

**As Reported by the House Transportation, Public Safety and
Homeland Security Committee**

129th General Assembly

Regular Session

2011-2012

Am. H. B. No. 395

Representative Maag

**Cosponsors: Representatives Brenner, Terhar, Adams, J., Goodwin,
Wachtmann, Blair, Yuko, Combs, Celebrezze, O'Brien, Patmon**

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A B I L L

To amend section 4511.21 of the Revised Code to 1
increase the speed limit on interstate freeways 2
from 65 to 70 miles per hour for all vehicles. 3

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

Section 1. That section 4511.21 of the Revised Code be 4
amended to read as follows: 5

Sec. 4511.21. (A) No person shall operate a motor vehicle, 6
trackless trolley, or streetcar at a speed greater or less than is 7
reasonable or proper, having due regard to the traffic, surface, 8
and width of the street or highway and any other conditions, and 9
no person shall drive any motor vehicle, trackless trolley, or 10
streetcar in and upon any street or highway at a greater speed 11
than will permit the person to bring it to a stop within the 12
assured clear distance ahead. 13

(B) It is prima-facie lawful, in the absence of a lower limit 14
declared or established pursuant to this section by the director 15
of transportation or local authorities, for the operator of a 16
motor vehicle, trackless trolley, or streetcar to operate the same 17

at a speed not exceeding the following: 18

(1)(a) Twenty miles per hour in school zones during school 19
recess and while children are going to or leaving school during 20
the opening or closing hours, and when twenty miles per hour 21
school speed limit signs are erected; except that, on 22
controlled-access highways and expressways, if the right-of-way 23
line fence has been erected without pedestrian opening, the speed 24
shall be governed by division (B)(4) of this section and on 25
freeways, if the right-of-way line fence has been erected without 26
pedestrian opening, the speed shall be governed by divisions 27
(B)(9) and (10) of this section. The end of every school zone may 28
be marked by a sign indicating the end of the zone. Nothing in 29
this section or in the manual and specifications for a uniform 30
system of traffic control devices shall be construed to require 31
school zones to be indicated by signs equipped with flashing or 32
other lights, or giving other special notice of the hours in which 33
the school zone speed limit is in effect. 34

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

the appropriate signs. 50

(c) As used in this section, "school zone" means that portion 51
of a street or highway passing a school fronting upon the street 52
or highway that is encompassed by projecting the school property 53
lines to the fronting street or highway, and also includes that 54
portion of a state highway. Upon request from local authorities 55
for streets and highways under their jurisdiction and that portion 56
of a state highway under the jurisdiction of the director of 57
transportation or a request from a county engineer in the case of 58
a school zone for a special elementary school, the director may 59
extend the traditional school zone boundaries. The distances in 60
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 61
exceed three hundred feet per approach per direction and are 62
bounded by whichever of the following distances or combinations 63
thereof the director approves as most appropriate: 64

(i) The distance encompassed by projecting the school 65
building lines normal to the fronting highway and extending a 66
distance of three hundred feet on each approach direction; 67

(ii) The distance encompassed by projecting the school 68
property lines intersecting the fronting highway and extending a 69
distance of three hundred feet on each approach direction; 70

(iii) The distance encompassed by the special marking of the 71
pavement for a principal school pupil crosswalk plus a distance of 72
three hundred feet on each approach direction of the highway. 73

Nothing in this section shall be construed to invalidate the 74
director's initial action on August 9, 1976, establishing all 75
school zones at the traditional school zone boundaries defined by 76
projecting school property lines, except when those boundaries are 77
extended as provided in divisions (B)(1)(a) and (c) of this 78
section. 79

(d) As used in this division, "crosswalk" has the meaning 80

given that term in division (LL)(2) of section 4511.01 of the Revised Code.

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 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.

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

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

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

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

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

(v) The principal or other person in charge of the special

elementary school annually sends a report to the superintendent of 112
the school district in which the special elementary school is 113
located indicating the total number of students enrolled at the 114
school, but otherwise the principal or other person in charge does 115
not report any other information or data to the superintendent. 116

(2) Twenty-five miles per hour in all other portions of a 117
municipal corporation, except on state routes outside business 118
districts, through highways outside business districts, and 119
alleys; 120

(3) Thirty-five miles per hour on all state routes or through 121
highways within municipal corporations outside business districts, 122
except as provided in divisions (B)(4) and (6) of this section; 123

(4) Fifty miles per hour on controlled-access highways and 124
expressways within municipal corporations; 125

(5) Fifty-five miles per hour on highways outside municipal 126
corporations, other than highways within island jurisdictions as 127
provided in division (B)(8) of this section and freeways as 128
provided in divisions (B)(13) and (14) of this section; 129

(6) Fifty miles per hour on state routes within municipal 130
corporations outside urban districts unless a lower prima-facie 131
speed is established as further provided in this section; 132

(7) Fifteen miles per hour on all alleys within the municipal 133
corporation; 134

(8) Thirty-five miles per hour on highways outside municipal 135
corporations that are within an island jurisdiction; 136

(9) Fifty-five miles per hour at all times on freeways with 137
paved shoulders inside municipal corporations, other than freeways 138
as provided in divisions (B)(13) and (14) of this section; 139

(10) Fifty-five miles per hour at all times on freeways 140
outside municipal corporations, other than freeways as provided in 141

divisions (B)(13) and (14) of this section; 142

(11) Fifty-five miles per hour at all times ~~on all portions~~ 143
~~of freeways that are part of the interstate system and~~ 144
portions of freeways that are not part of the interstate system, 145
but are built to the standards and specifications that are 146
applicable to freeways that are part of the interstate system for 147
operators of any motor vehicle weighing in excess of eight 148
thousand pounds empty weight and any noncommercial bus, ~~except as~~ 149
~~provided in division (B)(14) of this section;~~ 150

(12) Fifty-five miles per hour for operators of any motor 151
vehicle weighing eight thousand pounds or less empty weight and 152
any commercial bus at all times on all portions of ~~freeways that~~ 153
~~are part of the interstate system and that had such a speed limit~~ 154
~~established prior to October 1, 1995, and~~ freeways that are not 155
part of the interstate system, but are built to the standards and 156
specifications that are applicable to freeways that are part of 157
the interstate system and that had such a speed limit established 158
prior to October 1, 1995, unless a higher speed limit is 159
established under division (L) of this section; 160

(13) Sixty-five miles per hour for operators of any motor 161
vehicle weighing eight thousand pounds or less empty weight and 162
any commercial bus at all times on all portions of the following: 163

(a) ~~Freeways that are part of the interstate system and that~~ 164
~~had such a speed limit established prior to October 1, 1995, and~~ 165
~~freeways~~ that are not part of the interstate system, but are built 166
to the standards and specifications that are applicable to 167
freeways that are part of the interstate system and that had such 168
a speed limit established prior to October 1, 1995; 169

(b) ~~Freeways that are part of the interstate system and~~ 170
~~freeways~~ that are not part of the interstate system but are built 171
to the standards and specifications that are applicable to 172

freeways that are part of the interstate system, and that had such 173
a speed limit established under division (L) of this section; 174

(c) Rural, divided, multi-lane highways that are designated 175
as part of the national highway system under the "National Highway 176
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 177
and that had such a speed limit established under division (M) of 178
this section. 179

(14) ~~Sixty-five~~ Seventy miles per hour at all times on all 180
portions of freeways that are part of the interstate system ~~and~~ 181
~~that had such a speed limit on the effective date of this~~ 182
~~amendment for operators of any motor vehicle weighing in excess of~~ 183
~~eight thousand pounds empty weight and any noncommercial bus.~~ 184

(C) It is prima-facie unlawful for any person to exceed any 185
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 186
(6), (7), and (8) of this section, or any declared or established 187
pursuant to this section by the director or local authorities and 188
it is unlawful for any person to exceed any of the speed 189
limitations in division (D) of this section. No person shall be 190
convicted of more than one violation of this section for the same 191
conduct, although violations of more than one provision of this 192
section may be charged in the alternative in a single affidavit. 193

(D) No person shall operate a motor vehicle, trackless 194
trolley, or streetcar upon a street or highway as follows: 195

(1) At a speed exceeding fifty-five miles per hour, except 196
upon a freeway as provided in divisions (B)(13) and (14) of this 197
section; 198

(2) At a speed exceeding sixty-five miles per hour upon a 199
freeway as provided in ~~divisions~~ division (B)(13) ~~and (14)~~ of this 200
section, except upon a freeway as provided in division (B)(14) of 201
this section; 202

(3) If a motor vehicle weighing in excess of eight thousand 203

pounds empty weight or a noncommercial bus as prescribed in 204
division (B)(11) of this section, at a speed exceeding fifty-five 205
miles per hour, except upon a freeway as provided in ~~that~~ division 206
(B)(14) of this section; 207

(4) At a speed exceeding the posted speed limit upon a 208
freeway for which the director has determined and declared a speed 209
limit of not more than sixty-five miles per hour pursuant to 210
division (L)(2) or (M) of this section; 211

(5) At a speed exceeding sixty-five miles per hour upon a 212
freeway for which such a speed limit has been established through 213
the operation of division (L)(3) of this section; 214

(6) At a speed exceeding the posted speed limit upon a 215
freeway for which the director has determined and declared a speed 216
limit pursuant to division (I)(2) of this section; 217

(7) At a speed exceeding seventy miles per hour upon a 218
freeway as provided in division (B)(14) of this section. 219

(E) In every charge of violation of this section the 220
affidavit and warrant shall specify the time, place, and speed at 221
which the defendant is alleged to have driven, and in charges made 222
in reliance upon division (C) of this section also the speed which 223
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 224
declared or established pursuant to, this section declares is 225
prima-facie lawful at the time and place of such alleged 226
violation, except that in affidavits where a person is alleged to 227
have driven at a greater speed than will permit the person to 228
bring the vehicle to a stop within the assured clear distance 229
ahead the affidavit and warrant need not specify the speed at 230
which the defendant is alleged to have driven. 231

(F) When a speed in excess of both a prima-facie limitation 232
and a limitation in division (D)~~(1), (2), (3), (4), (5), or (6)~~ of 233
this section is alleged, the defendant shall be charged in a 234

single affidavit, alleging a single act, with a violation 235
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 236
(8) of this section, or of a limit declared or established 237
pursuant to this section by the director or local authorities, and 238
of the limitation in division (D)~~(1), (2), (3), (4), (5), or (6)~~ 239
of this section. If the court finds a violation of division 240
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 241
or established pursuant to, this section has occurred, it shall 242
enter a judgment of conviction under such division and dismiss the 243
charge under division (D)~~(1), (2), (3), (4), (5), or (6)~~ of this 244
section. If it finds no violation of division (B)(1)(a), (2), (3), 245
(4), (6), (7), or (8) of, or a limit declared or established 246
pursuant to, this section, it shall then consider whether the 247
evidence supports a conviction under division (D)~~(1), (2), (3),~~ 248
~~(4), (5), or (6)~~ of this section. 249

(G) Points shall be assessed for violation of a limitation 250
under division (D) of this section in accordance with section 251
4510.036 of the Revised Code. 252

(H) Whenever the director determines upon the basis of a 253
geometric and traffic characteristic study that any speed limit 254
set forth in divisions (B)(1)(a) to (D) of this section is greater 255
or less than is reasonable or safe under the conditions found to 256
exist at any portion of a street or highway under the jurisdiction 257
of the director, the director shall determine and declare a 258
reasonable and safe prima-facie speed limit, which shall be 259
effective when appropriate signs giving notice of it are erected 260
at the location. 261

(I)(1) Except as provided in divisions (I)(2) and (K) of this 262
section, whenever local authorities determine upon the basis of an 263
engineering and traffic investigation that the speed permitted by 264
divisions (B)(1)(a) to (D) of this section, on any part of a 265
highway under their jurisdiction, is greater than is reasonable 266

and safe under the conditions found to exist at such location, the 267
local authorities may by resolution request the director to 268
determine and declare a reasonable and safe prima-facie speed 269
limit. Upon receipt of such request the director may determine and 270
declare a reasonable and safe prima-facie speed limit at such 271
location, and if the director does so, then such declared speed 272
limit shall become effective only when appropriate signs giving 273
notice thereof are erected at such location by the local 274
authorities. The director may withdraw the declaration of a 275
prima-facie speed limit whenever in the director's opinion the 276
altered prima-facie speed becomes unreasonable. Upon such 277
withdrawal, the declared prima-facie speed shall become 278
ineffective and the signs relating thereto shall be immediately 279
removed by the local authorities. 280

(2) A local authority may determine on the basis of a 281
geometric and traffic characteristic study that the speed limit of 282
sixty-five miles per hour on a portion of a freeway under its 283
jurisdiction that was established through the operation of 284
division (L)(3) of this section is greater than is reasonable or 285
safe under the conditions found to exist at that portion of the 286
freeway. If the local authority makes such a determination, the 287
local authority by resolution may request the director to 288
determine and declare a reasonable and safe speed limit of not 289
less than fifty-five miles per hour for that portion of the 290
freeway. If the director takes such action, the declared speed 291
limit becomes effective only when appropriate signs giving notice 292
of it are erected at such location by the local authority. 293

(J) Local authorities in their respective jurisdictions may 294
authorize by ordinance higher prima-facie speeds than those stated 295
in this section upon through highways, or upon highways or 296
portions thereof where there are no intersections, or between 297
widely spaced intersections, provided signs are erected giving 298

notice of the authorized speed, but local authorities shall not 299
modify or alter the basic rule set forth in division (A) of this 300
section or in any event authorize by ordinance a speed in excess 301
of fifty miles per hour. 302

Alteration of prima-facie limits on state routes by local 303
authorities shall not be effective until the alteration has been 304
approved by the director. The director may withdraw approval of 305
any altered prima-facie speed limits whenever in the director's 306
opinion any altered prima-facie speed becomes unreasonable, and 307
upon such withdrawal, the altered prima-facie speed shall become 308
ineffective and the signs relating thereto shall be immediately 309
removed by the local authorities. 310

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 311
section, "unimproved highway" means a highway consisting of any of 312
the following: 313

(a) Unimproved earth; 314

(b) Unimproved graded and drained earth; 315

(c) Gravel. 316

(2) Except as otherwise provided in divisions (K)(4) and (5) 317
of this section, whenever a board of township trustees determines 318
upon the basis of an engineering and traffic investigation that 319
the speed permitted by division (B)(5) of this section on any part 320
of an unimproved highway under its jurisdiction and in the 321
unincorporated territory of the township is greater than is 322
reasonable or safe under the conditions found to exist at the 323
location, the board may by resolution declare a reasonable and 324
safe prima-facie speed limit of fifty-five but not less than 325
twenty-five miles per hour. An altered speed limit adopted by a 326
board of township trustees under this division becomes effective 327
when appropriate traffic control devices, as prescribed in section 328
4511.11 of the Revised Code, giving notice thereof are erected at 329

the location, which shall be no sooner than sixty days after 330
adoption of the resolution. 331

(3)(a) Whenever, in the opinion of a board of township 332
trustees, any altered prima-facie speed limit established by the 333
board under this division becomes unreasonable, the board may 334
adopt a resolution withdrawing the altered prima-facie speed 335
limit. Upon the adoption of such a resolution, the altered 336
prima-facie speed limit becomes ineffective and the traffic 337
control devices relating thereto shall be immediately removed. 338

(b) Whenever a highway ceases to be an unimproved highway and 339
the board has adopted an altered prima-facie speed limit pursuant 340
to division (K)(2) of this section, the board shall, by 341
resolution, withdraw the altered prima-facie speed limit as soon 342
as the highway ceases to be unimproved. Upon the adoption of such 343
a resolution, the altered prima-facie speed limit becomes 344
ineffective and the traffic control devices relating thereto shall 345
be immediately removed. 346

(4)(a) If the boundary of two townships rests on the 347
centerline of an unimproved highway in unincorporated territory 348
and both townships have jurisdiction over the highway, neither of 349
the boards of township trustees of such townships may declare an 350
altered prima-facie speed limit pursuant to division (K)(2) of 351
this section on the part of the highway under their joint 352
jurisdiction unless the boards of township trustees of both of the 353
townships determine, upon the basis of an engineering and traffic 354
investigation, that the speed permitted by division (B)(5) of this 355
section is greater than is reasonable or safe under the conditions 356
found to exist at the location and both boards agree upon a 357
reasonable and safe prima-facie speed limit of less than 358
fifty-five but not less than twenty-five miles per hour for that 359
location. If both boards so agree, each shall follow the procedure 360
specified in division (K)(2) of this section for altering the 361

prima-facie speed limit on the highway. Except as otherwise 362
provided in division (K)(4)(b) of this section, no speed limit 363
altered pursuant to division (K)(4)(a) of this section may be 364
withdrawn unless the boards of township trustees of both townships 365
determine that the altered prima-facie speed limit previously 366
adopted becomes unreasonable and each board adopts a resolution 367
withdrawing the altered prima-facie speed limit pursuant to the 368
procedure specified in division (K)(3)(a) of this section. 369

(b) Whenever a highway described in division (K)(4)(a) of 370
this section ceases to be an unimproved highway and two boards of 371
township trustees have adopted an altered prima-facie speed limit 372
pursuant to division (K)(4)(a) of this section, both boards shall, 373
by resolution, withdraw the altered prima-facie speed limit as 374
soon as the highway ceases to be unimproved. Upon the adoption of 375
the resolution, the altered prima-facie speed limit becomes 376
ineffective and the traffic control devices relating thereto shall 377
be immediately removed. 378

(5) As used in division (K)(5) of this section: 379

(a) "Commercial subdivision" means any platted territory 380
outside the limits of a municipal corporation and fronting a 381
highway where, for a distance of three hundred feet or more, the 382
frontage is improved with buildings in use for commercial 383
purposes, or where the entire length of the highway is less than 384
three hundred feet long and the frontage is improved with 385
buildings in use for commercial purposes. 386

(b) "Residential subdivision" means any platted territory 387
outside the limits of a municipal corporation and fronting a 388
highway, where, for a distance of three hundred feet or more, the 389
frontage is improved with residences or residences and buildings 390
in use for business, or where the entire length of the highway is 391
less than three hundred feet long and the frontage is improved 392
with residences or residences and buildings in use for business. 393

Whenever a board of township trustees finds upon the basis of 394
an engineering and traffic investigation that the prima-facie 395
speed permitted by division (B)(5) of this section on any part of 396
a highway under its jurisdiction that is located in a commercial 397
or residential subdivision, except on highways or portions thereof 398
at the entrances to which vehicular traffic from the majority of 399
intersecting highways is required to yield the right-of-way to 400
vehicles on such highways in obedience to stop or yield signs or 401
traffic control signals, is greater than is reasonable and safe 402
under the conditions found to exist at the location, the board may 403
by resolution declare a reasonable and safe prima-facie speed 404
limit of less than fifty-five but not less than twenty-five miles 405
per hour at the location. An altered speed limit adopted by a 406
board of township trustees under this division shall become 407
effective when appropriate signs giving notice thereof are erected 408
at the location by the township. Whenever, in the opinion of a 409
board of township trustees, any altered prima-facie speed limit 410
established by it under this division becomes unreasonable, it may 411
adopt a resolution withdrawing the altered prima-facie speed, and 412
upon such withdrawal, the altered prima-facie speed shall become 413
ineffective, and the signs relating thereto shall be immediately 414
removed by the township. 415

(L)(1) Within one hundred twenty days of February 29, 1996, 416
the director of transportation, based upon a geometric and traffic 417
characteristic study of a freeway that is part of the interstate 418
system or that is not part of the interstate system, but is built 419
to the standards and specifications that are applicable to 420
freeways that are part of the interstate system, in consultation 421
with the director of public safety and, if applicable, the local 422
authority having jurisdiction over a portion of such freeway, may 423
determine and declare that the speed limit of less than sixty-five 424
miles per hour established on such freeway or portion of freeway 425
either is reasonable and safe or is less than that which is 426

reasonable and safe. 427

(2) If the established speed limit for such a freeway or 428
portion of freeway is determined to be less than that which is 429
reasonable and safe, the director of transportation, in 430
consultation with the director of public safety and, if 431
applicable, the local authority having jurisdiction over the 432
portion of freeway, shall determine and declare a reasonable and 433
safe speed limit of not more than sixty-five miles per hour for 434
that freeway or portion of freeway. 435

The director of transportation or local authority having 436
jurisdiction over the freeway or portion of freeway shall erect 437
appropriate signs giving notice of the speed limit at such 438
location within one hundred fifty days of February 29, 1996. Such 439
speed limit becomes effective only when such signs are erected at 440
the location. 441

(3) If, within one hundred twenty days of February 29, 1996, 442
the director of transportation does not make a determination and 443
declaration of a reasonable and safe speed limit for a freeway or 444
portion of freeway that is part of the interstate system or that 445
is not part of the interstate system, but is built to the 446
standards and specifications that are applicable to freeways that 447
are part of the interstate system and that has a speed limit of 448
less than sixty-five miles per hour, the speed limit on that 449
freeway or portion of a freeway shall be sixty-five miles per 450
hour. The director of transportation or local authority having 451
jurisdiction over the freeway or portion of the freeway shall 452
erect appropriate signs giving notice of the speed limit of 453
sixty-five miles per hour at such location within one hundred 454
fifty days of February 29, 1996. Such speed limit becomes 455
effective only when such signs are erected at the location. A 456
speed limit established through the operation of division (L)(3) 457
of this section is subject to reduction under division (I)(2) of 458

this section. 459

(M) Within three hundred sixty days after February 29, 1996, 460
the director of transportation, based upon a geometric and traffic 461
characteristic study of a rural, divided, multi-lane highway that 462
has been designated as part of the national highway system under 463
the "National Highway System Designation Act of 1995," 109 Stat. 464
568, 23 U.S.C.A. 103, in consultation with the director of public 465
safety and, if applicable, the local authority having jurisdiction 466
over a portion of the highway, may determine and declare that the 467
speed limit of less than sixty-five miles per hour established on 468
the highway or portion of highway either is reasonable and safe or 469
is less than that which is reasonable and safe. 470

If the established speed limit for the highway or portion of 471
highway is determined to be less than that which is reasonable and 472
safe, the director of transportation, in consultation with the 473
director of public safety and, if applicable, the local authority 474
having jurisdiction over the portion of highway, shall determine 475
and declare a reasonable and safe speed limit of not more than 476
sixty-five miles per hour for that highway or portion of highway. 477
The director of transportation or local authority having 478
jurisdiction over the highway or portion of highway shall erect 479
appropriate signs giving notice of the speed limit at such 480
location within three hundred ninety days after February 29, 1996. 481
The speed limit becomes effective only when such signs are erected 482
at the location. 483

(N)(1)(a) If the boundary of two local authorities rests on 484
the centerline of a highway and both authorities have jurisdiction 485
over the highway, the speed limit for the part of the highway 486
within their joint jurisdiction shall be either one of the 487
following as agreed to by both authorities: 488

(i) Either prima-facie speed limit permitted by division (B) 489
of this section; 490

(ii) An altered speed limit determined and posted in accordance with this section. 491
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(b) If the local authorities are unable to reach an agreement, the speed limit shall remain as established and posted under this section. 493
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(2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of an engineering and traffic investigation, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section. 496
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(0) As used in this section: 514

(1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101. 515
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(2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation. 517
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(3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the 520
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transportation of persons associated with a charitable or 522
nonprofit organization. 523

(P)(1) A violation of any provision of this section is one of 524
the following: 525

(a) Except as otherwise provided in divisions (P)(1)(b), 526
(1)(c), (2), and (3) of this section, a minor misdemeanor; 527

(b) If, within one year of the offense, the offender 528
previously has been convicted of or pleaded guilty to two 529
violations of any provision of this section or of any provision of 530
a municipal ordinance that is substantially similar to any 531
provision of this section, a misdemeanor of the fourth degree; 532

(c) If, within one year of the offense, the offender 533
previously has been convicted of or pleaded guilty to three or 534
more violations of any provision of this section or of any 535
provision of a municipal ordinance that is substantially similar 536
to any provision of this section, a misdemeanor of the third 537
degree. 538

(2) If the offender has not previously been convicted of or 539
pleaded guilty to a violation of any provision of this section or 540
of any provision of a municipal ordinance that is substantially 541
similar to this section and operated a motor vehicle faster than 542
thirty-five miles an hour in a business district of a municipal 543
corporation, faster than fifty miles an hour in other portions of 544
a municipal corporation, or faster than thirty-five miles an hour 545
in a school zone during recess or while children are going to or 546
leaving school during the school's opening or closing hours, a 547
misdemeanor of the fourth degree. 548

(3) Notwithstanding division (P)(1) of this section, if the 549
offender operated a motor vehicle in a construction zone where a 550
sign was then posted in accordance with section 4511.98 of the 551
Revised Code, the court, in addition to all other penalties 552

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provided by law, shall impose upon the offender a fine of two 553
times the usual amount imposed for the violation. No court shall 554
impose a fine of two times the usual amount imposed for the 555
violation upon an offender if the offender alleges, in an 556
affidavit filed with the court prior to the offender's sentencing, 557
that the offender is indigent and is unable to pay the fine 558
imposed pursuant to this division and if the court determines that 559
the offender is an indigent person and unable to pay the fine. 560

Section 2. That existing section 4511.21 of the Revised Code 561
is hereby repealed. 562