

**As Reported by the Judiciary--Criminal Justice Committee**

**127th General Assembly**

**Regular Session**

**2007-2008**

**Sub. 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. "School" also 212  
includes a special elementary school that in writing requests the 213  
county engineer of the county in which the special elementary 214  
school is located to create a school zone at the location of that 215  
school. Upon receipt of such a written request, the county 216  
engineer shall create a school zone at that location by erecting 217  
the appropriate signs. 218

(c) As used in this section, "school zone" means that portion 219  
of a street or highway passing a school fronting upon the street 220  
or highway that is encompassed by projecting the school property 221  
lines to the fronting street or highway, and also includes that 222  
portion of a state highway. Upon request from local authorities 223  
for streets and highways under their jurisdiction and that portion 224  
of a state highway under the jurisdiction of the director of 225  
transportation or a request from a county engineer in the case of 226  
a school zone for a special elementary school, the director may 227  
extend the traditional school zone boundaries. The distances in 228  
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 229  
exceed three hundred feet per approach per direction and are 230  
bounded by whichever of the following distances or combinations 231  
thereof the director approves as most appropriate: 232

(i) The distance encompassed by projecting the school 233



building lines normal to the fronting highway and extending a	234
distance of three hundred feet on each approach direction;	235
(ii) The distance encompassed by projecting the school	236
property lines intersecting the fronting highway and extending a	237
distance of three hundred feet on each approach direction;	238
(iii) The distance encompassed by the special marking of the	239
pavement for a principal school pupil crosswalk plus a distance of	240
three hundred feet on each approach direction of the highway.	241
Nothing in this section shall be construed to invalidate the	242
director's initial action on August 9, 1976, establishing all	243
school zones at the traditional school zone boundaries defined by	244
projecting school property lines, except when those boundaries are	245
extended as provided in divisions (B)(1)(a) and (c) of this	246
section.	247
(d) As used in this division, "crosswalk" has the meaning	248
given that term in division (LL)(2) of section 4511.01 of the	249
Revised Code.	250
The director may, upon request by resolution of the	251
legislative authority of a municipal corporation, the board of	252
trustees of a township, or a county board of mental retardation	253
and developmental disabilities created pursuant to Chapter 5126.	254
of the Revised Code, and upon submission by the municipal	255
corporation, township, or county board of such engineering,	256
traffic, and other information as the director considers	257
necessary, designate a school zone on any portion of a state route	258
lying within the municipal corporation, lying within the	259
unincorporated territory of the township, or lying adjacent to the	260
property of a school that is operated by such county board, that	261
includes a crosswalk customarily used by children going to or	262
leaving a school during recess and opening and closing hours,	263
whenever the distance, as measured in a straight line, from the	264

school property line nearest the crosswalk to the nearest point of 265  
the crosswalk is no more than one thousand three hundred twenty 266  
feet. Such a school zone shall include the distance encompassed by 267  
the crosswalk and extending three hundred feet on each approach 268  
direction of the state route. 269

(e) As used in this section, "special elementary school" 270  
means a school that meets all of the following criteria: 271

(i) It is not chartered and does not receive tax revenue from 272  
any source. 273

(ii) It does not educate children beyond the eighth grade. 274

(iii) It is located outside the limits of a municipal 275  
corporation. 276

(iv) A majority of the total number of students enrolled at 277  
the school are not related by blood. 278

(v) The principal or other person in charge of the special 279  
elementary school annually sends a report to the superintendent of 280  
the school district in which the special elementary school is 281  
located indicating the total number of students enrolled at the 282  
school, but otherwise the principal or other person in charge does 283  
not report any other information or data to the superintendent. 284

(2) Twenty-five miles per hour in all other portions of a 285  
municipal corporation, except on state routes outside business 286  
districts, through highways outside business districts, and 287  
alleys; 288

(3) Thirty-five miles per hour on all state routes or through 289  
highways within municipal corporations outside business districts, 290  
except as provided in divisions (B)(4) and (6) of this section; 291

(4) Fifty miles per hour on controlled-access highways and 292  
expressways within municipal corporations; 293

(5) Fifty-five miles per hour on highways outside municipal 294

corporations, other than highways within island jurisdictions as	295
provided in division (B)(8) of this section and freeways as	296
provided in division (B)(13) of this section;	297
(6) Fifty miles per hour on state routes within municipal	298
corporations outside urban districts unless a lower prima-facie	299
speed is established as further provided in this section;	300
(7) Fifteen miles per hour on all alleys within the municipal	301
corporation;	302
(8) Thirty-five miles per hour on highways outside municipal	303
corporations that are within an island jurisdiction;	304
(9) Fifty-five miles per hour at all times on freeways with	305
paved shoulders inside municipal corporations, other than freeways	306
as provided in division (B)(13) of this section;	307
(10) Fifty-five miles per hour at all times on freeways	308
outside municipal corporations, other than freeways as provided in	309
division (B)(13) of this section;	310
(11) Fifty-five miles per hour at all times on all portions	311
of freeways that are part of the interstate system and on all	312
portions of freeways that are not part of the interstate system,	313
but are built to the standards and specifications that are	314
applicable to freeways that are part of the interstate system for	315
operators of any motor vehicle weighing in excess of eight	316
thousand pounds empty weight and any noncommercial bus;	317
(12) Fifty-five miles per hour for operators of any motor	318
vehicle weighing eight thousand pounds or less empty weight and	319
any commercial bus at all times on all portions of freeways that	320
are part of the interstate system and that had such a speed limit	321
established prior to October 1, 1995, and freeways that are not	322
part of the interstate system, but are built to the standards and	323
specifications that are applicable to freeways that are part of	324
the interstate system and that had such a speed limit established	325

prior to October 1, 1995, unless a higher speed limit is 326  
established under division (L) of this section; 327

(13) Sixty-five miles per hour for operators of any motor 328  
vehicle weighing eight thousand pounds or less empty weight and 329  
any commercial bus at all times on all portions of the following: 330

(a) Freeways that are part of the interstate system and that 331  
had such a speed limit established prior to October 1, 1995, and 332  
freeways that are not part of the interstate system, but are built 333  
to the standards and specifications that are applicable to 334  
freeways that are part of the interstate system and that had such 335  
a speed limit established prior to October 1, 1995; 336

(b) Freeways that are part of the interstate system and 337  
freeways that are not part of the interstate system but are built 338  
to the standards and specifications that are applicable to 339  
freeways that are part of the interstate system, and that had such 340  
a speed limit established under division (L) of this section; 341

(c) Rural, divided, multi-lane highways that are designated 342  
as part of the national highway system under the "National Highway 343  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 344  
and that had such a speed limit established under division (M) of 345  
this section. 346

(C) It is prima-facie unlawful for any person to exceed any 347  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 348  
(6), (7), and (8) of this section, or any declared pursuant to 349  
this section by the director or local authorities and it is 350  
unlawful for any person to exceed any of the speed limitations in 351  
division (D) of this section. No person shall be convicted of more 352  
than one violation of this section for the same conduct, although 353  
violations of more than one provision of this section may be 354  
charged in the alternative in a single affidavit. 355

(D) No person shall operate a motor vehicle, trackless 356

trolley, or streetcar upon a street or highway as follows: 357

(1) At a speed exceeding fifty-five miles per hour, except 358  
upon a freeway as provided in division (B)(13) of this section; 359

(2) At a speed exceeding sixty-five miles per hour upon a 360  
freeway as provided in division (B)(13) of this section except as 361  
otherwise provided in division (D)(3) of this section; 362

(3) If a motor vehicle weighing in excess of eight thousand 363  
pounds empty weight or a noncommercial bus as prescribed in 364  
division (B)(11) of this section, at a speed exceeding fifty-five 365  
miles per hour upon a freeway as provided in that division; 366

(4) At a speed exceeding the posted speed limit upon a 367  
freeway for which the director has determined and declared a speed 368  
limit of not more than sixty-five miles per hour pursuant to 369  
division (L)(2) or (M) of this section; 370

(5) At a speed exceeding sixty-five miles per hour upon a 371  
freeway for which such a speed limit has been established through 372  
the operation of division (L)(3) of this section; 373

(6) At a speed exceeding the posted speed limit upon a 374  
freeway for which the director has determined and declared a speed 375  
limit pursuant to division (I)(2) of this section. 376

(E) In every charge of violation of this section the 377  
affidavit and warrant shall specify the time, place, and speed at 378  
which the defendant is alleged to have driven, and in charges made 379  
in reliance upon division (C) of this section also the speed which 380  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 381  
declared pursuant to, this section declares is prima-facie lawful 382  
at the time and place of such alleged violation, except that in 383  
affidavits where a person is alleged to have driven at a greater 384  
speed than will permit the person to bring the vehicle to a stop 385  
within the assured clear distance ahead the affidavit and warrant 386  
need not specify the speed at which the defendant is alleged to 387

have driven. 388

(F) When a speed in excess of both a prima-facie limitation 389  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 390  
this section is alleged, the defendant shall be charged in a 391  
single affidavit, alleging a single act, with a violation 392  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 393  
(8) of this section, or of a limit declared pursuant to this 394  
section by the director or local authorities, and of the 395  
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 396  
section. If the court finds a violation of division (B)(1)(a), 397  
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 398  
to, this section has occurred, it shall enter a judgment of 399  
conviction under such division and dismiss the charge under 400  
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 401  
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 402  
or (8) of, or a limit declared pursuant to, this section, it shall 403  
then consider whether the evidence supports a conviction under 404  
division (D)(1), (2), (3), (4), (5), or (6) of this section. 405

(G) Points shall be assessed for violation of a limitation 406  
under division (D) of this section in accordance with section 407  
4510.036 of the Revised Code. 408

(H) Whenever the director determines upon the basis of a 409  
geometric and traffic characteristic study that any speed limit 410  
set forth in divisions (B)(1)(a) to (D) of this section is greater 411  
or less than is reasonable or safe under the conditions found to 412  
exist at any portion of a street or highway under the jurisdiction 413  
of the director, the director shall determine and declare a 414  
reasonable and safe prima-facie speed limit, which shall be 415  
effective when appropriate signs giving notice of it are erected 416  
at the location. 417

(I)(1) Except as provided in divisions (I)(2) and (K) of this 418  
section, whenever local authorities determine upon the basis of an 419

engineering and traffic investigation that the speed permitted by 420  
divisions (B)(1)(a) to (D) of this section, on any part of a 421  
highway under their jurisdiction, is greater than is reasonable 422  
and safe under the conditions found to exist at such location, the 423  
local authorities may by resolution request the director to 424  
determine and declare a reasonable and safe prima-facie speed 425  
limit. Upon receipt of such request the director may determine and 426  
declare a reasonable and safe prima-facie speed limit at such 427  
location, and if the director does so, then such declared speed 428  
limit shall become effective only when appropriate signs giving 429  
notice thereof are erected at such location by the local 430  
authorities. The director may withdraw the declaration of a 431  
prima-facie speed limit whenever in the director's opinion the 432  
altered prima-facie speed becomes unreasonable. Upon such 433  
withdrawal, the declared prima-facie speed shall become 434  
ineffective and the signs relating thereto shall be immediately 435  
removed by the local authorities. 436

(2) A local authority may determine on the basis of a 437  
geometric and traffic characteristic study that the speed limit of 438  
sixty-five miles per hour on a portion of a freeway under its 439  
jurisdiction that was established through the operation of 440  
division (L)(3) of this section is greater than is reasonable or 441  
safe under the conditions found to exist at that portion of the 442  
freeway. If the local authority makes such a determination, the 443  
local authority by resolution may request the director to 444  
determine and declare a reasonable and safe speed limit of not 445  
less than fifty-five miles per hour for that portion of the 446  
freeway. If the director takes such action, the declared speed 447  
limit becomes effective only when appropriate signs giving notice 448  
of it are erected at such location by the local authority. 449

(J) Local authorities in their respective jurisdictions may 450  
authorize by ordinance higher prima-facie speeds than those stated 451

in this section upon through highways, or upon highways or 452  
portions thereof where there are no intersections, or between 453  
widely spaced intersections, provided signs are erected giving 454  
notice of the authorized speed, but local authorities shall not 455  
modify or alter the basic rule set forth in division (A) of this 456  
section or in any event authorize by ordinance a speed in excess 457  
of fifty miles per hour. 458

Alteration of prima-facie limits on state routes by local 459  
authorities shall not be effective until the alteration has been 460  
approved by the director. The director may withdraw approval of 461  
any altered prima-facie speed limits whenever in the director's 462  
opinion any altered prima-facie speed becomes unreasonable, and 463  
upon such withdrawal, the altered prima-facie speed shall become 464  
ineffective and the signs relating thereto shall be immediately 465  
removed by the local authorities. 466

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 467  
section, "unimproved highway" means a highway consisting of any of 468  
the following: 469

- (a) Unimproved earth; 470
- (b) Unimproved graded and drained earth; 471
- (c) Gravel. 472

(2) Except as otherwise provided in divisions (K)(4) and (5) 473  
of this section, whenever a board of township trustees determines 474  
upon the basis of an engineering and traffic investigation that 475  
the speed permitted by division (B)(5) of this section on any part 476  
of an unimproved highway under its jurisdiction and in the 477  
unincorporated territory of the township is greater than is 478  
reasonable or safe under the conditions found to exist at the 479  
location, the board may by resolution declare a reasonable and 480  
safe prima-facie speed limit of fifty-five but not less than 481  
twenty-five miles per hour. An altered speed limit adopted by a 482



board of township trustees under this division becomes effective 483  
when appropriate traffic control devices, as prescribed in section 484  
4511.11 of the Revised Code, giving notice thereof are erected at 485  
the location, which shall be no sooner than sixty days after 486  
adoption of the resolution. 487

(3)(a) Whenever, in the opinion of a board of township 488  
trustees, any altered prima-facie speed limit established by the 489  
board under this division becomes unreasonable, the board may 490  
adopt a resolution withdrawing the altered prima-facie speed 491  
limit. Upon the adoption of such a resolution, the altered 492  
prima-facie speed limit becomes ineffective and the traffic 493  
control devices relating thereto shall be immediately removed. 494

(b) Whenever a highway ceases to be an unimproved highway and 495  
the board has adopted an altered prima-facie speed limit pursuant 496  
to division (K)(2) of this section, the board shall, by 497  
resolution, withdraw the altered prima-facie speed limit as soon 498  
as the highway ceases to be unimproved. Upon the adoption of such 499  
a resolution, the altered prima-facie speed limit becomes 500  
ineffective and the traffic control devices relating thereto shall 501  
be immediately removed. 502

(4)(a) If the boundary of two townships rests on the 503  
centerline of an unimproved highway in unincorporated territory 504  
and both townships have jurisdiction over the highway, neither of 505  
the boards of township trustees of such townships may declare an 506  
altered prima-facie speed limit pursuant to division (K)(2) of 507  
this section on the part of the highway under their joint 508  
jurisdiction unless the boards of township trustees of both of the 509  
townships determine, upon the basis of an engineering and traffic 510  
investigation, that the speed permitted by division (B)(5) of this 511  
section is greater than is reasonable or safe under the conditions 512  
found to exist at the location and both boards agree upon a 513  
reasonable and safe prima-facie speed limit of less than 514

fifty-five but not less than twenty-five miles per hour for that 515  
location. If both boards so agree, each shall follow the procedure 516  
specified in division (K)(2) of this section for altering the 517  
prima-facie speed limit on the highway. Except as otherwise 518  
provided in division (K)(4)(b) of this section, no speed limit 519  
altered pursuant to division (K)(4)(a) of this section may be 520  
withdrawn unless the boards of township trustees of both townships 521  
determine that the altered prima-facie speed limit previously 522  
adopted becomes unreasonable and each board adopts a resolution 523  
withdrawing the altered prima-facie speed limit pursuant to the 524  
procedure specified in division (K)(3)(a) of this section. 525

(b) Whenever a highway described in division (K)(4)(a) of 526  
this section ceases to be an unimproved highway and two boards of 527  
township trustees have adopted an altered prima-facie speed limit 528  
pursuant to division (K)(4)(a) of this section, both boards shall, 529  
by resolution, withdraw the altered prima-facie speed limit as 530  
soon as the highway ceases to be unimproved. Upon the adoption of 531  
the resolution, the altered prima-facie speed limit becomes 532  
ineffective and the traffic control devices relating thereto shall 533  
be immediately removed. 534

(5) As used in division (K)(5) of this section: 535

(a) "Commercial subdivision" means any platted territory 536  
outside the limits of a municipal corporation and fronting a 537  
highway where, for a distance of three hundred feet or more, the 538  
frontage is improved with buildings in use for commercial 539  
purposes, or where the entire length of the highway is less than 540  
three hundred feet long and the frontage is improved with 541  
buildings in use for commercial purposes. 542

(b) "Residential subdivision" means any platted territory 543  
outside the limits of a municipal corporation and fronting a 544  
highway, where, for a distance of three hundred feet or more, the 545  
frontage is improved with residences or residences and buildings 546

in use for business, or where the entire length of the highway is 547  
less than three hundred feet long and the frontage is improved 548  
with residences or residences and buildings in use for business. 549

Whenever a board of township trustees finds upon the basis of 550  
an engineering and traffic investigation that the prima-facie 551  
speed permitted by division (B)(5) of this section on any part of 552  
a highway under its jurisdiction that is located in a commercial 553  
or residential subdivision, except on highways or portions thereof 554  
at the entrances to which vehicular traffic from the majority of 555  
intersecting highways is required to yield the right-of-way to 556  
vehicles on such highways in obedience to stop or yield signs or 557  
traffic control signals, is greater than is reasonable and safe 558  
under the conditions found to exist at the location, the board may 559  
by resolution declare a reasonable and safe prima-facie speed 560  
limit of less than fifty-five but not less than twenty-five miles 561  
per hour at the location. An altered speed limit adopted by a 562  
board of township trustees under this division shall become 563  
effective when appropriate signs giving notice thereof are erected 564  
at the location by the township. Whenever, in the opinion of a 565  
board of township trustees, any altered prima-facie speed limit 566  
established by it under this division becomes unreasonable, it may 567  
adopt a resolution withdrawing the altered prima-facie speed, and 568  
upon such withdrawal, the altered prima-facie speed shall become 569  
ineffective, and the signs relating thereto shall be immediately 570  
removed by the township. 571

(L)(1) Within one hundred twenty days of February 29, 1996, 572  
the director of transportation, based upon a geometric and traffic 573  
characteristic study of a freeway that is part of the interstate 574  
system or that is not part of the interstate system, but is built 575  
to the standards and specifications that are applicable to 576  
freeways that are part of the interstate system, in consultation 577  
with the director of public safety and, if applicable, the local 578

authority having jurisdiction over a portion of such freeway, may 579  
determine and declare that the speed limit of less than sixty-five 580  
miles per hour established on such freeway or portion of freeway 581  
either is reasonable and safe or is less than that which is 582  
reasonable and safe. 583

(2) If the established speed limit for such a freeway or 584  
portion of freeway is determined to be less than that which is 585  
reasonable and safe, the director of transportation, in 586  
consultation with the director of public safety and, if 587  
applicable, the local authority having jurisdiction over the 588  
portion of freeway, shall determine and declare a reasonable and 589  
safe speed limit of not more than sixty-five miles per hour for 590  
that freeway or portion of freeway. 591

The director of transportation or local authority having 592  
jurisdiction over the freeway or portion of freeway shall erect 593  
appropriate signs giving notice of the speed limit at such 594  
location within one hundred fifty days of February 29, 1996. Such 595  
speed limit becomes effective only when such signs are erected at 596  
the location. 597

(3) If, within one hundred twenty days of February 29, 1996, 598  
the director of transportation does not make a determination and 599  
declaration of a reasonable and safe speed limit for a freeway or 600  
portion of freeway that is part of the interstate system or that 601  
is not part of the interstate system, but is built to the 602  
standards and specifications that are applicable to freeways that 603  
are part of the interstate system and that has a speed limit of 604  
less than sixty-five miles per hour, the speed limit on that 605  
freeway or portion of a freeway shall be sixty-five miles per 606  
hour. The director of transportation or local authority having 607  
jurisdiction over the freeway or portion of the freeway shall 608  
erect appropriate signs giving notice of the speed limit of 609  
sixty-five miles per hour at such location within one hundred 610

fifty days of February 29, 1996. Such speed limit becomes 611  
effective only when such signs are erected at the location. A 612  
speed limit established through the operation of division (L)(3) 613  
of this section is subject to reduction under division (I)(2) of 614  
this section. 615

(M) Within three hundred sixty days after February 29, 1996, 616  
the director of transportation, based upon a geometric and traffic 617  
characteristic study of a rural, divided, multi-lane highway that 618  
has been designated as part of the national highway system under 619  
the "National Highway System Designation Act of 1995," 109 Stat. 620  
568, 23 U.S.C.A. 103, in consultation with the director of public 621  
safety and, if applicable, the local authority having jurisdiction 622  
over a portion of the highway, may determine and declare that the 623  
speed limit of less than sixty-five miles per hour established on 624  
the highway or portion of highway either is reasonable and safe or 625  
is less than that which is reasonable and safe. 626

If the established speed limit for the highway or portion of 627  
highway is determined to be less than that which is reasonable and 628  
safe, the director of transportation, in consultation with the 629  
director of public safety and, if applicable, the local authority 630  
having jurisdiction over the portion of highway, shall determine 631  
and declare a reasonable and safe speed limit of not more than 632  
sixty-five miles per hour for that highway or portion of highway. 633  
The director of transportation or local authority having 634  
jurisdiction over the highway or portion of highway shall erect 635  
appropriate signs giving notice of the speed limit at such 636  
location within three hundred ninety days after February 29, 1996. 637  
The speed limit becomes effective only when such signs are erected 638  
at the location. 639

(N)(1)(a) If the boundary of two local authorities rests on 640  
the centerline of a highway and both authorities have jurisdiction 641  
over the highway, the speed limit for the part of the highway 642

within their joint jurisdiction shall be either one of the 643  
following as agreed to by both authorities: 644

(i) Either prima-facie speed limit permitted by division (B) 645  
of this section; 646

(ii) An altered speed limit determined and posted in 647  
accordance with this section. 648

(b) If the local authorities are unable to reach an 649  
agreement, the speed limit shall remain as established and posted 650  
under this section. 651

(2) Neither local authority may declare an altered 652  
prima-facie speed limit pursuant to this section on the part of 653  
the highway under their joint jurisdiction unless both of the 654  
local authorities determine, upon the basis of an engineering and 655  
traffic investigation, that the speed permitted by this section is 656  
greater than is reasonable or safe under the conditions found to 657  
exist at the location and both authorities agree upon a uniform 658  
reasonable and safe prima-facie speed limit of less than 659  
fifty-five but not less than twenty-five miles per hour for that 660  
location. If both authorities so agree, each shall follow the 661  
procedure specified in this section for altering the prima-facie 662  
speed limit on the highway, and the speed limit for the part of 663  
the highway within their joint jurisdiction shall be uniformly 664  
altered. No altered speed limit may be withdrawn unless both local 665  
authorities determine that the altered prima-facie speed limit 666  
previously adopted becomes unreasonable and each adopts a 667  
resolution withdrawing the altered prima-facie speed limit 668  
pursuant to the procedure specified in this section. 669

(0) As used in this section: 670

(1) "Interstate system" has the same meaning as in 23 671  
U.S.C.A. 101. 672

(2) "Commercial bus" means a motor vehicle designed for 673

carrying more than nine passengers and used for the transportation 674  
of persons for compensation. 675

(3) "Noncommercial bus" includes but is not limited to a 676  
school bus or a motor vehicle operated solely for the 677  
transportation of persons associated with a charitable or 678  
nonprofit organization. 679

(P)(1) A violation of any provision of this section is one of 680  
the following: 681

(a) Except as otherwise provided in divisions (P)(1)(b), 682  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 683

(b) If, within one year of the offense, the offender 684  
previously has been convicted of or pleaded guilty to two 685  
violations of any provision of this section or of any provision of 686  
a municipal ordinance that is substantially similar to any 687  
provision of this section, a misdemeanor of the fourth degree; 688

(c) If, within one year of the offense, the offender 689  
previously has been convicted of or pleaded guilty to three or 690  
more violations of any provision of this section or of any 691  
provision of a municipal ordinance that is substantially similar 692  
to any provision of this section, a misdemeanor of the third 693  
degree. 694

(2) If the offender has not previously been convicted of or 695  
pleaded guilty to a violation of any provision of this section or 696  
of any provision of a municipal ordinance that is substantially 697  
similar to this section and operated a motor vehicle faster than 698  
thirty-five miles an hour in a business district of a municipal 699  
corporation, faster than fifty miles an hour in other portions of 700  
a municipal corporation, or faster than thirty-five miles an hour 701  
in a school zone during recess or while children are going to or 702  
leaving school during the school's opening or closing hours, a 703  
misdemeanor of the fourth degree. 704

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

(4)(a) 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 (P)(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 (P)(4)(a) 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. 737

(b) If the offender's violation of division (A) of this 738  
section resulted in the death of another person, the court, in 739  
addition to any penalty the court imposes upon the offender 740  
pursuant to division (P)(1) of this section and notwithstanding 741  
section 2929.28 of the Revised Code, shall impose a fine of not 742  
more than one thousand dollars. The court also shall impose a 743  
class seven license suspension of the offender's driver's license, 744  
commercial driver's license, temporary instruction permit, 745  
probationary license, or nonresident operating privilege from the 746  
range specified in division (A)(7) of section 4510.02 of the 747  
Revised Code. The court also shall assess at least two, and may 748  
assess three, four, five, or six, points against the offender's 749  
driver's license, commercial driver's license, temporary 750  
instruction permit, probationary license, or nonresident operating 751  
privilege. The court shall notify the registrar of the number of 752  
points assessed in accordance with sections 4510.03 to 4510.036 of 753  
the Revised Code. 754

The court shall forward the first fifty dollars of any fine 755  
collected under division (P)(4)(b) of this section to the 756  
treasurer of state for deposit into the highway safety education 757  
fund created by section 4501.14 of the Revised Code. 758

**Sec. 4511.33.** (A) Whenever any roadway has been divided into 759  
two or more clearly marked lanes for traffic, or wherever within 760  
municipal corporations traffic is lawfully moving in two or more 761  
substantially continuous lines in the same direction, the 762  
following rules apply: 763

(1) A vehicle or trackless trolley shall be driven, as nearly 764  
as is practicable, entirely within a single lane or line of 765  
traffic and shall not be moved from such lane or line until the 766  
driver has first ascertained that such movement can be made with 767

safety. 768

(2) Upon a roadway which is divided into three lanes and 769  
provides for two-way movement of traffic, a vehicle or trackless 770  
trolley shall not be driven in the center lane except when 771  
overtaking and passing another vehicle or trackless trolley where 772  
the roadway is clearly visible and such center lane is clear of 773  
traffic within a safe distance, or when preparing for a left turn, 774  
or where such center lane is at the time allocated exclusively to 775  
traffic moving in the direction the vehicle or trackless trolley 776  
is proceeding and is posted with signs to give notice of such 777  
allocation. 778

(3) Official signs may be erected directing specified traffic 779  
to use a designated lane or designating those lanes to be used by 780  
traffic moving in a particular direction regardless of the center 781  
of the roadway, or restricting the use of a particular lane to 782  
only buses during certain hours or during all hours, and drivers 783  
of vehicles and trackless trolleys shall obey the directions of 784  
such signs. 785

(4) Official traffic control devices may be installed 786  
prohibiting the changing of lanes on sections of roadway and 787  
drivers of vehicles shall obey the directions of every such 788  
device. 789

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 790  
of this section, whoever violates this section is guilty of a 791  
minor misdemeanor. If, within one year of the offense, the 792  
offender previously has been convicted of or pleaded guilty to one 793  
predicate motor vehicle or traffic offense, whoever violates this 794  
section is guilty of a misdemeanor of the fourth degree. If, 795  
within one year of the offense, the offender previously has been 796  
convicted of two or more predicate motor vehicle or traffic 797  
offenses, whoever violates this section is guilty of a misdemeanor 798  
of the third degree. 799

(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 (B)(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 (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 832  
driver's license, commercial driver's license, temporary 833  
instruction permit, probationary license, or nonresident operating 834  
privilege. The court shall notify the registrar of the number of 835  
points assessed in accordance with sections 4510.03 to 4510.036 of 836  
the Revised Code. 837

The court shall forward the first fifty dollars of any fine 838  
collected under division (B)(3) of this section to the treasurer 839  
of state for deposit into the highway safety education fund 840  
created by section 4501.14 of the Revised Code. 841

**Sec. 4511.41.** (A) When two vehicles, including any trackless 842  
trolley or streetcar, approach or enter an intersection from 843  
different streets or highways at approximately the same time, the 844  
driver of the vehicle on the left shall yield the right-of-way to 845  
the vehicle on the right. 846

(B) The right-of-way rule declared in division (A) of this 847  
section is modified at through highways and otherwise as stated in 848  
Chapter 4511. of the Revised Code. 849

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 850  
of this section, whoever violates this section is guilty of a 851  
minor misdemeanor. If, within one year of the offense, the 852  
offender previously has been convicted of or pleaded guilty to one 853  
predicate motor vehicle or traffic offense, whoever violates this 854  
section is guilty of a misdemeanor of the fourth degree. If, 855  
within one year of the offense, the offender previously has been 856  
convicted of two or more predicate motor vehicle or traffic 857  
offenses, whoever violates this section is guilty of a misdemeanor 858  
of the third degree. 859

(2) If the offender's violation of division (A) of this 860  
section resulted in serious physical harm to another person, the 861  
court, in addition to any penalty the court imposes upon the 862

offender pursuant to division (C)(1) of this section and 863  
notwithstanding section 2929.28 of the Revised Code, shall impose 864  
a fine of not more than five hundred dollars. The court also shall 865  
impose a class eight license suspension of the offender's driver's 866  
license, commercial driver's license, temporary instruction 867  
permit, probationary license, or nonresident operating privilege 868  
from the range specified in division (A)(8) of section 4510.02 of 869  
the Revised Code. The court also shall assess at least two, and 870  
may assess three or four, points against the offender's driver's 871  
license, commercial driver's license, temporary instruction 872  
permit, probationary license, or nonresident operating privilege. 873  
The court shall notify the registrar of motor vehicles of the 874  
number of points assessed in accordance with sections 4510.03 to 875  
4510.036 of the Revised Code. 876

The court shall forward the first twenty-five dollars of any 877  
fine collected under division (B)(2) of this section to the 878  
treasurer of state for deposit into the highway safety education 879  
fund created by section 4501.14 of the Revised Code. 880

(3) If the offender's violation of division (A) of this 881  
section resulted in the death of another person, the court, in 882  
addition to any penalty the court imposes upon the offender 883  
pursuant to division (C)(1) of this section and notwithstanding 884  
section 2929.28 of the Revised Code, shall impose a fine of not 885  
more than one thousand dollars. The court also shall impose a 886  
class seven license suspension of the offender's driver's license, 887  
commercial driver's license, temporary instruction permit, 888  
probationary license, or nonresident operating privilege from the 889  
range specified in division (A)(7) of section 4510.02 of the 890  
Revised Code. The court also shall assess at least two, and may 891  
assess three, four, five, or six, points against the offender's 892  
driver's license, commercial driver's license, temporary 893  
instruction permit, probationary license, or nonresident operating 894

privilege. The court shall notify the registrar of the number of 895  
points assessed in accordance with sections 4510.03 to 4510.036 of 896  
the Revised Code. 897

The court shall forward the first fifty dollars of any fine 898  
collected under division (B)(3) of this section to the treasurer 899  
of state for deposit into the highway safety education fund 900  
created by section 4501.14 of the Revised Code. 901

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 902  
trackless trolley intending to turn to the left within an 903  
intersection or into an alley, private road, or driveway shall 904  
yield the right of way to any vehicle, streetcar, or trackless 905  
trolley approaching from the opposite direction, whenever the 906  
approaching vehicle, streetcar, or trackless trolley is within the 907  
intersection or so close to the intersection, alley, private road, 908  
or driveway as to constitute an immediate hazard. 909

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 910  
of this section, whoever violates this section is guilty of a 911  
minor misdemeanor. If, within one year of the offense, the 912  
offender previously has been convicted of or pleaded guilty to one 913  
predicate motor vehicle or traffic offense, whoever violates this 914  
section is guilty of a misdemeanor of the fourth degree. If, 915  
within one year of the offense, the offender previously has been 916  
convicted of two or more predicate motor vehicle or traffic 917  
offenses, whoever violates this section is guilty of a misdemeanor 918  
of the third degree. 919

(2) If the offender's violation of division (A) of this 920  
section resulted in serious physical harm to another person, the 921  
court, in addition to any penalty the court imposes upon the 922  
offender pursuant to division (B)(1) of this section and 923  
notwithstanding section 2929.28 of the Revised Code, shall impose 924  
a fine of not more than five hundred dollars. The court also shall 925

impose a class eight license suspension of the offender's driver's 926  
license, commercial driver's license, temporary instruction 927  
permit, probationary license, or nonresident operating privilege 928  
from the range specified in division (A)(8) of section 4510.02 of 929  
the Revised Code. The court also shall assess at least two, and 930  
may assess three or four, points against the offender's driver's 931  
license, commercial driver's license, temporary instruction 932  
permit, probationary license, or nonresident operating privilege. 933  
The court shall notify the registrar of motor vehicles of the 934  
number of points assessed in accordance with sections 4510.03 to 935  
4510.036 of the Revised Code. 936

The court shall forward the first twenty-five dollars of any 937  
fine collected under division (B)(2) of this section to the 938  
treasurer of state for deposit into the highway safety education 939  
fund created by section 4501.14 of the Revised Code. 940

(3) If the offender's violation of division (A) of this 941  
section resulted in the death of another person, the court, in 942  
addition to any penalty the court imposes upon the offender 943  
pursuant to division (B)(1) of this section and notwithstanding 944  
section 2929.28 of the Revised Code, shall impose a fine of not 945  
more than one thousand dollars. The court also shall impose a 946  
class seven license suspension of the offender's driver's license, 947  
commercial driver's license, temporary instruction permit, 948  
probationary license, or nonresident operating privilege from the 949  
range specified in division (A)(7) of section 4510.02 of the 950  
Revised Code. The court also shall assess at least two, and may 951  
assess three, four, five, or six, points against the offender's 952  
driver's license, commercial driver's license, temporary 953  
instruction permit, probationary license, or nonresident operating 954  
privilege. The court shall notify the registrar of the number of 955  
points assessed in accordance with sections 4510.03 to 4510.036 of 956  
the Revised Code. 957

The court shall forward the first fifty dollars of any fine 958  
collected under division (B)(3) of this section to the treasurer 959  
of state for deposit into the highway safety education fund 960  
created by section 4501.14 of the Revised Code. 961

**Sec. 4511.43.** (A) Except when directed to proceed by a law 962  
enforcement officer, every driver of a vehicle or trackless 963  
trolley approaching a stop sign shall stop at a clearly marked 964  
stop line, but if none, before entering the crosswalk on the near 965  
side of the intersection, or, if none, then at the point nearest 966  
the intersecting roadway where the driver has a view of 967  
approaching traffic on the intersecting roadway before entering 968  
it. After having stopped, the driver shall yield the right-of-way 969  
to any vehicle in the intersection or approaching on another 970  
roadway so closely as to constitute an immediate hazard during the 971  
time the driver is moving across or within the intersection or 972  
junction of roadways. 973

(B) The driver of a vehicle or trackless trolley approaching 974  
a yield sign shall slow down to a speed reasonable for the 975  
existing conditions and, if required for safety to stop, shall 976  
stop at a clearly marked stop line, but if none, before entering 977  
the crosswalk on the near side of the intersection, or, if none, 978  
then at the point nearest the intersecting roadway where the 979  
driver has a view of approaching traffic on the intersecting 980  
roadway before entering it. After slowing or stopping, the driver 981  
shall yield the right-of-way to any vehicle or trackless trolley 982  
in the intersection or approaching on another roadway so closely 983  
as to constitute an immediate hazard during the time the driver is 984  
moving across or within the intersection or junction of roadways. 985  
Whenever a driver is involved in a collision with a vehicle or 986  
trackless trolley in the intersection or junction of roadways, 987  
after driving past a yield sign without stopping, the collision 988  
shall be prima-facie evidence of the driver's failure to yield the 989



right-of-way. 990

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 991  
of this section, whoever violates this section is guilty of a 992  
minor misdemeanor. If, within one year of the offense, the 993  
offender previously has been convicted of or pleaded guilty to one 994  
predicate motor vehicle or traffic offense, whoever violates this 995  
section is guilty of a misdemeanor of the fourth degree. If, 996  
within one year of the offense, the offender previously has been 997  
convicted of two or more predicate motor vehicle or traffic 998  
offenses, whoever violates this section is guilty of a misdemeanor 999  
of the third degree. 1000

(2) If the offender's violation of division (A) or (B) of 1001  
this section resulted in serious physical harm to another person, 1002  
the court, in addition to any penalty the court imposes upon the 1003  
offender pursuant to division (C)(1) of this section and 1004  
notwithstanding section 2929.28 of the Revised Code, shall impose 1005  
a fine of not more than five hundred dollars. The court also shall 1006  
impose a class eight license suspension of the offender's driver's 1007  
license, commercial driver's license, temporary instruction 1008  
permit, probationary license, or nonresident operating privilege 1009  
from the range specified in division (A)(8) of section 4510.02 of 1010  
the Revised Code. The court also shall assess at least two, and 1011  
may assess three or four, points against the offender's driver's 1012  
license, commercial driver's license, temporary instruction 1013  
permit, probationary license, or nonresident operating privilege. 1014  
The court shall notify the registrar of motor vehicles of the 1015  
number of points assessed in accordance with sections 4510.03 to 1016  
4510.036 of the Revised Code. 1017

The court shall forward the first twenty-five dollars of any 1018  
fine collected under division (C)(2) of this section to the 1019  
treasurer of state for deposit into the highway safety education 1020  
fund created by section 4501.14 of the Revised Code. 1021

(3) If the offender's violation of division (A) or (B) 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. 4511.431.** (A) The driver of a vehicle or trackless trolley emerging from an alley, building, private road, or driveway within a business or residence district shall stop the vehicle or trackless trolley immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley, building entrance, road, or driveway, or in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon.

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1)

of this section, whoever violates this section is guilty of a 1053  
minor misdemeanor. If, within one year of the offense, the 1054  
offender previously has been convicted of or pleaded guilty to one 1055  
predicate motor vehicle or traffic offense, whoever violates this 1056  
section is guilty of a misdemeanor of the fourth degree. If, 1057  
within one year of the offense, the offender previously has been 1058  
convicted of two or more predicate motor vehicle or traffic 1059  
offenses, whoever violates this section is guilty of a misdemeanor 1060  
of the third degree. 1061

(2) If the offender's violation of division (A) of this 1062  
section resulted in serious physical harm to another person, the 1063  
court, in addition to any penalty the court imposes upon the 1064  
offender pursuant to division (B)(1) of this section and 1065  
notwithstanding section 2929.28 of the Revised Code, shall impose 1066  
a fine of not more than five hundred dollars. The court also shall 1067  
impose a class eight license suspension of the offender's driver's 1068  
license, commercial driver's license, temporary instruction 1069  
permit, probationary license, or nonresident operating privilege 1070  
from the range specified in division (A)(8) of section 4510.02 of 1071  
the Revised Code. The court also shall assess at least two, and 1072  
may assess three or four, points against the offender's driver's 1073  
license, commercial driver's license, temporary instruction 1074  
permit, probationary license, or nonresident operating privilege. 1075  
The court shall notify the registrar of motor vehicles of the 1076  
number of points assessed in accordance with sections 4510.03 to 1077  
4510.036 of the Revised Code. 1078

The court shall forward the first twenty-five dollars of any 1079  
fine collected under division (B)(2) of this section to the 1080  
treasurer of state for deposit into the highway safety education 1081  
fund created by section 4501.14 of the Revised Code. 1082

(3) If the offender's violation of division (A) of this 1083  
section resulted in the death of another person, the court, in 1084

addition to any penalty the court imposes upon the offender 1085  
pursuant to division (B)(1) of this section and notwithstanding 1086  
section 2929.28 of the Revised Code, shall impose a fine of not 1087  
more than one thousand dollars. The court also shall impose a 1088  
class seven license suspension of the offender's driver's license, 1089  
commercial driver's license, temporary instruction permit, 1090  
probationary license, or nonresident operating privilege from the 1091  
range specified in division (A)(7) of section 4510.02 of the 1092  
Revised Code. The court also shall assess at least two, and may 1093  
assess three, four, five, or six, points against the offender's 1094  
driver's license, commercial driver's license, temporary 1095  
instruction permit, probationary license, or nonresident operating 1096  
privilege. The court shall notify the registrar of the number of 1097  
points assessed in accordance with sections 4510.03 to 4510.036 of 1098  
the Revised Code. 1099

The court shall forward the first fifty dollars of any fine 1100  
collected under division (B)(3) of this section to the treasurer 1101  
of state for deposit into the highway safety education fund 1102  
created by section 4501.14 of the Revised Code. 1103

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or 1104  
trackless trolley about to enter or cross a highway from any place 1105  
other than another roadway shall yield the right of way to all 1106  
traffic approaching on the roadway to be entered or crossed. 1107

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1108  
of this section, whoever violates this section is guilty of a 1109  
minor misdemeanor. If, within one year of the offense, the 1110  
offender previously has been convicted of or pleaded guilty to one 1111  
predicate motor vehicle or traffic offense, whoever violates this 1112  
section is guilty of a misdemeanor of the fourth degree. If, 1113  
within one year of the offense, the offender previously has been 1114  
convicted of two or more predicate motor vehicle or traffic 1115

offenses, whoever violates this section is guilty of a misdemeanor 1116  
of the third degree. 1117

(2) If the offender's violation of division (A) of this 1118  
section resulted in serious physical harm to another person, the 1119  
court, in addition to any penalty the court imposes upon the 1120  
offender pursuant to division (B)(1) of this section and 1121  
notwithstanding section 2929.28 of the Revised Code, shall impose 1122  
a fine of not more than five hundred dollars. The court also shall 1123  
impose a class eight license suspension of the offender's driver's 1124  
license, commercial driver's license, temporary instruction 1125  
permit, probationary license, or nonresident operating privilege 1126  
from the range specified in division (A)(8) of section 4510.02 of 1127  
the Revised Code. The court also shall assess at least two, and 1128  
may assess three or four, points against the offender's driver's 1129  
license, commercial driver's license, temporary instruction 1130  
permit, probationary license, or nonresident operating privilege. 1131  
The court shall notify the registrar of motor vehicles of the 1132  
number of points assessed in accordance with sections 4510.03 to 1133  
4510.036 of the Revised Code. 1134

The court shall forward the first twenty-five dollars of any 1135  
fine collected under division (B)(2) of this section to the 1136  
treasurer of state for deposit into the highway safety education 1137  
fund created by section 4501.14 of the Revised Code. 1138

(3) If the offender's violation of division (A) of this 1139  
section resulted in the death of another person, the court, in 1140  
addition to any penalty the court imposes upon the offender 1141  
pursuant to division (B)(1) of this section and notwithstanding 1142  
section 2929.28 of the Revised Code, shall impose a fine of not 1143  
more than one thousand dollars. The court also shall impose a 1144  
class seven license suspension of the offender's driver's license, 1145  
commercial driver's license, temporary instruction permit, 1146  
probationary license, or nonresident operating privilege from the 1147

range specified in division (A)(7) of section 4510.02 of the 1148  
Revised Code. The court also shall assess at least two, and may 1149  
assess three, four, five, or six, points against the offender's 1150  
driver's license, commercial driver's license, temporary 1151  
instruction permit, probationary license, or nonresident operating 1152  
privilege. The court shall notify the registrar of the number of 1153  
points assessed in accordance with sections 4510.03 to 4510.036 of 1154  
the Revised Code. 1155

The court shall forward the first fifty dollars of any fine 1156  
collected under division (B)(3) of this section to the treasurer 1157  
of state for deposit into the highway safety education fund 1158  
created by section 4501.14 of the Revised Code. 1159

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 1160  
right-of-way to any pedestrian on a sidewalk. 1161

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1162  
of this section, whoever violates this section is guilty of a 1163  
minor misdemeanor. If, within one year of the offense, the 1164  
offender previously has been convicted of or pleaded guilty to one 1165  
predicate motor vehicle or traffic offense, whoever violates this 1166  
section is guilty of a misdemeanor of the fourth degree. If, 1167  
within one year of the offense, the offender previously has been 1168  
convicted of two or more predicate motor vehicle or traffic 1169  
offenses, whoever violates this section is guilty of a misdemeanor 1170  
of the third degree. 1171

(2) If the offender's violation of division (A) of this 1172  
section resulted in serious physical harm to another person, the 1173  
court, in addition to any penalty the court imposes upon the 1174  
offender pursuant to division (B)(1) of this section and 1175  
notwithstanding section 2929.28 of the Revised Code, shall impose 1176  
a fine of not more than five hundred dollars. The court also shall 1177  
impose a class eight license suspension of the offender's driver's 1178

license, commercial driver's license, temporary instruction 1179  
permit, probationary license, or nonresident operating privilege 1180  
from the range specified in division (A)(8) of section 4510.02 of 1181  
the Revised Code. The court also shall assess at least two, and 1182  
may assess three or four, points against the offender's driver's 1183  
license, commercial driver's license, temporary instruction 1184  
permit, probationary license, or nonresident operating privilege. 1185  
The court shall notify the registrar of motor vehicles of the 1186  
number of points assessed in accordance with sections 4510.03 to 1187  
4510.036 of the Revised Code. 1188

The court shall forward the first twenty-five dollars of any 1189  
fine collected under division (B)(2) of this section to the 1190  
treasurer of state for deposit into the highway safety education 1191  
fund created by section 4501.14 of the Revised Code. 1192

(3) If the offender's violation of division (A) of this 1193  
section resulted in the death of another person, the court, in 1194  
addition to any penalty the court imposes upon the offender 1195  
pursuant to division (B)(1) of this section and notwithstanding 1196  
section 2929.28 of the Revised Code, shall impose a fine of not 1197  
more than one thousand dollars. The court also shall impose a 1198  
class seven license suspension of the offender's driver's license, 1199  
commercial driver's license, temporary instruction permit, 1200  
probationary license, or nonresident operating privilege from the 1201  
range specified in division (A)(7) of section 4510.02 of the 1202  
Revised Code. The court also shall assess at least two, and may 1203  
assess three, four, five, or six, points against the offender's 1204  
driver's license, commercial driver's license, temporary 1205  
instruction permit, probationary license, or nonresident operating 1206  
privilege. The court shall notify the registrar of the number of 1207  
points assessed in accordance with sections 4510.03 to 4510.036 of 1208  
the Revised Code. 1209

The court shall forward the first fifty dollars of any fine 1210

collected under division (B)(3) of this section to the treasurer 1211  
of state for deposit into the highway safety education fund 1212  
created by section 4501.14 of the Revised Code. 1213

**Sec. 4511.45.** (A)(1) Upon the approach of a public safety 1214  
vehicle or coroner's vehicle, equipped with at least one flashing, 1215  
rotating or oscillating light visible under normal atmospheric 1216  
conditions from a distance of five hundred feet to the front of 1217  
the vehicle and the driver is giving an audible signal by siren, 1218  
exhaust whistle, or bell, no driver of any other vehicle shall 1219  
fail to yield the right-of-way, immediately drive if practical to 1220  
a position parallel to, and as close as possible to, the right 1221  
edge or curb of the highway clear of any intersection, and stop 1222  
and remain in that position until the public safety vehicle or 1223  
coroner's vehicle has passed, except when otherwise directed by a 1224  
police officer. 1225

(2) Upon the approach of a public safety vehicle or coroner's 1226  
vehicle, as stated in division (A)(1) of this section, no operator 1227  
of any streetcar or trackless trolley shall fail to immediately 1228  
stop the streetcar or trackless trolley clear of any intersection 1229  
and keep it in that position until the public safety vehicle or 1230  
coroner's vehicle has passed, except when otherwise directed by a 1231  
police officer. 1232

(B) This section does not relieve the driver of a public 1233  
safety vehicle or coroner's vehicle from the duty to drive with 1234  
due regard for the safety of all persons and property upon the 1235  
highway. 1236

(C) This section applies to a coroner's vehicle only when the 1237  
vehicle is operated in accordance with section 4513.171 of the 1238  
Revised Code. As used in this section, "coroner's vehicle" means a 1239  
vehicle used by a coroner, deputy coroner, or coroner's 1240  
investigator that is equipped with a flashing, oscillating, or 1241



rotating red or blue light and a siren, exhaust whistle, or bell 1242  
capable of giving an audible signal. 1243

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1244  
of this section, whoever violates division (A)(1) or (2) of this 1245  
section is guilty of a misdemeanor of the fourth degree ~~on a first~~ 1246  
~~offense~~. On a second offense within one year after the first 1247  
offense, the person is guilty of a misdemeanor of the third 1248  
degree, and, on each subsequent offense within one year after the 1249  
first offense, the person is guilty of a misdemeanor of the second 1250  
degree. 1251

(2)(a) If the offender's violation of division (A)(1) or (2) 1252  
of this section resulted in serious physical harm to another 1253  
person and the offender, within one year of the offense, has been 1254  
convicted of or pleaded guilty to one or fewer violations of 1255  
divisions (A)(1) and (2) of this section, the court, in addition 1256  
to any penalty the court imposes upon the offender pursuant to 1257  
division (D)(1) of this section and notwithstanding section 1258  
2929.28 of the Revised Code, shall impose a fine of not more than 1259  
five hundred dollars. The court also shall impose a class eight 1260  
license suspension of the offender's driver's license, commercial 1261  
driver's license, temporary instruction permit, probationary 1262  
license, or nonresident operating privilege from the range 1263  
specified in division (A)(8) of section 4510.02 of the Revised 1264  
Code. The court also shall assess at least two, and may assess 1265  
three or four, points against the offender's driver's license, 1266  
commercial driver's license, temporary instruction permit, 1267  
probationary license, or nonresident operating privilege. The 1268  
court shall notify the registrar of motor vehicles of the number 1269  
of points assessed in accordance with sections 4510.03 to 4510.036 1270  
of the Revised Code. 1271

The court shall forward the first twenty-five dollars of any 1272  
fine collected under division (D)(2)(a) of this section to the 1273

treasurer of state for deposit into the highway safety education 1274  
fund created by section 4501.14 of the Revised Code. 1275

(b) If the offender's violation of division (A)(1) or (2) of 1276  
this section resulted in serious physical harm to another person 1277  
and the offender, within one year of the offense, has been 1278  
convicted of or pleaded guilty to two or more violations of 1279  
division (A)(1) or (2) of this section, the court shall impose a 1280  
fine of not more than seven hundred fifty dollars. The court also 1281  
shall impose a class eight license suspension of the offender's 1282  
driver's license, commercial driver's license, temporary 1283  
instruction permit, probationary license, or nonresident operating 1284  
privilege from the range specified in division (A)(8) of section 1285  
4510.02 of the Revised Code. The court also shall assess at least 1286  
two, and may assess three or four, points against the offender's 1287  
driver's license, commercial driver's license, temporary 1288  
instruction permit, probationary license, or nonresident operating 1289  
privilege. The court shall notify the registrar of motor vehicles 1290  
of the number of points assessed in accordance with sections 1291  
4510.03 to 4510.036 of the Revised Code. 1292

The court shall forward the first thirty-eight dollars of any 1293  
fine collected under division (D)(2)(b) of this section to the 1294  
treasurer of state for deposit into the highway safety education 1295  
fund created by section 4501.14 of the Revised Code. 1296

(3) If the offender's violation of division (A)(1) or (2) of 1297  
this section resulted in the death of another person, the court, 1298  
in addition to any penalty the court imposes upon the offender 1299  
pursuant to division (D)(1) of this section and notwithstanding 1300  
section 2929.28 of the Revised Code, shall impose a fine of not 1301  
more than one thousand dollars. The court also shall impose a 1302  
class seven license suspension of the offender's driver's license, 1303  
commercial driver's license, temporary instruction permit, 1304  
probationary license, or nonresident operating privilege from the 1305

range specified in division (A)(7) of section 4510.02 of the 1306  
Revised Code. The court also shall assess at least two, and may 1307  
assess three, four, five, or six, points against the offender's 1308  
driver's license, commercial driver's license, temporary 1309  
instruction permit, probationary license, or nonresident operating 1310  
privilege. The court shall notify the registrar of the number of 1311  
points assessed in accordance with sections 4510.03 to 4510.036 of 1312  
the Revised Code. 1313

The court shall forward the first fifty dollars of any fine 1314  
collected under division (D)(3) of this section to the treasurer 1315  
of state for deposit into the highway safety education fund 1316  
created by section 4501.14 of the Revised Code. 1317

**Sec. 4511.451.** (A) As used in this section, "funeral 1318  
procession" means two or more vehicles accompanying the cremated 1319  
remains or the body of a deceased person in the daytime when each 1320  
of the vehicles has its headlights lighted and is displaying a 1321  
purple and white or an orange and white pennant attached to each 1322  
vehicle in such a manner as to be clearly visible to traffic 1323  
approaching from any direction. 1324

(B) Excepting public safety vehicles proceeding in accordance 1325  
with section 4511.45 of the Revised Code or when directed 1326  
otherwise by a police officer, pedestrians and the operators of 1327  
all vehicles, street cars, and trackless trolleys shall yield the 1328  
right of way to each vehicle that is a part of a funeral 1329  
procession. Whenever the lead vehicle in a funeral procession 1330  
lawfully enters an intersection, the remainder of the vehicles in 1331  
the procession may continue to follow the lead vehicle through the 1332  
intersection notwithstanding any traffic control devices or right 1333  
of way provisions of the Revised Code, provided that the operator 1334  
of each vehicle exercises due care to avoid colliding with any 1335  
other vehicle or pedestrian. 1336

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

(D)(1) Except as otherwise provided in this division (D)(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 (B) 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 (D)(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 (D)(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 (B) 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. 4511.46.** (A) When traffic control signals are not in place, not in operation, or are not clearly assigning the right-of-way, the driver of a vehicle, trackless trolley, or streetcar shall yield the right of way, slowing down or stopping if need be to so yield or if required by section 4511.132 of the Revised Code, to a pedestrian crossing the roadway within a

crosswalk when the pedestrian is upon the half of the roadway upon 1400  
which the vehicle is traveling, or when the pedestrian is 1401  
approaching so closely from the opposite half of the roadway as to 1402  
be in danger. 1403

(B) No pedestrian shall suddenly leave a curb or other place 1404  
of safety and walk or run into the path of a vehicle, trackless 1405  
trolley, or streetcar which is so close as to constitute an 1406  
immediate hazard. 1407

(C) Division (A) of this section does not apply under the 1408  
conditions stated in division (B) of section 4511.48 of the 1409  
Revised Code. 1410

(D) Whenever any vehicle, trackless trolley, or streetcar is 1411  
stopped at a marked crosswalk or at any unmarked crosswalk at an 1412  
intersection to permit a pedestrian to cross the roadway, the 1413  
driver of any other vehicle, trackless trolley, or streetcar 1414  
approaching from the rear shall not overtake and pass the stopped 1415  
vehicle. 1416

(E)(1) Except as otherwise provided in ~~this~~ division (E)(1) 1417  
of this section, whoever violates this section is guilty of a 1418  
minor misdemeanor. If, within one year of the offense, the 1419  
offender previously has been convicted of or pleaded guilty to one 1420  
predicate motor vehicle or traffic offense, whoever violates this 1421  
section is guilty of a misdemeanor of the fourth degree. If, 1422  
within one year of the offense, the offender previously has been 1423  
convicted of two or more predicate motor vehicle or traffic 1424  
offenses, whoever violates this section is guilty of a misdemeanor 1425  
of the third degree. 1426

(2) If the offender's violation of division (A) or (D) of 1427  
this section resulted in serious physical harm to another person, 1428  
the court, in addition to any penalty the court imposes upon the 1429  
offender pursuant to division (E)(1) of this section and 1430

notwithstanding section 2929.28 of the Revised Code, shall impose 1431  
a fine of not more than five hundred dollars. The court also shall 1432  
impose a class eight license suspension of the offender's driver's 1433  
license, commercial driver's license, temporary instruction 1434  
permit, probationary license, or nonresident operating privilege 1435  
from the range specified in division (A)(8) of section 4510.02 of 1436  
the Revised Code. The court also shall assess at least two, and 1437  
may assess three or four, points against the offender's driver's 1438  
license, commercial driver's license, temporary instruction 1439  
permit, probationary license, or nonresident operating privilege. 1440  
The court shall notify the registrar of motor vehicles of the 1441  
number of points assessed in accordance with sections 4510.03 to 1442  
4510.036 of the Revised Code. 1443

The court shall forward the first twenty-five dollars of any 1444  
fine collected under division (E)(2) of this section to the 1445  
treasurer of state for deposit into the highway safety education 1446  
fund created by section 4501.14 of the Revised Code. 1447

(3) If the offender's violation of division (A) or (D) of 1448  
this section resulted in the death of another person, the court, 1449  
in addition to any penalty the court imposes upon the offender 1450  
pursuant to division (E)(1) of this section and notwithstanding 1451  
section 2929.28 of the Revised Code, shall impose a fine of not 1452  
more than one thousand dollars. The court also shall impose a 1453  
class seven license suspension of the offender's driver's license, 1454  
commercial driver's license, temporary instruction permit, 1455  
probationary license, or nonresident operating privilege from the 1456  
range specified in division (A)(7) of section 4510.02 of the 1457  
Revised Code. The court also shall assess at least two, and may 1458  
assess three, four, five, or six, points against the offender's 1459  
driver's license, commercial driver's license, temporary 1460  
instruction permit, probationary license, or nonresident operating 1461  
privilege. The court shall notify the registrar of the number of 1462

points assessed in accordance with sections 4510.03 to 4510.036 of 1463  
the Revised Code. 1464

The court shall forward the first fifty dollars of any fine 1465  
collected under division (E)(3) of this section to the treasurer 1466  
of state for deposit into the highway safety education fund 1467  
created by section 4501.14 of the Revised Code. 1468

**Sec. 4511.47.** (A) As used in this section "blind person" or 1469  
"blind pedestrian" means a person having not more than 20/200 1470  
visual acuity in the better eye with correcting lenses or visual 1471  
acuity greater than 20/200 but with a limitation in the fields of 1472  
vision such that the widest diameter of the visual field subtends 1473  
an angle no greater than twenty degrees. 1474

The driver of every vehicle shall yield the right of way to 1475  
every blind pedestrian guided by a guide dog, or carrying a cane 1476  
which is predominantly white or metallic in color, with or without 1477  
a red tip. 1478

(B) No person, other than a blind person, while on any public 1479  
highway, street, alley, or other public thoroughfare shall carry a 1480  
white or metallic cane with or without a red tip. 1481

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 1482  
of this section, whoever violates this section is guilty of a 1483  
minor misdemeanor. If, within one year of the offense, the 1484  
offender previously has been convicted of or pleaded guilty to one 1485  
predicate motor vehicle or traffic offense, whoever violates this 1486  
section is guilty of a misdemeanor of the fourth degree. If, 1487  
within one year of the offense, the offender previously has been 1488  
convicted of two or more predicate motor vehicle or traffic 1489  
offenses, whoever violates this section is guilty of a misdemeanor 1490  
of the third degree. 1491

(2) If the offender's violation of division (A) of this 1492



section resulted in serious physical harm to another person, the 1493  
court, in addition to any penalty the court imposes upon the 1494  
offender pursuant to division (C)(1) of this section and 1495  
notwithstanding section 2929.28 of the Revised Code, shall impose 1496  
a fine of not more than five hundred dollars. The court also shall 1497  
impose a class eight license suspension of the offender's driver's 1498  
license, commercial driver's license, temporary instruction 1499  
permit, probationary license, or nonresident operating privilege 1500  
from the range specified in division (A)(8) of section 4510.02 of 1501  
the Revised Code. The court also shall assess at least two, and 1502  
may assess three or four, points against the offender's driver's 1503  
license, commercial driver's license, temporary instruction 1504  
permit, probationary license, or nonresident operating privilege. 1505  
The court shall notify the registrar of motor vehicles of the 1506  
number of points assessed in accordance with sections 4510.03 to 1507  
4510.036 of the Revised Code. 1508

The court shall forward the first twenty-five dollars of any 1509  
fine collected under division (C)(2) of this section to the 1510  
treasurer of state for deposit into the highway safety education 1511  
fund created by section 4501.14 of the Revised Code. 1512

(3) If the offender's violation of division (A) of this 1513  
section resulted in the death of another person, the court, in 1514  
addition to any penalty the court imposes upon the offender 1515  
pursuant to division (C)(1) of this section and notwithstanding 1516  
section 2929.28 of the Revised Code, shall impose a fine of not 1517  
more than one thousand dollars. The court also shall impose a 1518  
class seven license suspension of the offender's driver's license, 1519  
commercial driver's license, temporary instruction permit, 1520  
probationary license, or nonresident operating privilege from the 1521  
range specified in division (A)(7) of section 4510.02 of the 1522  
Revised Code. The court also shall assess at least two, and may 1523  
assess three, four, five, or six, points against the offender's 1524

driver's license, commercial driver's license, temporary 1525  
instruction permit, probationary license, or nonresident operating 1526  
privilege. The court shall notify the registrar of the number of 1527  
points assessed in accordance with sections 4510.03 to 4510.036 of 1528  
the Revised Code. 1529

The court shall forward the first fifty dollars of any fine 1530  
collected under division (C)(3) of this section to the treasurer 1531  
of state for deposit into the highway safety education fund 1532  
created by section 4501.14 of the Revised Code. 1533

**Sec. 4513.39.** (A) The state highway patrol and sheriffs or 1534  
their deputies shall exercise, to the exclusion of all other peace 1535  
officers except within municipal corporations and except as 1536  
specified in division (B) of this section and division (E) of 1537  
section 2935.03 of the Revised Code, the power to make arrests for 1538  
violations on all state highways, of sections 4503.11, 4503.21, 1539  
4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 4511.40, 1540  
4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 4511.71, 4513.03 1541  
to 4513.13, 4513.15 to 4513.22, 4513.24 to 4513.34, 4549.01, 1542  
4549.08 to 4549.12, and 4549.62 of the Revised Code. 1543

(B) A member of the police force of a township police 1544  
district created under section 505.48 of the Revised Code, and a 1545  
township constable appointed pursuant to section 509.01 of the 1546  
Revised Code, who has received a certificate from the Ohio peace 1547  
officer training commission under section 109.75 of the Revised 1548  
Code, shall exercise the power to make arrests for violations of 1549  
those sections listed in division (A) of this section, other than 1550  
sections 4513.33 and 4513.34 of the Revised Code, as follows: 1551

(1) If the population of the township that created the 1552  
township police district served by the member's police force or 1553  
the township that is served by the township constable is fifty 1554  
thousand or less, the member or constable shall exercise that 1555

power on those portions of all state highways, except those 1556  
highways included as part of the interstate system, as defined in 1557  
section 5516.01 of the Revised Code, that are located within the 1558  
township police district, in the case of a member of a township 1559  
police district police force, or within the unincorporated 1560  
territory of the township, in the case of a township constable; 1561

(2) If the population of the township that created the 1562  
township police district served by the member's police force or 1563  
the township that is served by the township constable is greater 1564  
than fifty thousand, the member or constable shall exercise that 1565  
power on those portions of all state highways and highways 1566  
included as part of the interstate highway system, as defined in 1567  
section 5516.01 of the Revised Code, that are located within the 1568  
township police district, in the case of a member of a township 1569  
police district police force, or within the unincorporated 1570  
territory of the township, in the case of a township constable. 1571

(C)(1) When investigating a motor vehicle accident that 1572  
involves an offender's motor vehicle and another motor vehicle, a 1573  
bicycle, or a pedestrian in which an injured person who is not the 1574  
offender is transported to a medical facility for emergency 1575  
medical treatment, if the state highway patrol trooper, sheriff, 1576  
sheriff's deputy, or other peace officer investigating the 1577  
accident has reason to believe that serious physical harm to, or 1578  
the death of, that person has occurred as a result of a violation 1579  
of any of the provisions of sections 4511.01 to 4511.76 of the 1580  
Revised Code, the state highway patrol trooper, sheriff, sheriff's 1581  
deputy, or other peace officer may issue to the offender a ticket, 1582  
citation, or summons of the type described in division (C)(3) of 1583  
this section for the violation that charges that the offender 1584  
committed the violation and that the violation resulted in serious 1585  
physical harm to, or the death of, another person, whichever is 1586  
applicable. 1587

(2) If an injured person is transported to a medical facility 1588  
as described in division (C)(1) of this section and the medical 1589  
facility informs the investigating trooper, sheriff, sheriff's 1590  
deputy, or other peace officer that the offender caused serious 1591  
physical harm to, or the death of, the injured person, if the 1592  
offender has not been issued a ticket, citation, or summons for 1593  
the violation under division (C)(1) of this section, and if the 1594  
offender is not subject to indictment for any other violation 1595  
arising from the motor vehicle accident, the investigating 1596  
trooper, sheriff, sheriff's deputy, or other peace officer may 1597  
issue to the offender a ticket, citation, or summons of the type 1598  
described in division (C)(3) of this section for the violation of 1599  
a provision of sections 4511.01 to 4511.76 of the Revised Code 1600  
that charges that the offender committed the violation and that 1601  
the violation resulted in serious physical harm to, or the death 1602  
of, another person, whichever is applicable. 1603

(3) A ticket, citation, or summons issued as described in 1604  
division (C)(1) or (2) of this section shall indicate that the 1605  
offender is not permitted to enter a written plea of guilty and 1606  
waive the offender's right to contest the ticket, citation, or 1607  
summons in a trial but instead must appear in person in the proper 1608  
court to answer the charge. 1609

**Section 2.** That existing sections 4510.02, 4510.036, 4511.21, 1610  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 1611  
4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 of the Revised 1612  
Code are hereby repealed. 1613