

As Introduced

**128th General Assembly
Regular Session
2009-2010**

H. B. No. 162

Representatives DeGeeter, Dodd

**Cosponsors: Representatives Book, Pryor, Bupp, Combs, Zehringer, Okey,
Pillich, Letson, Huffman, Yuko, Boyd, Harris, Luckie, Sayre, Blair**

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A B I L L

To amend section 4511.21 of the Revised Code to 1
increase the speed limit for passenger vehicles 2
and commercial buses from 65 to 70 miles per hour 3
on certain interstate freeways. 4

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

Section 1. That section 4511.21 of the Revised Code be 5
amended to read as follows: 6

Sec. 4511.21. (A) No person shall operate a motor vehicle, 7
trackless trolley, or streetcar at a speed greater or less than is 8
reasonable or proper, having due regard to the traffic, surface, 9
and width of the street or highway and any other conditions, and 10
no person shall drive any motor vehicle, trackless trolley, or 11
streetcar in and upon any street or highway at a greater speed 12
than will permit the person to bring it to a stop within the 13
assured clear distance ahead. 14

(B) It is prima-facie lawful, in the absence of a lower limit 15
declared or established pursuant to this section by the director 16
of transportation or local authorities, for the operator of a 17
motor vehicle, trackless trolley, or streetcar to operate the same 18

at a speed not exceeding the following: 19

(1)(a) Twenty miles per hour in school zones during school 20
recess and while children are going to or leaving school during 21
the opening or closing hours, and when twenty miles per hour 22
school speed limit signs are erected; except that, on 23
controlled-access highways and expressways, if the right-of-way 24
line fence has been erected without pedestrian opening, the speed 25
shall be governed by division (B)(4) of this section and on 26
freeways, if the right-of-way line fence has been erected without 27
pedestrian opening, the speed shall be governed by divisions 28
(B)(9) and (10) of this section. The end of every school zone may 29
be marked by a sign indicating the end of the zone. Nothing in 30
this section or in the manual and specifications for a uniform 31
system of traffic control devices shall be construed to require 32
school zones to be indicated by signs equipped with flashing or 33
other lights, or giving other special notice of the hours in which 34
the school zone speed limit is in effect. 35

(b) As used in this section and in section 4511.212 of the 36
Revised Code, "school" means any school chartered under section 37
3301.16 of the Revised Code and any nonchartered school that 38
during the preceding year filed with the department of education 39
in compliance with rule 3301-35-08 of the Ohio Administrative 40
Code, a copy of the school's report for the parents of the 41
school's pupils certifying that the school meets Ohio minimum 42
standards for nonchartered, nontax-supported schools and presents 43
evidence of this filing to the jurisdiction from which it is 44
requesting the establishment of a school zone. "School" also 45
includes a special elementary school that in writing requests the 46
county engineer of the county in which the special elementary 47
school is located to create a school zone at the location of that 48
school. Upon receipt of such a written request, the county 49
engineer shall create a school zone at that location by erecting 50

the appropriate signs. 51

(c) As used in this section, "school zone" means that portion 52
of a street or highway passing a school fronting upon the street 53
or highway that is encompassed by projecting the school property 54
lines to the fronting street or highway, and also includes that 55
portion of a state highway. Upon request from local authorities 56
for streets and highways under their jurisdiction and that portion 57
of a state highway under the jurisdiction of the director of 58
transportation or a request from a county engineer in the case of 59
a school zone for a special elementary school, the director may 60
extend the traditional school zone boundaries. The distances in 61
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 62
exceed three hundred feet per approach per direction and are 63
bounded by whichever of the following distances or combinations 64
thereof the director approves as most appropriate: 65

(i) The distance encompassed by projecting the school 66
building lines normal to the fronting highway and extending a 67
distance of three hundred feet on each approach direction; 68

(ii) The distance encompassed by projecting the school 69
property lines intersecting the fronting highway and extending a 70
distance of three hundred feet on each approach direction; 71

(iii) The distance encompassed by the special marking of the 72
pavement for a principal school pupil crosswalk plus a distance of 73
three hundred feet on each approach direction of the highway. 74

Nothing in this section shall be construed to invalidate the 75
director's initial action on August 9, 1976, establishing all 76
school zones at the traditional school zone boundaries defined by 77
projecting school property lines, except when those boundaries are 78
extended as provided in divisions (B)(1)(a) and (c) of this 79
section. 80

(d) As used in this division, "crosswalk" has the meaning 81

given that term in division (LL)(2) of section 4511.01 of the Revised Code. 82
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The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of mental retardation and developmental disabilities created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route. 84
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(e) As used in this section, "special elementary school" means a school that meets all of the following criteria: 103
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(i) It is not chartered and does not receive tax revenue from any source. 105
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(ii) It does not educate children beyond the eighth grade. 107

(iii) It is located outside the limits of a municipal corporation. 108
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(iv) A majority of the total number of students enrolled at the school are not related by blood. 110
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(v) The principal or other person in charge of the special 112

elementary school annually sends a report to the superintendent of 113
the school district in which the special elementary school is 114
located indicating the total number of students enrolled at the 115
school, but otherwise the principal or other person in charge does 116
not report any other information or data to the superintendent. 117

(2) Twenty-five miles per hour in all other portions of a 118
municipal corporation, except on state routes outside business 119
districts, through highways outside business districts, and 120
alleys; 121

(3) Thirty-five miles per hour on all state routes or through 122
highways within municipal corporations outside business districts, 123
except as provided in divisions (B)(4) and (6) of this section; 124

(4) Fifty miles per hour on controlled-access highways and 125
expressways within municipal corporations; 126

(5) Fifty-five miles per hour on highways outside municipal 127
corporations, other than highways within island jurisdictions as 128
provided in division (B)(8) of this section and freeways as 129
provided in divisions (B)(13), (14), and ~~(14)~~(15) of this section; 130

(6) Fifty miles per hour on state routes within municipal 131
corporations outside urban districts unless a lower prima-facie 132
speed is established as further provided in this section; 133

(7) Fifteen miles per hour on all alleys within the municipal 134
corporation; 135

(8) Thirty-five miles per hour on highways outside municipal 136
corporations that are within an island jurisdiction; 137

(9) Fifty-five miles per hour at all times on freeways with 138
paved shoulders inside municipal corporations, other than freeways 139
as provided in divisions (B)(13), (14), and ~~(14)~~(15) of this 140
section; 141

(10) Fifty-five miles per hour at all times on freeways 142

outside municipal corporations, other than freeways as provided in 143
divisions (B)(13), (14), and ~~(14)~~(15) of this section; 144

(11) Fifty-five miles per hour at all times on all portions 145
of freeways that are part of the interstate system and on all 146
portions of freeways that are not part of the interstate system, 147
but are built to the standards and specifications that are 148
applicable to freeways that are part of the interstate system for 149
operators of any motor vehicle weighing in excess of eight 150
thousand pounds empty weight and any noncommercial bus, except as 151
provided in division (B)(14) of this section; 152

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

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

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

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

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

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

(14) Sixty-five miles per hour at all times on all portions 182
of freeways that are part of the interstate system and that had 183
such a speed limit on the effective date of this amendment for 184
operators of any motor vehicle weighing in excess of eight 185
thousand pounds empty weight and any noncommercial bus; 186

(15) For operators of any motor vehicle weighing eight 187
thousand pounds or less empty weight and any commercial bus, 188
seventy miles per hour at all times on all portions of freeways 189
that are part of the interstate system and that have on the 190
effective date of this amendment a speed limit of sixty-five miles 191
per hour for operators of such motor vehicles. 192

(C) It is prima-facie unlawful for any person to exceed any 193
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 194
(6), (7), and (8) of this section, or any declared or established 195
pursuant to this section by the director or local authorities and 196
it is unlawful for any person to exceed any of the speed 197
limitations in division (D) of this section. No person shall be 198
convicted of more than one violation of this section for the same 199
conduct, although violations of more than one provision of this 200
section may be charged in the alternative in a single affidavit. 201

(D) No person shall operate a motor vehicle, trackless 202
trolley, or streetcar upon a street or highway as follows: 203

(1) At a speed exceeding fifty-five miles per hour, except 204

upon a freeway as provided in divisions (B)(13), (14), and 205
~~(14)~~(15) of this section; 206

(2) At a speed exceeding sixty-five miles per hour upon a 207
freeway as provided in divisions (B)(13) and (14) of this section; 208
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(3) If a motor vehicle weighing in excess of eight thousand 210
pounds empty weight or a noncommercial bus as prescribed in 211
division (B)(11) of this section, at a speed exceeding fifty-five 212
miles per hour upon a freeway as provided in that division; 213

(4) At a speed exceeding the posted speed limit upon a 214
freeway for which the director has determined and declared a speed 215
limit of not more than sixty-five miles per hour pursuant to 216
division (L)(2) or (M) of this section; 217

(5) At a speed exceeding sixty-five miles per hour upon a 218
freeway for which such a speed limit has been established through 219
the operation of division (L)(3) of this section; 220

(6) At a speed exceeding the posted speed limit upon a 221
freeway for which the director has determined and declared a speed 222
limit pursuant to division (I)(2) of this section; 223

(7) At a speed exceeding seventy miles per hour upon a 224
freeway as provided in division (B)(15) of this section. 225

(E) In every charge of violation of this section the 226
affidavit and warrant shall specify the time, place, and speed at 227
which the defendant is alleged to have driven, and in charges made 228
in reliance upon division (C) of this section also the speed which 229
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 230
declared or established pursuant to, this section declares is 231
prima-facie lawful at the time and place of such alleged 232
violation, except that in affidavits where a person is alleged to 233
have driven at a greater speed than will permit the person to 234
bring the vehicle to a stop within the assured clear distance 235

ahead the affidavit and warrant need not specify the speed at 236
which the defendant is alleged to have driven. 237

(F) When a speed in excess of both a prima-facie limitation 238
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 239
this section is alleged, the defendant shall be charged in a 240
single affidavit, alleging a single act, with a violation 241
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 242
(8) of this section, or of a limit declared or established 243
pursuant to this section by the director or local authorities, and 244
of the limitation in division (D)(1), (2), (3), (4), (5), or (6) 245
of this section. If the court finds a violation of division 246
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 247
or established pursuant to, this section has occurred, it shall 248
enter a judgment of conviction under such division and dismiss the 249
charge under division (D)(1), (2), (3), (4), (5), or (6) of this 250
section. If it finds no violation of division (B)(1)(a), (2), (3), 251
(4), (6), (7), or (8) of, or a limit declared or established 252
pursuant to, this section, it shall then consider whether the 253
evidence supports a conviction under division (D)(1), (2), (3), 254
(4), (5), or (6) of this section. 255

(G) Points shall be assessed for violation of a limitation 256
under division (D) of this section in accordance with section 257
4510.036 of the Revised Code. 258

(H) Whenever the director determines upon the basis of a 259
geometric and traffic characteristic study that any speed limit 260
set forth in divisions (B)(1)(a) to (D) of this section is greater 261
or less than is reasonable or safe under the conditions found to 262
exist at any portion of a street or highway under the jurisdiction 263
of the director, the director shall determine and declare a 264
reasonable and safe prima-facie speed limit, which shall be 265
effective when appropriate signs giving notice of it are erected 266
at the location. 267

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

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

(J) Local authorities in their respective jurisdictions may 300
authorize by ordinance higher prima-facie speeds than those stated 301
in this section upon through highways, or upon highways or 302
portions thereof where there are no intersections, or between 303
widely spaced intersections, provided signs are erected giving 304
notice of the authorized speed, but local authorities shall not 305
modify or alter the basic rule set forth in division (A) of this 306
section or in any event authorize by ordinance a speed in excess 307
of fifty miles per hour. 308

Alteration of prima-facie limits on state routes by local 309
authorities shall not be effective until the alteration has been 310
approved by the director. The director may withdraw approval of 311
any altered prima-facie speed limits whenever in the director's 312
opinion any altered prima-facie speed becomes unreasonable, and 313
upon such withdrawal, the altered prima-facie speed shall become 314
ineffective and the signs relating thereto shall be immediately 315
removed by the local authorities. 316

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 317
section, "unimproved highway" means a highway consisting of any of 318
the following: 319

(a) Unimproved earth; 320

(b) Unimproved graded and drained earth; 321

(c) Gravel. 322

(2) Except as otherwise provided in divisions (K)(4) and (5) 323
of this section, whenever a board of township trustees determines 324
upon the basis of an engineering and traffic investigation that 325
the speed permitted by division (B)(5) of this section on any part 326
of an unimproved highway under its jurisdiction and in the 327
unincorporated territory of the township is greater than is 328
reasonable or safe under the conditions found to exist at the 329
location, the board may by resolution declare a reasonable and 330

safe prima-facie speed limit of fifty-five but not less than 331
twenty-five miles per hour. An altered speed limit adopted by a 332
board of township trustees under this division becomes effective 333
when appropriate traffic control devices, as prescribed in section 334
4511.11 of the Revised Code, giving notice thereof are erected at 335
the location, which shall be no sooner than sixty days after 336
adoption of the resolution. 337

(3)(a) Whenever, in the opinion of a board of township 338
trustees, any altered prima-facie speed limit established by the 339
board under this division becomes unreasonable, the board may 340
adopt a resolution withdrawing the altered prima-facie speed 341
limit. Upon the adoption of such a resolution, the altered 342
prima-facie speed limit becomes ineffective and the traffic 343
control devices relating thereto shall be immediately removed. 344

(b) Whenever a highway ceases to be an unimproved highway and 345
the board has adopted an altered prima-facie speed limit pursuant 346
to division (K)(2) of this section, the board shall, by 347
resolution, withdraw the altered prima-facie speed limit as soon 348
as the highway ceases to be unimproved. Upon the adoption of such 349
a resolution, the altered prima-facie speed limit becomes 350
ineffective and the traffic control devices relating thereto shall 351
be immediately removed. 352

(4)(a) If the boundary of two townships rests on the 353
centerline of an unimproved highway in unincorporated territory 354
and both townships have jurisdiction over the highway, neither of 355
the boards of township trustees of such townships may declare an 356
altered prima-facie speed limit pursuant to division (K)(2) of 357
this section on the part of the highway under their joint 358
jurisdiction unless the boards of township trustees of both of the 359
townships determine, upon the basis of an engineering and traffic 360
investigation, that the speed permitted by division (B)(5) of this 361
section is greater than is reasonable or safe under the conditions 362

found to exist at the location and both boards agree upon a 363
reasonable and safe prima-facie speed limit of less than 364
fifty-five but not less than twenty-five miles per hour for that 365
location. If both boards so agree, each shall follow the procedure 366
specified in division (K)(2) of this section for altering the 367
prima-facie speed limit on the highway. Except as otherwise 368
provided in division (K)(4)(b) of this section, no speed limit 369
altered pursuant to division (K)(4)(a) of this section may be 370
withdrawn unless the boards of township trustees of both townships 371
determine that the altered prima-facie speed limit previously 372
adopted becomes unreasonable and each board adopts a resolution 373
withdrawing the altered prima-facie speed limit pursuant to the 374
procedure specified in division (K)(3)(a) of this section. 375

(b) Whenever a highway described in division (K)(4)(a) of 376
this section ceases to be an unimproved highway and two boards of 377
township trustees have adopted an altered prima-facie speed limit 378
pursuant to division (K)(4)(a) of this section, both boards shall, 379
by resolution, withdraw the altered prima-facie speed limit as 380
soon as the highway ceases to be unimproved. Upon the adoption of 381
the resolution, the altered prima-facie speed limit becomes 382
ineffective and the traffic control devices relating thereto shall 383
be immediately removed. 384

(5) As used in division (K)(5) of this section: 385

(a) "Commercial subdivision" means any platted territory 386
outside the limits of a municipal corporation and fronting a 387
highway where, for a distance of three hundred feet or more, the 388
frontage is improved with buildings in use for commercial 389
purposes, or where the entire length of the highway is less than 390
three hundred feet long and the frontage is improved with 391
buildings in use for commercial purposes. 392

(b) "Residential subdivision" means any platted territory 393
outside the limits of a municipal corporation and fronting a 394

highway, where, for a distance of three hundred feet or more, the 395
frontage is improved with residences or residences and buildings 396
in use for business, or where the entire length of the highway is 397
less than three hundred feet long and the frontage is improved 398
with residences or residences and buildings in use for business. 399

Whenever a board of township trustees finds upon the basis of 400
an engineering and traffic investigation that the prima-facie 401
speed permitted by division (B)(5) of this section on any part of 402
a highway under its jurisdiction that is located in a commercial 403
or residential subdivision, except on highways or portions thereof 404
at the entrances to which vehicular traffic from the majority of 405
intersecting highways is required to yield the right-of-way to 406
vehicles on such highways in obedience to stop or yield signs or 407
traffic control signals, is greater than is reasonable and safe 408
under the conditions found to exist at the location, the board may 409
by resolution declare a reasonable and safe prima-facie speed 410
limit of less than fifty-five but not less than twenty-five miles 411
per hour at the location. An altered speed limit adopted by a 412
board of township trustees under this division shall become 413
effective when appropriate signs giving notice thereof are erected 414
at the location by the township. Whenever, in the opinion of a 415
board of township trustees, any altered prima-facie speed limit 416
established by it under this division becomes unreasonable, it may 417
adopt a resolution withdrawing the altered prima-facie speed, and 418
upon such withdrawal, the altered prima-facie speed shall become 419
ineffective, and the signs relating thereto shall be immediately 420
removed by the township. 421

(L)(1) Within one hundred twenty days of February 29, 1996, 422
the director of transportation, based upon a geometric and traffic 423
characteristic study of a freeway that is part of the interstate 424
system or that is not part of the interstate system, but is built 425
to the standards and specifications that are applicable to 426

freeways that are part of the interstate system, in consultation 427
with the director of public safety and, if applicable, the local 428
authority having jurisdiction over a portion of such freeway, may 429
determine and declare that the speed limit of less than sixty-five 430
miles per hour established on such freeway or portion of freeway 431
either is reasonable and safe or is less than that which is 432
reasonable and safe. 433

(2) If the established speed limit for such a freeway or 434
portion of freeway is determined to be less than that which is 435
reasonable and safe, the director of transportation, in 436
consultation with the director of public safety and, if 437
applicable, the local authority having jurisdiction over the 438
portion of freeway, shall determine and declare a reasonable and 439
safe speed limit of not more than sixty-five miles per hour for 440
that freeway or portion of freeway. 441

The director of transportation or local authority having 442
jurisdiction over the freeway or portion of freeway shall erect 443
appropriate signs giving notice of the speed limit at such 444
location within one hundred fifty days of February 29, 1996. Such 445
speed limit becomes effective only when such signs are erected at 446
the location. 447

(3) If, within one hundred twenty days of February 29, 1996, 448
the director of transportation does not make a determination and 449
declaration of a reasonable and safe speed limit for a freeway or 450
portion of freeway that is part of the interstate system or that 451
is not part of the interstate system, but is built to the 452
standards and specifications that are applicable to freeways that 453
are part of the interstate system and that has a speed limit of 454
less than sixty-five miles per hour, the speed limit on that 455
freeway or portion of a freeway shall be sixty-five miles per 456
hour. The director of transportation or local authority having 457
jurisdiction over the freeway or portion of the freeway shall 458

erect appropriate signs giving notice of the speed limit of 459
sixty-five miles per hour at such location within one hundred 460
fifty days of February 29, 1996. Such speed limit becomes 461
effective only when such signs are erected at the location. A 462
speed limit established through the operation of division (L)(3) 463
of this section is subject to reduction under division (I)(2) of 464
this section. 465

(M) Within three hundred sixty days after February 29, 1996, 466
the director of transportation, based upon a geometric and traffic 467
characteristic study of a rural, divided, multi-lane highway that 468
has been designated as part of the national highway system under 469
the "National Highway System Designation Act of 1995," 109 Stat. 470
568, 23 U.S.C.A. 103, in consultation with the director of public 471
safety and, if applicable, the local authority having jurisdiction 472
over a portion of the highway, may determine and declare that the 473
speed limit of less than sixty-five miles per hour established on 474
the highway or portion of highway either is reasonable and safe or 475
is less than that which is reasonable and safe. 476

If the established speed limit for the highway or portion of 477
highway is determined to be less than that which is reasonable and 478
safe, the director of transportation, in consultation with the 479
director of public safety and, if applicable, the local authority 480
having jurisdiction over the portion of highway, shall determine 481
and declare a reasonable and safe speed limit of not more than 482
sixty-five miles per hour for that highway or portion of highway. 483
The director of transportation or local authority having 484
jurisdiction over the highway or portion of highway shall erect 485
appropriate signs giving notice of the speed limit at such 486
location within three hundred ninety days after February 29, 1996. 487
The speed limit becomes effective only when such signs are erected 488
at the location. 489

(N)(1)(a) If the boundary of two local authorities rests on 490

the centerline of a highway and both authorities have jurisdiction 491
over the highway, the speed limit for the part of the highway 492
within their joint jurisdiction shall be either one of the 493
following as agreed to by both authorities: 494

(i) Either prima-facie speed limit permitted by division (B) 495
of this section; 496

(ii) An altered speed limit determined and posted in 497
accordance with this section. 498

(b) If the local authorities are unable to reach an 499
agreement, the speed limit shall remain as established and posted 500
under this section. 501

(2) Neither local authority may declare an altered 502
prima-facie speed limit pursuant to this section on the part of 503
the highway under their joint jurisdiction unless both of the 504
local authorities determine, upon the basis of an engineering and 505
traffic investigation, that the speed permitted by this section is 506
greater than is reasonable or safe under the conditions found to 507
exist at the location and both authorities agree upon a uniform 508
reasonable and safe prima-facie speed limit of less than 509
fifty-five but not less than twenty-five miles per hour for that 510
location. If both authorities so agree, each shall follow the 511
procedure specified in this section for altering the prima-facie 512
speed limit on the highway, and the speed limit for the part of 513
the highway within their joint jurisdiction shall be uniformly 514
altered. No altered speed limit may be withdrawn unless both local 515
authorities determine that the altered prima-facie speed limit 516
previously adopted becomes unreasonable and each adopts a 517
resolution withdrawing the altered prima-facie speed limit 518
pursuant to the procedure specified in this section. 519

(0) As used in this section: 520

(1) "Interstate system" has the same meaning as in 23 521

U.S.C.A. 101. 522

(2) "Commercial bus" means a motor vehicle designed for 523
carrying more than nine passengers and used for the transportation 524
of persons for compensation. 525

(3) "Noncommercial bus" includes but is not limited to a 526
school bus or a motor vehicle operated solely for the 527
transportation of persons associated with a charitable or 528
nonprofit organization. 529

(P)(1) A violation of any provision of this section is one of 530
the following: 531

(a) Except as otherwise provided in divisions (P)(1)(b), 532
(1)(c), (2), and (3) of this section, a minor misdemeanor; 533

(b) If, within one year of the offense, the offender 534
previously has been convicted of or pleaded guilty to two 535
violations of any provision of this section or of any provision of 536
a municipal ordinance that is substantially similar to any 537
provision of this section, a misdemeanor of the fourth degree; 538

(c) If, within one year of the offense, the offender 539
previously has been convicted of or pleaded guilty to three or 540
more violations of any provision of this section or of any 541
provision of a municipal ordinance that is substantially similar 542
to any provision of this section, a misdemeanor of the third 543
degree. 544

(2) If the offender has not previously been convicted of or 545
pleaded guilty to a violation of any provision of this section or 546
of any provision of a municipal ordinance that is substantially 547
similar to this section and operated a motor vehicle faster than 548
thirty-five miles an hour in a business district of a municipal 549
corporation, faster than fifty miles an hour in other portions of 550
a municipal corporation, or faster than thirty-five miles an hour 551
in a school zone during recess or while children are going to or 552

leaving school during the school's opening or closing hours, a 553
misdemeanor of the fourth degree. 554

(3) Notwithstanding division (P)(1) of this section, if the 555
offender operated a motor vehicle in a construction zone where a 556
sign was then posted in accordance with section 4511.98 of the 557
Revised Code, the court, in addition to all other penalties 558
provided by law, shall impose upon the offender a fine of two 559
times the usual amount imposed for the violation. No court shall 560
impose a fine of two times the usual amount imposed for the 561
violation upon an offender if the offender alleges, in an 562
affidavit filed with the court prior to the offender's sentencing, 563
that the offender is indigent and is unable to pay the fine 564
imposed pursuant to this division and if the court determines that 565
the offender is an indigent person and unable to pay the fine. 566

Section 2. That existing section 4511.21 of the Revised Code 567
is hereby repealed. 568