

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 107

**Representatives Stinziano, Retherford
Representatives Reece, Lepore-Hagan**

A BILL

To amend sections 4511.11 and 4511.21 of the
Revised Code to permit a person or neighborhood
association or organization to request the
Director of Transportation to reduce the speed
limit on the street or highway of the person's
residence or a street or highway located within
the area of representation of the association or
organization if the street or highway has a
speed limit of not more than 35 miles per hour,
and to permit a person or neighborhood
association or organization to request the
Director or a local authority to erect a stop
sign at an intersection where currently no stop
sign is present.

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

Section 1. That sections 4511.11 and 4511.21 of the
Revised Code be amended to read as follows:

Sec. 4511.11. (A) ~~Local~~ Subject to division (B) of this
section, local authorities in their respective jurisdictions
shall place and maintain traffic control devices in accordance

with the department of transportation manual for a uniform 20
system of traffic control devices, adopted under section 4511.09 21
of the Revised Code, upon highways under their jurisdiction as 22
are necessary to indicate and to carry out sections 4511.01 to 23
4511.76 and 4511.99 of the Revised Code, local traffic 24
ordinances, or to regulate, warn, or guide traffic. 25

(B) (1) Either of the following may submit a petition to 26
the director of transportation or the proper local authority, as 27
the case may be, requesting that a stop sign be erected at a 28
location of an intersection at which a stop sign currently is 29
not present: 30

(a) A person who resides within a one-quarter mile radius 31
of the intersection location if the intersection location lies 32
within the boundaries of a municipal corporation, or a person 33
who resides within a one-half mile radius of the intersection 34
location if the intersection location does not lie within the 35
boundaries of a municipal corporation; 36

(b) A recognized neighborhood association or organization 37
that represents the area within which the intersection location 38
is located. 39

(2) The person, association, or organization shall specify 40
in the petition the intersection location at which the person, 41
association, or organization desires the stop sign to be erected 42
by describing with specificity the intersection location. If the 43
intersection location is located within the boundaries of a 44
municipal corporation, the person, association, or organization 45
also shall include with the petition the signatures of not less 46
than fifty-one per cent of the persons who own real property 47
within a one-quarter mile radius of the intersection location. 48
If the intersection location is not located within the 49

boundaries of a municipal corporation, the person, association, 50
or organization also shall include with the petition the 51
signatures of not less than fifty-one per cent of the persons 52
who own real property within a one-half mile radius of the 53
intersection location. 54

(3) Upon receipt of such a petition, the director or local 55
authority shall determine whether a stop sign should be erected 56
at the intersection location. The director or local authority, 57
in addition to consulting the state manual, shall take into 58
account and give due consideration to the petition in 59
determining whether to erect the stop sign requested in the 60
petition. The director or local authority shall notify the 61
person, association, or organization in writing of the 62
director's or local authority's decision regarding the requested 63
stop sign. 64

If the director or local authority determines that a stop 65
sign should be erected at the intersection location, the 66
director shall enter the determination into the director's 67
journal, or the local authority shall issue a written 68
determination. The director or local authority shall install the 69
stop sign at the intersection location not later than thirty 70
days after the date the director enters the determination into 71
the director's journal or the local authority issues the written 72
determination. 73

(C) The director of transportation may require to be 74
removed any traffic control device that does not conform to the 75
state manual for a uniform system of traffic control devices 76
on the extensions of the state highway system within municipal 77
corporations. 78

~~(C)~~ (D) No village shall place or maintain any traffic 79

control signal upon an extension of the state highway system 80
within the village without first obtaining the permission of the 81
director. The director may revoke the permission and may require 82
to be removed any traffic control signal that has been erected 83
without the director's permission on an extension of a state 84
highway within a village, or that, if erected under a permit 85
granted by the director, does not conform to the state manual, 86
or that is not operated in accordance with the terms of the 87
permit. 88

~~(D)~~ (E) All traffic control devices erected on any street, 89
highway, alley, bikeway, or private road open to public travel 90
shall conform to the state manual. 91

~~(E)~~ (F) No person, firm, or corporation shall sell or 92
offer for sale to local authorities any traffic control device 93
that does not conform to the state manual, except by permission 94
of the director. 95

~~(F)~~ (G) No local authority shall purchase or manufacture 96
any traffic control device that does not conform to the state 97
manual, except by permission of the director. 98

~~(G)~~ (H) Whoever violates division ~~(E)~~ (F) of this section 99
is guilty of a misdemeanor of the third degree. 100

Sec. 4511.21. (A) No person shall operate a motor vehicle, 101
trackless trolley, or streetcar at a speed greater or less than 102
is reasonable or proper, having due regard to the traffic, 103
surface, and width of the street or highway and any other 104
conditions, and no person shall drive any motor vehicle, 105
trackless trolley, or streetcar in and upon any street or 106
highway at a greater speed than will permit the person to bring 107
it to a stop within the assured clear distance ahead. 108

(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:

(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 line fence has been erected without pedestrian opening, the speed shall be governed by division (B) (4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B) (9) and (10) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means any school chartered under section 3301.16 of the Revised Code and any nonchartered school that during the preceding year filed with the department of education in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which

it is requesting the establishment of a school zone. "School" 140
also includes a special elementary school that in writing 141
requests the county engineer of the county in which the special 142
elementary school is located to create a school zone at the 143
location of that school. Upon receipt of such a written request, 144
the county engineer shall create a school zone at that location 145
by erecting the appropriate signs. 146

(c) As used in this section, "school zone" means that 147
portion of a street or highway passing a school fronting upon 148
the street or highway that is encompassed by projecting the 149
school property lines to the fronting street or highway, and 150
also includes that portion of a state highway. Upon request from 151
local authorities for streets and highways under their 152
jurisdiction and that portion of a state highway under the 153
jurisdiction of the director of transportation or a request from 154
a county engineer in the case of a school zone for a special 155
elementary school, the director may extend the traditional 156
school zone boundaries. The distances in divisions (B) (1) (c) (i), 157
(ii), and (iii) of this section shall not exceed three hundred 158
feet per approach per direction and are bounded by whichever of 159
the following distances or combinations thereof the director 160
approves as most appropriate: 161

(i) The distance encompassed by projecting the school 162
building lines normal to the fronting highway and extending a 163
distance of three hundred feet on each approach direction; 164

(ii) The distance encompassed by projecting the school 165
property lines intersecting the fronting highway and extending a 166
distance of three hundred feet on each approach direction; 167

(iii) The distance encompassed by the special marking of 168
the pavement for a principal school pupil crosswalk plus a 169

distance of three hundred feet on each approach direction of the highway. 170
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Nothing in this section shall be construed to invalidate the director's initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in divisions (B) (1) (a) and (c) of this section. 172
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(d) As used in this division, "crosswalk" has the meaning given that term in division (LL) (2) of section 4511.01 of the Revised Code. 178
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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. 181
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(e) As used in this section, "special elementary school" means a school that meets all of the following criteria:	200 201
(i) It is not chartered and does not receive tax revenue from any source.	202 203
(ii) It does not educate children beyond the eighth grade.	204
(iii) It is located outside the limits of a municipal corporation.	205 206
(iv) A majority of the total number of students enrolled at the school are not related by blood.	207 208
(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.	209 210 211 212 213 214 215
(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;	216 217 218 219
(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B) (4) and (6) of this section;	220 221 222 223
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	224 225
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island	226 227

jurisdictions as provided in division (B) (8) of this section,	228
highways as provided in division (B) (9) of this section, and	229
highways, expressways, and freeways as provided in divisions (B)	230
(12), (13), (14), and (16) of this section;	231
(6) Fifty miles per hour on state routes within municipal	232
corporations outside urban districts unless a lower prima-facie	233
speed is established as further provided in this section;	234
(7) Fifteen miles per hour on all alleys within the	235
municipal corporation;	236
(8) Thirty-five miles per hour on highways outside	237
municipal corporations that are within an island jurisdiction;	238
(9) Sixty miles per hour on two-lane state routes outside	239
municipal corporations as established by the director under	240
division (H) (2) of this section.	241
(10) Fifty-five miles per hour at all times on freeways	242
with paved shoulders inside municipal corporations, other than	243
freeways as provided in divisions (B) (14) and (16) of this	244
section;	245
(11) Fifty-five miles per hour at all times on freeways	246
outside municipal corporations, other than freeways as provided	247
in divisions (B) (14) and (16) of this section;	248
(12) Sixty miles per hour for operators of any motor	249
vehicle at all times on all portions of rural divided highways;	250
(13) Sixty-five miles per hour for operators of any motor	251
vehicle at all times on all rural expressways without traffic	252
control signals;	253
(14) Seventy miles per hour for operators of any motor	254
vehicle at all times on all rural freeways;	255

(15) Fifty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in congested areas as determined by the director and that are part of the interstate system and are located within a municipal corporation or within an interstate freeway outerbelt;

(16) 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), and (8) 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) (9) of this section and upon a highway, expressway, or freeway as provided in divisions (B) (12), (13), (14), and (16) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B) (9) of this section

and upon a highway as provided in division (B) (12) of this section; 285
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(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B) (13) or upon a freeway as provided in division (B) (16) of this section, except upon a freeway as provided in division (B) (14) of this section; 287
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(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B) (14) of this section; 291
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(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I) (2) or (L) (2) of this section. 293
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(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B) (1) (a), (2), (3), (4), (6), (7), or (8) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven. 297
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(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B) (1) (a), (2), (3), (4), (6), (7), or (8) of this 309
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section, or of a limit declared or established pursuant to this 314
section by the director or local authorities, and of the 315
limitation in division (D) of this section. If the court finds a 316
violation of division (B) (1) (a), (2), (3), (4), (6), (7), or (8) 317
of, or a limit declared or established pursuant to, this section 318
has occurred, it shall enter a judgment of conviction under such 319
division and dismiss the charge under division (D) of this 320
section. If it finds no violation of division (B) (1) (a), (2), 321
(3), (4), (6), (7), or (8) of, or a limit declared or 322
established pursuant to, this section, it shall then consider 323
whether the evidence supports a conviction under division (D) of 324
this section. 325

(G) Points shall be assessed for violation of a limitation 326
under division (D) of this section in accordance with section 327
4510.036 of the Revised Code. 328

(H) (1) Whenever the director determines upon the basis of 329
a geometric and traffic characteristic study that any speed 330
limit set forth in divisions (B) (1) (a) to (D) of this section is 331
greater or less than is reasonable or safe under the conditions 332
found to exist at any portion of a street or highway under the 333
jurisdiction of the director, the director shall determine and 334
declare a reasonable and safe prima-facie speed limit, which 335
shall be effective when appropriate signs giving notice of it 336
are erected at the location. 337

(2) Whenever the director determines upon the basis of a 338
geometric and traffic characteristic study that the speed limit 339
of fifty-five miles per hour on a two-lane state route outside a 340
municipal corporation is less than is reasonable or safe under 341
the conditions found to exist at that portion of the state 342
route, the director may determine and declare a speed limit of 343

sixty miles per hour for that portion of the state route, which 344
shall be effective when appropriate signs giving notice of it 345
are erected at the location. 346

(I) (1) (a) Except as provided in divisions (I) (2) and (K) 347
of this section, whenever local authorities determine upon the 348
basis of an engineering and traffic investigation that the speed 349
permitted by divisions (B) (1) (a) to (D) of this section, on any 350
part of a highway under their jurisdiction, is greater than is 351
reasonable and safe under the conditions found to exist at such 352
location, the local authorities may by resolution request the 353
director to determine and declare a reasonable and safe prima- 354
facie speed limit. Upon receipt of such request the director may 355
determine and declare a reasonable and safe prima-facie speed 356
limit at such location, and if the director does so, then such 357
declared speed limit shall become effective only when 358
appropriate signs giving notice thereof are erected at such 359
location by the local authorities. The director may withdraw the 360
declaration of a prima-facie speed limit whenever in the 361
director's opinion the altered prima-facie speed becomes 362
unreasonable. Upon such withdrawal, the declared prima-facie 363
speed shall become ineffective and the signs relating thereto 364
shall be immediately removed by the local authorities. 365

(b) In relation to a determination by the director 366
regarding a request for a lower prima-facie speed limit under 367
division (I) (1) (a) of this section for a street or highway with 368
a speed limit of not more than thirty-five miles per hour, 369
either of the following may submit a petition to the director 370
supporting a request for the lower prima-facie speed limit: 371

(i) A person who resides on the street or highway; 372

(ii) A recognized neighborhood association or organization 373

that represents the area within which the street or highway is 374
located. 375

The person, association, or organization shall specify in 376
the petition the portion of the street or highway that the 377
person, association, or organization desires to be the subject 378
of the speed limit reduction by describing with reasonable 379
specificity the portion at issue. The person, association, or 380
organization also shall include with the petition the signatures 381
of not less than fifty-one per cent of the persons who own real 382
property located on the portion of the street or highway at 383
issue. 384

Upon receipt of such a petition, the director, in making a 385
determination regarding a speed limit modification pursuant to 386
division (I) (1) (a) of this section, shall take into account and 387
give due consideration to the petition in determining whether to 388
declare a lower prima-facie speed limit on the portion of the 389
street or highway specified in the petition. The director shall 390
notify the person, association, or organization in writing of 391
the director's decision regarding the requested lower prima- 392
facie speed limit. 393

(2) A local authority may determine on the basis of a 394
geometric and traffic characteristic study that the speed limit 395
of sixty-five miles per hour on a portion of a freeway under its 396
jurisdiction that was established through the operation of 397
division (L) (3) of this section is greater than is reasonable or 398
safe under the conditions found to exist at that portion of the 399
freeway. If the local authority makes such a determination, the 400
local authority by resolution may request the director to 401
determine and declare a reasonable and safe speed limit of not 402
less than fifty-five miles per hour for that portion of the 403

freeway. If the director takes such action, the declared speed 404
limit becomes effective only when appropriate signs giving 405
notice of it are erected at such location by the local 406
authority. 407

(J) Local authorities in their respective jurisdictions 408
may authorize by ordinance higher prima-facie speeds than those 409
stated in this section upon through highways, or upon highways 410
or portions thereof where there are no intersections, or between 411
widely spaced intersections, provided signs are erected giving 412
notice of the authorized speed, but local authorities shall not 413
modify or alter the basic rule set forth in division (A) of this 414
section or in any event authorize by ordinance a speed in excess 415
of fifty miles per hour. 416

Alteration of prima-facie limits on state routes by local 417
authorities shall not be effective until the alteration has been 418
approved by the director. The director may withdraw approval of 419
any altered prima-facie speed limits whenever in the director's 420
opinion any altered prima-facie speed becomes unreasonable, and 421
upon such withdrawal, the altered prima-facie speed shall become 422
ineffective and the signs relating thereto shall be immediately 423
removed by the local authorities. 424

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 425
this section, "unimproved highway" means a highway consisting of 426
any of the following: 427

(a) Unimproved earth; 428

(b) Unimproved graded and drained earth; 429

(c) Gravel. 430

(2) Except as otherwise provided in divisions (K) (4) and 431
(5) of this section, whenever a board of township trustees 432

determines upon the basis of an engineering and traffic 433
investigation that the speed permitted by division (B) (5) of 434
this section on any part of an unimproved highway under its 435
jurisdiction and in the unincorporated territory of the township 436
is greater than is reasonable or safe under the conditions found 437
to exist at the location, the board may by resolution declare a 438
reasonable and safe prima-facie speed limit of fifty-five but 439
not less than twenty-five miles per hour. An altered speed limit 440
adopted by a board of township trustees under this division 441
becomes effective when appropriate traffic control devices, as 442
prescribed in section 4511.11 of the Revised Code, giving notice 443
thereof are erected at the location, which shall be no sooner 444
than sixty days after adoption of the resolution. 445

(3) (a) Whenever, in the opinion of a board of township 446
trustees, any altered prima-facie speed limit established by the 447
board under this division becomes unreasonable, the board may 448
adopt a resolution withdrawing the altered prima-facie speed 449
limit. Upon the adoption of such a resolution, the altered 450
prima-facie speed limit becomes ineffective and the traffic 451
control devices relating thereto shall be immediately removed. 452

(b) Whenever a highway ceases to be an unimproved highway 453
and the board has adopted an altered prima-facie speed limit 454
pursuant to division (K) (2) of this section, the board shall, by 455
resolution, withdraw the altered prima-facie speed limit as soon 456
as the highway ceases to be unimproved. Upon the adoption of 457
such a resolution, the altered prima-facie speed limit becomes 458
ineffective and the traffic control devices relating thereto 459
shall be immediately removed. 460

(4) (a) If the boundary of two townships rests on the 461
centerline of an unimproved highway in unincorporated territory 462

and both townships have jurisdiction over the highway, neither 463
of the boards of township trustees of such townships may declare 464
an altered prima-facie speed limit pursuant to division (K) (2) 465
of this section on the part of the highway under their joint 466
jurisdiction unless the boards of township trustees of both of 467
the townships determine, upon the basis of an engineering and 468
traffic investigation, that the speed permitted by division (B) 469
(5) of this section is greater than is reasonable or safe under 470
the conditions found to exist at the location and both boards 471
agree upon a reasonable and safe prima-facie speed limit of less 472
than fifty-five but not less than twenty-five miles per hour for 473
that location. If both boards so agree, each shall follow the 474
procedure specified in division (K) (2) of this section for 475
altering the prima-facie speed limit on the highway. Except as 476
otherwise provided in division (K) (4) (b) of this section, no 477
speed limit altered pursuant to division (K) (4) (a) of this 478
section may be withdrawn unless the boards of township trustees 479
of both townships determine that the altered prima-facie speed 480
limit previously adopted becomes unreasonable and each board 481
adopts a resolution withdrawing the altered prima-facie speed 482
limit pursuant to the procedure specified in division (K) (3) (a) 483
of this section. 484

(b) Whenever a highway described in division (K) (4) (a) of 485
this section ceases to be an unimproved highway and two boards 486
of township trustees have adopted an altered prima-facie speed 487
limit pursuant to division (K) (4) (a) of this section, both 488
boards shall, by resolution, withdraw the altered prima-facie 489
speed limit as soon as the highway ceases to be unimproved. Upon 490
the adoption of the resolution, the altered prima-facie speed 491
limit becomes ineffective and the traffic control devices 492
relating thereto shall be immediately removed. 493

(5) As used in division (K) (5) of this section: 494

(a) "Commercial subdivision" means any platted territory 495
outside the limits of a municipal corporation and fronting a 496
highway where, for a distance of three hundred feet or more, the 497
frontage is improved with buildings in use for commercial 498
purposes, or where the entire length of the highway is less than 499
three hundred feet long and the frontage is improved with 500
buildings in use for commercial purposes. 501

(b) "Residential subdivision" means any platted territory 502
outside the limits of a municipal corporation and fronting a 503
highway, where, for a distance of three hundred feet or more, 504
the frontage is improved with residences or residences and 505
buildings in use for business, or where the entire length of the 506
highway is less than three hundred feet long and the frontage is 507
improved with residences or residences and buildings in use for 508
business. 509

Whenever a board of township trustees finds upon the basis 510
of an engineering and traffic investigation that the prima-facie 511
speed permitted by division (B) (5) of this section on any part 512
of a highway under its jurisdiction that is located in a 513
commercial or residential subdivision, except on highways or 514
portions thereof at the entrances to which vehicular traffic 515
from the majority of intersecting highways is required to yield 516
the right-of-way to vehicles on such highways in obedience to 517
stop or yield signs or traffic control signals, is greater than 518
is reasonable and safe under the conditions found to exist at 519
the location, the board may by resolution declare a reasonable 520
and safe prima-facie speed limit of less than fifty-five but not 521
less than twenty-five miles per hour at the location. An altered 522
speed limit adopted by a board of township trustees under this 523

division shall become effective when appropriate signs giving 524
notice thereof are erected at the location by the township. 525
Whenever, in the opinion of a board of township trustees, any 526
altered prima-facie speed limit established by it under this 527
division becomes unreasonable, it may adopt a resolution 528
withdrawing the altered prima-facie speed, and upon such 529
withdrawal, the altered prima-facie speed shall become 530
ineffective, and the signs relating thereto shall be immediately 531
removed by the township. 532

(L) (1) ~~On the effective date of this amendment~~ September 533
29, 2013, the director of transportation, based upon an 534
engineering study of a highway, expressway, or freeway described 535
in division (B) (12), (13), (14), (15), or (16) of this section, 536
in consultation with the director of public safety and, if 537
applicable, the local authority having jurisdiction over the 538
studied highway, expressway, or freeway, may determine and 539
declare that the speed limit established on such highway, 540
expressway, or freeway under division (B) (12), (13), (14), (15), 541
or (16) of this section either is reasonable and safe or is more 542
or less than that which is reasonable and safe. 543

(2) If the established speed limit for a highway, 544
expressway, or freeway studied pursuant to division (L) (1) of 545
this section is determined to be more or less than that which is 546
reasonable and safe, the director of transportation, in 547
consultation with the director of public safety and, if 548
applicable, the local authority having jurisdiction over the 549
studied highway, expressway, or freeway, shall determine and 550
declare a reasonable and safe speed limit for that highway, 551
expressway, or freeway. 552

~~(N)~~ (M) (1) (a) If the boundary of two local authorities 553

rests on the centerline of a highway and both authorities have 554
jurisdiction over the highway, the speed limit for the part of 555
the highway within their joint jurisdiction shall be either one 556
of the following as agreed to by both authorities: 557

(i) Either prima-facie speed limit permitted by division 558
(B) of this section; 559

(ii) An altered speed limit determined and posted in 560
accordance with this section. 561

(b) If the local authorities are unable to reach an 562
agreement, the speed limit shall remain as established and 563
posted under this section. 564

(2) Neither local authority may declare an altered prima- 565
facie speed limit pursuant to this section on the part of the 566
highway under their joint jurisdiction unless both of the local 567
authorities determine, upon the basis of an engineering and 568
traffic investigation, that the speed permitted by this section 569
is greater than is reasonable or safe under the conditions found 570
to exist at the location and both authorities agree upon a 571
uniform reasonable and safe prima-facie speed limit of less than 572
fifty-five but not less than twenty-five miles per hour for that 573
location. If both authorities so agree, each shall follow the 574
procedure specified in this section for altering the prima-facie 575
speed limit on the highway, and the speed limit for the part of 576
the highway within their joint jurisdiction shall be uniformly 577
altered. No altered speed limit may be withdrawn unless both 578
local authorities determine that the altered prima-facie speed 579
limit previously adopted becomes unreasonable and each adopts a 580
resolution withdrawing the altered prima-facie speed limit 581
pursuant to the procedure specified in this section. 582

~~(O)~~(N) As used in this section: 583

(1) "Interstate system" has the same meaning as in 23 584
U.S.C.A. 101. 585

(2) "Commercial bus" means a motor vehicle designed for 586
carrying more than nine passengers and used for the 587
transportation of persons for compensation. 588

(3) "Noncommercial bus" includes but is not limited to a 589
school bus or a motor vehicle operated solely for the 590
transportation of persons associated with a charitable or 591
nonprofit organization. 592

(4) "Outerbelt" means a portion of a freeway that is part 593
of the interstate system and is located in the outer vicinity of 594
a major municipal corporation or group of municipal 595
corporations, as designated by the director. 596

(5) "Rural" means outside urbanized areas, as designated 597
in accordance with 23 U.S.C. 101, and outside of a business or 598
urban district. 599

~~(P)~~(O) (1) A violation of any provision of this section is 600
one of the following: 601

(a) Except as otherwise provided in divisions ~~(P)~~(O) (1) 602
(b), (1)(c), (2), and (3) of this section, a minor misdemeanor; 603

(b) If, within one year of the offense, the offender 604
previously has been convicted of or pleaded guilty to two 605
violations of any provision of this section or of any provision 606
of a municipal ordinance that is substantially similar to any 607
provision of this section, a misdemeanor of the fourth degree; 608

(c) If, within one year of the offense, the offender 609
previously has been convicted of or pleaded guilty to three or 610

more violations of any provision of this section or of any 611
provision of a municipal ordinance that is substantially similar 612
to any provision of this section, a misdemeanor of the third 613
degree. 614

(2) If the offender has not previously been convicted of 615
or pleaded guilty to a violation of any provision of this 616
section or of any provision of a municipal ordinance that is 617
substantially similar to this section and operated a motor 618
vehicle faster than thirty-five miles an hour in a business 619
district of a municipal corporation, faster than fifty miles an 620
hour in other portions of a municipal corporation, or faster 621
than thirty-five miles an hour in a school zone during recess or 622
while children are going to or leaving school during the 623
school's opening or closing hours, a misdemeanor of the fourth 624
degree. 625

(3) Notwithstanding division ~~(P)~~(O) (1) of this section, if 626
the offender operated a motor vehicle in a construction zone 627
where a sign was then posted in accordance with section 4511.98 628
of the Revised Code, the court, in addition to all other 629
penalties provided by law, shall impose upon the offender a fine 630
of two times the usual amount imposed for the violation. No 631
court shall impose a fine of two times the usual amount imposed 632
for the violation upon an offender if the offender alleges, in 633
an affidavit filed with the court prior to the offender's 634
sentencing, that the offender is indigent and is unable to pay 635
the fine imposed pursuant to this division and if the court 636
determines that the offender is an indigent person and unable to 637
pay the fine. 638

Section 2. That existing sections 4511.11 and 4511.21 of 639
the Revised Code are hereby repealed. 640

