

**As Reported by the Senate Highways and Transportation
Committee**

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Sub. H. B. No. 330

Representative Patten

**Cosponsors: Representatives Chandler, DeGeeter, Domenick, Evans, Fende,
Foley, Garland, Harris, Letson, Okey, Phillips, Pryor, Skindell, Weddington,
Williams, B., Yuko, Hagan, Mallory, Bolon, Combs, Balderson, McClain, Ruhl,
Adams, R., Bacon, Baker, Batchelder, Belcher, Boose, Brown, Bulp, Burke,
Carney, Celeste, Coley, Daniels, DeBose, Derickson, Dodd, Driehaus, Dyer,
Gardner, Garrison, Gerberry, Goodwin, Goyal, Grossman, Hackett, Hall,
Harwood, Hite, Hottinger, Huffman, Jordan, Koziura, Luckie, Lundy, Maag,
Mandel, Martin, McGregor, Mecklenborg, Moran, Morgan, Murray, Newcomb,
Pillich, Sayre, Slesnick, Snitchler, Stewart, Szollosi, Uecker, Ujvagi, Wagner,
Winburn, Zehringer**

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A B I L L

To amend sections 4511.21, 4513.61, and 5513.01 and	1
to enact section 5577.043 of the Revised Code to	2
authorize the director of transportation to	3
include school districts in purchase contracts for	4
machinery, materials, supplies, and other	5
articles; to establish prima-facie speed limits of	6
35 and 40 miles per hour on certain streets within	7
the municipal corporation of Marblehead; to	8
prohibit a sheriff or police chief from charging	9
to file an affidavit related to disposing of a	10
vehicle the sheriff or chief ordered into storage;	11
and to allow, in counties with a specified	12

population, the operation on local roads of 13
vehicles weighing up to 120,000 pounds under 14
certain circumstances. 15

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

Section 1. That sections 4511.21, 4513.61, and 5513.01 be 16
amended and section 5577.043 of the Revised Code be enacted to 17
read as follows: 18

Sec. 4511.21. (A) No person shall operate a motor vehicle, 19
trackless trolley, or streetcar at a speed greater or less than is 20
reasonable or proper, having due regard to the traffic, surface, 21
and width of the street or highway and any other conditions, and 22
no person shall drive any motor vehicle, trackless trolley, or 23
streetcar in and upon any street or highway at a greater speed 24
than will permit the person to bring it to a stop within the 25
assured clear distance ahead. 26

(B) It is prima-facie lawful, in the absence of a lower limit 27
declared or established pursuant to this section by the director 28
of transportation or local authorities, for the operator of a 29
motor vehicle, trackless trolley, or streetcar to operate the same 30
at a speed not exceeding the following: 31

(1)(a) Twenty miles per hour in school zones during school 32
recess and while children are going to or leaving school during 33
the opening or closing hours, and when twenty miles per hour 34
school speed limit signs are erected; except that, on 35
controlled-access highways and expressways, if the right-of-way 36
line fence has been erected without pedestrian opening, the speed 37
shall be governed by division (B)(4) of this section and on 38
freeways, if the right-of-way line fence has been erected without 39
pedestrian opening, the speed shall be governed by divisions 40

(B)(9) and (10) of this section. The end of every school zone may 41
be marked by a sign indicating the end of the zone. Nothing in 42
this section or in the manual and specifications for a uniform 43
system of traffic control devices shall be construed to require 44
school zones to be indicated by signs equipped with flashing or 45
other lights, or giving other special notice of the hours in which 46
the school zone speed limit is in effect. 47

(b) As used in this section and in section 4511.212 of the 48
Revised Code, "school" means any school chartered under section 49
3301.16 of the Revised Code and any nonchartered school that 50
during the preceding year filed with the department of education 51
in compliance with rule 3301-35-08 of the Ohio Administrative 52
Code, a copy of the school's report for the parents of the 53
school's pupils certifying that the school meets Ohio minimum 54
standards for nonchartered, nontax-supported schools and presents 55
evidence of this filing to the jurisdiction from which it is 56
requesting the establishment of a school zone. "School" also 57
includes a special elementary school that in writing requests the 58
county engineer of the county in which the special elementary 59
school is located to create a school zone at the location of that 60
school. Upon receipt of such a written request, the county 61
engineer shall create a school zone at that location by erecting 62
the appropriate signs. 63

(c) As used in this section, "school zone" means that portion 64
of a street or highway passing a school fronting upon the street 65
or highway that is encompassed by projecting the school property 66
lines to the fronting street or highway, and also includes that 67
portion of a state highway. Upon request from local authorities 68
for streets and highways under their jurisdiction and that portion 69
of a state highway under the jurisdiction of the director of 70
transportation or a request from a county engineer in the case of 71
a school zone for a special elementary school, the director may 72

extend the traditional school zone boundaries. The distances in 73
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 74
exceed three hundred feet per approach per direction and are 75
bounded by whichever of the following distances or combinations 76
thereof the director approves as most appropriate: 77

(i) The distance encompassed by projecting the school 78
building lines normal to the fronting highway and extending a 79
distance of three hundred feet on each approach direction; 80

(ii) The distance encompassed by projecting the school 81
property lines intersecting the fronting highway and extending a 82
distance of three hundred feet on each approach direction; 83

(iii) The distance encompassed by the special marking of the 84
pavement for a principal school pupil crosswalk plus a distance of 85
three hundred feet on each approach direction of the highway. 86

Nothing in this section shall be construed to invalidate the 87
director's initial action on August 9, 1976, establishing all 88
school zones at the traditional school zone boundaries defined by 89
projecting school property lines, except when those boundaries are 90
extended as provided in divisions (B)(1)(a) and (c) of this 91
section. 92

(d) As used in this division, "crosswalk" has the meaning 93
given that term in division (LL)(2) of section 4511.01 of the 94
Revised Code. 95

The director may, upon request by resolution of the 96
legislative authority of a municipal corporation, the board of 97
trustees of a township, or a county board of developmental 98
disabilities created pursuant to Chapter 5126. of the Revised 99
Code, and upon submission by the municipal corporation, township, 100
or county board of such engineering, traffic, and other 101
information as the director considers necessary, designate a 102
school zone on any portion of a state route lying within the 103

municipal corporation, lying within the unincorporated territory 104
of the township, or lying adjacent to the property of a school 105
that is operated by such county board, that includes a crosswalk 106
customarily used by children going to or leaving a school during 107
recess and opening and closing hours, whenever the distance, as 108
measured in a straight line, from the school property line nearest 109
the crosswalk to the nearest point of the crosswalk is no more 110
than one thousand three hundred twenty feet. Such a school zone 111
shall include the distance encompassed by the crosswalk and 112
extending three hundred feet on each approach direction of the 113
state route. 114

(e) As used in this section, "special elementary school" 115
means a school that meets all of the following criteria: 116

(i) It is not chartered and does not receive tax revenue from 117
any source. 118

(ii) It does not educate children beyond the eighth grade. 119

(iii) It is located outside the limits of a municipal 120
corporation. 121

(iv) A majority of the total number of students enrolled at 122
the school are not related by blood. 123

(v) The principal or other person in charge of the special 124
elementary school annually sends a report to the superintendent of 125
the school district in which the special elementary school is 126
located indicating the total number of students enrolled at the 127
school, but otherwise the principal or other person in charge does 128
not report any other information or data to the superintendent. 129

(2) Twenty-five miles per hour in all other portions of a 130
municipal corporation, except on state routes outside business 131
districts, through highways outside business districts, and 132
alleys; 133

(3) Thirty-five miles per hour on all state routes or through	134
highways within municipal corporations outside business districts,	135
except as provided in divisions (B)(4) and (6) of this section;	136
(4) Fifty miles per hour on controlled-access highways and	137
expressways within municipal corporations;	138
(5) Fifty-five miles per hour on highways outside municipal	139
corporations, other than highways within island jurisdictions as	140
provided in division (B)(8) of this section and freeways as	141
provided in divisions (B)(13) and (14) of this section;	142
(6) Fifty miles per hour on state routes within municipal	143
corporations outside urban districts unless a lower prima-facie	144
speed is established as further provided in this section;	145
(7) Fifteen miles per hour on all alleys within the municipal	146
corporation;	147
(8) Thirty-five miles per hour on highways outside municipal	148
corporations that are within an island jurisdiction;	149
(9) Fifty-five miles per hour at all times on freeways with	150
paved shoulders inside municipal corporations, other than freeways	151
as provided in divisions (B)(13) and (14) of this section;	152
(10) Fifty-five miles per hour at all times on freeways	153
outside municipal corporations, other than freeways as provided in	154
divisions (B)(13) and (14) of this section;	155
(11) Fifty-five miles per hour at all times on all portions	156
of freeways that are part of the interstate system and on all	157
portions of freeways that are not part of the interstate system,	158
but are built to the standards and specifications that are	159
applicable to freeways that are part of the interstate system for	160
operators of any motor vehicle weighing in excess of eight	161
thousand pounds empty weight and any noncommercial bus, except as	162
provided in division (B)(14) of this section;	163

(12) Fifty-five miles per hour for operators of any motor 164
vehicle weighing eight thousand pounds or less empty weight and 165
any commercial bus at all times on all portions of freeways that 166
are part of the interstate system and that had such a speed limit 167
established prior to October 1, 1995, and freeways that are not 168
part of the interstate system, but are built to the standards and 169
specifications that are applicable to freeways that are part of 170
the interstate system and that had such a speed limit established 171
prior to October 1, 1995, unless a higher speed limit is 172
established under division (L) of this section; 173

(13) Sixty-five miles per hour for operators of any motor 174
vehicle weighing eight thousand pounds or less empty weight and 175
any commercial bus at all times on all portions of the following: 176

(a) Freeways that are part of the interstate system and that 177
had such a speed limit established prior to October 1, 1995, and 178
freeways that are not part of the interstate system, but are built 179
to the standards and specifications that are applicable to 180
freeways that are part of the interstate system and that had such 181
a speed limit established prior to October 1, 1995; 182

(b) Freeways that are part of the interstate system and 183
freeways that are not part of the interstate system but are built 184
to the standards and specifications that are applicable to 185
freeways that are part of the interstate system, and that had such 186
a speed limit established under division (L) of this section; 187

(c) Rural, divided, multi-lane highways that are designated 188
as part of the national highway system under the "National Highway 189
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 190
and that had such a speed limit established under division (M) of 191
this section. 192

(14) Sixty-five miles per hour at all times on all portions 193
of freeways that are part of the interstate system and that had 194

such a speed limit on ~~the effective date of this amendment~~ July 1, 195
2009, for operators of any motor vehicle weighing in excess of 196
eight thousand pounds empty weight and any noncommercial bus; 197

(15)(a) Thirty-five miles per hour on the northern portion of 198
state route number one hundred sixty-three within the municipal 199
corporation of Marblehead, commencing at the western boundary of 200
Marblehead and proceeding in an easterly direction to the 201
intersection of that state route and Water street within that 202
municipal corporation; 203

(b) Forty miles per hour on the southern portion of state 204
route number one hundred sixty-three within the municipal 205
corporation of Marblehead, commencing at the western boundary of 206
Marblehead and proceeding in an easterly and then northeasterly 207
and then northerly direction to the intersection of that state 208
route and Lighthouse road within that municipal corporation. 209

(C) It is prima-facie unlawful for any person to exceed any 210
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 211
(6), (7), ~~and~~ (8), and (15) of this section, or any declared or 212
established pursuant to this section by the director or local 213
authorities and it is unlawful for any person to exceed any of the 214
speed limitations in division (D) of this section. No person shall 215
be convicted of more than one violation of this section for the 216
same conduct, although violations of more than one provision of 217
this section may be charged in the alternative in a single 218
affidavit. 219

(D) No person shall operate a motor vehicle, trackless 220
trolley, or streetcar upon a street or highway as follows: 221

(1) At a speed exceeding fifty-five miles per hour, except 222
upon a freeway as provided in divisions (B)(13) and (14) of this 223
section; 224

(2) At a speed exceeding sixty-five miles per hour upon a 225

freeway as provided in divisions (B)(13) and (14) of this section; 226

(3) If a motor vehicle weighing in excess of eight thousand 227
pounds empty weight or a noncommercial bus as prescribed in 228
division (B)(11) of this section, at a speed exceeding fifty-five 229
miles per hour upon a freeway as provided in that division; 230

(4) At a speed exceeding the posted speed limit upon a 231
freeway for which the director has determined and declared a speed 232
limit of not more than sixty-five miles per hour pursuant to 233
division (L)(2) or (M) of this section; 234

(5) At a speed exceeding sixty-five miles per hour upon a 235
freeway for which such a speed limit has been established through 236
the operation of division (L)(3) of this section; 237

(6) At a speed exceeding the posted speed limit upon a 238
freeway for which the director has determined and declared a speed 239
limit pursuant to division (I)(2) of this section. 240

(E) In every charge of violation of this section the 241
affidavit and warrant shall specify the time, place, and speed at 242
which the defendant is alleged to have driven, and in charges made 243
in reliance upon division (C) of this section also the speed which 244
division (B)(1)(a), (2), (3), (4), (6), (7), ~~or~~ (8), or (15) of, 245
or a limit declared or established pursuant to, this section 246
declares is prima-facie lawful at the time and place of such 247
alleged violation, except that in affidavits where a person is 248
alleged to have driven at a greater speed than will permit the 249
person to bring the vehicle to a stop within the assured clear 250
distance ahead the affidavit and warrant need not specify the 251
speed at which the defendant is alleged to have driven. 252

(F) When a speed in excess of both a prima-facie limitation 253
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 254
this section is alleged, the defendant shall be charged in a 255
single affidavit, alleging a single act, with a violation 256

indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), ~~or~~ 257
(8), or (15) of this section, or of a limit declared or 258
established pursuant to this section by the director or local 259
authorities, and of the limitation in division (D)(1), (2), (3), 260
(4), (5), or (6) of this section. If the court finds a violation 261
of division (B)(1)(a), (2), (3), (4), (6), (7), ~~or~~ (8), or (15) 262
of, or a limit declared or established pursuant to, this section 263
has occurred, it shall enter a judgment of conviction under such 264
division and dismiss the charge under division (D)(1), (2), (3), 265
(4), (5), or (6) of this section. If it finds no violation of 266
division (B)(1)(a), (2), (3), (4), (6), (7), ~~or~~ (8), or (15) of, 267
or a limit declared or established pursuant to, this section, it 268
shall then consider whether the evidence supports a conviction 269
under division (D)(1), (2), (3), (4), (5), or (6) of this section. 270

(G) Points shall be assessed for violation of a limitation 271
under division (D) of this section in accordance with section 272
4510.036 of the Revised Code. 273

(H) Whenever the director determines upon the basis of a 274
geometric and traffic characteristic study that any speed limit 275
set forth in divisions (B)(1)(a) to (D) of this section is greater 276
or less than is reasonable or safe under the conditions found to 277
exist at any portion of a street or highway under the jurisdiction 278
of the director, the director shall determine and declare a 279
reasonable and safe prima-facie speed limit, which shall be 280
effective when appropriate signs giving notice of it are erected 281
at the location. 282

(I)(1) Except as provided in divisions (I)(2) and (K) of this 283
section, whenever local authorities determine upon the basis of an 284
engineering and traffic investigation that the speed permitted by 285
divisions (B)(1)(a) to (D) of this section, on any part of a 286
highway under their jurisdiction, is greater than is reasonable 287
and safe under the conditions found to exist at such location, the 288

local authorities may by resolution request the director to 289
determine and declare a reasonable and safe prima-facie speed 290
limit. Upon receipt of such request the director may determine and 291
declare a reasonable and safe prima-facie speed limit at such 292
location, and if the director does so, then such declared speed 293
limit shall become effective only when appropriate signs giving 294
notice thereof are erected at such location by the local 295
authorities. The director may withdraw the declaration of a 296
prima-facie speed limit whenever in the director's opinion the 297
altered prima-facie speed becomes unreasonable. Upon such 298
withdrawal, the declared prima-facie speed shall become 299
ineffective and the signs relating thereto shall be immediately 300
removed by the local authorities. 301

(2) A local authority may determine on the basis of a 302
geometric and traffic characteristic study that the speed limit of 303
sixty-five miles per hour on a portion of a freeway under its 304
jurisdiction that was established through the operation of 305
division (L)(3) of this section is greater than is reasonable or 306
safe under the conditions found to exist at that portion of the 307
freeway. If the local authority makes such a determination, the 308
local authority by resolution may request the director to 309
determine and declare a reasonable and safe speed limit of not 310
less than fifty-five miles per hour for that portion of the 311
freeway. If the director takes such action, the declared speed 312
limit becomes effective only when appropriate signs giving notice 313
of it are erected at such location by the local authority. 314

(J) Local authorities in their respective jurisdictions may 315
authorize by ordinance higher prima-facie speeds than those stated 316
in this section upon through highways, or upon highways or 317
portions thereof where there are no intersections, or between 318
widely spaced intersections, provided signs are erected giving 319
notice of the authorized speed, but local authorities shall not 320

modify or alter the basic rule set forth in division (A) of this 321
section or in any event authorize by ordinance a speed in excess 322
of fifty miles per hour. 323

Alteration of prima-facie limits on state routes by local 324
authorities shall not be effective until the alteration has been 325
approved by the director. The director may withdraw approval of 326
any altered prima-facie speed limits whenever in the director's 327
opinion any altered prima-facie speed becomes unreasonable, and 328
upon such withdrawal, the altered prima-facie speed shall become 329
ineffective and the signs relating thereto shall be immediately 330
removed by the local authorities. 331

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 332
section, "unimproved highway" means a highway consisting of any of 333
the following: 334

(a) Unimproved earth; 335

(b) Unimproved graded and drained earth; 336

(c) Gravel. 337

(2) Except as otherwise provided in divisions (K)(4) and (5) 338
of this section, whenever a board of township trustees determines 339
upon the basis of an engineering and traffic investigation that 340
the speed permitted by division (B)(5) of this section on any part 341
of an unimproved highway under its jurisdiction and in the 342
unincorporated territory of the township is greater than is 343
reasonable or safe under the conditions found to exist at the 344
location, the board may by resolution declare a reasonable and 345
safe prima-facie speed limit of fifty-five but not less than 346
twenty-five miles per hour. An altered speed limit adopted by a 347
board of township trustees under this division becomes effective 348
when appropriate traffic control devices, as prescribed in section 349
4511.11 of the Revised Code, giving notice thereof are erected at 350
the location, which shall be no sooner than sixty days after 351

adoption of the resolution. 352

(3)(a) Whenever, in the opinion of a board of township 353
trustees, any altered prima-facie speed limit established by the 354
board under this division becomes unreasonable, the board may 355
adopt a resolution withdrawing the altered prima-facie speed 356
limit. Upon the adoption of such a resolution, the altered 357
prima-facie speed limit becomes ineffective and the traffic 358
control devices relating thereto shall be immediately removed. 359

(b) Whenever a highway ceases to be an unimproved highway and 360
the board has adopted an altered prima-facie speed limit pursuant 361
to division (K)(2) of this section, the board shall, by 362
resolution, withdraw the altered prima-facie speed limit as soon 363
as the highway ceases to be unimproved. Upon the adoption of such 364
a resolution, the altered prima-facie speed limit becomes 365
ineffective and the traffic control devices relating thereto shall 366
be immediately removed. 367

(4)(a) If the boundary of two townships rests on the 368
centerline of an unimproved highway in unincorporated territory 369
and both townships have jurisdiction over the highway, neither of 370
the boards of township trustees of such townships may declare an 371
altered prima-facie speed limit pursuant to division (K)(2) of 372
this section on the part of the highway under their joint 373
jurisdiction unless the boards of township trustees of both of the 374
townships determine, upon the basis of an engineering and traffic 375
investigation, that the speed permitted by division (B)(5) of this 376
section is greater than is reasonable or safe under the conditions 377
found to exist at the location and both boards agree upon a 378
reasonable and safe prima-facie speed limit of less than 379
fifty-five but not less than twenty-five miles per hour for that 380
location. If both boards so agree, each shall follow the procedure 381
specified in division (K)(2) of this section for altering the 382
prima-facie speed limit on the highway. Except as otherwise 383

provided in division (K)(4)(b) of this section, no speed limit 384
altered pursuant to division (K)(4)(a) of this section may be 385
withdrawn unless the boards of township trustees of both townships 386
determine that the altered prima-facie speed limit previously 387
adopted becomes unreasonable and each board adopts a resolution 388
withdrawing the altered prima-facie speed limit pursuant to the 389
procedure specified in division (K)(3)(a) of this section. 390

(b) Whenever a highway described in division (K)(4)(a) of 391
this section ceases to be an unimproved highway and two boards of 392
township trustees have adopted an altered prima-facie speed limit 393
pursuant to division (K)(4)(a) of this section, both boards shall, 394
by resolution, withdraw the altered prima-facie speed limit as 395
soon as the highway ceases to be unimproved. Upon the adoption of 396
the resolution, the altered prima-facie speed limit becomes 397
ineffective and the traffic control devices relating thereto shall 398
be immediately removed. 399

(5) As used in division (K)(5) of this section: 400

(a) "Commercial subdivision" means any platted territory 401
outside the limits of a municipal corporation and fronting a 402
highway where, for a distance of three hundred feet or more, the 403
frontage is improved with buildings in use for commercial 404
purposes, or where the entire length of the highway is less than 405
three hundred feet long and the frontage is improved with 406
buildings in use for commercial purposes. 407

(b) "Residential subdivision" means any platted territory 408
outside the limits of a municipal corporation and fronting a 409
highway, where, for a distance of three hundred feet or more, the 410
frontage is improved with residences or residences and buildings 411
in use for business, or where the entire length of the highway is 412
less than three hundred feet long and the frontage is improved 413
with residences or residences and buildings in use for business. 414

Whenever a board of township trustees finds upon the basis of 415
an engineering and traffic investigation that the prima-facie 416
speed permitted by division (B)(5) of this section on any part of 417
a highway under its jurisdiction that is located in a commercial 418
or residential subdivision, except on highways or portions thereof 419
at the entrances to which vehicular traffic from the majority of 420
intersecting highways is required to yield the right-of-way to 421
vehicles on such highways in obedience to stop or yield signs or 422
traffic control signals, is greater than is reasonable and safe 423
under the conditions found to exist at the location, the board may 424
by resolution declare a reasonable and safe prima-facie speed 425
limit of less than fifty-five but not less than twenty-five miles 426
per hour at the location. An altered speed limit adopted by a 427
board of township trustees under this division shall become 428
effective when appropriate signs giving notice thereof are erected 429
at the location by the township. Whenever, in the opinion of a 430
board of township trustees, any altered prima-facie speed limit 431
established by it under this division becomes unreasonable, it may 432
adopt a resolution withdrawing the altered prima-facie speed, and 433
upon such withdrawal, the altered prima-facie speed shall become 434
ineffective, and the signs relating thereto shall be immediately 435
removed by the township. 436

(L)(1) Within one hundred twenty days of February 29, 1996, 437
the director of transportation, based upon a geometric and traffic 438
characteristic study of a freeway that is part of the interstate 439
system or that is not part of the interstate system, but is built 440
to the standards and specifications that are applicable to 441
freeways that are part of the interstate system, in consultation 442
with the director of public safety and, if applicable, the local 443
authority having jurisdiction over a portion of such freeway, may 444
determine and declare that the speed limit of less than sixty-five 445
miles per hour established on such freeway or portion of freeway 446
either is reasonable and safe or is less than that which is 447

reasonable and safe. 448

(2) If the established speed limit for such a freeway or 449
portion of freeway is determined to be less than that which is 450
reasonable and safe, the director of transportation, in 451
consultation with the director of public safety and, if 452
applicable, the local authority having jurisdiction over the 453
portion of freeway, shall determine and declare a reasonable and 454
safe speed limit of not more than sixty-five miles per hour for 455
that freeway or portion of freeway. 456

The director of transportation or local authority having 457
jurisdiction over the freeway or portion of freeway shall erect 458
appropriate signs giving notice of the speed limit at such 459
location within one hundred fifty days of February 29, 1996. Such 460
speed limit becomes effective only when such signs are erected at 461
the location. 462

(3) If, within one hundred twenty days of February 29, 1996, 463
the director of transportation does not make a determination and 464
declaration of a reasonable and safe speed limit for a freeway or 465
portion of freeway that is part of the interstate system or that 466
is not part of the interstate system, but is built to the 467
standards and specifications that are applicable to freeways that 468
are part of the interstate system and that has a speed limit of 469
less than sixty-five miles per hour, the speed limit on that 470
freeway or portion of a freeway shall be sixty-five miles per 471
hour. The director of transportation or local authority having 472
jurisdiction over the freeway or portion of the freeway shall 473
erect appropriate signs giving notice of the speed limit of 474
sixty-five miles per hour at such location within one hundred 475
fifty days of February 29, 1996. Such speed limit becomes 476
effective only when such signs are erected at the location. A 477
speed limit established through the operation of division (L)(3) 478
of this section is subject to reduction under division (I)(2) of 479

this section. 480

(M) Within three hundred sixty days after February 29, 1996, 481
the director of transportation, based upon a geometric and traffic 482
characteristic study of a rural, divided, multi-lane highway that 483
has been designated as part of the national highway system under 484
the "National Highway System Designation Act of 1995," 109 Stat. 485
568, 23 U.S.C.A. 103, in consultation with the director of public 486
safety and, if applicable, the local authority having jurisdiction 487
over a portion of the highway, may determine and declare that the 488
speed limit of less than sixty-five miles per hour established on 489
the highway or portion of highway either is reasonable and safe or 490
is less than that which is reasonable and safe. 491

If the established speed limit for the highway or portion of 492
highway is determined to be less than that which is reasonable and 493
safe, the director of transportation, in consultation with the 494
director of public safety and, if applicable, the local authority 495
having jurisdiction over the portion of highway, shall determine 496
and declare a reasonable and safe speed limit of not more than 497
sixty-five miles per hour for that highway or portion of highway. 498
The director of transportation or local authority having 499
jurisdiction over the highway or portion of highway shall erect 500
appropriate signs giving notice of the speed limit at such 501
location within three hundred ninety days after February 29, 1996. 502
The speed limit becomes effective only when such signs are erected 503
at the location. 504

(N)(1)(a) If the boundary of two local authorities rests on 505
the centerline of a highway and both authorities have jurisdiction 506
over the highway, the speed limit for the part of the highway 507
within their joint jurisdiction shall be either one of the 508
following as agreed to by both authorities: 509

(i) Either prima-facie speed limit permitted by division (B) 510
of this section; 511

(ii) An altered speed limit determined and posted in 512
accordance with this section. 513

(b) If the local authorities are unable to reach an 514
agreement, the speed limit shall remain as established and posted 515
under this section. 516

(2) Neither local authority may declare an altered 517
prima-facie speed limit pursuant to this section on the part of 518
the highway under their joint jurisdiction unless both of the 519
local authorities determine, upon the basis of an engineering and 520
traffic investigation, that the speed permitted by this section is 521
greater than is reasonable or safe under the conditions found to 522
exist at the location and both authorities agree upon a uniform 523
reasonable and safe prima-facie speed limit of less than 524
fifty-five but not less than twenty-five miles per hour for that 525
location. If both authorities so agree, each shall follow the 526
procedure specified in this section for altering the prima-facie 527
speed limit on the highway, and the speed limit for the part of 528
the highway within their joint jurisdiction shall be uniformly 529
altered. No altered speed limit may be withdrawn unless both local 530
authorities determine that the altered prima-facie speed limit 531
previously adopted becomes unreasonable and each adopts a 532
resolution withdrawing the altered prima-facie speed limit 533
pursuant to the procedure specified in this section. 534

(O) As used in this section: 535

(1) "Interstate system" has the same meaning as in 23 536
U.S.C.A. 101. 537

(2) "Commercial bus" means a motor vehicle designed for 538
carrying more than nine passengers and used for the transportation 539
of persons for compensation. 540

(3) "Noncommercial bus" includes but is not limited to a 541
school bus or a motor vehicle operated solely for the 542

transportation of persons associated with a charitable or 543
nonprofit organization. 544

(P)(1) A violation of any provision of this section is one of 545
the following: 546

(a) Except as otherwise provided in divisions (P)(1)(b), 547
(1)(c), (2), and (3) of this section, a minor misdemeanor; 548

(b) If, within one year of the offense, the offender 549
previously has been convicted of or pleaded guilty to two 550
violations of any provision of this section or of any provision of 551
a municipal ordinance that is substantially similar to any 552
provision of this section, a misdemeanor of the fourth degree; 553

(c) If, within one year of the offense, the offender 554
previously has been convicted of or pleaded guilty to three or 555
more violations of any provision of this section or of any 556
provision of a municipal ordinance that is substantially similar 557
to any provision of this section, a misdemeanor of the third 558
degree. 559

(2) If the offender has not previously been convicted of or 560
pleaded guilty to a violation of any provision of this section or 561
of any provision of a municipal ordinance that is substantially 562
similar to this section and operated a motor vehicle faster than 563
thirty-five miles an hour in a business district of a municipal 564
corporation, faster than fifty miles an hour in other portions of 565
a municipal corporation, or faster than thirty-five miles an hour 566
in a school zone during recess or while children are going to or 567
leaving school during the school's opening or closing hours, a 568
misdemeanor of the fourth degree. 569

(3) Notwithstanding division (P)(1) of this section, if the 570
offender operated a motor vehicle in a construction zone where a 571
sign was then posted in accordance with section 4511.98 of the 572
Revised Code, the court, in addition to all other penalties 573

provided by law, shall impose upon the offender a fine of two 574
times the usual amount imposed for the violation. No court shall 575
impose a fine of two times the usual amount imposed for the 576
violation upon an offender if the offender alleges, in an 577
affidavit filed with the court prior to the offender's sentencing, 578
that the offender is indigent and is unable to pay the fine 579
imposed pursuant to this division and if the court determines that 580
the offender is an indigent person and unable to pay the fine. 581

Sec. 4513.61. The sheriff of a county or chief of police of a 582
municipal corporation, township, or township police district, 583
within the sheriff's or chief's respective territorial 584
jurisdiction, or a state highway patrol trooper, upon notification 585
to the sheriff or chief of police of such action and of the 586
location of the place of storage, may order into storage any motor 587
vehicle, including an abandoned junk motor vehicle as defined in 588
section 4513.63 of the Revised Code, that has come into the 589
possession of the sheriff, chief of police, or state highway 590
patrol trooper as a result of the performance of the sheriff's, 591
chief's, or trooper's duties or that has been left on a public 592
street or other property open to the public for purposes of 593
vehicular travel, or upon or within the right-of-way of any road 594
or highway, for forty-eight hours or longer without notification 595
to the sheriff or chief of police of the reasons for leaving the 596
motor vehicle in such place, except that when such a motor vehicle 597
constitutes an obstruction to traffic it may be ordered into 598
storage immediately. The sheriff or chief of police shall 599
designate the place of storage of any motor vehicle so ordered 600
removed. 601

The sheriff or chief of police immediately shall cause a 602
search to be made of the records of the bureau of motor vehicles 603
to ascertain the owner and any lienholder of a motor vehicle 604
ordered into storage by the sheriff or chief of police, or by a 605

state highway patrol trooper, and, if known, shall send or cause 606
to be sent notice to the owner or lienholder at the owner's or 607
lienholder's last known address by certified mail with return 608
receipt requested, that the motor vehicle will be declared a 609
nuisance and disposed of if not claimed within ten days of the 610
date of mailing of the notice. The owner or lienholder of the 611
motor vehicle may reclaim it upon payment of any expenses or 612
charges incurred in its removal and storage, and presentation of 613
proof of ownership, which may be evidenced by a certificate of 614
title or memorandum certificate of title to the motor vehicle. If 615
the owner or lienholder of the motor vehicle reclaims it after a 616
search of the records of the bureau has been conducted and after 617
notice has been sent to the owner or lienholder as described in 618
this section, and the search was conducted by the owner of the 619
place of storage or the owner's employee, and the notice was sent 620
to the motor vehicle owner by the owner of the place of storage or 621
the owner's employee, the owner or lienholder shall pay to the 622
place of storage a processing fee of twenty-five dollars, in 623
addition to any expenses or charges incurred in the removal and 624
storage of the vehicle. 625

If the owner or lienholder makes no claim to the motor 626
vehicle within ten days of the date of mailing of the notice, and 627
if the vehicle is to be disposed of at public auction as provided 628
in section 4513.62 of the Revised Code, the sheriff or chief of 629
police, without charge to any party, shall file with the clerk of 630
courts of the county in which the place of storage is located an 631
affidavit showing compliance with the requirements of this 632
section. Upon presentation of the affidavit, the clerk, without 633
charge, shall issue a salvage certificate of title, free and clear 634
of all liens and encumbrances, to the sheriff or chief of police. 635
If the vehicle is to be disposed of to a motor vehicle salvage 636
dealer or other facility as provided in section 4513.62 of the 637
Revised Code, the sheriff or chief of police shall execute in 638

triplicate an affidavit, as prescribed by the registrar of motor 639
vehicles, describing the motor vehicle and the manner in which it 640
was disposed of, and that all requirements of this section have 641
been complied with. The sheriff or chief of police shall retain 642
the original of the affidavit for the sheriff's or chief's 643
records, and shall furnish two copies to the motor vehicle salvage 644
dealer or other facility. Upon presentation of a copy of the 645
affidavit by the motor vehicle salvage dealer, the clerk of 646
courts, within thirty days of the presentation, shall issue to 647
such owner a salvage certificate of title, free and clear of all 648
liens and encumbrances. 649

Whenever a motor vehicle salvage dealer or other facility 650
receives an affidavit for the disposal of a motor vehicle as 651
provided in this section, the dealer or facility shall not be 652
required to obtain an Ohio certificate of title to the motor 653
vehicle in the dealer's or facility's own name if the vehicle is 654
dismantled or destroyed and both copies of the affidavit are 655
delivered to the clerk of courts. 656

Sec. 5513.01. (A) All purchases of machinery, materials, 657
supplies, or other articles that the director of transportation 658
makes shall be in the manner provided in this section. In all 659
cases except those in which the director provides written 660
authorization for purchases by district deputy directors of 661
transportation, all such purchases shall be made at the central 662
office of the department of transportation in Columbus. Before 663
making any purchase at that office, the director, as provided in 664
this section, shall give notice to bidders of the director's 665
intention to purchase. Where the expenditure does not exceed the 666
amount applicable to the purchase of supplies specified in 667
division (B) of section 125.05 of the Revised Code, as adjusted 668
pursuant to division (D) of that section, the director shall give 669
such notice as the director considers proper, or the director may 670

make the purchase without notice. Where the expenditure exceeds 671
the amount applicable to the purchase of supplies specified in 672
division (B) of section 125.05 of the Revised Code, as adjusted 673
pursuant to division (D) of that section, the director shall give 674
notice by posting for not less than ten days a written, typed, or 675
printed invitation to bidders on a bulletin board, which shall be 676
located in a place in the offices assigned to the department and 677
open to the public during business hours. Producers or 678
distributors of any product may notify the director, in writing, 679
of the class of articles for the furnishing of which they desire 680
to bid and their post-office addresses, in which case copies of 681
all invitations to bidders relating to the purchase of such 682
articles shall be mailed to such persons by the director by 683
regular first class mail at least ten days prior to the time fixed 684
for taking bids. The director also may mail copies of all 685
invitations to bidders to news agencies or other agencies or 686
organizations distributing information of this character. Requests 687
for invitations shall not be valid nor require action by the 688
director unless renewed, either annually or after such shorter 689
period as the director may prescribe by a general rule. The 690
invitation to bidders shall contain a brief statement of the 691
general character of the article that it is intended to purchase, 692
the approximate quantity desired, and a statement of the time and 693
place where bids will be received, and may relate to and describe 694
as many different articles as the director thinks proper, it being 695
the intent and purpose of this section to authorize the inclusion 696
in a single invitation of as many different articles as the 697
director desires to invite bids upon at any given time. 698
Invitations issued during each calendar year shall be given 699
consecutive numbers, and the number assigned to each invitation 700
shall appear on all copies thereof. In all cases where notice is 701
required by this section, sealed bids shall be taken, on forms 702
prescribed and furnished by the director, and modification of bids 703

after they have been opened shall not be permitted. 704

(B) The director may permit the Ohio turnpike commission, any 705
political subdivision, and any state university or college to 706
participate in contracts into which the director has entered for 707
the purchase of machinery, materials, supplies, or other articles. 708
The turnpike commission and any political subdivision or state 709
university or college desiring to participate in such purchase 710
contracts shall file with the director a certified copy of the 711
bylaws or rules of the turnpike commission or the ordinance or 712
resolution of the legislative authority, board of trustees, or 713
other governing board requesting authorization to participate in 714
such contracts and agreeing to be bound by such terms and 715
conditions as the director prescribes. Purchases made by the 716
turnpike commission, political subdivisions, or state universities 717
or colleges under this division are exempt from any competitive 718
bidding required by law for the purchase of machinery, materials, 719
supplies, or other articles. 720

(C) As used in this section: 721

(1) "Political subdivision" means any county, township, 722
municipal corporation, conservancy district, township park 723
district, park district created under Chapter 1545. of the Revised 724
Code, port authority, regional transit authority, regional airport 725
authority, regional water and sewer district, ~~or~~ county transit 726
board, or school district as defined in section 5513.04 of the 727
Revised Code. 728

(2) "State university or college" has the same meaning as in 729
division (A)(1) of section 3345.32 of the Revised Code. 730

(3) "Ohio turnpike commission" means the commission created 731
by section 5537.02 of the Revised Code. 732

Sec. 5577.043. (A) Notwithstanding the vehicle weight 733

provisions otherwise prescribed in this chapter, in any county 734
having a population of more than one hundred twenty-one thousand 735
but less than one hundred twenty-two thousand based on the federal 736
decennial census for calendar year 2000 the maximum overall gross 737
weight of a vehicle and load shall not exceed one hundred twenty 738
thousand pounds if the vehicle is being operated as follows: 739

(1) To or from an intermodal transportation facility 740
transferring freight between railroads and motor vehicles, for a 741
total trip distance of less than one mile; 742

(2) Over roads that are sufficient to bear the weight and 743
that are not part of the state highway system, except that the 744
vehicle may cross not more than one state highway in a single 745
trip. 746

(B) The road and bridge classifications made by a board of 747
county commissioners under section 5577.08 of the Revised Code 748
shall determine whether a road is sufficient to bear the weight 749
prescribed by division (A) of this section. 750

Section 2. That existing sections 4511.21, 4513.61, and 751
5513.01 of the Revised Code are hereby repealed. 752