

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 389**

**Representative Setzer**

**Cosponsors: Representatives Flowers, Huffman, Webster, Stebelton,  
McGregor, J., Evans, Fessler**

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**A B I L L**

To amend section 4511.21 of the Revised Code to 1  
require the Director of Transportation or a local 2  
authority with jurisdiction over a street or 3  
highway to establish speed transition zones at 4  
locations where a speed limit decreases by 20 or 5  
more miles per hour. 6

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

**Section 1.** That section 4511.21 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 9  
trackless trolley, or streetcar at a speed greater or less than is 10  
reasonable or proper, having due regard to the traffic, surface, 11  
and width of the street or highway and any other conditions, and 12  
no person shall drive any motor vehicle, trackless trolley, or 13  
streetcar in and upon any street or highway at a greater speed 14  
than will permit the person to bring it to a stop within the 15  
assured clear distance ahead. 16

(B) It is prima-facie lawful, in the absence of a lower limit 17  
declared or established pursuant to this section by the director 18

of transportation or local authorities, for the operator of a 19  
motor vehicle, trackless trolley, or streetcar to operate the same 20  
at a speed not exceeding the following: 21

(1)(a) Twenty miles per hour in school zones during school 22  
recess and while children are going to or leaving school during 23  
the opening or closing hours, and when twenty miles per hour 24  
school speed limit signs are erected; except that, on 25  
controlled-access highways and expressways, if the right-of-way 26  
line fence has been erected without pedestrian opening, the speed 27  
shall be governed by division (B)(4) of this section and on 28  
freeways, if the right-of-way line fence has been erected without 29  
pedestrian opening, the speed shall be governed by divisions 30  
(B)(9) and (10) of this section. The end of every school zone may 31  
be marked by a sign indicating the end of the zone. Nothing in 32  
this section or in the manual and specifications for a uniform 33  
system of traffic control devices shall be construed to require 34  
school zones to be indicated by signs equipped with flashing or 35  
other lights, or giving other special notice of the hours in which 36  
the school zone speed limit is in effect. 37

(b) As used in this section and in section 4511.212 of the 38  
Revised Code, "school" means any school chartered under section 39  
3301.16 of the Revised Code and any nonchartered school that 40  
during the preceding year filed with the department of education 41  
in compliance with rule 3301-35-08 of the Ohio Administrative 42  
Code, a copy of the school's report for the parents of the 43  
school's pupils certifying that the school meets Ohio minimum 44  
standards for nonchartered, nontax-supported schools and presents 45  
evidence of this filing to the jurisdiction from which it is 46  
requesting the establishment of a school zone. "School" also 47  
includes a special elementary school that in writing requests the 48  
county engineer of the county in which the special elementary 49  
school is located to create a school zone at the location of that 50

school. Upon receipt of such a written request, the county 51  
engineer shall create a school zone at that location by erecting 52  
the appropriate signs. 53

(c) As used in this section, "school zone" means that portion 54  
of a street or highway passing a school fronting upon the street 55  
or highway that is encompassed by projecting the school property 56  
lines to the fronting street or highway, and also includes that 57  
portion of a state highway. Upon request from local authorities 58  
for streets and highways under their jurisdiction and that portion 59  
of a state highway under the jurisdiction of the director of 60  
transportation or a request from a county engineer in the case of 61  
a school zone for a special elementary school, the director may 62  
extend the traditional school zone boundaries. The distances in 63  
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 64  
exceed three hundred feet per approach per direction and are 65  
bounded by whichever of the following distances or combinations 66  
thereof the director approves as most appropriate: 67

(i) The distance encompassed by projecting the school 68  
building lines normal to the fronting highway and extending a 69  
distance of three hundred feet on each approach direction; 70

(ii) The distance encompassed by projecting the school 71  
property lines intersecting the fronting highway and extending a 72  
distance of three hundred feet on each approach direction; 73

(iii) The distance encompassed by the special marking of the 74  
pavement for a principal school pupil crosswalk plus a distance of 75  
three hundred feet on each approach direction of the highway. 76

Nothing in this section shall be construed to invalidate the 77  
director's initial action on August 9, 1976, establishing all 78  
school zones at the traditional school zone boundaries defined by 79  
projecting school property lines, except when those boundaries are 80  
extended as provided in divisions (B)(1)(a) and (c) of this 81

section. 82

(d) As used in this division, "crosswalk" has the meaning 83  
given that term in division (LL)(2) of section 4511.01 of the 84  
Revised Code. 85

The director may, upon request by resolution of the 86  
legislative authority of a municipal corporation, the board of 87  
trustees of a township, or a county board of mental retardation 88  
and developmental disabilities created pursuant to Chapter 5126. 89  
of the Revised Code, and upon submission by the municipal 90  
corporation, township, or county board of such engineering, 91  
traffic, and other information as the director considers 92  
necessary, designate a school zone on any portion of a state route 93  
lying within the municipal corporation, lying within the 94  
unincorporated territory of the township, or lying adjacent to the 95  
property of a school that is operated by such county board, that 96  
includes a crosswalk customarily used by children going to or 97  
leaving a school during recess and opening and closing hours, 98  
whenever the distance, as measured in a straight line, from the 99  
school property line nearest the crosswalk to the nearest point of 100  
the crosswalk is no more than one thousand three hundred twenty 101  
feet. Such a school zone shall include the distance encompassed by 102  
the crosswalk and extending three hundred feet on each approach 103  
direction of the state route. 104

(e) As used in this section, "special elementary school" 105  
means a school that meets all of the following criteria: 106

(i) It is not chartered and does not receive tax revenue from 107  
any source. 108

(ii) It does not educate children beyond the eighth grade. 109

(iii) It is located outside the limits of a municipal 110  
corporation. 111

(iv) A majority of the total number of students enrolled at 112

the school are not related by blood.	113
(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.	114 115 116 117 118 119
(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;	120 121 122 123
(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;	124 125 126
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	127 128
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section and freeways as provided in division (B)(13) of this section;	129 130 131 132
(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;	133 134 135
(7) Fifteen miles per hour on all alleys within the municipal corporation;	136 137
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	138 139
(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;	140 141 142

(10) Fifty-five miles per hour at all times on freeways 143  
outside municipal corporations, other than freeways as provided in 144  
division (B)(13) of this section; 145

(11) Fifty-five miles per hour at all times on all portions 146  
of freeways that are part of the interstate system and on all 147  
portions of freeways that are not part of the interstate system, 148  
but are built to the standards and specifications that are 149  
applicable to freeways that are part of the interstate system for 150  
operators of any motor vehicle weighing in excess of eight 151  
thousand pounds empty weight and any noncommercial bus; 152

(12) Fifty-five miles per hour for operators of any motor 153  
vehicle weighing eight thousand pounds or less empty weight and 154  
any commercial bus at all times on all portions of freeways that 155  
are part of the interstate system and that had such a speed limit 156  
established prior to October 1, 1995, and freeways that are not 157  
part of the interstate system, but are built to the standards and 158  
specifications that are applicable to freeways that are part of 159  
the interstate system and that had such a speed limit established 160  
prior to October 1, 1995, unless a higher speed limit is 161  
established under division (L) of this section; 162

(13) Sixty-five miles per hour for operators of any motor 163  
vehicle weighing eight thousand pounds or less empty weight and 164  
any commercial bus at all times on all portions of the following: 165

(a) Freeways that are part of the interstate system and that 166  
had such a speed limit established prior to October 1, 1995, and 167  
freeways that are not part of the interstate system, but are built 168  
to the standards and specifications that are applicable to 169  
freeways that are part of the interstate system and that had such 170  
a speed limit established prior to October 1, 1995; 171

(b) Freeways that are part of the interstate system and 172  
freeways that are not part of the interstate system but are built 173

to the standards and specifications that are applicable to 174  
freeways that are part of the interstate system, and that had such 175  
a speed limit established under division (L) of this section; 176

(c) Rural, divided, multi-lane highways that are designated 177  
as part of the national highway system under the "National Highway 178  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 179  
and that had such a speed limit established under division (M) of 180  
this section. 181

(C) It is prima-facie unlawful for any person to exceed any 182  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 183  
(6), (7), and (8) of this section, or any declared pursuant to 184  
this section by the director or local authorities and it is 185  
unlawful for any person to exceed any of the speed limitations in 186  
division (D) of this section. No person shall be convicted of more 187  
than one violation of this section for the same conduct, although 188  
violations of more than one provision of this section may be 189  
charged in the alternative in a single affidavit. 190

(D) No person shall operate a motor vehicle, trackless 191  
trolley, or streetcar upon a street or highway as follows: 192

(1) At a speed exceeding fifty-five miles per hour, except 193  
upon a freeway as provided in division (B)(13) of this section; 194

(2) At a speed exceeding sixty-five miles per hour upon a 195  
freeway as provided in division (B)(13) of this section except as 196  
otherwise provided in division (D)(3) of this section; 197

(3) If a motor vehicle weighing in excess of eight thousand 198  
pounds empty weight or a noncommercial bus as prescribed in 199  
division (B)(11) of this section, at a speed exceeding fifty-five 200  
miles per hour upon a freeway as provided in that division; 201

(4) At a speed exceeding the posted speed limit upon a 202  
freeway for which the director has determined and declared a speed 203  
limit of not more than sixty-five miles per hour pursuant to 204

division (L)(2) or (M) of this section; 205

(5) At a speed exceeding sixty-five miles per hour upon a 206  
freeway for which such a speed limit has been established through 207  
the operation of division (L)(3) of this section; 208

(6) At a speed exceeding the posted speed limit upon a 209  
freeway for which the director has determined and declared a speed 210  
limit pursuant to division (I)(2) of this section. 211

(E) In every charge of violation of this section the 212  
affidavit and warrant shall specify the time, place, and speed at 213  
which the defendant is alleged to have driven, and in charges made 214  
in reliance upon division (C) of this section also the speed which 215  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 216  
declared or established pursuant to, this section declares or 217  
establishes is prima-facie lawful at the time and place of such 218  
alleged violation, except that in affidavits where a person is 219  
alleged to have driven at a greater speed than will permit the 220  
person to bring the vehicle to a stop within the assured clear 221  
distance ahead the affidavit and warrant need not specify the 222  
speed at which the defendant is alleged to have driven. 223

(F) When a speed in excess of both a prima-facie limitation 224  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 225  
this section is alleged, the defendant shall be charged in a 226  
single affidavit, alleging a single act, with a violation 227  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 228  
(8) of this section, or of a limit declared or established 229  
pursuant to this section by the director or local authorities, and 230  
of the limitation in division (D)(1), (2), (3), (4), (5), or (6) 231  
of this section. If the court finds a violation of division 232  
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 233  
or established pursuant to, this section has occurred, it shall 234  
enter a judgment of conviction under such division and dismiss the 235  
charge under division (D)(1), (2), (3), (4), (5), or (6) of this 236



section. If it finds no violation of division (B)(1)(a), (2), (3), 237  
(4), (6), (7), or (8) of, or a limit declared or established 238  
pursuant to, this section, it shall then consider whether the 239  
evidence supports a conviction under division (D)(1), (2), (3), 240  
(4), (5), or (6) of this section. 241

(G) Points shall be assessed for violation of a limitation 242  
under division (D) of this section in accordance with section 243  
4510.036 of the Revised Code. 244

(H) Whenever the director determines upon the basis of a 245  
geometric and traffic characteristic study that any speed limit 246  
set forth in divisions (B)(1)(a) to (D) of this section is greater 247  
or less than is reasonable or safe under the conditions found to 248  
exist at any portion of a street or highway under the jurisdiction 249  
of the director, the director shall determine and declare a 250  
reasonable and safe prima-facie speed limit, which shall be 251  
effective when appropriate signs giving notice of it are erected 252  
at the location. 253

(I)(1) Except as provided in divisions (I)(2) and (K) of this 254  
section, whenever local authorities determine upon the basis of an 255  
engineering and traffic investigation that the speed permitted by 256  
divisions (B)(1)(a) to (D) of this section, on any part of a 257  
highway under their jurisdiction, is greater than is reasonable 258  
and safe under the conditions found to exist at such location, the 259  
local authorities may by resolution request the director to 260  
determine and declare a reasonable and safe prima-facie speed 261  
limit. Upon receipt of such request the director may determine and 262  
declare a reasonable and safe prima-facie speed limit at such 263  
location, and if the director does so, then such declared speed 264  
limit shall become effective only when appropriate signs giving 265  
notice thereof are erected at such location by the local 266  
authorities. The director may withdraw the declaration of a 267  
prima-facie speed limit whenever in the director's opinion the 268

altered prima-facie speed becomes unreasonable. Upon such 269  
withdrawal, the declared prima-facie speed shall become 270  
ineffective and the signs relating thereto shall be immediately 271  
removed by the local authorities. 272

(2) A local authority may determine on the basis of a 273  
geometric and traffic characteristic study that the speed limit of 274  
sixty-five miles per hour on a portion of a freeway under its 275  
jurisdiction that was established through the operation of 276  
division (L)(3) of this section is greater than is reasonable or 277  
safe under the conditions found to exist at that portion of the 278  
freeway. If the local authority makes such a determination, the 279  
local authority by resolution may request the director to 280  
determine and declare a reasonable and safe speed limit of not 281  
less than fifty-five miles per hour for that portion of the 282  
freeway. If the director takes such action, the declared speed 283  
limit becomes effective only when appropriate signs giving notice 284  
of it are erected at such location by the local authority. 285

(J) Local authorities in their respective jurisdictions may 286  
authorize by ordinance higher prima-facie speeds than those stated 287  
in this section upon through highways, or upon highways or 288  
portions thereof where there are no intersections, or between 289  
widely spaced intersections, provided signs are erected giving 290  
notice of the authorized speed, but local authorities shall not 291  
modify or alter the basic rule set forth in division (A) of this 292  
section or in any event authorize by ordinance a speed in excess 293  
of fifty miles per hour. 294

Alteration of prima-facie limits on state routes by local 295  
authorities shall not be effective until the alteration has been 296  
approved by the director. The director may withdraw approval of 297  
any altered prima-facie speed limits whenever in the director's 298  
opinion any altered prima-facie speed becomes unreasonable, and 299  
upon such withdrawal, the altered prima-facie speed shall become 300

ineffective and the signs relating thereto shall be immediately 301  
removed by the local authorities. 302

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 303  
section, "unimproved highway" means a highway consisting of any of 304  
the following: 305

(a) Unimproved earth; 306

(b) Unimproved graded and drained earth; 307

(c) Gravel. 308

(2) Except as otherwise provided in divisions (K)(4) and (5) 309  
of this section, whenever a board of township trustees determines 310  
upon the basis of an engineering and traffic investigation that 311  
the speed permitted by division (B)(5) of this section on any part 312  
of an unimproved highway under its jurisdiction and in the 313  
unincorporated territory of the township is greater than is 314  
reasonable or safe under the conditions found to exist at the 315  
location, the board may by resolution declare a reasonable and 316  
safe prima-facie speed limit of fifty-five but not less than 317  
twenty-five miles per hour. An altered speed limit adopted by a 318  
board of township trustees under this division becomes effective 319  
when appropriate traffic control devices, as prescribed in section 320  
4511.11 of the Revised Code, giving notice thereof are erected at 321  
the location, which shall be no sooner than sixty days after 322  
adoption of the resolution. 323

(3)(a) Whenever, in the opinion of a board of township 324  
trustees, any altered prima-facie speed limit established by the 325  
board under this division becomes unreasonable, the board may 326  
adopt a resolution withdrawing the altered prima-facie speed 327  
limit. Upon the adoption of such a resolution, the altered 328  
prima-facie speed limit becomes ineffective and the traffic 329  
control devices relating thereto shall be immediately removed. 330

(b) Whenever a highway ceases to be an unimproved highway and 331

the board has adopted an altered prima-facie speed limit pursuant 332  
to division (K)(2) of this section, the board shall, by 333  
resolution, withdraw the altered prima-facie speed limit as soon 334  
as the highway ceases to be unimproved. Upon the adoption of such 335  
a resolution, the altered prima-facie speed limit becomes 336  
ineffective and the traffic control devices relating thereto shall 337  
be immediately removed. 338

(4)(a) If the boundary of two townships rests on the 339  
centerline of an unimproved highway in unincorporated territory 340  
and both townships have jurisdiction over the highway, neither of 341  
the boards of township trustees of such townships may declare an 342  
altered prima-facie speed limit pursuant to division (K)(2) of 343  
this section on the part of the highway under their joint 344  
jurisdiction unless the boards of township trustees of both of the 345  
townships determine, upon the basis of an engineering and traffic 346  
investigation, that the speed permitted by division (B)(5) of this 347  
section is greater than is reasonable or safe under the conditions 348  
found to exist at the location and both boards agree upon a 349  
reasonable and safe prima-facie speed limit of less than 350  
fifty-five but not less than twenty-five miles per hour for that 351  
location. If both boards so agree, each shall follow the procedure 352  
specified in division (K)(2) of this section for altering the 353  
prima-facie speed limit on the highway. Except as otherwise 354  
provided in division (K)(4)(b) of this section, no speed limit 355  
altered pursuant to division (K)(4)(a) of this section may be 356  
withdrawn unless the boards of township trustees of both townships 357  
determine that the altered prima-facie speed limit previously 358  
adopted becomes unreasonable and each board adopts a resolution 359  
withdrawing the altered prima-facie speed limit pursuant to the 360  
procedure specified in division (K)(3)(a) of this section. 361

(b) Whenever a highway described in division (K)(4)(a) of 362  
this section ceases to be an unimproved highway and two boards of 363

township trustees have adopted an altered prima-facie speed limit 364  
pursuant to division (K)(4)(a) of this section, both boards shall, 365  
by resolution, withdraw the altered prima-facie speed limit as 366  
soon as the highway ceases to be unimproved. Upon the adoption of 367  
the resolution, the altered prima-facie speed limit becomes 368  
ineffective and the traffic control devices relating thereto shall 369  
be immediately removed. 370

(5) As used in division (K)(5) of this section: 371

(a) "Commercial subdivision" means any platted territory 372  
outside the limits of a municipal corporation and fronting a 373  
highway where, for a distance of three hundred feet or more, the 374  
frontage is improved with buildings in use for commercial 375  
purposes, or where the entire length of the highway is less than 376  
three hundred feet long and the frontage is improved with 377  
buildings in use for commercial purposes. 378

(b) "Residential subdivision" means any platted territory 379  
outside the limits of a municipal corporation and fronting a 380  
highway, where, for a distance of three hundred feet or more, the 381  
frontage is improved with residences or residences and buildings 382  
in use for business, or where the entire length of the highway is 383  
less than three hundred feet long and the frontage is improved 384  
with residences or residences and buildings in use for business. 385

Whenever a board of township trustees finds upon the basis of 386  
an engineering and traffic investigation that the prima-facie 387  
speed permitted by division (B)(5) of this section on any part of 388  
a highway under its jurisdiction that is located in a commercial 389  
or residential subdivision, except on highways or portions thereof 390  
at the entrances to which vehicular traffic from the majority of 391  
intersecting highways is required to yield the right-of-way to 392  
vehicles on such highways in obedience to stop or yield signs or 393  
traffic control signals, is greater than is reasonable and safe 394  
under the conditions found to exist at the location, the board may 395

by resolution declare a reasonable and safe prima-facie speed 396  
limit of less than fifty-five but not less than twenty-five miles 397  
per hour at the location. An altered speed limit adopted by a 398  
board of township trustees under this division shall become 399  
effective when appropriate signs giving notice thereof are erected 400  
at the location by the township. Whenever, in the opinion of a 401  
board of township trustees, any altered prima-facie speed limit 402  
established by it under this division becomes unreasonable, it may 403  
adopt a resolution withdrawing the altered prima-facie speed, and 404  
upon such withdrawal, the altered prima-facie speed shall become 405  
ineffective, and the signs relating thereto shall be immediately 406  
removed by the township. 407

(L)(1) Within one hundred twenty days of February 29, 1996, 408  
the director of transportation, based upon a geometric and traffic 409  
characteristic study of a freeway that is part of the interstate 410  
system or that is not part of the interstate system, but is built 411  
to the standards and specifications that are applicable to 412  
freeways that are part of the interstate system, in consultation 413  
with the director of public safety and, if applicable, the local 414  
authority having jurisdiction over a portion of such freeway, may 415  
determine and declare that the speed limit of less than sixty-five 416  
miles per hour established on such freeway or portion of freeway 417  
either is reasonable and safe or is less than that which is 418  
reasonable and safe. 419

(2) If the established speed limit for such a freeway or 420  
portion of freeway is determined to be less than that which is 421  
reasonable and safe, the director of transportation, in 422  
consultation with the director of public safety and, if 423  
applicable, the local authority having jurisdiction over the 424  
portion of freeway, shall determine and declare a reasonable and 425  
safe speed limit of not more than sixty-five miles per hour for 426  
that freeway or portion of freeway. 427

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

(3) If, within one hundred twenty days of February 29, 1996, the director of transportation does not make a determination and declaration of a reasonable and safe speed limit for a freeway or portion of freeway that is part of the interstate system or that is not part of the interstate system, but is built to the standards and specifications that are applicable to freeways that are part of the interstate system and that has a speed limit of less than sixty-five miles per hour, the speed limit on that freeway or portion of a freeway shall be sixty-five miles per hour. The director of transportation or local authority having jurisdiction over the freeway or portion of the freeway shall erect appropriate signs giving notice of the speed limit of sixty-five miles per hour at such location within one hundred fifty days of February 29, 1996. Such speed limit becomes effective only when such signs are erected at the location. A speed limit established through the operation of division (L)(3) of this section is subject to reduction under division (I)(2) of this section.

(M) Within three hundred sixty days after February 29, 1996, the director of transportation, based upon a geometric and traffic characteristic study of a rural, divided, multi-lane highway that has been designated as part of the national highway system under the "National Highway System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over a portion of the highway, may determine and declare that the

speed limit of less than sixty-five miles per hour established on 460  
the highway or portion of highway either is reasonable and safe or 461  
is less than that which is reasonable and safe. 462

If the established speed limit for the highway or portion of 463  
highway is determined to be less than that which is reasonable and 464  
safe, the director of transportation, in consultation with the 465  
director of public safety and, if applicable, the local authority 466  
having jurisdiction over the portion of highway, shall determine 467  
and declare a reasonable and safe speed limit of not more than 468  
sixty-five miles per hour for that highway or portion of highway. 469  
The director of transportation or local authority having 470  
jurisdiction over the highway or portion of highway shall erect 471  
appropriate signs giving notice of the speed limit at such 472  
location within three hundred ninety days after February 29, 1996. 473  
The speed limit becomes effective only when such signs are erected 474  
at the location. 475

(N)(1)(a) If the boundary of two local authorities rests on 476  
the centerline of a highway and both authorities have jurisdiction 477  
over the highway, the speed limit for the part of the highway 478  
within their joint jurisdiction shall be either one of the 479  
following as agreed to by both authorities: 480

(i) Either prima-facie speed limit permitted by division (B) 481  
of this section; 482

(ii) An altered speed limit determined and posted in 483  
accordance with this section. 484

(b) If the local authorities are unable to reach an 485  
agreement, the speed limit shall remain as established and posted 486  
under this section. 487

(2) Neither local authority may declare an altered 488  
prima-facie speed limit pursuant to this section on the part of 489  
the highway under their joint jurisdiction unless both of the 490



local authorities determine, upon the basis of an engineering and traffic investigation, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section.

(O) At any location on a street or highway where the posted speed limit decreases by twenty or more miles per hour, the director of transportation or the local authority having jurisdiction over the street or highway shall establish a speed transition zone consisting, at a minimum, of the preceding one thousand feet. Notwithstanding the speed limits established in divisions (B)(2) to (13) of this section, the speed limit for the speed transition zone shall be ten miles per hour more than the speed limit to which the posted speed limit decreases by twenty or more miles per hour. A reduced speed limit established pursuant to this division becomes effective when the department of transportation or local authority erects appropriate signs giving notice thereof on the street or highway. The director and local authorities shall cooperate in establishing a speed transition zone and posting appropriate signs whenever the zone connects two or more jurisdictions.

(P) As used in this section:

(1) "Interstate system" has the same meaning as in 23 523  
U.S.C.A. 101. 524

(2) "Commercial bus" means a motor vehicle designed for 525  
carrying more than nine passengers and used for the transportation 526  
of persons for compensation. 527

(3) "Noncommercial bus" includes but is not limited to a 528  
school bus or a motor vehicle operated solely for the 529  
transportation of persons associated with a charitable or 530  
nonprofit organization. 531

~~(P)~~(Q)(1) A violation of any provision of this section is one 532  
of the following: 533

(a) Except as otherwise provided in divisions ~~(P)~~(Q)(1)(b), 534  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 535

(b) If, within one year of the offense, the offender 536  
previously has been convicted of or pleaded guilty to two 537  
violations of any provision of this section or of any provision of 538  
a municipal ordinance that is substantially similar to any 539  
provision of this section, a misdemeanor of the fourth degree; 540

(c) If, within one year of the offense, the offender 541  
previously has been convicted of or pleaded guilty to three or 542  
more violations of any provision of this section or of any 543  
provision of a municipal ordinance that is substantially similar 544  
to any provision of this section, a misdemeanor of the third 545  
degree. 546

(2) If the offender has not previously been convicted of or 547  
pleaded guilty to a violation of any provision of this section or 548  
of any provision of a municipal ordinance that is substantially 549  
similar to this section and operated a motor vehicle faster than 550  
thirty-five miles an hour in a business district of a municipal 551  
corporation, faster than fifty miles an hour in other portions of 552  
a municipal corporation, or faster than thirty-five miles an hour 553

in a school zone during recess or while children are going to or 554  
leaving school during the school's opening or closing hours, a 555  
misdemeanor of the fourth degree. 556

(3) Notwithstanding division ~~(P)~~(Q)(1) of this section, if 557  
the offender operated a motor vehicle in a construction zone where 558  
a sign was then posted in accordance with section 4511.98 of the 559  
Revised Code, the court, in addition to all other penalties 560  
provided by law, shall impose upon the offender a fine of two 561  
times the usual amount imposed for the violation. No court shall 562  
impose a fine of two times the usual amount imposed for the 563  
violation upon an offender if the offender alleges, in an 564  
affidavit filed with the court prior to the offender's sentencing, 565  
that the offender is indigent and is unable to pay the fine 566  
imposed pursuant to this division and if the court determines that 567  
the offender is an indigent person and unable to pay the fine. 568

**Section 2.** That existing section 4511.21 of the Revised Code 569  
is hereby repealed. 570