

**As Introduced**

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

**S. B. No. 158**

**Senator Padgett**

**Cosponsors: Senators Wilson, Schaffer, Cafaro**

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**A B I L L**

To amend sections 4510.02, 4510.036, 4511.21, 1  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 2  
4511.44, 4511.441, 4511.45, 4511.451, 4511.46, 3  
4511.47, and 4513.39 and to enact section 4501.14 4  
of the Revised Code to provide for increased 5  
penalties when a person violates the motor vehicle 6  
traffic law assured clear distance ahead provision 7  
or commits a failure to yield the right-of-way 8  
offense that results in serious physical harm or 9  
death to another person. 10

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

**Section 1.** That sections 4510.02, 4510.036, 4511.21, 4511.33, 11  
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 12  
4511.451, 4511.46, 4511.47, and 4513.39 be amended and section 13  
4501.14 of the Revised Code be enacted to read as follows: 14

**Sec. 4501.14.** There is hereby created in the state treasury 15  
the highway safety education fund, consisting of those portions of 16  
fines collected pursuant to and specified in sections 4511.21, 17  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 18  
4511.45, 4511.451, 4511.46, and 4511.47 of the Revised Code. The 19

department of public safety shall use the money in the fund only 20  
to pay for educational activities that relate to highway safety. 21

**Sec. 4510.02.** (A) When a court elects or is required to 22  
suspend the driver's license, commercial driver's license, 23  
temporary instruction permit, probationary license, or nonresident 24  
operating privilege of any offender from a specified suspension 25  
class, for each of the following suspension classes, the court 26  
shall impose a definite period of suspension from the range 27  
specified for the suspension class: 28

(1) For a class one suspension, a definite period for the 29  
life of the person subject to the suspension; 30

(2) For a class two suspension, a definite period of three 31  
years to life; 32

(3) For a class three suspension, a definite period of two to 33  
ten years; 34

(4) For a class four suspension, a definite period of one to 35  
five years; 36

(5) For a class five suspension, a definite period of six 37  
months to three years; 38

(6) For a class six suspension, a definite period of three 39  
months to two years; 40

(7) For a class seven suspension, a definite period not to 41  
exceed one year; 42

(8) For a class eight suspension, a definite period not to 43  
exceed six months. 44

(B) When the bureau of motor vehicles elects or is required 45  
to suspend the driver's license, commercial driver's license, 46  
temporary instruction permit, probationary license, or nonresident 47  
operating privilege of any person from a specified suspension 48

class, for each of the following suspension classes, the period of suspension shall be as follows:

- (1) For a class A suspension, three years;
- (2) For a class B suspension, two years;
- (3) For a class C suspension, one year;
- (4) For a class D suspension, six months;
- (5) For a class E suspension, three months;
- (6) For a class F suspension, until conditions are met.

(C) The court may require a person to successfully complete a remedial driving course as a condition for the return of full driving privileges after a suspension period imposed from any range in division (A) of this section or otherwise imposed by the court pursuant to any other provision of law ends.

(D) When a court or the bureau suspends the driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege of any offender or person pursuant to any provision of law that does not provide for the suspension to be from a class set forth in division (A) or (B) of this section, except as otherwise provided in the provision that authorizes or requires the suspension, the suspension shall be subject to and governed by this chapter.

**Sec. 4510.036.** (A) The bureau of motor vehicles shall record within ten days, after receipt, and shall keep at its main office, all abstracts received under this section or section 4510.03, 4510.031, 4510.032, or 4510.034 of the Revised Code and shall maintain records of convictions and bond forfeitures for any violation of a state law or a municipal ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways and streets, except a violation related to parking a motor vehicle.

(B) Every court of record or mayor's court before which a person is charged with a violation for which points are chargeable by this section shall assess and transcribe to the abstract of conviction that is furnished by the bureau to the court the number of points chargeable by this section in the correct space assigned on the reporting form. A United States district court that has jurisdiction within this state and before which a person is charged with a violation for which points are chargeable by this section may assess and transcribe to the abstract of conviction report that is furnished by the bureau the number of points chargeable by this section in the correct space assigned on the reporting form. If the federal court so assesses and transcribes the points chargeable for the offense and furnishes the report to the bureau, the bureau shall record the points in the same manner as those assessed and transcribed by a court of record or mayor's court.

(C) A court shall assess the following points for an offense based on the following formula:

(1) Aggravated vehicular homicide, vehicular homicide, vehicular manslaughter, aggravated vehicular assault, or vehicular assault when the offense involves the operation of a vehicle, streetcar, or trackless trolley on a highway or street ..... 6 points

(2) A violation of section 2921.331 of the Revised Code or any ordinance prohibiting the willful fleeing or eluding of a law enforcement officer ..... 6 points

(3) A violation of section 4549.02 or 4549.021 of the Revised Code or any ordinance requiring the driver of a vehicle to stop and disclose identity at the scene of an accident ..... 6 points

(4) A violation of section 4511.251 of the Revised Code or

any ordinance prohibiting street racing .....	6 points	110
(5) A violation of section 4510.11, 4510.14, 4510.16, or		111
4510.21 of the Revised Code or any ordinance prohibiting the		112
operation of a motor vehicle while the driver's or commercial		113
driver's license is under suspension .....	6 points	114
(6) A violation of division (A) of section 4511.19 of the		115
Revised Code, any ordinance prohibiting the operation of a vehicle		116
while under the influence of alcohol, a drug of abuse, or a		117
combination of them, or any ordinance substantially equivalent to		118
division (A) of section 4511.19 of the Revised Code prohibiting		119
the operation of a vehicle with a prohibited concentration of		120
alcohol, a controlled substance, or a metabolite of a controlled		121
substance in the whole blood, blood serum or plasma, breath, or		122
urine .....	6 points	123
(7) A violation of section 2913.03 of the Revised Code that		124
does not involve an aircraft or motorboat or any ordinance		125
prohibiting the operation of a vehicle without the consent of the		126
owner .....	6 points	127
(8) Any offense under the motor vehicle laws of this state		128
that is a felony, or any other felony in the commission of which a		129
motor vehicle was used .....	6 points	130
(9) A violation of division (B) of section 4511.19 of the		131
Revised Code or any ordinance substantially equivalent to that		132
division prohibiting the operation of a vehicle with a prohibited		133
concentration of alcohol in the whole blood, blood serum or		134
plasma, breath, or urine .....	4 points	135
(10) A violation of section 4511.20 of the Revised Code or		136
any ordinance prohibiting the operation of a motor vehicle in		137
willful or wanton disregard of the safety of persons or property		138
.....	4 points	139
(11) A violation of any law or ordinance pertaining to speed:		140

(a) Notwithstanding divisions (C)(11)(b) and (c) of this section, when the speed exceeds the lawful speed limit by thirty miles per hour or more . . . . .	4 points	141 142 143
(b) When the speed exceeds the lawful speed limit of fifty-five miles per hour or more by more than ten miles per hour . . . . .	2 points	144 145 146
(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour . . . . .	2 points	147 148 149
(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section . . . . .	0 points	150 151 152
(12) Operating a motor vehicle in violation of a restriction imposed by the registrar . . . . .	2 points	153 154
(13) <u>A violation of section 4511.21, 4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 4511.451, 4511.46, or 4511.47 of the Revised Code in which the court assesses at least two but not more than six points . . . . .</u>	<u>2 to 6 points, as assessed by the court</u>	155 156 157 158 159
(14) All other moving violations reported under this section . . . . .	2 points	160 161
(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.		162 163 164 165 166
(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater		167 168 169 170

number of points is chargeable, and, if the number of points 171  
chargeable for each offense is equal, only one offense shall be 172  
recorded, and points shall be charged only for that offense. 173

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 174  
trackless trolley, or streetcar at a speed greater or less than is 175  
reasonable or proper, having due regard to the traffic, surface, 176  
and width of the street or highway and any other conditions, and 177  
no person shall drive any motor vehicle, trackless trolley, or 178  
streetcar in and upon any street or highway at a greater speed 179  
than will permit the person to bring it to a stop within the 180  
assured clear distance ahead. 181

(B) It is prima-facie lawful, in the absence of a lower limit 182  
declared pursuant to this section by the director of 183  
transportation or local authorities, for the operator of a motor 184  
vehicle, trackless trolley, or streetcar to operate the same at a 185  
speed not exceeding the following: 186

(1)(a) Twenty miles per hour in school zones during school 187  
recess and while children are going to or leaving school during 188  
the opening or closing hours, and when twenty miles per hour 189  
school speed limit signs are erected; except that, on 190  
controlled-access highways and expressways, if the right-of-way 191  
line fence has been erected without pedestrian opening, the speed 192  
shall be governed by division (B)(4) of this section and on 193  
freeways, if the right-of-way line fence has been erected without 194  
pedestrian opening, the speed shall be governed by divisions 195  
(B)(9) and (10) of this section. The end of every school zone may 196  
be marked by a sign indicating the end of the zone. Nothing in 197  
this section or in the manual and specifications for a uniform 198  
system of traffic control devices shall be construed to require 199  
school zones to be indicated by signs equipped with flashing or 200  
other lights, or giving other special notice of the hours in which 201

the school zone speed limit is in effect. 202

(b) As used in this section and in section 4511.212 of the 203  
Revised Code, "school" means any school chartered under section 204  
3301.16 of the Revised Code and any nonchartered school that 205  
during the preceding year filed with the department of education 206  
in compliance with rule 3301-35-08 of the Ohio Administrative 207  
Code, a copy of the school's report for the parents of the 208  
school's pupils certifying that the school meets Ohio minimum 209  
standards for nonchartered, nontax-supported schools and presents 210  
evidence of this filing to the jurisdiction from which it is 211  
requesting the establishment of a school zone. 212

(c) As used in this section, "school zone" means that portion 213  
of a street or highway passing a school fronting upon the street 214  
or highway that is encompassed by projecting the school property 215  
lines to the fronting street or highway, and also includes that 216  
portion of a state highway. Upon request from local authorities 217  
for streets and highways under their jurisdiction and that portion 218  
of a state highway under the jurisdiction of the director of 219  
transportation, the director may extend the traditional school 220  
zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), 221  
and (iii) of this section shall not exceed three hundred feet per 222  
approach per direction and are bounded by whichever of the 223  
following distances or combinations thereof the director approves 224  
as most appropriate: 225

(i) The distance encompassed by projecting the school 226  
building lines normal to the fronting highway and extending a 227  
distance of three hundred feet on each approach direction; 228

(ii) The distance encompassed by projecting the school 229  
property lines intersecting the fronting highway and extending a 230  
distance of three hundred feet on each approach direction; 231

(iii) The distance encompassed by the special marking of the 232



pavement for a principal school pupil crosswalk plus a distance of 233  
three hundred feet on each approach direction of the highway. 234

Nothing in this section shall be construed to invalidate the 235  
director's initial action on August 9, 1976, establishing all 236  
school zones at the traditional school zone boundaries defined by 237  
projecting school property lines, except when those boundaries are 238  
extended as provided in divisions (B)(1)(a) and (c) of this 239  
section. 240

(d) As used in this division, "crosswalk" has the meaning 241  
given that term in division (LL)(2) of section 4511.01 of the 242  
Revised Code. 243

The director may, upon request by resolution of the 244  
legislative authority of a municipal corporation, the board of 245  
trustees of a township, or a county board of mental retardation 246  
and developmental disabilities created pursuant to Chapter 5126. 247  
of the Revised Code, and upon submission by the municipal 248  
corporation, township, or county board of such engineering, 249  
traffic, and other information as the director considers 250  
necessary, designate a school zone on any portion of a state route 251  
lying within the municipal corporation, lying within the 252  
unincorporated territory of the township, or lying adjacent to the 253  
property of a school that is operated by such county board, that 254  
includes a crosswalk customarily used by children going to or 255  
leaving a school during recess and opening and closing hours, 256  
whenever the distance, as measured in a straight line, from the 257  
school property line nearest the crosswalk to the nearest point of 258  
the crosswalk is no more than one thousand three hundred twenty 259  
feet. Such a school zone shall include the distance encompassed by 260  
the crosswalk and extending three hundred feet on each approach 261  
direction of the state route. 262

(2) Twenty-five miles per hour in all other portions of a 263  
municipal corporation, except on state routes outside business 264

districts, through highways outside business districts, and	265
alleys;	266
(3) Thirty-five miles per hour on all state routes or through	267
highways within municipal corporations outside business districts,	268
except as provided in divisions (B)(4) and (6) of this section;	269
(4) Fifty miles per hour on controlled-access highways and	270
expressways within municipal corporations;	271
(5) Fifty-five miles per hour on highways outside municipal	272
corporations, other than highways within island jurisdictions as	273
provided in division (B)(8) of this section and freeways as	274
provided in division (B)(13) of this section;	275
(6) Fifty miles per hour on state routes within municipal	276
corporations outside urban districts unless a lower prima-facie	277
speed is established as further provided in this section;	278
(7) Fifteen miles per hour on all alleys within the municipal	279
corporation;	280
(8) Thirty-five miles per hour on highways outside municipal	281
corporations that are within an island jurisdiction;	282
(9) Fifty-five miles per hour at all times on freeways with	283
paved shoulders inside municipal corporations, other than freeways	284
as provided in division (B)(13) of this section;	285
(10) Fifty-five miles per hour at all times on freeways	286
outside municipal corporations, other than freeways as provided in	287
division (B)(13) of this section;	288
(11) Fifty-five miles per hour at all times on all portions	289
of freeways that are part of the interstate system and on all	290
portions of freeways that are not part of the interstate system,	291
but are built to the standards and specifications that are	292
applicable to freeways that are part of the interstate system for	293
operators of any motor vehicle weighing in excess of eight	294

thousand pounds empty weight and any noncommercial bus; 295

(12) Fifty-five miles per hour for operators of any motor 296  
vehicle weighing eight thousand pounds or less empty weight and 297  
any commercial bus at all times on all portions of freeways that 298  
are part of the interstate system and that had such a speed limit 299  
established prior to October 1, 1995, and freeways that are not 300  
part of the interstate system, but are built to the standards and 301  
specifications that are applicable to freeways that are part of 302  
the interstate system and that had such a speed limit established 303  
prior to October 1, 1995, unless a higher speed limit is 304  
established under division (L) of this section; 305

(13) Sixty-five miles per hour for operators of any motor 306  
vehicle weighing eight thousand pounds or less empty weight and 307  
any commercial bus at all times on all portions of the following: 308

(a) Freeways that are part of the interstate system and that 309  
had such a speed limit established prior to October 1, 1995, and 310  
freeways that are not part of the interstate system, but are built 311  
to the standards and specifications that are applicable to 312  
freeways that are part of the interstate system and that had such 313  
a speed limit established prior to October 1, 1995; 314

(b) Freeways that are part of the interstate system and 315  
freeways that are not part of the interstate system but are built 316  
to the standards and specifications that are applicable to 317  
freeways that are part of the interstate system, and that had such 318  
a speed limit established under division (L) of this section; 319

(c) Rural, divided, multi-lane highways that are designated 320  
as part of the national highway system under the "National Highway 321  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 322  
and that had such a speed limit established under division (M) of 323  
this section. 324

(C) It is prima-facie unlawful for any person to exceed any 325

of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 326  
(6), (7), and (8) of this section, or any declared pursuant to 327  
this section by the director or local authorities and it is 328  
unlawful for any person to exceed any of the speed limitations in 329  
division (D) of this section. No person shall be convicted of more 330  
than one violation of this section for the same conduct, although 331  
violations of more than one provision of this section may be 332  
charged in the alternative in a single affidavit. 333

(D) No person shall operate a motor vehicle, trackless 334  
trolley, or streetcar upon a street or highway as follows: 335

(1) At a speed exceeding fifty-five miles per hour, except 336  
upon a freeway as provided in division (B)(13) of this section; 337

(2) At a speed exceeding sixty-five miles per hour upon a 338  
freeway as provided in division (B)(13) of this section except as 339  
otherwise provided in division (D)(3) of this section; 340

(3) If a motor vehicle weighing in excess of eight thousand 341  
pounds empty weight or a noncommercial bus as prescribed in 342  
division (B)(11) of this section, at a speed exceeding fifty-five 343  
miles per hour upon a freeway as provided in that division; 344

(4) At a speed exceeding the posted speed limit upon a 345  
freeway for which the director has determined and declared a speed 346  
limit of not more than sixty-five miles per hour pursuant to 347  
division (L)(2) or (M) of this section; 348

(5) At a speed exceeding sixty-five miles per hour upon a 349  
freeway for which such a speed limit has been established through 350  
the operation of division (L)(3) of this section; 351

(6) At a speed exceeding the posted speed limit upon a 352  
freeway for which the director has determined and declared a speed 353  
limit pursuant to division (I)(2) of this section. 354

(E) In every charge of violation of this section the 355

affidavit and warrant shall specify the time, place, and speed at 356  
which the defendant is alleged to have driven, and in charges made 357  
in reliance upon division (C) of this section also the speed which 358  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 359  
declared pursuant to, this section declares is prima-facie lawful 360  
at the time and place of such alleged violation, except that in 361  
affidavits where a person is alleged to have driven at a greater 362  
speed than will permit the person to bring the vehicle to a stop 363  
within the assured clear distance ahead the affidavit and warrant 364  
need not specify the speed at which the defendant is alleged to 365  
have driven. 366

(F) When a speed in excess of both a prima-facie limitation 367  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 368  
this section is alleged, the defendant shall be charged in a 369  
single affidavit, alleging a single act, with a violation 370  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 371  
(8) of this section, or of a limit declared pursuant to this 372  
section by the director or local authorities, and of the 373  
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 374  
section. If the court finds a violation of division (B)(1)(a), 375  
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 376  
to, this section has occurred, it shall enter a judgment of 377  
conviction under such division and dismiss the charge under 378  
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 379  
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 380  
or (8) of, or a limit declared pursuant to, this section, it shall 381  
then consider whether the evidence supports a conviction under 382  
division (D)(1), (2), (3), (4), (5), or (6) of this section. 383

(G) Points shall be assessed for violation of a limitation 384  
under division (D) of this section in accordance with section 385  
4510.036 of the Revised Code. 386

(H) Whenever the director determines upon the basis of a 387

geometric and traffic characteristic study that any speed limit 388  
set forth in divisions (B)(1)(a) to (D) of this section is greater 389  
or less than is reasonable or safe under the conditions found to 390  
exist at any portion of a street or highway under the jurisdiction 391  
of the director, the director shall determine and declare a 392  
reasonable and safe prima-facie speed limit, which shall be 393  
effective when appropriate signs giving notice of it are erected 394  
at the location. 395

(I)(1) Except as provided in divisions (I)(2) and (K) of this 396  
section, whenever local authorities determine upon the basis of an 397  
engineering and traffic investigation that the speed permitted by 398  
divisions (B)(1)(a) to (D) of this section, on any part of a 399  
highway under their jurisdiction, is greater than is reasonable 400  
and safe under the conditions found to exist at such location, the 401  
local authorities may by resolution request the director to 402  
determine and declare a reasonable and safe prima-facie speed 403  
limit. Upon receipt of such request the director may determine and 404  
declare a reasonable and safe prima-facie speed limit at such 405  
location, and if the director does so, then such declared speed 406  
limit shall become effective only when appropriate signs giving 407  
notice thereof are erected at such location by the local 408  
authorities. The director may withdraw the declaration of a 409  
prima-facie speed limit whenever in the director's opinion the 410  
altered prima-facie speed becomes unreasonable. Upon such 411  
withdrawal, the declared prima-facie speed shall become 412  
ineffective and the signs relating thereto shall be immediately 413  
removed by the local authorities. 414

(2) A local authority may determine on the basis of a 415  
geometric and traffic characteristic study that the speed limit of 416  
sixty-five miles per hour on a portion of a freeway under its 417  
jurisdiction that was established through the operation of 418  
division (L)(3) of this section is greater than is reasonable or 419

safe under the conditions found to exist at that portion of the 420  
freeway. If the local authority makes such a determination, the 421  
local authority by resolution may request the director to 422  
determine and declare a reasonable and safe speed limit of not 423  
less than fifty-five miles per hour for that portion of the 424  
freeway. If the director takes such action, the declared speed 425  
limit becomes effective only when appropriate signs giving notice 426  
of it are erected at such location by the local authority. 427

(J) Local authorities in their respective jurisdictions may 428  
authorize by ordinance higher prima-facie speeds than those stated 429  
in this section upon through highways, or upon highways or 430  
portions thereof where there are no intersections, or between 431  
widely spaced intersections, provided signs are erected giving 432  
notice of the authorized speed, but local authorities shall not 433  
modify or alter the basic rule set forth in division (A) of this 434  
section or in any event authorize by ordinance a speed in excess 435  
of fifty miles per hour. 436

Alteration of prima-facie limits on state routes by local 437  
authorities shall not be effective until the alteration has been 438  
approved by the director. The director may withdraw approval of 439  
any altered prima-facie speed limits whenever in the director's 440  
opinion any altered prima-facie speed becomes unreasonable, and 441  
upon such withdrawal, the altered prima-facie speed shall become 442  
ineffective and the signs relating thereto shall be immediately 443  
removed by the local authorities. 444

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 445  
section, "unimproved highway" means a highway consisting of any of 446  
the following: 447

- (a) Unimproved earth; 448
- (b) Unimproved graded and drained earth; 449
- (c) Gravel. 450

(2) Except as otherwise provided in divisions (K)(4) and (5) 451  
of this section, whenever a board of township trustees determines 452  
upon the basis of an engineering and traffic investigation that 453  
the speed permitted by division (B)(5) of this section on any part 454  
of an unimproved highway under its jurisdiction and in the 455  
unincorporated territory of the township is greater than is 456  
reasonable or safe under the conditions found to exist at the 457  
location, the board may by resolution declare a reasonable and 458  
safe prima-facie speed limit of fifty-five but not less than 459  
twenty-five miles per hour. An altered speed limit adopted by a 460  
board of township trustees under this division becomes effective 461  
when appropriate traffic control devices, as prescribed in section 462  
4511.11 of the Revised Code, giving notice thereof are erected at 463  
the location, which shall be no sooner than sixty days after 464  
adoption of the resolution. 465

(3)(a) Whenever, in the opinion of a board of township 466  
trustees, any altered prima-facie speed limit established by the 467  
board under this division becomes unreasonable, the board may 468  
adopt a resolution withdrawing the altered prima-facie speed 469  
limit. Upon the adoption of such a resolution, the altered 470  
prima-facie speed limit becomes ineffective and the traffic 471  
control devices relating thereto shall be immediately removed. 472

(b) Whenever a highway ceases to be an unimproved highway and 473  
the board has adopted an altered prima-facie speed limit pursuant 474  
to division (K)(2) of this section, the board shall, by 475  
resolution, withdraw the altered prima-facie speed limit as soon 476  
as the highway ceases to be unimproved. Upon the adoption of such 477  
a resolution, the altered prima-facie speed limit becomes 478  
ineffective and the traffic control devices relating thereto shall 479  
be immediately removed. 480

(4)(a) If the boundary of two townships rests on the 481  
centerline of an unimproved highway in unincorporated territory 482



and both townships have jurisdiction over the highway, neither of 483  
the boards of township trustees of such townships may declare an 484  
altered prima-facie speed limit pursuant to division (K)(2) of 485  
this section on the part of the highway under their joint 486  
jurisdiction unless the boards of township trustees of both of the 487  
townships determine, upon the basis of an engineering and traffic 488  
investigation, that the speed permitted by division (B)(5) of this 489  
section is greater than is reasonable or safe under the conditions 490  
found to exist at the location and both boards agree upon a 491  
reasonable and safe prima-facie speed limit of less than 492  
fifty-five but not less than twenty-five miles per hour for that 493  
location. If both boards so agree, each shall follow the procedure 494  
specified in division (K)(2) of this section for altering the 495  
prima-facie speed limit on the highway. Except as otherwise 496  
provided in division (K)(4)(b) of this section, no speed limit 497  
altered pursuant to division (K)(4)(a) of this section may be 498  
withdrawn unless the boards of township trustees of both townships 499  
determine that the altered prima-facie speed limit previously 500  
adopted becomes unreasonable and each board adopts a resolution 501  
withdrawing the altered prima-facie speed limit pursuant to the 502  
procedure specified in division (K)(3)(a) of this section. 503

(b) Whenever a highway described in division (K)(4)(a) of 504  
this section ceases to be an unimproved highway and two boards of 505  
township trustees have adopted an altered prima-facie speed limit 506  
pursuant to division (K)(4)(a) of this section, both boards shall, 507  
by resolution, withdraw the altered prima-facie speed limit as 508  
soon as the highway ceases to be unimproved. Upon the adoption of 509  
the resolution, the altered prima-facie speed limit becomes 510  
ineffective and the traffic control devices relating thereto shall 511  
be immediately removed. 512

(5) As used in division (K)(5) of this section: 513

(a) "Commercial subdivision" means any platted territory 514

outside the limits of a municipal corporation and fronting a 515  
highway where, for a distance of three hundred feet or more, the 516  
frontage is improved with buildings in use for commercial 517  
purposes, or where the entire length of the highway is less than 518  
three hundred feet long and the frontage is improved with 519  
buildings in use for commercial purposes. 520

(b) "Residential subdivision" means any platted territory 521  
outside the limits of a municipal corporation and fronting a 522  
highway, where, for a distance of three hundred feet or more, the 523  
frontage is improved with residences or residences and buildings 524  
in use for business, or where the entire length of the highway is 525  
less than three hundred feet long and the frontage is improved 526  
with residences or residences and buildings in use for business. 527

Whenever a board of township trustees finds upon the basis of 528  
an engineering and traffic investigation that the prima-facie 529  
speed permitted by division (B)(5) of this section on any part of 530  
a highway under its jurisdiction that is located in a commercial 531  
or residential subdivision, except on highways or portions thereof 532  
at the entrances to which vehicular traffic from the majority of 533  
intersecting highways is required to yield the right-of-way to 534  
vehicles on such highways in obedience to stop or yield signs or 535  
traffic control signals, is greater than is reasonable and safe 536  
under the conditions found to exist at the location, the board may 537  
by resolution declare a reasonable and safe prima-facie speed 538  
limit of less than fifty-five but not less than twenty-five miles 539  
per hour at the location. An altered speed limit adopted by a 540  
board of township trustees under this division shall become 541  
effective when appropriate signs giving notice thereof are erected 542  
at the location by the township. Whenever, in the opinion of a 543  
board of township trustees, any altered prima-facie speed limit 544  
established by it under this division becomes unreasonable, it may 545  
adopt a resolution withdrawing the altered prima-facie speed, and 546

upon such withdrawal, the altered prima-facie speed shall become 547  
ineffective, and the signs relating thereto shall be immediately 548  
removed by the township. 549

(L)(1) Within one hundred twenty days of February 29, 1996, 550  
the director of transportation, based upon a geometric and traffic 551  
characteristic study of a freeway that is part of the interstate 552  
system or that is not part of the interstate system, but is built 553  
to the standards and specifications that are applicable to 554  
freeways that are part of the interstate system, in consultation 555  
with the director of public safety and, if applicable, the local 556  
authority having jurisdiction over a portion of such freeway, may 557  
determine and declare that the speed limit of less than sixty-five 558  
miles per hour established on such freeway or portion of freeway 559  
either is reasonable and safe or is less than that which is 560  
reasonable and safe. 561

(2) If the established speed limit for such a freeway or 562  
portion of freeway is determined to be less than that which is 563  
reasonable and safe, the director of transportation, in 564  
consultation with the director of public safety and, if 565  
applicable, the local authority having jurisdiction over the 566  
portion of freeway, shall determine and declare a reasonable and 567  
safe speed limit of not more than sixty-five miles per hour for 568  
that freeway or portion of freeway. 569

The director of transportation or local authority having 570  
jurisdiction over the freeway or portion of freeway shall erect 571  
appropriate signs giving notice of the speed limit at such 572  
location within one hundred fifty days of February 29, 1996. Such 573  
speed limit becomes effective only when such signs are erected at 574  
the location. 575

(3) If, within one hundred twenty days of February 29, 1996, 576  
the director of transportation does not make a determination and 577  
declaration of a reasonable and safe speed limit for a freeway or 578

portion of freeway that is part of the interstate system or that 579  
is not part of the interstate system, but is built to the 580  
standards and specifications that are applicable to freeways that 581  
are part of the interstate system and that has a speed limit of 582  
less than sixty-five miles per hour, the speed limit on that 583  
freeway or portion of a freeway shall be sixty-five miles per 584  
hour. The director of transportation or local authority having 585  
jurisdiction over the freeway or portion of the freeway shall 586  
erect appropriate signs giving notice of the speed limit of 587  
sixty-five miles per hour at such location within one hundred 588  
fifty days of February 29, 1996. Such speed limit becomes 589  
effective only when such signs are erected at the location. A 590  
speed limit established through the operation of division (L)(3) 591  
of this section is subject to reduction under division (I)(2) of 592  
this section. 593

(M) Within three hundred sixty days after February 29, 1996, 594  
the director of transportation, based upon a geometric and traffic 595  
characteristic study of a rural, divided, multi-lane highway that 596  
has been designated as part of the national highway system under 597  
the "National Highway System Designation Act of 1995," 109 Stat. 598  
568, 23 U.S.C.A. 103, in consultation with the director of public 599  
safety and, if applicable, the local authority having jurisdiction 600  
over a portion of the highway, may determine and declare that the 601  
speed limit of less than sixty-five miles per hour established on 602  
the highway or portion of highway either is reasonable and safe or 603  
is less than that which is reasonable and safe. 604

If the established speed limit for the highway or portion of 605  
highway is determined to be less than that which is reasonable and 606  
safe, the director of transportation, in consultation with the 607  
director of public safety and, if applicable, the local authority 608  
having jurisdiction over the portion of highway, shall determine 609  
and declare a reasonable and safe speed limit of not more than 610

sixty-five miles per hour for that highway or portion of highway. 611  
The director of transportation or local authority having 612  
jurisdiction over the highway or portion of highway shall erect 613  
appropriate signs giving notice of the speed limit at such 614  
location within three hundred ninety days after February 29, 1996. 615  
The speed limit becomes effective only when such signs are erected 616  
at the location. 617

(N)(1)(a) If the boundary of two local authorities rests on 618  
the centerline of a highway and both authorities have jurisdiction 619  
over the highway, the speed limit for the part of the highway 620  
within their joint jurisdiction shall be either one of the 621  
following as agreed to by both authorities: 622

(i) Either prima-facie speed limit permitted by division (B) 623  
of this section; 624

(ii) An altered speed limit determined and posted in 625  
accordance with this section. 626

(b) If the local authorities are unable to reach an 627  
agreement, the speed limit shall remain as established and posted 628  
under this section. 629

(2) Neither local authority may declare an altered 630  
prima-facie speed limit pursuant to this section on the part of 631  
the highway under their joint jurisdiction unless both of the 632  
local authorities determine, upon the basis of an engineering and 633  
traffic investigation, that the speed permitted by this section is 634  
greater than is reasonable or safe under the conditions found to 635  
exist at the location and both authorities agree upon a uniform 636  
reasonable and safe prima-facie speed limit of less than 637  
fifty-five but not less than twenty-five miles per hour for that 638  
location. If both authorities so agree, each shall follow the 639  
procedure specified in this section for altering the prima-facie 640  
speed limit on the highway, and the speed limit for the part of 641

the highway within their joint jurisdiction shall be uniformly 642  
altered. No altered speed limit may be withdrawn unless both local 643  
authorities determine that the altered prima-facie speed limit 644  
previously adopted becomes unreasonable and each adopts a 645  
resolution withdrawing the altered prima-facie speed limit 646  
pursuant to the procedure specified in this section. 647

(O) As used in this section: 648

(1) "Interstate system" has the same meaning as in 23 649  
U.S.C.A. 101. 650

(2) "Commercial bus" means a motor vehicle designed for 651  
carrying more than nine passengers and used for the transportation 652  
of persons for compensation. 653

(3) "Noncommercial bus" includes but is not limited to a 654  
school bus or a motor vehicle operated solely for the 655  
transportation of persons associated with a charitable or 656  
nonprofit organization. 657

(P)(1) A violation of any provision of this section is one of 658  
the following: 659

(a) Except as otherwise provided in divisions (P)(1)(b), 660  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 661

(b) If, within one year of the offense, the offender 662  
previously has been convicted of or pleaded guilty to two 663  
violations of any provision of this section or of any provision of 664  
a municipal ordinance that is substantially similar to any 665  
provision of this section, a misdemeanor of the fourth degree; 666

(c) If, within one year of the offense, the offender 667  
previously has been convicted of or pleaded guilty to three or 668  
more violations of any provision of this section or of any 669  
provision of a municipal ordinance that is substantially similar 670  
to any provision of this section, a misdemeanor of the third 671

degree. 672

(2) If the offender has not previously been convicted of or 673  
pleaded guilty to a violation of any provision of this section or 674  
of any provision of a municipal ordinance that is substantially 675  
similar to this section and operated a motor vehicle faster than 676  
thirty-five miles an hour in a business district of a municipal 677  
corporation, faster than fifty miles an hour in other portions of 678  
a municipal corporation, or faster than thirty-five miles an hour 679  
in a school zone during recess or while children are going to or 680  
leaving school during the school's opening or closing hours, a 681  
misdemeanor of the fourth degree. 682

(3) Notwithstanding division (P)(1) of this section, if the 683  
offender operated a motor vehicle in a construction zone where a 684  
sign was then posted in accordance with section 4511.98 of the 685  
Revised Code, the court, in addition to all other penalties 686  
provided by law, shall impose upon the offender a fine of two 687  
times the usual amount imposed for the violation. No court shall 688  
impose a fine of two times the usual amount imposed for the 689  
violation upon an offender if the offender alleges, in an 690  
affidavit filed with the court prior to the offender's sentencing, 691  
that the offender is indigent and is unable to pay the fine 692  
imposed pursuant to this division and if the court determines that 693  
the offender is an indigent person and unable to pay the fine. 694

(4)(a) If the offender's violation of division (A) of this 695  
section resulted in serious physical harm to another person, the 696  
court, in addition to any penalty the court imposes upon the 697  
offender pursuant to division (P)(1) of this section and 698  
notwithstanding section 2929.28 of the Revised Code, shall impose 699  
a fine of not more than five hundred dollars. The court also shall 700  
impose a class eight license suspension of the offender's driver's 701  
license, commercial driver's license, temporary instruction 702  
permit, probationary license, or nonresident operating privilege 703

from the range specified in division (A)(8) of section 4510.02 of 704  
the Revised Code. The court also shall assess at least two, and 705  
may assess three or four, points against the offender's driver's 706  
license, commercial driver's license, temporary instruction 707  
permit, probationary license, or nonresident operating privilege. 708  
The court shall notify the registrar of motor vehicles of the 709  
number of points assessed in accordance with sections 4510.03 to 710  
4510.036 of the Revised Code. 711

The court shall forward the first twenty-five dollars of any 712  
fine collected under division (P)(4)(a) of this section to the 713  
treasurer of state for deposit into the highway safety education 714  
fund created by section 4501.14 of the Revised Code. 715

(b) If the offender's violation of division (A) of this 716  
section resulted in the death of another person, the court, in 717  
addition to any penalty the court imposes upon the offender 718  
pursuant to division (P)(1) of this section and notwithstanding 719  
section 2929.28 of the Revised Code, shall impose a fine of not 720  
more than one thousand dollars. The court also shall impose a 721  
class seven license suspension of the offender's driver's license, 722  
commercial driver's license, temporary instruction permit, 723  
probationary license, or nonresident operating privilege from the 724  
range specified in division (A)(7) of section 4510.02 of the 725  
Revised Code. The court also shall assess at least two, and may 726  
assess three, four, five, or six, points against the offender's 727  
driver's license, commercial driver's license, temporary 728  
instruction permit, probationary license, or nonresident operating 729  
privilege. The court shall notify the registrar of the number of 730  
points assessed in accordance with sections 4510.03 to 4510.036 of 731  
the Revised Code. 732

The court shall forward the first fifty dollars of any fine 733  
collected under division (P)(4)(b) of this section to the 734  
treasurer of state for deposit into the highway safety education 735



fund created by section 4501.14 of the Revised Code. 736

**Sec. 4511.33.** (A) Whenever any roadway has been divided into 737  
two or more clearly marked lanes for traffic, or wherever within 738  
municipal corporations traffic is lawfully moving in two or more 739  
substantially continuous lines in the same direction, the 740  
following rules apply: 741

(1) A vehicle or trackless trolley shall be driven, as nearly 742  
as is practicable, entirely within a single lane or line of 743  
traffic and shall not be moved from such lane or line until the 744  
driver has first ascertained that such movement can be made with 745  
safety. 746

(2) Upon a roadway which is divided into three lanes and 747  
provides for two-way movement of traffic, a vehicle or trackless 748  
trolley shall not be driven in the center lane except when 749  
overtaking and passing another vehicle or trackless trolley where 750  
the roadway is clearly visible and such center lane is clear of 751  
traffic within a safe distance, or when preparing for a left turn, 752  
or where such center lane is at the time allocated exclusively to 753  
traffic moving in the direction the vehicle or trackless trolley 754  
is proceeding and is posted with signs to give notice of such 755  
allocation. 756

(3) Official signs may be erected directing specified traffic 757  
to use a designated lane or designating those lanes to be used by 758  
traffic moving in a particular direction regardless of the center 759  
of the roadway, or restricting the use of a particular lane to 760  
only buses during certain hours or during all hours, and drivers 761  
of vehicles and trackless trolleys shall obey the directions of 762  
such signs. 763

(4) Official traffic control devices may be installed 764  
prohibiting the changing of lanes on sections of roadway and 765  
drivers of vehicles shall obey the directions of every such 766

device. 767

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 768  
of this section, whoever violates this section is guilty of a 769  
minor misdemeanor. If, within one year of the offense, the 770  
offender previously has been convicted of or pleaded guilty to one 771  
predicate motor vehicle or traffic offense, whoever violates this 772  
section is guilty of a misdemeanor of the fourth degree. If, 773  
within one year of the offense, the offender previously has been 774  
convicted of two or more predicate motor vehicle or traffic 775  
offenses, whoever violates this section is guilty of a misdemeanor 776  
of the third degree. 777

(2) If the offender's violation of division (A) of this 778  
section resulted in serious physical harm to another person, the 779  
court, in addition to any penalty the court imposes upon the 780  
offender pursuant to division (B)(1) of this section and 781  
notwithstanding section 2929.28 of the Revised Code, shall impose 782  
a fine of not more than five hundred dollars. The court also shall 783  
impose a class eight license suspension of the offender's driver's 784  
license, commercial driver's license, temporary instruction 785  
permit, probationary license, or nonresident operating privilege 786  
from the range specified in division (A)(8) of section 4510.02 of 787  
the Revised Code. The court also shall assess at least two, and 788  
may assess three or four, points against the offender's driver's 789  
license, commercial driver's license, temporary instruction 790  
permit, probationary license, or nonresident operating privilege. 791  
The court shall notify the registrar of motor vehicles of the 792  
number of points assessed in accordance with sections 4510.03 to 793  
4510.036 of the Revised Code. 794

The court shall forward the first twenty-five dollars of any 795  
fine collected under division (B)(2) of this section to the 796  
treasurer of state for deposit into the highway safety education 797  
fund created by section 4501.14 of the Revised Code. 798

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (B)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

**Sec. 4511.41.** (A) When two vehicles, including any trackless trolley or streetcar, approach or enter an intersection from different streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

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

(C)(1) Except as otherwise provided in ~~this~~ this division (C)(1) of this section, whoever violates this section is guilty of a

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

(2) If the offender's violation of division (A) of this section resulted in serious physical harm to another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (C)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than five hundred dollars. The court also shall impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first twenty-five dollars of any fine collected under division (B)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender

pursuant to division (C)(1) of this section and notwithstanding 862  
section 2929.28 of the Revised Code, shall impose a fine of not 863  
more than one thousand dollars. The court also shall impose a 864  
class seven license suspension of the offender's driver's license, 865  
commercial driver's license, temporary instruction permit, 866  
probationary license, or nonresident operating privilege from the 867  
range specified in division (A)(7) of section 4510.02 of the 868  
Revised Code. The court also shall assess at least two, and may 869  
assess three, four, five, or six, points against the offender's 870  
driver's license, commercial driver's license, temporary 871  
instruction permit, probationary license, or nonresident operating 872  
privilege. The court shall notify the registrar of the number of 873  
points assessed in accordance with sections 4510.03 to 4510.036 of 874  
the Revised Code. 875

The court shall forward the first fifty dollars of any fine 876  
collected under division (B)(3) of this section to the treasurer 877  
of state for deposit into the highway safety education fund 878  
created by section 4501.14 of the Revised Code. 879

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 880  
trackless trolley intending to turn to the left within an 881  
intersection or into an alley, private road, or driveway shall 882  
yield the right of way to any vehicle, streetcar, or trackless 883  
trolley approaching from the opposite direction, whenever the 884  
approaching vehicle, streetcar, or trackless trolley is within the 885  
intersection or so close to the intersection, alley, private road, 886  
or driveway as to constitute an immediate hazard. 887

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 888  
of this section, whoever violates this section is guilty of a 889  
minor misdemeanor. If, within one year of the offense, the 890  
offender previously has been convicted of or pleaded guilty to one 891  
predicate motor vehicle or traffic offense, whoever violates this 892

section is guilty of a misdemeanor of the fourth degree. If, 893  
within one year of the offense, the offender previously has been 894  
convicted of two or more predicate motor vehicle or traffic 895  
offenses, whoever violates this section is guilty of a misdemeanor 896  
of the third degree. 897

(2) If the offender's violation of division (A) of this 898  
section resulted in serious physical harm to another person, the 899  
court, in addition to any penalty the court imposes upon the 900  
offender pursuant to division (B)(1) of this section and 901  
notwithstanding section 2929.28 of the Revised Code, shall impose 902  
a fine of not more than five hundred dollars. The court also shall 903  
impose a class eight license suspension of the offender's driver's 904  
license, commercial driver's license, temporary instruction 905  
permit, probationary license, or nonresident operating privilege 906  
from the range specified in division (A)(8) of section 4510.02 of 907  
the Revised Code. The court also shall assess at least two, and 908  
may assess three or four, points against the offender's driver's 909  
license, commercial driver's license, temporary instruction 910  
permit, probationary license, or nonresident operating privilege. 911  
The court shall notify the registrar of motor vehicles of the 912  
number of points assessed in accordance with sections 4510.03 to 913  
4510.036 of the Revised Code. 914

The court shall forward the first twenty-five dollars of any 915  
fine collected under division (B)(2) of this section to the 916  
treasurer of state for deposit into the highway safety education 917  
fund created by section 4501.14 of the Revised Code. 918

(3) If the offender's violation of division (A) of this 919  
section resulted in the death of another person, the court, in 920  
addition to any penalty the court imposes upon the offender 921  
pursuant to division (B)(1) of this section and notwithstanding 922  
section 2929.28 of the Revised Code, shall impose a fine of not 923  
more than one thousand dollars. The court also shall impose a 924

class seven license suspension of the offender's driver's license, 925  
commercial driver's license, temporary instruction permit, 926  
probationary license, or nonresident operating privilege from the 927  
range specified in division (A)(7) of section 4510.02 of the 928  
Revised Code. The court also shall assess at least two, and may 929  
assess three, four, five, or six, points against the offender's 930  
driver's license, commercial driver's license, temporary 931  
instruction permit, probationary license, or nonresident operating 932  
privilege. The court shall notify the registrar of the number of 933  
points assessed in accordance with sections 4510.03 to 4510.036 of 934  
the Revised Code. 935

The court shall forward the first fifty dollars of any fine 936  
collected under division (B)(3) of this section to the treasurer 937  
of state for deposit into the highway safety education fund 938  
created by section 4501.14 of the Revised Code. 939

**Sec. 4511.43.** (A) Except when directed to proceed by a law 940  
enforcement officer, every driver of a vehicle or trackless 941  
trolley approaching a stop sign shall stop at a clearly marked 942  
stop line, but if none, before entering the crosswalk on the near 943  
side of the intersection, or, if none, then at the point nearest 944  
the intersecting roadway where the driver has a view of 945  
approaching traffic on the intersecting roadway before entering 946  
it. After having stopped, the driver shall yield the right-of-way 947  
to any vehicle in the intersection or approaching on another 948  
roadway so closely as to constitute an immediate hazard during the 949  
time the driver is moving across or within the intersection or 950  
junction of roadways. 951

(B) The driver of a vehicle or trackless trolley approaching 952  
a yield sign shall slow down to a speed reasonable for the 953  
existing conditions and, if required for safety to stop, shall 954  
stop at a clearly marked stop line, but if none, before entering 955

the crosswalk on the near side of the intersection, or, if none, 956  
then at the point nearest the intersecting roadway where the 957  
driver has a view of approaching traffic on the intersecting 958  
roadway before entering it. After slowing or stopping, the driver 959  
shall yield the right-of-way to any vehicle or trackless trolley 960  
in the intersection or approaching on another roadway so closely 961  
as to constitute an immediate hazard during the time the driver is 962  
moving across or within the intersection or junction of roadways. 963  
Whenever a driver is involved in a collision with a vehicle or 964  
trackless trolley in the intersection or junction of roadways, 965  
after driving past a yield sign without stopping, the collision 966  
shall be prima-facie evidence of the driver's failure to yield the 967  
right-of-way. 968

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 969  
of this section, whoever violates this section is guilty of a 970  
minor misdemeanor. If, within one year of the offense, the 971  
offender previously has been convicted of or pleaded guilty to one 972  
predicate motor vehicle or traffic offense, whoever violates this 973  
section is guilty of a misdemeanor of the fourth degree. If, 974  
within one year of the offense, the offender previously has been 975  
convicted of two or more predicate motor vehicle or traffic 976  
offenses, whoever violates this section is guilty of a misdemeanor 977  
of the third degree. 978

(2) If the offender's violation of division (A) or (B) of 979  
this section resulted in serious physical harm to another person, 980  
the court, in addition to any penalty the court imposes upon the 981  
offender pursuant to division (C)(1) of this section and 982  
notwithstanding section 2929.28 of the Revised Code, shall impose 983  
a fine of not more than five hundred dollars. The court also shall 984  
impose a class eight license suspension of the offender's driver's 985  
license, commercial driver's license, temporary instruction 986  
permit, probationary license, or nonresident operating privilege 987



from the range specified in division (A)(8) of section 4510.02 of 988  
the Revised Code. The court also shall assess at least two, and 989  
may assess three or four, points against the offender's driver's 990  
license, commercial driver's license, temporary instruction 991  
permit, probationary license, or nonresident operating privilege. 992  
The court shall notify the registrar of motor vehicles of the 993  
number of points assessed in accordance with sections 4510.03 to 994  
4510.036 of the Revised Code. 995

The court shall forward the first twenty-five dollars of any 996  
fine collected under division (C)(2) of this section to the 997  
treasurer of state for deposit into the highway safety education 998  
fund created by section 4501.14 of the Revised Code. 999

(3) If the offender's violation of division (A) or (B) of 1000  
this section resulted in the death of another person, the court, 1001  
in addition to any penalty the court imposes upon the offender 1002  
pursuant to division (C)(1) of this section and notwithstanding 1003  
section 2929.28 of the Revised Code, shall impose a fine of not 1004  
more than one thousand dollars. The court also shall impose a 1005  
class seven license suspension of the offender's driver's license, 1006  
commercial driver's license, temporary instruction permit, 1007  
probationary license, or nonresident operating privilege from the 1008  
range specified in division (A)(7) of section 4510.02 of the 1009  
Revised Code. The court also shall assess at least two, and may 1010  
assess three, four, five, or six, points against the offender's 1011  
driver's license, commercial driver's license, temporary 1012  
instruction permit, probationary license, or nonresident operating 1013  
privilege. The court shall notify the registrar of the number of 1014  
points assessed in accordance with sections 4510.03 to 4510.036 of 1015  
the Revised Code. 1016

The court shall forward the first fifty dollars of any fine 1017  
collected under division (C)(3) of this section to the treasurer 1018  
of state for deposit into the highway safety education fund 1019

created by section 4501.14 of the Revised Code. 1020

**Sec. 4511.431.** (A) The driver of a vehicle or trackless 1021  
trolley emerging from an alley, building, private road, or 1022  
driveway within a business or residence district shall stop the 1023  
vehicle or trackless trolley immediately prior to driving onto a 1024  
sidewalk or onto the sidewalk area extending across the alley, 1025  
building entrance, road, or driveway, or in the event there is no 1026  
sidewalk area, shall stop at the point nearest the street to be 1027  
entered where the driver has a view of approaching traffic 1028  
thereon. 1029

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1030  
of this section, whoever violates this section is guilty of a 1031  
minor misdemeanor. If, within one year of the offense, the 1032  
offender previously has been convicted of or pleaded guilty to one 1033  
predicate motor vehicle or traffic offense, whoever violates this 1034  
section is guilty of a misdemeanor of the fourth degree. If, 1035  
within one year of the offense, the offender previously has been 1036  
convicted of two or more predicate motor vehicle or traffic 1037  
offenses, whoever violates this section is guilty of a misdemeanor 1038  
of the third degree. 1039

(2) If the offender's violation of division (A) of this 1040  
section resulted in serious physical harm to another person, the 1041  
court, in addition to any penalty the court imposes upon the 1042  
offender pursuant to division (B)(1) of this section and 1043  
notwithstanding section 2929.28 of the Revised Code, shall impose 1044  
a fine of not more than five hundred dollars. The court also shall 1045  
impose a class eight license suspension of the offender's driver's 1046  
license, commercial driver's license, temporary instruction 1047  
permit, probationary license, or nonresident operating privilege 1048  
from the range specified in division (A)(8) of section 4510.02 of 1049  
the Revised Code. The court also shall assess at least two, and 1050

may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first twenty-five dollars of any fine collected under division (B)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (B)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or 1082  
trackless trolley about to enter or cross a highway from any place 1083  
other than another roadway shall yield the right of way to all 1084  
traffic approaching on the roadway to be entered or crossed. 1085

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1086  
of this section, whoever violates this section is guilty of a 1087  
minor misdemeanor. If, within one year of the offense, the 1088  
offender previously has been convicted of or pleaded guilty to one 1089  
predicate motor vehicle or traffic offense, whoever violates this 1090  
section is guilty of a misdemeanor of the fourth degree. If, 1091  
within one year of the offense, the offender previously has been 1092  
convicted of two or more predicate motor vehicle or traffic 1093  
offenses, whoever violates this section is guilty of a misdemeanor 1094  
of the third degree. 1095

(2) If the offender's violation of division (A) of this 1096  
section resulted in serious physical harm to another person, the 1097  
court, in addition to any penalty the court imposes upon the 1098  
offender pursuant to division (B)(1) of this section and 1099  
notwithstanding section 2929.28 of the Revised Code, shall impose 1100  
a fine of not more than five hundred dollars. The court also shall 1101  
impose a class eight license suspension of the offender's driver's 1102  
license, commercial driver's license, temporary instruction 1103  
permit, probationary license, or nonresident operating privilege 1104  
from the range specified in division (A)(8) of section 4510.02 of 1105  
the Revised Code. The court also shall assess at least two, and 1106  
may assess three or four, points against the offender's driver's 1107  
license, commercial driver's license, temporary instruction 1108  
permit, probationary license, or nonresident operating privilege. 1109  
The court shall notify the registrar of motor vehicles of the 1110  
number of points assessed in accordance with sections 4510.03 to 1111  
4510.036 of the Revised Code. 1112

The court shall forward the first twenty-five dollars of any fine collected under division (B)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (B)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

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

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) of this section, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one

predicate motor vehicle or traffic offense, whoever violates this 1144  
section is guilty of a misdemeanor of the fourth degree. If, 1145  
within one year of the offense, the offender previously has been 1146  
convicted of two or more predicate motor vehicle or traffic 1147  
offenses, whoever violates this section is guilty of a misdemeanor 1148  
of the third degree. 1149

(2) If the offender's violation of division (A) of this 1150  
section resulted in serious physical harm to another person, the 1151  
court, in addition to any penalty the court imposes upon the 1152  
offender pursuant to division (B)(1) of this section and 1153  
notwithstanding section 2929.28 of the Revised Code, shall impose 1154  
a fine of not more than five hundred dollars. The court also shall 1155  
impose a class eight license suspension of the offender's driver's 1156  
license, commercial driver's license, temporary instruction 1157  
permit, probationary license, or nonresident operating privilege 1158  
from the range specified in division (A)(8) of section 4510.02 of 1159  
the Revised Code. The court also shall assess at least two, and 1160  
may assess three or four, points against the offender's driver's 1161  
license, commercial driver's license, temporary instruction 1162  
permit, probationary license, or nonresident operating privilege. 1163  
The court shall notify the registrar of motor vehicles of the 1164  
number of points assessed in accordance with sections 4510.03 to 1165  
4510.036 of the Revised Code. 1166

The court shall forward the first twenty-five dollars of any 1167  
fine collected under division (B)(2) of this section to the 1168  
treasurer of state for deposit into the highway safety education 1169  
fund created by section 4501.14 of the Revised Code. 1170

(3) If the offender's violation of division (A) of this 1171  
section resulted in the death of another person, the court, in 1172  
addition to any penalty the court imposes upon the offender 1173  
pursuant to division (B)(1) of this section and notwithstanding 1174  
section 2929.28 of the Revised Code, shall impose a fine of not 1175

more than one thousand dollars. The court also shall impose a 1176  
class seven license suspension of the offender's driver's license, 1177  
commercial driver's license, temporary instruction permit, 1178  
probationary license, or nonresident operating privilege from the 1179  
range specified in division (A)(7) of section 4510.02 of the 1180  
Revised Code. The court also shall assess at least two, and may 1181  
assess three, four, five, or six, points against the offender's 1182  
driver's license, commercial driver's license, temporary 1183  
instruction permit, probationary license, or nonresident operating 1184  
privilege. The court shall notify the registrar of the number of 1185  
points assessed in accordance with sections 4510.03 to 4510.036 of 1186  
the Revised Code. 1187

The court shall forward the first fifty dollars of any fine 1188  
collected under division (B)(3) of this section to the treasurer 1189  
of state for deposit into the highway safety education fund 1190  
created by section 4501.14 of the Revised Code. 1191

**Sec. 4511.45.** (A)(1) Upon the approach of a public safety 1192  
vehicle or coroner's vehicle, equipped with at least one flashing, 1193  
rotating or oscillating light visible under normal atmospheric 1194  
conditions from a distance of five hundred feet to the front of 1195  
the vehicle and the driver is giving an audible signal by siren, 1196  
exhaust whistle, or bell, no driver of any other vehicle shall 1197  
fail to yield the right-of-way, immediately drive if practical to 1198  
a position parallel to, and as close as possible to, the right 1199  
edge or curb of the highway clear of any intersection, and stop 1200  
and remain in that position until the public safety vehicle or 1201  
coroner's vehicle has passed, except when otherwise directed by a 1202  
police officer. 1203

(2) Upon the approach of a public safety vehicle or coroner's 1204  
vehicle, as stated in division (A)(1) of this section, no operator 1205  
of any streetcar or trackless trolley shall fail to immediately 1206

stop the streetcar or trackless trolley clear of any intersection 1207  
and keep it in that position until the public safety vehicle or 1208  
coroner's vehicle has passed, except when otherwise directed by a 1209  
police officer. 1210

(B) This section does not relieve the driver of a public 1211  
safety vehicle or coroner's vehicle from the duty to drive with 1212  
due regard for the safety of all persons and property upon the 1213  
highway. 1214

(C) This section applies to a coroner's vehicle only when the 1215  
vehicle is operated in accordance with section 4513.171 of the 1216  
Revised Code. As used in this section, "coroner's vehicle" means a 1217  
vehicle used by a coroner, deputy coroner, or coroner's 1218  
investigator that is equipped with a flashing, oscillating, or 1219  
rotating red or blue light and a siren, exhaust whistle, or bell 1220  
capable of giving an audible signal. 1221

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1222  
of this section, whoever violates division (A)(1) or (2) of this 1223  
section is guilty of a misdemeanor of the fourth degree ~~on a first~~ 1224  
~~offense~~. On a second offense within one year after the first 1225  
offense, the person is guilty of a misdemeanor of the third 1226  
degree, and, on each subsequent offense within one year after the 1227  
first offense, the person is guilty of a misdemeanor of the second 1228  
degree. 1229

(2)(a) If the offender's violation of division (A)(1) or (2) 1230  
of this section resulted in serious physical harm to another 1231  
person and the offender, within one year of the offense, has been 1232  
convicted of or pleaded guilty to one or fewer violations of 1233  
divisions (A)(1) and (2) of this section, the court, in addition 1234  
to any penalty the court imposes upon the offender pursuant to 1235  
division (D)(1) of this section and notwithstanding section 1236  
2929.28 of the Revised Code, shall impose a fine of not more than 1237  
five hundred dollars. The court also shall impose a class eight 1238



license suspension of the offender's driver's license, commercial 1239  
driver's license, temporary instruction permit, probationary 1240  
license, or nonresident operating privilege from the range 1241  
specified in division (A)(8) of section 4510.02 of the Revised 1242  
Code. The court also shall assess at least two, and may assess 1243  
three or four, points against the offender's driver's license, 1244  
commercial driver's license, temporary instruction permit, 1245  
probationary license, or nonresident operating privilege. The 1246  
court shall notify the registrar of motor vehicles of the number 1247  
of points assessed in accordance with sections 4510.03 to 4510.036 1248  
of the Revised Code. 1249

The court shall forward the first twenty-five dollars of any 1250  
fine collected under division (D)(2)(a) of this section to the 1251  
treasurer of state for deposit into the highway safety education 1252  
fund created by section 4501.14 of the Revised Code. 1253

(b) If the offender's violation of division (A)(1) or (2) of 1254  
this section resulted in serious physical harm to another person 1255  
and the offender, within one year of the offense, has been 1256  
convicted of or pleaded guilty to two or more violations of 1257  
division (A)(1) or (2) of this section, the court shall impose a 1258  
fine of not more than seven hundred fifty dollars. The court also 1259  
shall impose a class eight license suspension of the offender's 1260  
driver's license, commercial driver's license, temporary 1261  
instruction permit, probationary license, or nonresident operating 1262  
privilege from the range specified in division (A)(8) of section 1263  
4510.02 of the Revised Code. The court also shall assess at least 1264  
two, and may assess three or four, points against the offender's 1265  
driver's license, commercial driver's license, temporary 1266  
instruction permit, probationary license, or nonresident operating 1267  
privilege. The court shall notify the registrar of motor vehicles 1268  
of the number of points assessed in accordance with sections 1269  
4510.03 to 4510.036 of the Revised Code. 1270

The court shall forward the first thirty-eight dollars of any fine collected under division (D)(2)(b) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A)(1) or (2) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (D)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (D)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

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

approaching from any direction. 1302

(B) Excepting public safety vehicles proceeding in accordance 1303  
with section 4511.45 of the Revised Code or when directed 1304  
otherwise by a police officer, pedestrians and the operators of 1305  
all vehicles, street cars, and trackless trolleys shall yield the 1306  
right of way to each vehicle that is a part of a funeral 1307  
procession. Whenever the lead vehicle in a funeral procession 1308  
lawfully enters an intersection, the remainder of the vehicles in 1309  
the procession may continue to follow the lead vehicle through the 1310  
intersection notwithstanding any traffic control devices or right 1311  
of way provisions of the Revised Code, provided that the operator 1312  
of each vehicle exercises due care to avoid colliding with any 1313  
other vehicle or pedestrian. 1314

(C) No person shall operate any vehicle as a part of a 1315  
funeral procession without having the headlights of the vehicle 1316  
lighted and without displaying a purple and white or an orange and 1317  
white pennant in such a manner as to be clearly visible to traffic 1318  
approaching from any direction. 1319

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1320  
of this section, whoever violates this section is guilty of a 1321  
minor misdemeanor. If, within one year of the offense, the 1322  
offender previously has been convicted of or pleaded guilty to one 1323  
predicate motor vehicle or traffic offense, whoever violates this 1324  
section is guilty of a misdemeanor of the fourth degree. If, 1325  
within one year of the offense, the offender previously has been 1326  
convicted of two or more predicate motor vehicle or traffic 1327  
offenses, whoever violates this section is guilty of a misdemeanor 1328  
of the third degree. 1329

(2) If the offender's violation of division (B) of this 1330  
section resulted in serious physical harm to another person, the 1331  
court, in addition to any penalty the court imposes upon the 1332  
offender pursuant to division (D)(1) of this section and 1333

notwithstanding section 2929.28 of the Revised Code, shall impose 1334  
a fine of not more than five hundred dollars. The court also shall 1335  
impose a class eight license suspension of the offender's driver's 1336  
license, commercial driver's license, temporary instruction 1337  
permit, probationary license, or nonresident operating privilege 1338  
from the range specified in division (A)(8) of section 4510.02 of 1339  
the Revised Code. The court also shall assess at least two, and 1340  
may assess three or four, points against the offender's driver's 1341  
license, commercial driver's license, temporary instruction 1342  
permit, probationary license, or nonresident operating privilege. 1343  
The court shall notify the registrar of motor vehicles of the 1344  
number of points assessed in accordance with sections 4510.03 to 1345  
4510.036 of the Revised Code. 1346

The court shall forward the first twenty-five dollars of any 1347  
fine collected under division (D)(2) of this section to the 1348  
treasurer of state for deposit into the highway safety education 1349  
fund created by section 4501.14 of the Revised Code. 1350

(3) If the offender's violation of division (B) of this 1351  
section resulted in the death of another person, the court, in 1352  
addition to any penalty the court imposes upon the offender 1353  
pursuant to division (D)(1) of this section and notwithstanding 1354  
section 2929.28 of the Revised Code, shall impose a fine of not 1355  
more than one thousand dollars. The court also shall impose a 1356  
class seven license suspension of the offender's driver's license, 1357  
commercial driver's license, temporary instruction permit, 1358  
probationary license, or nonresident operating privilege from the 1359  
range specified in division (A)(7) of section 4510.02 of the 1360  
Revised Code. The court also shall assess at least two, and may 1361  
assess three, four, five, or six, points against the offender's 1362  
driver's license, commercial driver's license, temporary 1363  
instruction permit, probationary license, or nonresident operating 1364  
privilege. The court shall notify the registrar of the number of 1365

points assessed in accordance with sections 4510.03 to 4510.036 of 1366  
the Revised Code. 1367

The court shall forward the first fifty dollars of any fine 1368  
collected under division (D)(3) of this section to the treasurer 1369  
of state for deposit into the highway safety education fund 1370  
created by section 4501.14 of the Revised Code. 1371

**Sec. 4511.46.** (A) When traffic control signals are not in 1372  
place, not in operation, or are not clearly assigning the 1373  
right-of-way, the driver of a vehicle, trackless trolley, or 1374  
streetcar shall yield the right of way, slowing down or stopping 1375  
if need be to so yield or if required by section 4511.132 of the 1376  
Revised Code, to a pedestrian crossing the roadway within a 1377  
crosswalk when the pedestrian is upon the half of the roadway upon 1378  
which the vehicle is traveling, or when the pedestrian is 1379  
approaching so closely from the opposite half of the roadway as to 1380  
be in danger. 1381

(B) No pedestrian shall suddenly leave a curb or other place 1382  
of safety and walk or run into the path of a vehicle, trackless 1383  
trolley, or streetcar which is so close as to constitute an 1384  
immediate hazard. 1385

(C) Division (A) of this section does not apply under the 1386  
conditions stated in division (B) of section 4511.48 of the 1387  
Revised Code. 1388

(D) Whenever any vehicle, trackless trolley, or streetcar is 1389  
stopped at a marked crosswalk or at any unmarked crosswalk at an 1390  
intersection to permit a pedestrian to cross the roadway, the 1391  
driver of any other vehicle, trackless trolley, or streetcar 1392  
approaching from the rear shall not overtake and pass the stopped 1393  
vehicle. 1394

(E)(1) Except as otherwise provided in ~~this~~ division (E)(1) 1395

of this section, whoever violates this section is guilty of a 1396  
minor misdemeanor. If, within one year of the offense, the 1397  
offender previously has been convicted of or pleaded guilty to one 1398  
predicate motor vehicle or traffic offense, whoever violates this 1399  
section is guilty of a misdemeanor of the fourth degree. If, 1400  
within one year of the offense, the offender previously has been 1401  
convicted of two or more predicate motor vehicle or traffic 1402  
offenses, whoever violates this section is guilty of a misdemeanor 1403  
of the third degree. 1404

(2) If the offender's violation of division (A) or (D) of 1405  
this section resulted in serious physical harm to another person, 1406  
the court, in addition to any penalty the court imposes upon the 1407  
offender pursuant to division (E)(1) of this section and 1408  
notwithstanding section 2929.28 of the Revised Code, shall impose 1409  
a fine of not more than five hundred dollars. The court also shall 1410  
impose a class eight license suspension of the offender's driver's 1411  
license, commercial driver's license, temporary instruction 1412  
permit, probationary license, or nonresident operating privilege 1413  
from the range specified in division (A)(8) of section 4510.02 of 1414  
the Revised Code. The court also shall assess at least two, and 1415  
may assess three or four, points against the offender's driver's 1416  
license, commercial driver's license, temporary instruction 1417  
permit, probationary license, or nonresident operating privilege. 1418  
The court shall notify the registrar of motor vehicles of the 1419  
number of points assessed in accordance with sections 4510.03 to 1420  
4510.036 of the Revised Code. 1421

The court shall forward the first twenty-five dollars of any 1422  
fine collected under division (E)(2) of this section to the 1423  
treasurer of state for deposit into the highway safety education 1424  
fund created by section 4501.14 of the Revised Code. 1425

(3) If the offender's violation of division (A) or (D) of 1426  
this section resulted in the death of another person, the court, 1427

in addition to any penalty the court imposes upon the offender 1428  
pursuant to division (E)(1) of this section and notwithstanding 1429  
section 2929.28 of the Revised Code, shall impose a fine of not 1430  
more than one thousand dollars. The court also shall impose a 1431  
class seven license suspension of the offender's driver's license, 1432  
commercial driver's license, temporary instruction permit, 1433  
probationary license, or nonresident operating privilege from the 1434  
range specified in division (A)(7) of section 4510.02 of the 1435  
Revised Code. The court also shall assess at least two, and may 1436  
assess three, four, five, or six, points against the offender's 1437  
driver's license, commercial driver's license, temporary 1438  
instruction permit, probationary license, or nonresident operating 1439  
privilege. The court shall notify the registrar of the number of 1440  
points assessed in accordance with sections 4510.03 to 4510.036 of 1441  
the Revised Code. 1442

The court shall forward the first fifty dollars of any fine 1443  
collected under division (E)(3) of this section to the treasurer 1444  
of state for deposit into the highway safety education fund 1445  
created by section 4501.14 of the Revised Code. 1446

**Sec. 4511.47.** (A) As used in this section "blind person" or 1447  
"blind pedestrian" means a person having not more than 20/200 1448  
visual acuity in the better eye with correcting lenses or visual 1449  
acuity greater than 20/200 but with a limitation in the fields of 1450  
vision such that the widest diameter of the visual field subtends 1451  
an angle no greater than twenty degrees. 1452

The driver of every vehicle shall yield the right of way to 1453  
every blind pedestrian guided by a guide dog, or carrying a cane 1454  
which is predominantly white or metallic in color, with or without 1455  
a red tip. 1456

(B) No person, other than a blind person, while on any public 1457  
highway, street, alley, or other public thoroughfare shall carry a 1458

white or metallic cane with or without a red tip. 1459

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 1460  
of this section, whoever violates this section is guilty of a 1461  
minor misdemeanor. If, within one year of the offense, the 1462  
offender previously has been convicted of or pleaded guilty to one 1463  
predicate motor vehicle or traffic offense, whoever violates this 1464  
section is guilty of a misdemeanor of the fourth degree. If, 1465  
within one year of the offense, the offender previously has been 1466  
convicted of two or more predicate motor vehicle or traffic 1467  
offenses, whoever violates this section is guilty of a misdemeanor 1468  
of the third degree. 1469

(2) If the offender's violation of division (A) of this 1470  
section resulted in serious physical harm to another person, the 1471  
court, in addition to any penalty the court imposes upon the 1472  
offender pursuant to division (C)(1) of this section and 1473  
notwithstanding section 2929.28 of the Revised Code, shall impose 1474  
a fine of not more than five hundred dollars. The court also shall 1475  
impose a class eight license suspension of the offender's driver's 1476  
license, commercial driver's license, temporary instruction 1477  
permit, probationary license, or nonresident operating privilege 1478  
from the range specified in division (A)(8) of section 4510.02 of 1479  
the Revised Code. The court also shall assess at least two, and 1480  
may assess three or four, points against the offender's driver's 1481  
license, commercial driver's license, temporary instruction 1482  
permit, probationary license, or nonresident operating privilege. 1483  
The court shall notify the registrar of motor vehicles of the 1484  
number of points assessed in accordance with sections 4510.03 to 1485  
4510.036 of the Revised Code. 1486

The court shall forward the first twenty-five dollars of any 1487  
fine collected under division (C)(2) of this section to the 1488  
treasurer of state for deposit into the highway safety education 1489  
fund created by section 4501.14 of the Revised Code. 1490



(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (C)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (C)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

**Sec. 4513.39.** (A) The state highway patrol and sheriffs or their deputies shall exercise, to the exclusion of all other peace officers except within municipal corporations and except as specified in division (B) of this section and division (E) of section 2935.03 of the Revised Code, the power to make arrests for violations on all state highways, of sections 4503.11, 4503.21, 4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 4511.40, 4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 4511.71, 4513.03 to 4513.13, 4513.15 to 4513.22, 4513.24 to 4513.34, 4549.01, 4549.08 to 4549.12, and 4549.62 of the Revised Code.

(B) A member of the police force of a township police district created under section 505.48 of the Revised Code, and a township constable appointed pursuant to section 509.01 of the Revised Code, who has received a certificate from the Ohio peace officer training commission under section 109.75 of the Revised Code, shall exercise the power to make arrests for violations of those sections listed in division (A) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, as follows:

(1) If the population of the township that created the township police district served by the member's police force or the township that is served by the township constable is fifty thousand or less, the member or constable shall exercise that power on those portions of all state highways, except those highways included as part of the interstate system, as defined in section 5516.01 of the Revised Code, that are located within the township police district, in the case of a member of a township police district police force, or within the unincorporated territory of the township, in the case of a township constable;

(2) If the population of the township that created the township police district served by the member's police force or the township that is served by the township constable is greater than fifty thousand, the member or constable shall exercise that power on those portions of all state highways and highways included as part of the interstate highway system, as defined in section 5516.01 of the Revised Code, that are located within the township police district, in the case of a member of a township police district police force, or within the unincorporated territory of the township, in the case of a township constable.

(C) When investigating a motor vehicle accident that involves an offender's motor vehicle and another motor vehicle, a bicycle, or a pedestrian in which an injured person who is not the offender is transported to a medical facility for emergency medical

treatment, the state highway patrol trooper, sheriff, sheriff's 1554  
deputy, or other peace officer shall not complete the 1555  
investigation and issue a ticket, citation, or summons to the 1556  
offender for a violation of any of the provisions of sections 1557  
4511.01 to 4511.76 of the Revised Code until after the 1558  
investigating trooper, sheriff, sheriff's deputy, or other peace 1559  
officer contacts the medical facility and is informed of the 1560  
seriousness of the injuries that the injured person suffered in 1561  
the motor vehicle accident. If the medical facility informs the 1562  
investigating trooper, sheriff, sheriff's deputy, or other peace 1563  
officer that the offender caused the injured person to suffer 1564  
serious physical injury or caused the death of the injured person, 1565  
and if the offender is not subject to indictment for any other 1566  
violation arising from motor vehicle accident, the investigating 1567  
trooper, sheriff, sheriff's deputy, or other peace officer may 1568  
issue to the offender a ticket, citation, or summons for the 1569  
offense. The ticket, citation, or summons shall indicate that the 1570  
offender is not permitted to enter a written plea of guilty and 1571  
waive the offender's right to contest the ticket, citation, or 1572  
summons in a trial but instead must appear in person in the proper 1573  
court to answer the charge. 1574

**Section 2.** That existing sections 4510.02, 4510.036, 4511.21, 1575  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 1576  
4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 of the Revised 1577  
Code are hereby repealed. 1578