

**As Introduced**

**127th General Assembly  
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**H. B. No. 102**

**Representative Uecker**

**Cosponsors: Representatives Peterson, Harwood, Bulp, Webster, Setzer,  
Evans, Garrison, Collier, Bacon, Flowers, Stebelton, White, Wagoner**

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**A B I L L**

To amend section 4511.21 of the Revised Code to 1  
establish procedures for a board of township 2  
trustees to alter the prima-facie speed limit on 3  
any township road and to require the Department of 4  
Transportation to establish speed transition zones 5  
on state highways at locations where the posted 6  
speed limit decreases by 20 or more miles per 7  
hour. 8

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

**Section 1.** That section 4511.21 of the Revised Code be 9  
amended to read as follows: 10

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 11  
trackless trolley, or streetcar at a speed greater or less than is 12  
reasonable or proper, having due regard to the traffic, surface, 13  
and width of the street or highway and any other conditions, and 14  
no person shall drive any motor vehicle, trackless trolley, or 15  
streetcar in and upon any street or highway at a greater speed 16  
than will permit the person to bring it to a stop within the 17  
assured clear distance ahead. 18

(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.

(c) As used in this section, "school zone" means that portion

of a street or highway passing a school fronting upon the street 51  
or highway that is encompassed by projecting the school property 52  
lines to the fronting street or highway, and also includes that 53  
portion of a state highway. Upon request from local authorities 54  
for streets and highways under their jurisdiction and that portion 55  
of a state highway under the jurisdiction of the director of 56  
transportation, the director may extend the traditional school 57  
zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), 58  
and (iii) of this section shall not exceed three hundred feet per 59  
approach per direction and are bounded by whichever of the 60  
following distances or combinations thereof the director approves 61  
as most appropriate: 62

(i) The distance encompassed by projecting the school 63  
building lines normal to the fronting highway and extending a 64  
distance of three hundred feet on each approach direction; 65

(ii) The distance encompassed by projecting the school 66  
property lines intersecting the fronting highway and extending a 67  
distance of three hundred feet on each approach direction; 68

(iii) The distance encompassed by the special marking of the 69  
pavement for a principal school pupil crosswalk plus a distance of 70  
three hundred feet on each approach direction of the highway. 71

Nothing in this section shall be construed to invalidate the 72  
director's initial action on August 9, 1976, establishing all 73  
school zones at the traditional school zone boundaries defined by 74  
projecting school property lines, except when those boundaries are 75  
extended as provided in divisions (B)(1)(a) and (c) of this 76  
section. 77

(d) As used in this division, "crosswalk" has the meaning 78  
given that term in division (LL)(2) of section 4511.01 of the 79  
Revised Code. 80

The director may, upon request by resolution of the 81

legislative authority of a municipal corporation, the board of 82  
trustees of a township, or a county board of mental retardation 83  
and developmental disabilities created pursuant to Chapter 5126. 84  
of the Revised Code, and upon submission by the municipal 85  
corporation, township, or county board of such engineering, 86  
traffic, and other information as the director considers 87  
necessary, designate a school zone on any portion of a state route 88  
lying within the municipal corporation, lying within the 89  
unincorporated territory of the township, or lying adjacent to the 90  
property of a school that is operated by such county board, that 91  
includes a crosswalk customarily used by children going to or 92  
leaving a school during recess and opening and closing hours, 93  
whenever the distance, as measured in a straight line, from the 94  
school property line nearest the crosswalk to the nearest point of 95  
the crosswalk is no more than one thousand three hundred twenty 96  
feet. Such a school zone shall include the distance encompassed by 97  
the crosswalk and extending three hundred feet on each approach 98  
direction of the state route. 99

(2) Twenty-five miles per hour in all other portions of a 100  
municipal corporation, except on state routes outside business 101  
districts, through highways outside business districts, and 102  
alleys; 103

(3) Thirty-five miles per hour on all state routes or through 104  
highways within municipal corporations outside business districts, 105  
except as provided in divisions (B)(4) and (6) of this section; 106

(4) Fifty miles per hour on controlled-access highways and 107  
expressways within municipal corporations; 108

(5) Fifty-five miles per hour on highways outside municipal 109  
corporations, other than highways within island jurisdictions as 110  
provided in division (B)(8) of this section and freeways as 111  
provided in division (B)(13) of this section; 112

(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	113 114 115
(7) Fifteen miles per hour on all alleys within the municipal corporation;	116 117
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	118 119
(9) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in division (B)(13) of this section;	120 121 122
(10) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in division (B)(13) of this section;	123 124 125
(11) Fifty-five miles per hour at all times on all portions of freeways that are part of the interstate system and on all portions of freeways that are not part of the interstate system, but are built to the standards and specifications that are applicable to freeways that are part of the interstate system for operators of any motor vehicle weighing in excess of eight thousand pounds empty weight and any noncommercial bus;	126 127 128 129 130 131 132
(12) Fifty-five miles per hour for operators of any motor vehicle weighing eight thousand pounds or less empty weight and any commercial bus at all times on all portions of freeways that are part of the interstate system and that had such a speed limit established prior to October 1, 1995, and freeways that are not part of the interstate system, but are built to the standards and specifications that are applicable to freeways that are part of the interstate system and that had such a speed limit established prior to October 1, 1995, unless a higher speed limit is established under division (L) of this section;	133 134 135 136 137 138 139 140 141 142
(13) Sixty-five miles per hour for operators of any motor	143

vehicle weighing eight thousand pounds or less empty weight and 144  
any commercial bus at all times on all portions of the following: 145

(a) Freeways that are part of the interstate system and that 146  
had such a speed limit established prior to October 1, 1995, and 147  
freeways that are not part of the interstate system, but are built 148  
to the standards and specifications that are applicable to 149  
freeways that are part of the interstate system and that had such 150  
a speed limit established prior to October 1, 1995; 151

(b) Freeways that are part of the interstate system and 152  
freeways that are not part of the interstate system but are built 153  
to the standards and specifications that are applicable to 154  
freeways that are part of the interstate system, and that had such 155  
a speed limit established under division (L) of this section; 156

(c) Rural, divided, multi-lane highways that are designated 157  
as part of the national highway system under the "National Highway 158  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 159  
and that had such a speed limit established under division (M) of 160  
this section. 161

(C) It is prima-facie unlawful for any person to exceed any 162  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 163  
(6), (7), and (8) of this section, or any declared or established 164  
pursuant to this section by the director or local authorities and 165  
it is unlawful for any person to exceed any of the speed 166  
limitations in division (D) of this section. No person shall be 167  
convicted of more than one violation of this section for the same 168  
conduct, although violations of more than one provision of this 169  
section may be charged in the alternative in a single affidavit. 170

(D) No person shall operate a motor vehicle, trackless 171  
trolley, or streetcar upon a street or highway as follows: 172

(1) At a speed exceeding fifty-five miles per hour, except 173  
upon a freeway as provided in division (B)(13) of this section; 174

(2) At a speed exceeding sixty-five miles per hour upon a 175  
freeway as provided in division (B)(13) of this section except as 176  
otherwise provided in division (D)(3) of this section; 177

(3) If a motor vehicle weighing in excess of eight thousand 178  
pounds empty weight or a noncommercial bus as prescribed in 179  
division (B)(11) of this section, at a speed exceeding fifty-five 180  
miles per hour upon a freeway as provided in that division; 181

(4) At a speed exceeding the posted speed limit upon a 182  
freeway for which the director has determined and declared a speed 183  
limit of not more than sixty-five miles per hour pursuant to 184  
division (L)(2) or (M) of this section; 185

(5) At a speed exceeding sixty-five miles per hour upon a 186  
freeway for which such a speed limit has been established through 187  
the operation of division (L)(3) of this section; 188

(6) At a speed exceeding the posted speed limit upon a 189  
freeway for which the director has determined and declared a speed 190  
limit pursuant to division (I)(2) of this section. 191

(E) In every charge of violation of this section the 192  
affidavit and warrant shall specify the time, place, and speed at 193  
which the defendant is alleged to have driven, and in charges made 194  
in reliance upon division (C) of this section also the speed which 195  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 196  
declared or established pursuant to, this section declares or 197  
establishes is prima-facie lawful at the time and place of such 198  
alleged violation, except that in affidavits where a person is 199  
alleged to have driven at a greater speed than will permit the 200  
person to bring the vehicle to a stop within the assured clear 201  
distance ahead the affidavit and warrant need not specify the 202  
speed at which the defendant is alleged to have driven. 203

(F) When a speed in excess of both a prima-facie limitation 204  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 205

this section is alleged, the defendant shall be charged in a 206  
single affidavit, alleging a single act, with a violation 207  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 208  
(8) of this section, or of a limit declared or established 209  
pursuant to this section by the director or local authorities, and 210  
of the limitation in division (D)(1), (2), (3), (4), (5), or (6) 211  
of this section. If the court finds a violation of division 212  
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 213  
or established pursuant to, this section has occurred, it shall 214  
enter a judgment of conviction under such division and dismiss the 215  
charge under division (D)(1), (2), (3), (4), (5), or (6) of this 216  
section. If it finds no violation of division (B)(1)(a), (2), (3), 217  
(4), (6), (7), or (8) of, or a limit declared or established 218  
pursuant to, this section, it shall then consider whether the 219  
evidence supports a conviction under division (D)(1), (2), (3), 220  
(4), (5), or (6) of this section. 221

(G) Points shall be assessed for violation of a limitation 222  
under division (D) of this section in accordance with section 223  
4510.036 of the Revised Code. 224

(H) Whenever the director determines upon the basis of a 225  
geometric and traffic characteristic study that any speed limit 226  
set forth in divisions (B)(1)(a) to (D) of this section is greater 227  
or less than is reasonable or safe under the conditions found to 228  
exist at any portion of a street or highway under the jurisdiction 229  
of the director, the director shall determine and declare a 230  
reasonable and safe prima-facie speed limit, which shall be 231  
effective when appropriate signs giving notice of it are erected 232  
at the location. 233

(I)(1) Except as provided in divisions (I)(2) and (K) of this 234  
section, whenever local authorities determine upon the basis of an 235  
engineering and traffic investigation that the speed permitted by 236  
divisions (B)(1)(a) to (D) of this section, on any part of a 237



highway under their jurisdiction, is greater than is reasonable 238  
and safe under the conditions found to exist at such location, the 239  
local authorities may by resolution request the director to 240  
determine and declare a reasonable and safe prima-facie speed 241  
limit. Upon receipt of such request the director may determine and 242  
declare a reasonable and safe prima-facie speed limit at such 243  
location, and if the director does so, then such declared speed 244  
limit shall become effective only when appropriate signs giving 245  
notice thereof are erected at such location by the local 246  
authorities. The director may withdraw the declaration of a 247  
prima-facie speed limit whenever in the director's opinion the 248  
altered prima-facie speed becomes unreasonable. Upon such 249  
withdrawal, the declared prima-facie speed shall become 250  
ineffective and the signs relating thereto shall be immediately 251  
removed by the local authorities. 252

(2) A local authority may determine on the basis of a 253  
geometric and traffic characteristic study that the speed limit of 254  
sixty-five miles per hour on a portion of a freeway under its 255  
jurisdiction that was established through the operation of 256  
division (L)(3) of this section is greater than is reasonable or 257  
safe under the conditions found to exist at that portion of the 258  
freeway. If the local authority makes such a determination, the 259  
local authority by resolution may request the director to 260  
determine and declare a reasonable and safe speed limit of not 261  
less than fifty-five miles per hour for that portion of the 262  
freeway. If the director takes such action, the declared speed 263  
limit becomes effective only when appropriate signs giving notice 264  
of it are erected at such location by the local authority. 265

(J) Local authorities in their respective jurisdictions may 266  
authorize by ordinance higher prima-facie speeds than those stated 267  
in this section upon through highways, or upon highways or 268  
portions thereof where there are no intersections, or between 269

widely spaced intersections, provided signs are erected giving 270  
notice of the authorized speed, but local authorities shall not 271  
modify or alter the basic rule set forth in division (A) of this 272  
section or in any event authorize by ordinance a speed in excess 273  
of fifty miles per hour. 274

Alteration of prima-facie limits on state routes by local 275  
authorities shall not be effective until the alteration has been 276  
approved by the director. The director may withdraw approval of 277  
any altered prima-facie speed limits whenever in the director's 278  
opinion any altered prima-facie speed becomes unreasonable, and 279  
upon such withdrawal, the altered prima-facie speed shall become 280  
ineffective and the signs relating thereto shall be immediately 281  
removed by the local authorities. 282

~~(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 283  
section, "unimproved highway" means a highway consisting of any of 284  
the following: 285~~

~~(a) Unimproved earth; 286~~

~~(b) Unimproved graded and drained earth; 287~~

~~(c) Gravel. 288~~

~~(2) Except as otherwise provided in divisions (K)(4) and (5) 289  
of this section, whenever (a) Whenever a board of township 290  
trustees determines upon the basis of an engineering and traffic 291  
investigation that the speed permitted by ~~division (B)(5) of this 292  
section on any part of an unimproved a~~ highway under its 293  
jurisdiction and in the unincorporated territory of the township 294  
is greater or less than is reasonable or safe under the conditions 295  
found to exist at the location, the board may by resolution 296  
declare a reasonable and safe prima-facie speed limit of 297  
fifty-five but not less than twenty-five miles per hour. An 298  
altered speed limit adopted by a board of township trustees under 299  
~~this division (K) of this section~~ becomes effective when 300~~

appropriate traffic control devices, as prescribed in section 301  
4511.11 of the Revised Code, giving notice thereof are erected at 302  
the location, which shall be no sooner than sixty days after 303  
adoption of the resolution. 304

~~(3)(a)~~(b)(i) Whenever, in the opinion of a board of township 305  
trustees, any altered prima-facie speed limit established by the 306  
board under ~~this~~ division (K) of this section becomes 307  
unreasonable, the board may adopt a resolution withdrawing the 308  
altered prima-facie speed limit. Upon the adoption of such a 309  
resolution, the altered prima-facie speed limit becomes 310  
ineffective and the traffic control devices relating thereto shall 311  
be immediately removed. 312

~~(b)~~ Whenever a highway ceases to be (ii) In the case of an 313  
unimproved highway ~~and~~ for which the board has adopted an altered 314  
prima-facie speed limit pursuant to division (K)~~(2)~~ of this 315  
section, the board shall, by resolution, withdraw the altered 316  
prima-facie speed limit as soon as the highway ceases to be 317  
unimproved. Upon the adoption of such a resolution, the altered 318  
prima-facie speed limit becomes ineffective and the traffic 319  
control devices relating thereto shall be immediately removed. 320

~~(4)(a)~~(2) If the boundary of two townships rests on the 321  
centerline of ~~an unimproved~~ a highway in unincorporated territory 322  
and both townships have jurisdiction over the highway, neither of 323  
the boards of township trustees of such townships may declare an 324  
altered prima-facie speed limit pursuant to division (K)~~(2)~~ of 325  
this section on the part of the highway under their joint 326  
jurisdiction unless the boards of township trustees of both of the 327  
townships determine, upon the basis of an engineering and traffic 328  
investigation, that the speed permitted by ~~division (B)(5)~~ of this 329  
section is greater or less than is reasonable or safe under the 330  
conditions found to exist at the location and both boards agree 331  
upon a reasonable and safe prima-facie speed limit of less than 332

fifty-five but not less than twenty-five miles per hour for that 333  
location. If both boards so agree, each shall follow the procedure 334  
specified in division (K)~~(2)~~(1)(a) of this section for altering 335  
the prima-facie speed limit on the highway. ~~Except as otherwise~~ 336  
~~provided in division (K)(4)(b) of this section, no~~ No speed limit 337  
altered pursuant to division (K)~~(4)(a)~~(2) of this section may be 338  
withdrawn unless the boards of township trustees of both townships 339  
determine that the altered prima-facie speed limit previously 340  
adopted becomes unreasonable and each board adopts a resolution 341  
withdrawing the altered prima-facie speed limit pursuant to the 342  
procedure specified in division (K)~~(3)(a)~~(1)(b)(i) or (ii) of this 343  
section, as applicable. 344

~~(b) Whenever a highway described in division (K)(4)(a) of~~ 345  
~~this section ceases to be an unimproved highway and two boards of~~ 346  
~~township trustees have adopted an altered prima facie speed limit~~ 347  
~~pursuant to division (K)(4)(a) of this section, both boards shall,~~ 348  
~~by resolution, withdraw the altered prima facie speed limit as~~ 349  
~~soon as the highway ceases to be unimproved. Upon the adoption of~~ 350  
~~the resolution, the altered prima facie speed limit becomes~~ 351  
~~ineffective and the traffic control devices relating thereto shall~~ 352  
~~be immediately removed.~~ 353

~~(5) As used in division (K)(5) of this section:~~ 354

~~(a) "Commercial subdivision" means any platted territory~~ 355  
~~outside the limits of a municipal corporation and fronting a~~ 356  
~~highway where, for a distance of three hundred feet or more, the~~ 357  
~~frontage is improved with buildings in use for commercial~~ 358  
~~purposes, or where the entire length of the highway is less than~~ 359  
~~three hundred feet long and the frontage is improved with~~ 360  
~~buildings in use for commercial purposes.~~ 361

~~(b) "Residential subdivision" means any platted territory~~ 362  
~~outside the limits of a municipal corporation and fronting a~~ 363  
~~highway, where, for a distance of three hundred feet or more, the~~ 364

~~frontage is improved with residences or residences and buildings 365  
in use for business, or where the entire length of the highway is 366  
less than three hundred feet long and the frontage is improved 367  
with residences or residences and buildings in use for business. 368~~

~~Whenever a board of township trustees finds upon the basis of 369  
an engineering and traffic investigation that the prima facie 370  
speed permitted by division (B)(5) of this section on any part of 371  
a highway under its jurisdiction that is located in a commercial 372  
or residential subdivision, except on highways or portions thereof 373  
at the entrances to which vehicular traffic from the majority of 374  
intersecting highways is required to yield the right of way to 375  
vehicles on such highways in obedience to stop or yield signs or 376  
traffic control signals, is greater than is reasonable and safe 377  
under the conditions found to exist at the location, the board may 378  
by resolution declare a reasonable and safe prima facie speed 379  
limit of less than fifty five but not less than twenty five miles 380  
per hour at the location. An altered speed limit adopted by a 381  
board of township trustees under this division shall become 382  
effective when appropriate signs giving notice thereof are erected 383  
at the location by the township. Whenever, in the opinion of a 384  
board of township trustees, any altered prima facie speed limit 385  
established by it under this division becomes unreasonable, it may 386  
adopt a resolution withdrawing the altered prima facie speed, and 387  
upon such withdrawal, the altered prima facie speed shall become 388  
ineffective, and the signs relating thereto shall be immediately 389  
removed by the township. 390~~

(3) Upon request of a board of township trustees, the county 391  
engineer shall conduct the engineering and traffic investigation 392  
required by division (K) of this section to alter a speed limit. 393  
Upon concluding the investigation, the county engineer may make a 394  
written recommendation of a reasonable and safe speed limit. 395

(L)(1) Within one hundred twenty days of February 29, 1996, 396

the director of transportation, based upon a geometric and traffic 397  
characteristic study of a freeway that is part of the interstate 398  
system or that is not part of the interstate system, but is built 399  
to the standards and specifications that are applicable to 400  
freeways that are part of the interstate system, in consultation 401  
with the director of public safety and, if applicable, the local 402  
authority having jurisdiction over a portion of such freeway, may 403  
determine and declare that the speed limit of less than sixty-five 404  
miles per hour established on such freeway or portion of freeway 405  
either is reasonable and safe or is less than that which is 406  
reasonable and safe. 407

(2) If the established speed limit for such a freeway or 408  
portion of freeway is determined to be less than that which is 409  
reasonable and safe, the director of transportation, in 410  
consultation with the director of public safety and, if 411  
applicable, the local authority having jurisdiction over the 412  
portion of freeway, shall determine and declare a reasonable and 413  
safe speed limit of not more than sixty-five miles per hour for 414  
that freeway or portion of freeway. 415

The director of transportation or local authority having 416  
jurisdiction over the freeway or portion of freeway shall erect 417  
appropriate signs giving notice of the speed limit at such 418  
location within one hundred fifty days of February 29, 1996. Such 419  
speed limit becomes effective only when such signs are erected at 420  
the location. 421

(3) If, within one hundred twenty days of February 29, 1996, 422  
the director of transportation does not make a determination and 423  
declaration of a reasonable and safe speed limit for a freeway or 424  
portion of freeway that is part of the interstate system or that 425  
is not part of the interstate system, but is built to the 426  
standards and specifications that are applicable to freeways that 427  
are part of the interstate system and that has a speed limit of 428

less than sixty-five miles per hour, the speed limit on that 429  
freeway or portion of a freeway shall be sixty-five miles per 430  
hour. The director of transportation or local authority having 431  
jurisdiction over the freeway or portion of the freeway shall 432  
erect appropriate signs giving notice of the speed limit of 433  
sixty-five miles per hour at such location within one hundred 434  
fifty days of February 29, 1996. Such speed limit becomes 435  
effective only when such signs are erected at the location. A 436  
speed limit established through the operation of division (L)(3) 437  
of this section is subject to reduction under division (I)(2) of 438  
this section. 439

(M) Within three hundred sixty days after February 29, 1996, 440  
the director of transportation, based upon a geometric and traffic 441  
characteristic study of a rural, divided, multi-lane highway that 442  
has been designated as part of the national highway system under 443  
the "National Highway System Designation Act of 1995," 109 Stat. 444  
568, 23 U.S.C.A. 103, in consultation with the director of public 445  
safety and, if applicable, the local authority having jurisdiction 446  
over a portion of the highway, may determine and declare that the 447  
speed limit of less than sixty-five miles per hour established on 448  
the highway or portion of highway either is reasonable and safe or 449  
is less than that which is reasonable and safe. 450

If the established speed limit for the highway or portion of 451  
highway is determined to be less than that which is reasonable and 452  
safe, the director of transportation, in consultation with the 453  
director of public safety and, if applicable, the local authority 454  
having jurisdiction over the portion of highway, shall determine 455  
and declare a reasonable and safe speed limit of not more than 456  
sixty-five miles per hour for that highway or portion of highway. 457  
The director of transportation or local authority having 458  
jurisdiction over the highway or portion of highway shall erect 459  
appropriate signs giving notice of the speed limit at such 460

location within three hundred ninety days after February 29, 1996. 461  
The speed limit becomes effective only when such signs are erected 462  
at the location. 463

(N)(1)(a) If the boundary of two local authorities rests on 464  
the centerline of a highway and both authorities have jurisdiction 465  
over the highway, the speed limit for the part of the highway 466  
within their joint jurisdiction shall be either one of the 467  
following as agreed to by both authorities: 468

(i) Either prima-facie speed limit permitted by division (B) 469  
of this section; 470

(ii) An altered speed limit determined and posted in 471  
accordance with this section. 472

(b) If the local authorities are unable to reach an 473  
agreement, the speed limit shall remain as established and posted 474  
under this section. 475

(2) Neither local authority may declare an altered 476  
prima-facie speed limit pursuant to this section on the part of 477  
the highway under their joint jurisdiction unless both of the 478  
local authorities determine, upon the basis of an engineering and 479  
traffic investigation, that the speed permitted by this section is 480  
greater than is reasonable or safe under the conditions found to 481  
exist at the location and both authorities agree upon a uniform 482  
reasonable and safe prima-facie speed limit of less than 483  
fifty-five but not less than twenty-five miles per hour for that 484  
location. If both authorities so agree, each shall follow the 485  
procedure specified in this section for altering the prima-facie 486  
speed limit on the highway, and the speed limit for the part of 487  
the highway within their joint jurisdiction shall be uniformly 488  
altered. No altered speed limit may be withdrawn unless both local 489  
authorities determine that the altered prima-facie speed limit 490  
previously adopted becomes unreasonable and each adopts a 491



resolution withdrawing the altered prima-facie speed limit 492  
pursuant to the procedure specified in this section. 493

(O) At any location on a state highway where the posted speed 494  
limit decreases by twenty or more miles per hour, the director of 495  
transportation shall establish a speed transition zone consisting, 496  
at a minimum, of the preceding one thousand feet. The speed limit 497  
for the speed transition zone shall be ten miles per hour more 498  
than the speed limit to which the posted speed limit decreases by 499  
twenty or more miles per hour. A reduced speed limit established 500  
by the director pursuant to this division becomes effective when 501  
the department of transportation erects appropriate signs giving 502  
notice thereof on the state highway. 503

(P) As used in this section: 504

(1) "Interstate system" has the same meaning as in 23 505  
U.S.C.A. 101. 506

(2) "Commercial bus" means a motor vehicle designed for 507  
carrying more than nine passengers and used for the transportation 508  
of persons for compensation. 509

(3) "Noncommercial bus" includes but is not limited to a 510  
school bus or a motor vehicle operated solely for the 511  
transportation of persons associated with a charitable or 512  
nonprofit organization. 513

(4) "Unimproved highway" means a highway consisting of 514  
unimproved earth, unimproved graded and drained earth, or gravel. 515

~~(P)~~(Q)(1) A violation of any provision of this section is one 516  
of the following: 517

(a) Except as otherwise provided in divisions ~~(P)~~(Q)(1)(b), 518  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 519

(b) If, within one year of the offense, the offender 520  
previously has been convicted of or pleaded guilty to two 521

violations of any provision of this section or of any provision of 522  
a municipal ordinance that is substantially similar to any 523  
provision of this section, a misdemeanor of the fourth degree; 524

(c) If, within one year of the offense, the offender 525  
previously has been convicted of or pleaded guilty to three or 526  
more violations of any provision of this section or of any 527  
provision of a municipal ordinance that is substantially similar 528  
to any provision of this section, a misdemeanor of the third 529  
degree. 530

(2) If the offender has not previously been convicted of or 531  
pleaded guilty to a violation of any provision of this section or 532  
of any provision of a municipal ordinance that is substantially 533  
similar to this section and operated a motor vehicle faster than 534  
thirty-five miles an hour in a business district of a municipal 535  
corporation, faster than fifty miles an hour in other portions of 536  
a municipal corporation, or faster than thirty-five miles an hour 537  
in a school zone during recess or while children are going to or 538  
leaving school during the school's opening or closing hours, a 539  
misdemeanor of the fourth degree. 540

(3) Notwithstanding division ~~(P)~~(O)(1) of this section, if 541  
the offender operated a motor vehicle in a construction zone where 542  
a sign was then posted in accordance with section 4511.98 of the 543  
Revised Code, the court, in addition to all other penalties 544  
provided by law, shall impose upon the offender a fine of two 545  
times the usual amount imposed for the violation. No court shall 546  
impose a fine of two times the usual amount imposed for the 547  
violation upon an offender if the offender alleges, in an 548  
affidavit filed with the court prior to the offender's sentencing, 549  
that the offender is indigent and is unable to pay the fine 550  
imposed pursuant to this division and if the court determines that 551  
the offender is an indigent person and unable to pay the fine. 552

**Section 2.** That existing section 4511.21 of the Revised Code 553

is hereby repealed.

554