previously has been convicted of two or 1409  
more predicate motor vehicle or traffic offenses, whoever 1410  
violates this section is guilty of a misdemeanor of the third 1411  
degree. 1412

If the offender commits the offense while distracted and 1413  
the distracting activity is the apparent cause of the offense, 1414  
the offender is subject to the additional fine established under 1415  
section 4511.991 of the Revised Code. 1416

**Sec. 4511.35.** (A) Whenever any highway has been divided 1417  
into two roadways by an intervening space, or by a physical 1418  
barrier, or clearly indicated dividing section so constructed as 1419  
to impede vehicular traffic, every vehicle shall be driven only 1420  
upon the right-hand roadway, and no vehicle shall be driven 1421  
over, across, or within any such dividing space, barrier, or 1422  
section, except through an opening, crossover, or intersection 1423  
established by public authority. This section does not prohibit 1424  
the occupancy of such dividing space, barrier, or section for 1425  
the purpose of an emergency stop or in compliance with an order 1426  
of a police officer. 1427

(B) Except as otherwise provided in this division, whoever 1428

violates this section is guilty of a minor misdemeanor. If, 1429  
within one year of the offense, the offender previously has been 1430  
convicted of or pleaded guilty to one predicate motor vehicle or 1431  
traffic offense, whoever violates this section is guilty of a 1432  
misdemeanor of the fourth degree. If, within one year of the 1433  
offense, the offender previously has been convicted of two or 1434  
more predicate motor vehicle or traffic offenses, whoever 1435  
violates this section is guilty of a misdemeanor of the third 1436  
degree. 1437

If the offender commits the offense while distracted and 1438  
the distracting activity is the apparent cause of the offense, 1439  
the offender is subject to the additional fine established under 1440  
section 4511.991 of the Revised Code. 1441

**Sec. 4511.36.** (A) The driver of a vehicle intending to 1442  
turn at an intersection shall be governed by the following 1443  
rules: 1444

(1) Approach for a right turn and a right turn shall be 1445  
made as close as practicable to the right-hand curb or edge of 1446  
the roadway. 1447

(2) At any intersection where traffic is permitted to move 1448  
in both directions on each roadway entering the intersection, an 1449  
approach for a left turn shall be made in that portion of the 1450  
right half of the roadway nearest the center line thereof and by 1451  
passing to the right of such center line where it enters the 1452  
intersection and after entering the intersection the left turn 1453  
shall be made so as to leave the intersection to the right of 1454  
the center line of the roadway being entered. Whenever 1455  
practicable the left turn shall be made in that portion of the 1456  
intersection to the left of the center of the intersection. 1457

(3) At any intersection where traffic is restricted to one 1458  
direction on one or more of the roadways, the driver of a 1459  
vehicle intending to turn left at any such intersection shall 1460  
approach the intersection in the extreme left-hand lane lawfully 1461  
available to traffic moving in the direction of travel of such 1462  
vehicle, and after entering the intersection the left turn shall 1463  
be made so as to leave the intersection, as nearly as 1464  
practicable, in the left-hand lane of the roadway being entered 1465  
lawfully available to traffic moving in that lane. 1466

(B) The operator of a trackless trolley shall comply with 1467  
divisions (A) (1), (2), and (3) of this section wherever 1468  
practicable. 1469

(C) The department of transportation and local authorities 1470  
in their respective jurisdictions may cause markers, buttons, or 1471  
signs to be placed within or adjacent to intersections and 1472  
thereby require and direct that a different course from that 1473  
specified in this section be traveled by vehicles, streetcars, 1474  
or trackless trolleys, turning at an intersection, and when 1475  
markers, buttons, or signs are so placed, no operator of a 1476  
vehicle, streetcar, or trackless trolley shall turn such 1477  
vehicle, streetcar, or trackless trolley at an intersection 1478  
other than as directed and required by such markers, buttons, or 1479  
signs. 1480

(D) Except as otherwise provided in this division, whoever 1481  
violates this section is guilty of a minor misdemeanor. If, 1482  
within one year of the offense, the offender previously has been 1483  
convicted of or pleaded guilty to one predicate motor vehicle or 1484  
traffic offense, whoever violates this section is guilty of a 1485  
misdemeanor of the fourth degree. If, within one year of the 1486  
offense, the offender previously has been convicted of two or 1487

more predicate motor vehicle or traffic offenses, whoever 1488  
violates this section is guilty of a misdemeanor of the third 1489  
degree. 1490

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

**Sec. 4511.37.** (A) Except as provided in section 4511.13 of 1495  
the Revised Code and division (B) of this section, no vehicle 1496  
shall be turned so as to proceed in the opposite direction upon 1497  
any curve, or upon the approach to or near the crest of a grade, 1498  
if the vehicle cannot be seen within five hundred feet by the 1499  
driver of any other vehicle approaching from either direction. 1500

(B) The driver of an emergency vehicle or public safety 1501  
vehicle, when responding to an emergency call, may turn the 1502  
vehicle so as to proceed in the opposite direction. This 1503  
division applies only when the emergency vehicle or public 1504  
safety vehicle is responding to an emergency call, is equipped 1505  
with and displaying at least one flashing, rotating, or 1506  
oscillating light visible under normal atmospheric conditions 1507  
from a distance of five hundred feet to the front of the 1508  
vehicle, and when the driver of the vehicle is giving an audible 1509  
signal by siren, exhaust whistle, or bell. This division does 1510  
not relieve the driver of an emergency vehicle or public safety 1511  
vehicle from the duty to drive with due regard for the safety of 1512  
all persons and property upon the highway. 1513

(C) Except as otherwise provided in this division, whoever 1514  
violates this section is guilty of a minor misdemeanor. If, 1515  
within one year of the offense, the offender previously has been 1516  
convicted of or pleaded guilty to one predicate motor vehicle or 1517

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

If the offender commits the offense while distracted and 1524  
the distracting activity is the apparent cause of the offense, 1525  
the offender is subject to the additional fine established under 1526  
section 4511.991 of the Revised Code. 1527

**Sec. 4511.38.** (A) No person shall start a vehicle, 1528  
streetcar, or trackless trolley which is stopped, standing, or 1529  
parked until such movement can be made with reasonable safety. 1530

Before backing, operators of vehicle, streetcars, or 1531  
trackless trolleys shall give ample warning, and while backing 1532  
they shall exercise vigilance not to injure person or property 1533  
on the street or highway. 1534

No person shall back a motor vehicle on a freeway, except: 1535  
in a rest area; in the performance of public works or official 1536  
duties; as a result of an emergency caused by an accident or 1537  
breakdown of a motor vehicle. 1538

(B) Except as otherwise provided in this division, whoever 1539  
violates this section is guilty of a minor misdemeanor. If, 1540  
within one year of the offense, the offender previously has been 1541  
convicted of or pleaded guilty to one predicate motor vehicle or 1542  
traffic offense, whoever violates this section is guilty of a 1543  
misdemeanor of the fourth degree. If, within one year of the 1544  
offense, the offender previously has been convicted of two or 1545  
more predicate motor vehicle or traffic offenses, whoever 1546

violates this section is guilty of a misdemeanor of the third 1547  
degree. 1548

If the offender commits the offense while distracted and 1549  
the distracting activity is the apparent cause of the offense, 1550  
the offender is subject to the additional fine established under 1551  
section 4511.991 of the Revised Code. 1552

**Sec. 4511.39.** (A) No person shall turn a vehicle or 1553  
trackless trolley or move right or left upon a highway unless 1554  
and until such person has exercised due care to ascertain that 1555  
the movement can be made with reasonable safety nor without 1556  
giving an appropriate signal in the manner hereinafter provided. 1557

When required, a signal of intention to turn or move right 1558  
or left shall be given continuously during not less than the 1559  
last one hundred feet traveled by the vehicle or trackless 1560  
trolley before turning, except that in the case of a person 1561  
operating a bicycle, the signal shall be made not less than one 1562  
time but is not required to be continuous. A bicycle operator is 1563  
not required to make a signal if the bicycle is in a designated 1564  
turn lane, and a signal shall not be given when the operator's 1565  
hands are needed for the safe operation of the bicycle. 1566

No person shall stop or suddenly decrease the speed of a 1567  
vehicle or trackless trolley without first giving an appropriate 1568  
signal in the manner provided herein to the driver of any 1569  
vehicle or trackless trolley immediately to the rear when there 1570  
is opportunity to give a signal. 1571

Any stop or turn signal required by this section shall be 1572  
given either by means of the hand and arm, or by signal lights 1573  
that clearly indicate to both approaching and following traffic 1574  
intention to turn or move right or left, except that any motor 1575

vehicle in use on a highway shall be equipped with, and the 1576  
required signal shall be given by, signal lights when the 1577  
distance from the center of the top of the steering post to the 1578  
left outside limit of the body, cab, or load of such motor 1579  
vehicle exceeds twenty-four inches, or when the distance from 1580  
the center of the top of the steering post to the rear limit of 1581  
the body or load thereof exceeds fourteen feet, whether a single 1582  
vehicle or a combination of vehicles. 1583

The signal lights required by this section shall not be 1584  
flashed on one side only on a disabled vehicle or trackless 1585  
trolley, flashed as a courtesy or "do pass" signal to operators 1586  
of other vehicles or trackless trolleys approaching from the 1587  
rear, nor be flashed on one side only of a parked vehicle or 1588  
trackless trolley except as may be necessary for compliance with 1589  
this section. 1590

(B) Except as otherwise provided in this division, whoever 1591  
violates this section is guilty of a minor misdemeanor. If, 1592  
within one year of the offense, the offender previously has been 1593  
convicted of or pleaded guilty to one predicate motor vehicle or 1594  
traffic offense, whoever violates this section is guilty of a 1595  
misdemeanor of the fourth degree. If, within one year of the 1596  
offense, the offender previously has been convicted of two or 1597  
more predicate motor vehicle or traffic offenses, whoever 1598  
violates this section is guilty of a misdemeanor of the third 1599  
degree. 1600

If the offender commits the offense while distracted and 1601  
the distracting activity is the apparent cause of the offense, 1602  
the offender is subject to the additional fine established under 1603  
section 4511.991 of the Revised Code. 1604

**Sec. 4511.40.** (A) Except as provided in division (B) of 1605

this section, all signals required by sections 4511.01 to 1606  
4511.78 of the Revised Code, when given by hand and arm, shall 1607  
be given from the left side of the vehicle in the following 1608  
manner, and such signals shall indicate as follows: 1609

(1) Left turn, hand and arm extended horizontally; 1610

(2) Right turn, hand and arm extended upward; 1611

(3) Stop or decrease speed, hand and arm extended 1612  
downward. 1613

(B) As an alternative to division (A) (2) of this section, 1614  
a person operating a bicycle may give a right turn signal by 1615  
extending the right hand and arm horizontally and to the right 1616  
side of the bicycle. 1617

(C) Except as otherwise provided in this division, whoever 1618  
violates this section is guilty of a minor misdemeanor. If, 1619  
within one year of the offense, the offender previously has been 1620  
convicted of or pleaded guilty to one predicate motor vehicle or 1621  
traffic offense, whoever violates this section is guilty of a 1622  
misdemeanor of the fourth degree. If, within one year of the 1623  
offense, the offender previously has been convicted of two or 1624  
more predicate motor vehicle or traffic offenses, whoever 1625  
violates this section is guilty of a misdemeanor of the third 1626  
degree. 1627

If the offender commits the offense while distracted and 1628  
the distracting activity is the apparent cause of the offense, 1629  
the offender is subject to the additional fine established under 1630  
section 4511.991 of the Revised Code. 1631

**Sec. 4511.41.** (A) When two vehicles, including any 1632  
trackless trolley or streetcar, approach or enter an 1633  
intersection from different streets or highways at approximately 1634



the same time, the driver of the vehicle on the left shall yield 1635  
the right-of-way to the vehicle on the right. 1636

(B) The right-of-way rule declared in division (A) of this 1637  
section is modified at through highways and otherwise as stated 1638  
in Chapter 4511. of the Revised Code. 1639

(C) Except as otherwise provided in this division, whoever 1640  
violates this section is guilty of a minor misdemeanor. If, 1641  
within one year of the offense, the offender previously has been 1642  
convicted of or pleaded guilty to one predicate motor vehicle or 1643  
traffic offense, whoever violates this section is guilty of a 1644  
misdemeanor of the fourth degree. If, within one year of the 1645  
offense, the offender previously has been convicted of two or 1646  
more predicate motor vehicle or traffic offenses, whoever 1647  
violates this section is guilty of a misdemeanor of the third 1648  
degree. 1649

If the offender commits the offense while distracted and 1650  
the distracting activity is the apparent cause of the offense, 1651  
the offender is subject to the additional fine established under 1652  
section 4511.991 of the Revised Code. 1653

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 1654  
trackless trolley intending to turn to the left within an 1655  
intersection or into an alley, private road, or driveway shall 1656  
yield the right of way to any vehicle, streetcar, or trackless 1657  
trolley approaching from the opposite direction, whenever the 1658  
approaching vehicle, streetcar, or trackless trolley is within 1659  
the intersection or so close to the intersection, alley, private 1660  
road, or driveway as to constitute an immediate hazard. 1661

(B) Except as otherwise provided in this division, whoever 1662  
violates this section is guilty of a minor misdemeanor. If, 1663

within one year of the offense, the offender previously has been 1664  
convicted of or pleaded guilty to one predicate motor vehicle or 1665  
traffic offense, whoever violates this section is guilty of a 1666  
misdemeanor of the fourth degree. If, within one year of the 1667  
offense, the offender previously has been convicted of two or 1668  
more predicate motor vehicle or traffic offenses, whoever 1669  
violates this section is guilty of a misdemeanor of the third 1670  
degree. 1671

If the offender commits the offense while distracted and 1672  
the distracting activity is the apparent cause of the offense, 1673  
the offender is subject to the additional fine established under 1674  
section 4511.991 of the Revised Code. 1675

**Sec. 4511.43.** (A) Except when directed to proceed by a law 1676  
enforcement officer, every driver of a vehicle or trackless 1677  
trolley approaching a stop sign shall stop at a clearly marked 1678  
stop line, but if none, before entering the crosswalk on the 1679  
near side of the intersection, or, if none, then at the point 1680  
nearest the intersecting roadway where the driver has a view of 1681  
approaching traffic on the intersecting roadway before entering 1682  
it. After having stopped, the driver shall yield the right-of- 1683  
way to any vehicle in the intersection or approaching on another 1684  
roadway so closely as to constitute an immediate hazard during 1685  
the time the driver is moving across or within the intersection 1686  
or junction of roadways. 1687

(B) The driver of a vehicle or trackless trolley 1688  
approaching a yield sign shall slow down to a speed reasonable 1689  
for the existing conditions and, if required for safety to stop, 1690  
shall stop at a clearly marked stop line, but if none, before 1691  
entering the crosswalk on the near side of the intersection, or, 1692  
if none, then at the point nearest the intersecting roadway 1693

where the driver has a view of approaching traffic on the 1694  
intersecting roadway before entering it. After slowing or 1695  
stopping, the driver shall yield the right-of-way to any vehicle 1696  
or trackless trolley in the intersection or approaching on 1697  
another roadway so closely as to constitute an immediate hazard 1698  
during the time the driver is moving across or within the 1699  
intersection or junction of roadways. Whenever a driver is 1700  
involved in a collision with a vehicle or trackless trolley in 1701  
the intersection or junction of roadways, after driving past a 1702  
yield sign without stopping, the collision shall be prima-facie 1703  
evidence of the driver's failure to yield the right-of-way. 1704

(C) Except as otherwise provided in this division, whoever 1705  
violates this section is guilty of a minor misdemeanor. If, 1706  
within one year of the offense, the offender previously has been 1707  
convicted of or pleaded guilty to one predicate motor vehicle or 1708  
traffic offense, whoever violates this section is guilty of a 1709  
misdemeanor of the fourth degree. If, within one year of the 1710  
offense, the offender previously has been convicted of two or 1711  
more predicate motor vehicle or traffic offenses, whoever 1712  
violates this section is guilty of a misdemeanor of the third 1713  
degree. 1714

If the offender commits the offense while distracted and 1715  
the distracting activity is the apparent cause of the offense, 1716  
the offender is subject to the additional fine established under 1717  
section 4511.991 of the Revised Code. 1718

**Sec. 4511.431.** (A) The driver of a vehicle or trackless 1719  
trolley emerging from an alley, building, private road, or 1720  
driveway within a business or residence district shall stop the 1721  
vehicle or trackless trolley immediately prior to driving onto a 1722  
sidewalk or onto the sidewalk area extending across the alley, 1723

building entrance, road, or driveway, or in the event there is 1724  
no sidewalk area, shall stop at the point nearest the street to 1725  
be entered where the driver has a view of approaching traffic 1726  
thereon. 1727

(B) Except as otherwise provided in this division, whoever 1728  
violates this section is guilty of a minor misdemeanor. If, 1729  
within one year of the offense, the offender previously has been 1730  
convicted of or pleaded guilty to one predicate motor vehicle or 1731  
traffic offense, whoever violates this section is guilty of a 1732  
misdemeanor of the fourth degree. If, within one year of the 1733  
offense, the offender previously has been convicted of two or 1734  
more predicate motor vehicle or traffic offenses, whoever 1735  
violates this section is guilty of a misdemeanor of the third 1736  
degree. 1737

If the offender commits the offense while distracted and 1738  
the distracting activity is the apparent cause of the offense, 1739  
the offender is subject to the additional fine established under 1740  
section 4511.991 of the Revised Code. 1741

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or 1742  
trackless trolley about to enter or cross a highway from any 1743  
place other than another roadway shall yield the right of way to 1744  
all traffic approaching on the roadway to be entered or crossed. 1745

(B) Except as otherwise provided in this division, whoever 1746  
violates this section is guilty of a minor misdemeanor. If, 1747  
within one year of the offense, the offender previously has been 1748  
convicted of or pleaded guilty to one predicate motor vehicle or 1749  
traffic offense, whoever violates this section is guilty of a 1750  
misdemeanor of the fourth degree. If, within one year of the 1751  
offense, the offender previously has been convicted of two or 1752  
more predicate motor vehicle or traffic offenses, whoever 1753

violates this section is guilty of a misdemeanor of the third 1754  
degree. 1755

If the offender commits the offense while distracted and 1756  
the distracting activity is the apparent cause of the offense, 1757  
the offender is subject to the additional fine established under 1758  
section 4511.991 of the Revised Code. 1759

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 1760  
right-of-way to any pedestrian on a sidewalk. 1761

(B) Except as otherwise provided in this division, whoever 1762  
violates this section is guilty of a minor misdemeanor. If, 1763  
within one year of the offense, the offender previously has been 1764  
convicted of or pleaded guilty to one predicate motor vehicle or 1765  
traffic offense, whoever violates this section is guilty of a 1766  
misdemeanor of the fourth degree. If, within one year of the 1767  
offense, the offender previously has been convicted of two or 1768  
more predicate motor vehicle or traffic offenses, whoever 1769  
violates this section is guilty of a misdemeanor of the third 1770  
degree. 1771

If the offender commits the offense while distracted and 1772  
the distracting activity is the apparent cause of the offense, 1773  
the offender is subject to the additional fine established under 1774  
section 4511.991 of the Revised Code. 1775

**Sec. 4511.451.** (A) As used in this section, "funeral 1776  
procession" means two or more vehicles accompanying the cremated 1777  
remains or the body of a deceased person in the daytime when 1778  
each of the vehicles has its headlights lighted and is 1779  
displaying a purple and white or an orange and white pennant 1780  
attached to each vehicle in such a manner as to be clearly 1781  
visible to traffic approaching from any direction. 1782

(B) Excepting public safety vehicles proceeding in 1783  
accordance with section 4511.45 of the Revised Code or when 1784  
directed otherwise by a police officer, pedestrians and the 1785  
operators of all vehicles, street cars, and trackless trolleys 1786  
shall yield the right of way to each vehicle that is a part of a 1787  
funeral procession. Whenever the lead vehicle in a funeral 1788  
procession lawfully enters an intersection, the remainder of the 1789  
vehicles in the procession may continue to follow the lead 1790  
vehicle through the intersection notwithstanding any traffic 1791  
control devices or right of way provisions of the Revised Code, 1792  
provided that the operator of each vehicle exercises due care to 1793  
avoid colliding with any other vehicle or pedestrian. 1794

(C) No person shall operate any vehicle as a part of a 1795  
funeral procession without having the headlights of the vehicle 1796  
lighted and without displaying a purple and white or an orange 1797  
and white pennant in such a manner as to be clearly visible to 1798  
traffic approaching from any direction. 1799

(D) Except as otherwise provided in this division, whoever 1800  
violates this section is guilty of a minor misdemeanor. If, 1801  
within one year of the offense, the offender previously has been 1802  
convicted of or pleaded guilty to one predicate motor vehicle or 1803  
traffic offense, whoever violates this section is guilty of a 1804  
misdemeanor of the fourth degree. If, within one year of the 1805  
offense, the offender previously has been convicted of two or 1806  
more predicate motor vehicle or traffic offenses, whoever 1807  
violates this section is guilty of a misdemeanor of the third 1808  
degree. 1809

If the offender commits the offense while distracted and 1810  
the distracting activity is the apparent cause of the offense, 1811  
the offender is subject to the additional fine established under 1812

section 4511.991 of the Revised Code. 1813

**Sec. 4511.46.** (A) When traffic control signals are not in 1814  
place, not in operation, or are not clearly assigning the right- 1815  
of-way, the driver of a vehicle, trackless trolley, or streetcar 1816  
shall yield the right of way, slowing down or stopping if need 1817  
be to so yield or if required by section 4511.132 of the Revised 1818  
Code, to a pedestrian crossing the roadway within a crosswalk 1819  
when the pedestrian is upon the half of the roadway upon which 1820  
the vehicle is traveling, or when the pedestrian is approaching 1821  
so closely from the opposite half of the roadway as to be in 1822  
danger. 1823

(B) No pedestrian shall suddenly leave a curb or other 1824  
place of safety and walk or run into the path of a vehicle, 1825  
trackless trolley, or streetcar which is so close as to 1826  
constitute an immediate hazard. 1827

(C) Division (A) of this section does not apply under the 1828  
conditions stated in division (B) of section 4511.48 of the 1829  
Revised Code. 1830

(D) Whenever any vehicle, trackless trolley, or streetcar 1831  
is stopped at a marked crosswalk or at any unmarked crosswalk at 1832  
an intersection to permit a pedestrian to cross the roadway, the 1833  
driver of any other vehicle, trackless trolley, or streetcar 1834  
approaching from the rear shall not overtake and pass the 1835  
stopped vehicle. 1836

(E) Except as otherwise provided in this division, whoever 1837  
violates this section is guilty of a minor misdemeanor. If, 1838  
within one year of the offense, the offender previously has been 1839  
convicted of or pleaded guilty to one predicate motor vehicle or 1840  
traffic offense, whoever violates this section is guilty of a 1841

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

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

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

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

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

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been 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 1871  
violates this section is guilty of a misdemeanor of the third 1872  
degree. 1873

If the offender commits the offense while distracted and 1874  
the distracting activity is the apparent cause of the offense, 1875  
the offender is subject to the additional fine established under 1876  
section 4511.991 of the Revised Code. 1877

**Sec. 4511.54.** (A) No person riding upon any bicycle, 1878  
coaster, roller skates, sled, or toy vehicle shall attach the 1879  
same or self to any streetcar, trackless trolley, or vehicle 1880  
upon a roadway. 1881

No operator shall knowingly permit any person riding upon 1882  
any bicycle, coaster, roller skates, sled, or toy vehicle to 1883  
attach the same or self to any streetcar, trackless trolley, or 1884  
vehicle while it is moving upon a roadway. 1885

This section does not apply to the towing of a disabled 1886  
vehicle. 1887

(B) Except as otherwise provided in this division, whoever 1888  
violates this section is guilty of a minor misdemeanor. If, 1889  
within one year of the offense, the offender previously has been 1890  
convicted of or pleaded guilty to one predicate motor vehicle or 1891  
traffic offense, whoever violates this section is guilty of a 1892  
misdemeanor of the fourth degree. If, within one year of the 1893  
offense, the offender previously has been convicted of two or 1894  
more predicate motor vehicle or traffic offenses, whoever 1895  
violates this section is guilty of a misdemeanor of the third 1896  
degree. 1897

If the offender commits the offense while distracted and 1898  
the distracting activity is the apparent cause of the offense, 1899

the offender is subject to the additional fine established under 1900  
section 4511.991 of the Revised Code. 1901

**Sec. 4511.55.** (A) Every person operating a bicycle upon a 1902  
roadway shall ride as near to the right side of the roadway as 1903  
practicable obeying all traffic rules applicable to vehicles and 1904  
exercising due care when passing a standing vehicle or one 1905  
proceeding in the same direction. 1906

(B) Persons riding bicycles or motorcycles upon a roadway 1907  
shall ride not more than two abreast in a single lane, except on 1908  
paths or parts of roadways set aside for the exclusive use of 1909  
bicycles or motorcycles. 1910

(C) This section does not require a person operating a 1911  
bicycle to ride at the edge of the roadway when it is 1912  
unreasonable or unsafe to do so. Conditions that may require 1913  
riding away from the edge of the roadway include when necessary 1914  
to avoid fixed or moving objects, parked or moving vehicles, 1915  
surface hazards, or if it otherwise is unsafe or impracticable 1916  
to do so, including if the lane is too narrow for the bicycle 1917  
and an overtaking vehicle to travel safely side by side within 1918  
the lane. 1919

(D) Except as otherwise provided in this division, whoever 1920  
violates this section is guilty of a minor misdemeanor. If, 1921  
within one year of the offense, the offender previously has been 1922  
convicted of or pleaded guilty to one predicate motor vehicle or 1923  
traffic offense, whoever violates this section is guilty of a 1924  
misdemeanor of the fourth degree. If, within one year of the 1925  
offense, the offender previously has been convicted of two or 1926  
more predicate motor vehicle or traffic offenses, whoever 1927  
violates this section is guilty of a misdemeanor of the third 1928  
degree. 1929

If the offender commits the offense while distracted and 1930  
the distracting activity is the apparent cause of the offense, 1931  
the offender is subject to the additional fine established under 1932  
section 4511.991 of the Revised Code. 1933

**Sec. 4511.57.** (A) The driver of a vehicle shall not 1934  
overtake and pass upon the left nor drive upon the left side of 1935  
any streetcar proceeding in the same direction, whether such 1936  
streetcar is in motion or at rest, except: 1937

(1) When so directed by a police officer or traffic 1938  
control device; 1939

(2) When upon a one-way street; 1940

(3) When upon a street where the tracks are so located as 1941  
to prevent compliance with this section; 1942

(4) When authorized by local authorities. 1943

(B) The driver of any vehicle when permitted to overtake 1944  
and pass upon the left of a streetcar which has stopped for the 1945  
purpose of receiving or discharging any passenger shall accord 1946  
pedestrians the right of way. 1947

(C) Except as otherwise provided in this division, whoever 1948  
violates this section is guilty of a minor misdemeanor. If, 1949  
within one year of the offense, the offender previously has been 1950  
convicted of or pleaded guilty to one predicate motor vehicle or 1951  
traffic offense, whoever violates this section is guilty of a 1952  
misdemeanor of the fourth degree. If, within one year of the 1953  
offense, the offender previously has been convicted of two or 1954  
more predicate motor vehicle or traffic offenses, whoever 1955  
violates this section is guilty of a misdemeanor of the third 1956  
degree. 1957

If the offender commits the offense while distracted and 1958  
the distracting activity is the apparent cause of the offense, 1959  
the offender is subject to the additional fine established under 1960  
section 4511.991 of the Revised Code. 1961

**Sec. 4511.58.** (A) The driver of a vehicle overtaking upon 1962  
the right any streetcar stopped for the purpose of receiving or 1963  
discharging any passenger shall stop such vehicle at least five 1964  
feet to the rear of the nearest running board or door of such 1965  
streetcar and remain standing until all passengers have boarded 1966  
such streetcar, or upon alighting therefrom have reached a place 1967  
of safety, except that where a safety zone has been established, 1968  
a vehicle need not be brought to a stop before passing any such 1969  
streetcar or any trackless trolley, but may proceed past such 1970  
streetcar or trackless trolley at a speed not greater than is 1971  
reasonable and proper considering the safety of pedestrians. 1972

(B) Except as otherwise provided in this division, whoever 1973  
violates this section is guilty of a minor misdemeanor. If, 1974  
within one year of the offense, the offender previously has been 1975  
convicted of or pleaded guilty to one predicate motor vehicle or 1976  
traffic offense, whoever violates this section is guilty of a 1977  
misdemeanor of the fourth degree. If, within one year of the 1978  
offense, the offender previously has been convicted of two or 1979  
more predicate motor vehicle or traffic offenses, whoever 1980  
violates this section is guilty of a misdemeanor of the third 1981  
degree. 1982

If the offender commits the offense while distracted and 1983  
the distracting activity is the apparent cause of the offense, 1984  
the offender is subject to the additional fine established under 1985  
section 4511.991 of the Revised Code. 1986

**Sec. 4511.59.** (A) The driver of any vehicle proceeding 1987

upon any streetcar tracks in front of a streetcar shall remove 1988  
such vehicle from the track as soon as practicable after signal 1989  
from the operator of said streetcar. 1990

The driver of a vehicle upon overtaking and passing a 1991  
streetcar shall not turn in front of such streetcar unless such 1992  
movement can be made in safety. 1993

(B) Except as otherwise provided in this division, whoever 1994  
violates this section is guilty of a minor misdemeanor. If, 1995  
within one year of the offense, the offender previously has been 1996  
convicted of or pleaded guilty to one predicate motor vehicle or 1997  
traffic offense, whoever violates this section is guilty of a 1998  
misdemeanor of the fourth degree. If, within one year of the 1999  
offense, the offender previously has been convicted of two or 2000  
more predicate motor vehicle or traffic offenses, whoever 2001  
violates this section is guilty of a misdemeanor of the third 2002  
degree. 2003

If the offender commits the offense while distracted and 2004  
the distracting activity is the apparent cause of the offense, 2005  
the offender is subject to the additional fine established under 2006  
section 4511.991 of the Revised Code. 2007

**Sec. 4511.60.** (A) No vehicle shall at any time be driven 2008  
through or within a safety zone. 2009

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

more predicate motor vehicle or traffic offenses, whoever 2017  
violates this section is guilty of a misdemeanor of the third 2018  
degree. 2019

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

**Sec. 4511.61.** (A) As used in this section, "active grade 2024  
crossing warning device" has the same meaning as in section 2025  
5733.43 of the Revised Code. 2026

(B) The department of transportation and local authorities 2027  
in their respective jurisdictions, with the approval of the 2028  
department, may designate dangerous highway crossings over 2029  
railroad tracks whether on state, county, or township highways 2030  
or on streets or ways within municipal corporations, and erect 2031  
stop signs thereat. 2032

(C) (1) The department and local authorities shall erect 2033  
stop signs at a railroad highway grade crossing in either of the 2034  
following circumstances: 2035

(a) New warning devices that are not active grade crossing 2036  
warning devices are being installed at the grade crossing, and 2037  
railroad crossbucks were the only warning devices at the grade 2038  
crossing prior to the installation of the new warning devices. 2039

(b) The grade crossing is constructed after ~~the effective~~ 2040  
~~date of this amendment~~ July 1, 2013, and only warning devices 2041  
that are not active grade crossing warning devices are installed 2042  
at the grade crossing. 2043

(2) Division (C) (1) of this section does not apply to a 2044  
railroad highway grade crossing that the director of 2045

transportation has exempted from that division because of 2046  
traffic flow or other considerations or factors. 2047

(D) When stop signs are erected pursuant to division (B) 2048  
or (C) of this section, the operator of any vehicle, streetcar, 2049  
or trackless trolley shall stop within fifty, but not less than 2050  
fifteen, feet from the nearest rail of the railroad tracks and 2051  
shall exercise due care before proceeding across such grade 2052  
crossing. 2053

(E) Except as otherwise provided in this division, whoever 2054  
violates division (D) of this section is guilty of a minor 2055  
misdemeanor. If, within one year of the offense, the offender 2056  
previously has been convicted of or pleaded guilty to one 2057  
predicate motor vehicle or traffic offense, whoever violates 2058  
this section is guilty of a misdemeanor of the fourth degree. 2059  
If, within one year of the offense, the offender previously has 2060  
been convicted of two or more predicate motor vehicle or traffic 2061  
offenses, whoever violates this section is guilty of a 2062  
misdemeanor of the third degree. 2063

If the offender commits the offense while distracted and 2064  
the distracting activity is the apparent cause of the offense, 2065  
the offender is subject to the additional fine established under 2066  
section 4511.991 of the Revised Code. 2067

**Sec. 4511.64.** (A) No person shall operate or move any 2068  
crawler-type tractor, steam shovel, derrick, roller, or any 2069  
equipment or structure having a normal operating speed of six or 2070  
less miles per hour or a vertical body or load clearance of less 2071  
than nine inches above the level surface of a roadway, upon or 2072  
across any tracks at a railroad grade crossing without first 2073  
complying with divisions (A) (1) and (2) of this section. 2074

(1) Before making any such crossing, the person operating 2075  
or moving any such vehicle or equipment shall first stop the 2076  
same, and while stopped the person shall listen and look in both 2077  
directions along such track for any approaching train and for 2078  
signals indicating the approach of a train, and shall proceed 2079  
only upon exercising due care. 2080

(2) No such crossing shall be made when warning is given 2081  
by automatic signal or crossing gates or a flagperson or 2082  
otherwise of the immediate approach of a railroad train or car. 2083

(B) If the normal sustained speed of such vehicle, 2084  
equipment, or structure is not more than three miles per hour, 2085  
the person owning, operating, or moving the same shall also give 2086  
notice of such intended crossing to a station agent or 2087  
superintendent of the railroad, and a reasonable time shall be 2088  
given to such railroad to provide proper protection for such 2089  
crossing. Where such vehicles or equipment are being used in 2090  
constructing or repairing a section of highway lying on both 2091  
sides of a railroad grade crossing, and in such construction or 2092  
repair it is necessary to repeatedly move such vehicles or 2093  
equipment over such crossing, one daily notice specifying when 2094  
such work will start and stating the hours during which it will 2095  
be prosecuted is sufficient. 2096

(C) Except as otherwise provided in this division, whoever 2097  
violates this section is guilty of a minor misdemeanor. If, 2098  
within one year of the offense, the offender previously has been 2099  
convicted of or pleaded guilty to one predicate motor vehicle or 2100  
traffic offense, whoever violates this section is guilty of a 2101  
misdemeanor of the fourth degree. If, within one year of the 2102  
offense, the offender previously has been convicted of two or 2103  
more predicate motor vehicle or traffic offenses, whoever 2104



violates this section is guilty of a misdemeanor of the third 2105  
degree. 2106

If the offender commits the offense while distracted and 2107  
the distracting activity is the apparent cause of the offense, 2108  
the offender is subject to the additional fine established under 2109  
section 4511.991 of the Revised Code. 2110

**Sec. 4511.71.** (A) No person shall drive upon, along, or 2111  
across a street or highway, or any part of a street or highway 2112  
that has been closed in the process of its construction, 2113  
reconstruction, or repair, and posted with appropriate signs by 2114  
the authority having jurisdiction to close such highway. 2115

(B) Except as otherwise provided in this division, whoever 2116  
violates this section is guilty of a minor misdemeanor. If, 2117  
within one year of the offense, the offender previously has been 2118  
convicted of or pleaded guilty to one predicate motor vehicle or 2119  
traffic offense, whoever violates this section is guilty of a 2120  
misdemeanor of the fourth degree. If, within one year of the 2121  
offense, the offender previously has been convicted of two or 2122  
more predicate motor vehicle or traffic offenses, whoever 2123  
violates this section is guilty of a misdemeanor of the third 2124  
degree. 2125

If the offender commits the offense while distracted and 2126  
the distracting activity is the apparent cause of the offense, 2127  
the offender is subject to the additional fine established under 2128  
section 4511.991 of the Revised Code. 2129

**Sec. 4511.711.** (A) No person shall drive any vehicle, 2130  
other than a bicycle, upon a sidewalk or sidewalk area except 2131  
upon a permanent or duly authorized temporary driveway. 2132

Nothing in this section shall be construed as prohibiting 2133

local authorities from regulating the operation of bicycles 2134  
within their respective jurisdictions, except that no local 2135  
authority may require that bicycles be operated on sidewalks. 2136

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

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

**Sec. 4511.712.** (A) No driver shall enter an intersection 2151  
or marked crosswalk or drive onto any railroad grade crossing 2152  
unless there is sufficient space on the other side of the 2153  
intersection, crosswalk, or grade crossing to accommodate the 2154  
vehicle, streetcar, or trackless trolley the driver is operating 2155  
without obstructing the passage of other vehicles, streetcars, 2156  
trackless trolleys, pedestrians, or railroad trains, 2157  
notwithstanding any traffic control signal indication to 2158  
proceed. 2159

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

traffic offense, whoever violates this section is guilty of a 2164  
misdemeanor of the fourth degree. If, within one year of the 2165  
offense, the offender previously has been convicted of two or 2166  
more predicate motor vehicle or traffic offenses, whoever 2167  
violates this section is guilty of a misdemeanor of the third 2168  
degree. 2169

If the offender commits the offense while distracted and 2170  
the distracting activity is the apparent cause of the offense, 2171  
the offender is subject to the additional fine established under 2172  
section 4511.991 of the Revised Code. 2173

**Sec. 4511.713.** (A) No person shall operate a motor 2174  
vehicle, snowmobile, or all-purpose vehicle upon any path set 2175  
aside for the exclusive use of bicycles, when an appropriate 2176  
sign giving notice of such use is posted on the path. 2177

Nothing in this section shall be construed to affect any 2178  
rule of the director of natural resources governing the 2179  
operation of motor vehicles, snowmobiles, all-purpose vehicles, 2180  
and bicycles on lands under the director's jurisdiction. 2181

(B) Except as otherwise provided in this division, whoever 2182  
violates this section is guilty of a minor misdemeanor. If, 2183  
within one year of the offense, the offender previously has been 2184  
convicted of or pleaded guilty to one predicate motor vehicle or 2185  
traffic offense, whoever violates this section is guilty of a 2186  
misdemeanor of the fourth degree. If, within one year of the 2187  
offense, the offender previously has been convicted of two or 2188  
more predicate motor vehicle or traffic offenses, whoever 2189  
violates this section is guilty of a misdemeanor of the third 2190  
degree. 2191

If the offender commits the offense while distracted and 2192

the distracting activity is the apparent cause of the offense, 2193  
the offender is subject to the additional fine established under 2194  
section 4511.991 of the Revised Code. 2195

**Sec. 4511.72.** (A) The driver of any vehicle, other than an 2196  
emergency vehicle or public safety vehicle on official business, 2197  
shall not follow any emergency vehicle or public safety vehicle 2198  
traveling in response to an alarm closer than five hundred feet, 2199  
or drive into or park such vehicle within the block where fire 2200  
apparatus has stopped in answer to a fire alarm, unless directed 2201  
to do so by a police officer or a firefighter. 2202

(B) Except as otherwise provided in this division, whoever 2203  
violates this section is guilty of a minor misdemeanor. If, 2204  
within one year of the offense, the offender previously has been 2205  
convicted of or pleaded guilty to one predicate motor vehicle or 2206  
traffic offense, whoever violates this section is guilty of a 2207  
misdemeanor of the fourth degree. If, within one year of the 2208  
offense, the offender previously has been convicted of two or 2209  
more predicate motor vehicle or traffic offenses, whoever 2210  
violates this section is guilty of a misdemeanor of the third 2211  
degree. 2212

If the offender commits the offense while distracted and 2213  
the distracting activity is the apparent cause of the offense, 2214  
the offender is subject to the additional fine established under 2215  
section 4511.991 of the Revised Code. 2216

**Sec. 4511.73.** (A) No streetcar, trackless trolley, or 2217  
vehicle shall, without the consent of the fire department 2218  
official in command, be driven over any unprotected hose of a 2219  
fire department that is laid down on any street, private 2220  
driveway, or streetcar track to be used at any fire or alarm of 2221  
fire. 2222

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

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

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

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

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

(i) The device's speakerphone function;

(ii) A wireless technology standard for exchanging data  
over short distances;

(iii) A "voice-operated or hands-free" device that allows  
the person to use the electronic wireless communications device  
without the use of either hand except to activate, deactivate,  
or initiate a feature or function;

<u>(iv) Any device that is physically or electronically</u>	2252
<u>integrated into the motor vehicle.</u>	2253
<u>(b) Engaging in any activity that is not necessary to the</u>	2254
<u>operation of a vehicle and impairs, or reasonably would be</u>	2255
<u>expected to impair, the ability of the operator to drive the</u>	2256
<u>vehicle safely.</u>	2257
<u>(2) "Distracted" does not include operating a motor</u>	2258
<u>vehicle while wearing an earphone or earplug over or in both</u>	2259
<u>ears at the same time. A person who so wears earphones or</u>	2260
<u>earplugs may be charged with a violation of section 4511.84 of</u>	2261
<u>the Revised Code.</u>	2262
<u>(3) "Distracted" does not include conducting any activity</u>	2263
<u>while operating a utility service vehicle or a vehicle for or on</u>	2264
<u>behalf of a utility, provided that the driver of the vehicle is</u>	2265
<u>acting in response to an emergency, power outage, or a</u>	2266
<u>circumstance affecting the health or safety of individuals.</u>	2267
<u>As used in division (A) (3) of this section:</u>	2268
<u>(a) "Utility" means an entity specified in division (A),</u>	2269
<u>(C), (D), (E), or (G) of section 4905.03 of the Revised Code.</u>	2270
<u>(b) "Utility service vehicle" means a vehicle owned or</u>	2271
<u>operated by a utility.</u>	2272
<u>(B) If an offender violates section 4511.03, 4511.051,</u>	2273
<u>4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213,</u>	2274
<u>4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29,</u>	2275
<u>4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36,</u>	2276
<u>4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43,</u>	2277
<u>4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47,</u>	2278
<u>4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61,</u>	2279
<u>4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or</u>	2280

4511.73 of the Revised Code while distracted and the distracting 2281  
activity is the apparent cause of the violation, the offender is 2282  
subject to the applicable penalty for the violation and, 2283  
notwithstanding section 2929.28 of the Revised Code, is subject 2284  
to an additional fine of not more than one hundred dollars as 2285  
follows: 2286

(1) Subject to Traffic Rule 13, if a law enforcement 2287  
officer issues an offender a ticket, citation, or summons for a 2288  
violation of any of the aforementioned sections of the Revised 2289  
Code that indicates that the offender was distracted while 2290  
committing the violation and that the distracting activity was 2291  
the apparent cause of the violation, the offender may enter a 2292  
written plea of guilty and waive the offender's right to contest 2293  
the ticket, citation, or summons in a trial provided that the 2294  
offender pays the total amount of the fine established for the 2295  
violation, which shall include the additional fine of one 2296  
hundred dollars. 2297

In lieu of payment of the additional fine of one hundred 2298  
dollars, the offender instead may elect to attend a distracted 2299  
driving safety course, the duration and contents of which shall 2300  
be established by the director of public safety. If the offender 2301  
attends and successfully completes the course, the offender 2302  
shall be issued written evidence that the offender successfully 2303  
completed the course. The offender shall be required to pay the 2304  
total amount of the fine established for the violation, which 2305  
amount shall not include the additional fine of one hundred 2306  
dollars, so long as the offender submits to the court both the 2307  
offender's payment in full and such written evidence. 2308

(2) If the offender appears in person to contest the 2309  
ticket, citation, or summons in a trial and the offender pleads 2310

guilty to or is convicted of the violation, the court, in 2311  
addition to all other penalties provided by law, may impose the 2312  
applicable penalty for the violation and may impose the 2313  
additional fine of not more than one hundred dollars. 2314

If the court imposes upon the offender the applicable 2315  
penalty for the violation and an additional fine of not more 2316  
than one hundred dollars, the court shall inform the offender 2317  
that, in lieu of payment of the additional fine of not more than 2318  
one hundred dollars, the offender instead may elect to attend 2319  
the distracted driving safety course described in division (B) 2320  
(1) of this section. If the offender elects the course option 2321  
and attends and successfully completes the course, the offender 2322  
shall be issued written evidence that the offender successfully 2323  
completed the course. The offender shall be required to pay the 2324  
total amount of the fine established for the violation, which 2325  
amount shall not include the additional fine of not more than 2326  
one hundred dollars, so long as the offender submits to the 2327  
court the offender's payment and such written evidence. 2328

**Section 2.** That existing sections 4511.03, 4511.051, 2329  
4511.12, 4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 2330  
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 2331  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2332  
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 2333  
4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 2334  
4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 2335  
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2336  
4511.713, 4511.72, and 4511.73 of the Revised Code are hereby 2337  
repealed. 2338

**Section 3.** The amendments to sections 4511.204 and 2339  
4511.205 of the Revised Code by this act are intended to reenact 2340



the amendments to those sections made by Sub. H.B. 606 of the	2341
129th General Assembly that were severed by the Tenth District	2342
Court of Appeals of Ohio in <i>Linndale v. Ohio</i> , 2014-Ohio-4024; 19	2343
N.E.3d 935 (10th Dist.) due to the determination that those	2344
provisions violated the one subject rule established under	2345
Article II, Section 15(D) of the Ohio Constitution.	2346