

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

**129th General Assembly
Regular Session
2011-2012**

Am. S. B. No. 252

Senator Patton

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A B I L L

To amend sections 3781.111, 4510.31, 4511.01, 1
4511.041, 4511.09, 4511.102, 4511.103, 4511.105, 2
4511.106, 4511.11, 4511.13, 4511.131, 4511.14, 3
4511.37, 4511.69, and 4955.33 and to repeal 4
section 4511.15 of the Revised Code to make 5
changes in certain provisions relating to road 6
signs and traffic signals for purposes of the Ohio 7
Manual of Uniform Traffic Control Devices. 8

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

Section 1. That sections 3781.111, 4510.31, 4511.01, 9
4511.041, 4511.09, 4511.102, 4511.103, 4511.105, 4511.106, 10
4511.11, 4511.13, 4511.131, 4511.14, 4511.37, 4511.69, and 4955.33 11
of the Revised Code be amended to read as follows: 12

Sec. 3781.111. (A) In addition to the powers conferred by any 13
other section of the Revised Code, the board of building standards 14
shall adopt standards and rules to facilitate the reasonable 15
access and use by all persons with a disability of all buildings 16
and the facilities of buildings for which plans are submitted for 17
approval under section 3791.04 of the Revised Code. No standard or 18
rule shall be applied to any building the plans or drawings, 19
specifications, and date of which have been approved prior to the 20

time that the standard or rule takes effect. 21

(B)(1) Except as otherwise provided in this section, the 22
standards and rules adopted by the board pursuant to this section 23
shall be in accordance with the "Americans with Disabilities Act 24
of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as amended, and the 25
"Fair Housing Amendments Act of 1988," 102 Stat. 1619, 42 U.S.C.A. 26
3601, as amended. 27

(2) For purposes of enforcement by the Ohio civil rights 28
commission only, approval of a plan as required under section 29
3791.04 of the Revised Code creates a rebuttable presumption that 30
the plans, drawings, specifications, or data submitted are in 31
compliance with the rules adopted by the board pursuant to this 32
section as they relate to accessibility. 33

(C) All signs posted to designate special parking locations 34
for persons with a disability and persons with disabilities that 35
limit or impair the ability to walk in accordance with division 36
(E) of section 4511.69 of the Revised Code and the standards and 37
rules adopted pursuant to this section shall be mounted on a fixed 38
or movable post or otherwise affixed in a vertical position ~~at a~~ 39
~~height~~ so that the distance from the ground to the bottom edge of 40
the sign is clearly visible to the driver of a vehicle when parked 41
in such a location measures not less than five feet. If a new sign 42
or a replacement sign designating a special parking location is 43
posted on or after October 14, 1999, there also shall be affixed 44
upon the surface of that sign or affixed next to the designating 45
sign a notice that states the fine applicable for the offense of 46
parking a motor vehicle in the special designated parking location 47
if the motor vehicle is not legally entitled to be parked in that 48
location. 49

(D) As used in this section, "disability" has the same 50
meaning as in section 4112.01 of the Revised Code. As used in 51
division (C) of this section, "persons with disabilities that 52

limit or impair the ability to walk" has the same meaning as in 53
division (A)(1) of section 4503.44 of the Revised Code. 54

(E) No owner of a building or facility where special parking 55
locations for persons with a disability must be designated in 56
accordance with the standards and rules adopted pursuant to this 57
section shall fail to properly mark the special parking locations 58
as required by those standards and rules or fail to maintain the 59
markings of the special parking locations, including the erection 60
and maintenance of the fixed or movable signs. 61

(F) The board annually shall provide statewide training on 62
the rules adopted by the board pursuant to this section as they 63
relate to accessibility for nonresidential building department 64
personnel certified by the board who approve, review plans, and 65
inspect nonresidential construction. 66

Sec. 4510.31. (A)(1) Except as provided in division (C) of 67
this section, the registrar of motor vehicles shall suspend the 68
probationary driver's license, restricted license, or temporary 69
instruction permit issued to any person when the person has been 70
convicted of, pleaded guilty to, or been adjudicated in juvenile 71
court of having committed, prior to the person's eighteenth 72
birthday, any of the following: 73

(a) Three separate violations of section 2903.06, 2903.08, 74
2921.331, 4511.12, 4511.13, ~~4511.15~~, 4511.191, 4511.20, 4511.201, 75
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 76
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised 77
Code, section 4510.14 of the Revised Code involving a suspension 78
imposed under section 4511.191 or 4511.196 of the Revised Code, 79
section 2903.04 of the Revised Code in a case in which the person 80
would have been subject to the sanctions described in division (D) 81
of that section had the person been convicted of the violation of 82
that section, former section 2903.07 of the Revised Code, or any 83

municipal ordinances similarly relating to the offenses referred 84
to in those sections; 85

(b) One violation of section 4511.19 of the Revised Code or a 86
substantially similar municipal ordinance; 87

(c) Two separate violations of any of the Revised Code 88
sections referred to in division (A)(1)(a) of this section, or any 89
municipal ordinance that is substantially similar to any of those 90
sections. 91

(2) Any person whose license or permit is suspended under 92
division (A)(1)(a), (b), or (c) of this section shall mail or 93
deliver the person's probationary driver's license, restricted 94
license, or temporary instruction permit to the registrar within 95
fourteen days of notification of the suspension. The registrar 96
shall retain the license or permit during the period of the 97
suspension. A suspension pursuant to division (A)(1)(a) of this 98
section shall be a class C suspension, a suspension pursuant to 99
division (A)(1)(b) of this section shall be a class D suspension, 100
and a suspension pursuant to division (A)(1)(c) of this section 101
shall be a class E suspension, all for the periods of time 102
specified in division (B) of section 4510.02 of the Revised Code. 103
If the person's probationary driver's license, restricted license, 104
or temporary instruction permit is under suspension on the date 105
the court imposes sentence upon the person for a violation 106
described in division (A)(1)(b) of this section, the suspension 107
shall take effect on the next day immediately following the end of 108
that period of suspension. If the person is sixteen years of age 109
or older and pleads guilty to or is convicted of a violation 110
described in division (A)(1)(b) of this section and the person 111
does not have a current, valid probationary driver's license, 112
restricted license, or temporary instruction permit, the registrar 113
shall deny the issuance to the person of a probationary driver's 114
license, restricted license, driver's license, commercial driver's 115

license, or temporary instruction permit, as the case may be, for 116
six months beginning on the date the court imposes sentence upon 117
the person for the violation. If the person has not attained the 118
age of sixteen years on the date the court imposes sentence upon 119
the person for the violation, the period of denial shall commence 120
on the date the person attains the age of sixteen years. 121

(3) The registrar shall suspend the person's license or 122
permit under division (A) of this section regardless of whether 123
the disposition of the case in juvenile court occurred after the 124
person's eighteenth birthday. 125

(B) The registrar also shall impose a class D suspension for 126
the period of time specified in division (B)(4) of section 4510.02 127
of the Revised Code of the temporary instruction permit or 128
probationary driver's license of any person under the age of 129
eighteen who has been adjudicated an unruly child, delinquent 130
child, or juvenile traffic offender for having committed any act 131
that if committed by an adult would be a drug abuse offense or a 132
violation of division (B) of section 2917.11 of the Revised Code. 133
The registrar, in the registrar's discretion, may terminate the 134
suspension if the child, at the discretion of the court, attends 135
and satisfactorily completes a drug abuse or alcohol abuse 136
education, intervention, or treatment program specified by the 137
court. Any person whose temporary instruction permit or 138
probationary driver's license is suspended under this division 139
shall mail or deliver the person's permit or license to the 140
registrar within fourteen days of notification of the suspension. 141
The registrar shall retain the permit or license during the period 142
of the suspension. 143

(C)(1) Except as provided in division (C)(3) of this section, 144
for any person who is convicted of, pleads guilty to, or is 145
adjudicated in juvenile court of having committed a second or 146
third violation of section 4511.12, 4511.13, ~~4511.15~~, 4511.20 to 147

4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 148
4511.75 of the Revised Code or any similar municipal ordinances 149
and whose license or permit is suspended under division (A)(1)(a) 150
or (c) of this section, the court in which the second or third 151
conviction, finding, plea, or adjudication resulting in the 152
suspension was made, upon petition of the person, may grant the 153
person limited driving privileges during the period during which 154
the suspension otherwise would be imposed under division (A)(1)(a) 155
or (c) of this section if the court finds reasonable cause to 156
believe that the suspension will seriously affect the person's 157
ability to continue in employment, educational training, 158
vocational training, or treatment. In granting the limited driving 159
privileges, the court shall specify the purposes, times, and 160
places of the privileges and may impose any other conditions upon 161
the person's driving a motor vehicle that the court considers 162
reasonable and necessary. 163

A court that grants limited driving privileges to a person 164
under this division shall retain the person's probationary 165
driver's license, restricted license, or temporary instruction 166
permit during the period the license or permit is suspended and 167
also during the period for which limited driving privileges are 168
granted, and shall deliver to the person a permit card, in a form 169
to be prescribed by the court, setting forth the date on which the 170
limited driving privileges will become effective, the purposes for 171
which the person may drive, the times and places at which the 172
person may drive, and any other conditions imposed upon the 173
person's use of a motor vehicle. 174

The court immediately shall notify the registrar, in writing, 175
of a grant of limited driving privileges under this division. The 176
notification shall specify the date on which the limited driving 177
privileges will become effective, the purposes for which the 178
person may drive, the times and places at which the person may 179

drive, and any other conditions imposed upon the person's use of a 180
motor vehicle. The registrar shall not suspend the probationary 181
driver's license, restricted license, or temporary instruction 182
permit of any person pursuant to division (A) of this section 183
during any period for which the person has been granted limited 184
driving privileges as provided in this division, if the registrar 185
has received the notification described in this division from the 186
court. 187

(2) Except as provided in division (C)(3) of this section, in 188
any case in which the temporary instruction permit or probationary 189
driver's license of a person under eighteen years of age has been 190
suspended under division (A) or (B) of this section or any other 191
provision of law, the court may grant the person limited driving 192
privileges for the purpose of the person's practicing of driving 193
with the person's parent, guardian, or other custodian during the 194
period of the suspension. Any grant of limited driving privileges 195
under this division shall comply with division (D) of section 196
4510.021 of the Revised Code. 197

(3) A court shall not grant limited driving privileges to a 198
person identified in division (C)(1) or (2) of this section if the 199
person, within the preceding six years, has been convicted of, 200
pleaded guilty to, or adjudicated in juvenile court of having 201
committed three or more violations of one or more of the divisions 202
or sections set forth in divisions (G)(2)(b) to (g) of section 203
2919.22 of the Revised Code. 204

(D) If a person who has been granted limited driving 205
privileges under division (C) of this section is convicted of, 206
pleads guilty to, or is adjudicated in juvenile court of having 207
committed, a violation of Chapter 4510. of the Revised Code, or a 208
subsequent violation of any of the sections of the Revised Code 209
listed in division (A)(1)(a) of this section or any similar 210
municipal ordinance during the period for which the person was 211

granted limited driving privileges, the court that granted the 212
limited driving privileges shall suspend the person's permit card. 213
The court or the clerk of the court immediately shall forward the 214
person's probationary driver's license, restricted license, or 215
temporary instruction permit together with written notification of 216
the court's action to the registrar. Upon receipt of the license 217
or permit and notification, the registrar shall impose a class C 218
suspension of the person's probationary driver's license, 219
restricted license, or temporary instruction permit for the period 220
of time specified in division (B)(3) of section 4510.02 of the 221
Revised Code. The registrar shall retain the license or permit 222
during the period of suspension, and no further limited driving 223
privileges shall be granted during that period. 224

(E) No application for a driver's or commercial driver's 225
license shall be received from any person whose probationary 226
driver's license, restricted license, or temporary instruction 227
permit has been suspended under this section until each of the 228
following has occurred: 229

(1) The suspension period has expired; 230

(2) A temporary instruction permit or commercial driver's 231
license temporary instruction permit has been issued; 232

(3) The person successfully completes a juvenile driver 233
improvement program approved by the registrar under section 234
4510.311 of the Revised Code; 235

(4) The applicant has submitted to the examination for a 236
driver's license as provided for in section 4507.11 or a 237
commercial driver's license as provided in Chapter 4506. of the 238
Revised Code. 239

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 240
the Revised Code: 241

(A) "Vehicle" means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

(B) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter," or "motorcycle" without regard to weight or brake horsepower.

(D) "Emergency vehicle" means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the director of public safety, or local authorities, and motor vehicles when commandeered by a police officer.

(E) "Public safety vehicle" means any of the following:

| | |
|--|---|
| (1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under section 4503.49 of the Revised Code; | 274 275 276 277 |
| (2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state; | 278 279 280 |
| (3) Any motor vehicle when properly identified as required by the director of public safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The state fire marshal shall be designated by the director of public safety as the certifying agency for all public safety vehicles described in division (E)(3) of this section. | 281 282 283 284 285 286 287 288 289 |
| (4) Vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to emergency calls in the fire department service when identified as required by the director of public safety. | 290 291 292 293 |
| Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital. | 294 295 296 297 298 |
| (5) Vehicles used by the motor carrier enforcement unit for the enforcement of orders and rules of the public utilities commission as specified in section 5503.34 of the Revised Code. | 299 300 301 |
| (F) "School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private, or governmental agency or institution of learning and operated for | 302 303 304 |

the transportation of children to or from a school session or a 305
school function, or owned by a private person and operated for 306
compensation for the transportation of children to or from a 307
school session or a school function, provided "school bus" does 308
not include a bus operated by a municipally owned transportation 309
system, a mass transit company operating exclusively within the 310
territorial limits of a municipal corporation, or within such 311
limits and the territorial limits of municipal corporations 312
immediately contiguous to such municipal corporation, nor a common 313
passenger carrier certified by the public utilities commission 314
unless such bus is devoted exclusively to the transportation of 315
children to and from a school session or a school function, and 316
"school bus" does not include a van or bus used by a licensed 317
child day-care center or type A family day-care home to transport 318
children from the child day-care center or type A family day-care 319
home to a school if the van or bus does not have more than fifteen 320
children in the van or bus at any time. 321

(G) "Bicycle" means every device, other than a tricycle 322
designed solely for use as a play vehicle by a child, propelled 323
solely by human power upon which any person may ride having two 324
tandem wheels, or one wheel in the front and two wheels in the 325
rear, or two wheels in the front and one wheel in the rear, any of 326
which is more than fourteen inches in diameter. 327

(H) "Motorized bicycle" means any vehicle having either two 328
tandem wheels or one wheel in the front and two wheels in the 329
rear, that is capable of being pedaled and is equipped with a 330
helper motor of not more than fifty cubic centimeters piston 331
displacement that produces no more than one brake horsepower and 332
is capable of propelling the vehicle at a speed of no greater than 333
twenty miles per hour on a level surface. 334

(I) "Commercial tractor" means every motor vehicle having 335
motive power designed or used for drawing other vehicles and not 336

so constructed as to carry any load thereon, or designed or used 337
for drawing other vehicles while carrying a portion of such other 338
vehicles, or load thereon, or both. 339

(J) "Agricultural tractor" means every self-propelling 340
vehicle designed or used for drawing other vehicles or wheeled 341
machinery but having no provision for carrying loads independently 342
of such other vehicles, and used principally for agricultural 343
purposes. 344

(K) "Truck" means every motor vehicle, except trailers and 345
semitrailers, designed and used to carry property. 346

(L) "Bus" means every motor vehicle designed for carrying 347
more than nine passengers and used for the transportation of 348
persons other than in a ridesharing arrangement, and every motor 349
vehicle, automobile for hire, or funeral car, other than a taxicab 350
or motor vehicle used in a ridesharing arrangement, designed and 351
used for the transportation of persons for compensation. 352

(M) "Trailer" means every vehicle designed or used for 353
carrying persons or property wholly on its own structure and for 354
being drawn by a motor vehicle, including any such vehicle when 355
formed by or operated as a combination of a "semitrailer" and a 356
vehicle of the dolly type, such as that commonly known as a 357
"trailer dolly," a vehicle used to transport agricultural produce 358
or agricultural production materials between a local place of 359
storage or supply and the farm when drawn or towed on a street or 360
highway at a speed greater than twenty-five miles per hour, and a 361
vehicle designed and used exclusively to transport a boat between 362
a place of storage and a marina, or in and around a marina, when 363
drawn or towed on a street or highway for a distance of more than 364
ten miles or at a speed of more than twenty-five miles per hour. 365

(N) "Semitrailer" means every vehicle designed or used for 366
carrying persons or property with another and separate motor 367

vehicle so that in operation a part of its own weight or that of 368
its load, or both, rests upon and is carried by another vehicle. 369

(O) "Pole trailer" means every trailer or semitrailer 370
attached to the towing vehicle by means of a reach, pole, or by 371
being boomed or otherwise secured to the towing vehicle, and 372
ordinarily used for transporting long or irregular shaped loads 373
such as poles, pipes, or structural members capable, generally, of 374
sustaining themselves as beams between the supporting connections. 375

(P) "Railroad" means a carrier of persons or property 376
operating upon rails placed principally on a private right-of-way. 377

(Q) "Railroad train" means a steam engine or an electric or 378
other motor, with or without cars coupled thereto, operated by a 379
railroad. 380

(R) "Streetcar" means a car, other than a railroad train, for 381
transporting persons or property, operated upon rails principally 382
within a street or highway. 383

(S) "Trackless trolley" means every car that collects its 384
power from overhead electric trolley wires and that is not 385
operated upon rails or tracks. 386

(T) "Explosives" means any chemical compound or mechanical 387
mixture that is intended for the purpose of producing an explosion 388
that contains any oxidizing and combustible units or other 389
ingredients in such proportions, quantities, or packing that an 390
ignition by fire, by friction, by concussion, by percussion, or by 391
a detonator of any part of the compound or mixture may cause such 392
a sudden generation of highly heated gases that the resultant 393
gaseous pressures are capable of producing destructive effects on 394
contiguous objects, or of destroying life or limb. Manufactured 395
articles shall not be held to be explosives when the individual 396
units contain explosives in such limited quantities, of such 397
nature, or in such packing, that it is impossible to procure a 398

simultaneous or a destructive explosion of such units, to the 399
injury of life, limb, or property by fire, by friction, by 400
concussion, by percussion, or by a detonator, such as fixed 401
ammunition for small arms, firecrackers, or safety fuse matches. 402

(U) "Flammable liquid" means any liquid that has a flash 403
point of seventy degrees fahrenheit, or less, as determined by a 404
tagliabue or equivalent closed cup test device. 405

(V) "Gross weight" means the weight of a vehicle plus the 406
weight of any load thereon. 407

(W) "Person" means every natural person, firm, 408
co-partnership, association, or corporation. 409

(X) "Pedestrian" means any natural person afoot. 410

(Y) "Driver or operator" means every person who drives or is 411
in actual physical control of a vehicle, trackless trolley, or 412
streetcar. 413

(Z) "Police officer" means every officer authorized to direct 414
or regulate traffic, or to make arrests for violations of traffic 415
regulations. 416

(AA) "Local authorities" means every county, municipal, and 417
other local board or body having authority to adopt police 418
regulations under the constitution and laws of this state. 419

(BB) "Street" or "highway" means the entire width between the 420
boundary lines of every way open to the use of the public as a 421
thoroughfare for purposes of vehicular travel. 422

(CC) "Controlled-access highway" means every street or 423
highway in respect to which owners or occupants of abutting lands 424
and other persons have no legal right of access to or from the 425
same except at such points only and in such manner as may be 426
determined by the public authority having jurisdiction over such 427
street or highway. 428

(DD) "Private road or driveway" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all such roadways collectively.

(FF) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(GG) "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code.

(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code.

(JJ) "State route" means every highway that is designated with an official state route number and so marked.

(KK) "Intersection" means:

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, ~~then~~ the lateral boundary lines of the roadways of two highways ~~which~~ that join one another

at, or approximately at, right angles, or the area within which 459
vehicles traveling upon different highways ~~joining~~ that join at 460
any other angle ~~may~~ might come ~~in~~ into conflict. The junction of 461
an alley or driveway with a roadway or highway does not constitute 462
an intersection unless the roadway or highway at the junction is 463
controlled by a traffic control device. 464

(2) ~~Where~~ If a highway includes two roadways that are thirty 465
feet or more apart, then every crossing of each roadway of such 466
divided highway by an intersecting highway ~~shall be regarded as~~ 467
constitutes a separate intersection. If ~~an~~ both intersecting 468
~~highway also includes~~ highways include two roadways thirty feet or 469
more apart, then every crossing of any two roadways of such 470
highways ~~shall be regarded as~~ constitutes a separate intersection. 471

(3) ~~The junction of an alley with a street or highway, or~~ 472
~~with another alley, shall not constitute an intersection~~ At a 473
location controlled by a traffic control signal, regardless of the 474
distance between the separate intersections as described in 475
division (KK)(2) of this section: 476

(a) If a stop line, yield line, or crosswalk has not been 477
designated on the roadway within the median between the separate 478
intersections, the two intersections and the roadway and median 479
constitute one intersection. 480

(b) Where a stop line, yield line, or crosswalk line is 481
designated on the roadway on the intersection approach, the area 482
within the crosswalk and any area beyond the designated stop line 483
or yield line constitute part of the intersection. 484

(c) Where a crosswalk is designated on a roadway on the 485
departure from the intersection, the intersection includes the 486
area that extends to the far side of the crosswalk. 487

(LL) "Crosswalk" means: 488

(1) That part of a roadway at intersections ordinarily 489

included within the real or projected prolongation of property 490
lines and curb lines or, in the absence of curbs, the edges of the 491
traversable roadway; 492

(2) Any portion of a roadway at an intersection or elsewhere, 493
distinctly indicated for pedestrian crossing by lines or other 494
markings on the surface; 495

(3) Notwithstanding divisions (LL)(1) and (2) of this 496
section, there shall not be a crosswalk where local authorities 497
have placed signs indicating no crossing. 498

(MM) "Safety zone" means the area or space officially set 499
apart within a roadway for the exclusive use of pedestrians and 500
protected or marked or indicated by adequate signs as to be 501
plainly visible at all times. 502

(NN) "Business district" means the territory fronting upon a 503
street or highway, including the street or highway, between 504
successive intersections within municipal corporations where fifty 505
per cent or more of the frontage between such successive 506
intersections is occupied by buildings in use for business, or 507
within or outside municipal corporations where fifty per cent or 508
more of the frontage for a distance of three hundred feet or more 509
is occupied by buildings in use for business, and the character of 510
such territory is indicated by official traffic control devices. 511

(OO) "Residence district" means the territory, not comprising 512
a business district, fronting on a street or highway, including 513
the street or highway, where, for a distance of three hundred feet 514
or more, the frontage is improved with residences or residences 515
and buildings in use for business. 516

(PP) "Urban district" means the territory contiguous to and 517
including any street or highway which is built up with structures 518
devoted to business, industry, or dwelling houses situated at 519
intervals of less than one hundred feet for a distance of a 520

quarter of a mile or more, and the character of such territory is 521
indicated by official traffic control devices. 522

(QQ) "Traffic control ~~devices~~ device" means ~~all flaggers a~~ 523
~~flagger, signs sign, signals signal, markings marking, and devices~~ 524
~~placed or erected~~ or other device used to regulate, warn, or guide 525
traffic, placed on, over, or adjacent to a street, highway, 526
private road open to public travel, pedestrian facility, or 527
shared-use path by authority of a public ~~body~~ agency or official 528
having jurisdiction, ~~for the purpose of regulating, warning, or~~ 529
~~guiding traffic, including signs denoting names of streets and~~ 530
~~highways~~ or, in the case of a private road open to public travel, 531
by authority of the private owner or private official having 532
jurisdiction. 533

(RR) "Traffic control signal" means any ~~device, whether~~ 534
~~manually, electrically, or mechanically operated,~~ highway traffic 535
signal by which traffic is alternately directed to stop, ~~to~~ 536
~~proceed, to change direction, or not~~ and permitted to change 537
~~direction~~ proceed. 538

(SS) "Railroad sign or signal" means any sign, signal, or 539
device erected by authority of a public body or official or by a 540
railroad and intended to give notice of the presence of railroad 541
tracks or the approach of a railroad train. 542

(TT) "Traffic" means pedestrians, ridden or herded animals, 543
vehicles, streetcars, trackless trolleys, and other devices, 544
either singly or together, while using ~~any highway~~ for purposes of 545
travel any highway or private road open to public travel. 546

(UU) "Right-of-way" means either of the following, as the 547
context requires: 548

(1) The right of a vehicle, streetcar, trackless trolley, or 549
pedestrian to proceed uninterruptedly in a lawful manner in the 550
direction in which it or the individual is moving in preference to 551

another vehicle, streetcar, trackless trolley, or pedestrian 552
approaching from a different direction into its or the 553
individual's path; 554

(2) A general term denoting land, property, or the interest 555
therein, usually in the configuration of a strip, acquired for or 556
devoted to transportation purposes. When used in this context, 557
right-of-way includes the roadway, shoulders or berm, ditch, and 558
slopes extending to the right-of-way limits under the control of 559
the state or local authority. 560

(VV) "Rural mail delivery vehicle" means every vehicle used 561
to deliver United States mail on a rural mail delivery route. 562

(WW) "Funeral escort vehicle" means any motor vehicle, 563
including a funeral hearse, while used to facilitate the movement 564
of a funeral procession. 565

(XX) "Alley" means a street or highway intended to provide 566
access to the rear or side of lots or buildings in urban districts 567
and not intended for the purpose of through vehicular traffic, and 568
includes any street or highway that has been declared an "alley" 569
by the legislative authority of the municipal corporation in which 570
such street or highway is located. 571

(YY) "Freeway" means a divided multi-lane highway for through 572
traffic with all crossroads separated in grade and with full 573
control of access. 574

(ZZ) "Expressway" means a divided arterial highway for 575
through traffic with full or partial control of access with an 576
excess of fifty per cent of all crossroads separated in grade. 577

(AAA) "Thruway" means a through highway whose entire roadway 578
is reserved for through traffic and on which roadway parking is 579
prohibited. 580

(BBB) "Stop intersection" means any intersection at one or 581

more entrances of which stop signs are erected. 582

(CCC) "Arterial street" means any United States or state 583
numbered route, controlled access highway, or other major radial 584
or circumferential street or highway designated by local 585
authorities within their respective jurisdictions as part of a 586
major arterial system of streets or highways. 587

(DDD) "Ridesharing arrangement" means the transportation of 588
persons in a motor vehicle where such transportation is incidental 589
to another purpose of a volunteer driver and includes ridesharing 590
arrangements known as carpools, vanpools, and buspools. 591

(EEE) "Motorized wheelchair" means any self-propelled vehicle 592
designed for, and used by, a handicapped person and that is 593
incapable of a speed in excess of eight miles per hour. 594

(FFF) "Child day-care center" and "type A family day-care 595
home" have the same meanings as in section 5104.01 of the Revised 596
Code. 597

(GGG) "Multi-wheel agricultural tractor" means a type of 598
agricultural tractor that has two or more wheels or tires on each 599
side of one axle at the rear of the tractor, is designed or used 600
for drawing other vehicles or wheeled machinery, has no provision 601
for carrying loads independently of the drawn vehicles or 602
machinery, and is used principally for agricultural purposes. 603

(HHH) "Operate" means to cause or have caused movement of a 604
vehicle, streetcar, or trackless trolley. 605

(III) "Predicate motor vehicle or traffic offense" means any 606
of the following: 607

(1) A violation of section 4511.03, 4511.051, 4511.12, 608
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 609
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 610
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 611

4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 612
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 613
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 614
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 615
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 616
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 617
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 618

(2) A violation of division (A)(2) of section 4511.17, 619
divisions (A) to (D) of section 4511.51, or division (A) of 620
section 4511.74 of the Revised Code; 621

(3) A violation of any provision of sections 4511.01 to 622
4511.76 of the Revised Code for which no penalty otherwise is 623
provided in the section that contains the provision violated; 624

(4) A violation of a municipal ordinance that is 625
substantially similar to any section or provision set forth or 626
described in division (III)(1), (2), or (3) of this section. 627

(JJJ) "Road service vehicle" means wreckers, utility repair 628
vehicles, and state, county, and municipal service vehicles 629
equipped with visual signals by means of flashing, rotating, or 630
oscillating lights. 631

(KKK) "Beacon" means a highway traffic signal with one or 632
more signal sections that operate in a flashing mode. 633

(LLL) "Hybrid beacon" means a type of beacon that is 634
intentionally placed in a dark mode between periods of operation 635
where no indications are displayed and, when in operation, 636
displays both steady and flashing traffic control signal 637
indications. 638

(MMM) "Highway traffic signal" means a power-operated traffic 639
control device by which traffic is warned or directed to take some 640
specific action. "Highway traffic signal" does not include a 641
power-operated sign, steadily illuminated pavement marker, warning 642

light, or steady burning electric lamp. 643

(NNN) "Median" means the area between two roadways of a 644
divided highway, measured from edge of traveled way to edge of 645
traveled way, but excluding turn lanes. The width of a median may 646
be different between intersections, between interchanges, and at 647
opposite approaches of the same intersection. 648

(OOO) "Private road open to public travel" means a private 649
toll road or road, including any adjacent sidewalks that generally 650
run parallel to the road, within a shopping center, airport, 651
sports arena, or other similar business or recreation facility 652
that is privately owned but where the public is allowed to travel 653
without access restrictions. "Private road open to public travel" 654
includes a gated toll road but does not include a road within a 655
private gated property where access is restricted at all times, a 656
parking area, a driving aisle within a parking area, or a private 657
grade crossing. 658

(PPP) "Shared-use path" means a bikeway outside the traveled 659
way and physically separated from motorized vehicular traffic by 660
an open space or barrier and either within the highway 661
right-of-way or within an independent alignment. A shared-use path 662
also may be used by pedestrians, including skaters, joggers, users 663
of manual and motorized wheelchairs, and other authorized 664
motorized and non-motorized users. 665

Sec. 4511.041. Sections 4511.12, 4511.13, 4511.131, 4511.132, 666
4511.14, ~~4511.15~~, 4511.202, 4511.21, 4511.211, 4511.22, 4511.23, 667
4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 668
4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 669
4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 670
4511.44, 4511.441, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 671
4511.62, 4511.66, 4511.68, 4511.681, and 4511.69 of the Revised 672
Code do not apply to the driver of an emergency vehicle or public 673

safety vehicle if the emergency vehicle or public safety vehicle 674
is responding to an emergency call, is equipped with and 675
displaying at least one flashing, rotating, or oscillating light 676
visible under normal atmospheric conditions from a distance of 677
five hundred feet to the front of the vehicle and if the driver of 678
the vehicle is giving an audible signal by siren, exhaust whistle, 679
or bell. This section does not relieve the driver of an emergency 680
vehicle or public safety vehicle from the duty to drive with due 681
regard for the safety of all persons and property upon the 682
highway. 683

Sec. 4511.09. The department of transportation shall adopt a 684
manual ~~and specifications~~ for a uniform system of traffic control 685
devices, including signs denoting names of streets and highways, 686
for use upon ~~highways~~ any street, highway, bikeway, or private 687
road open to public travel within this state. Such uniform system 688
shall correlate with, and so far as possible conform to, the 689
system approved by the ~~American Association of State Highway~~ 690
~~Officials~~ federal highway administration. 691

Sec. 4511.102. As used in sections 4511.102 to 4511.106 of 692
the Revised Code: 693

(A) "Tourist-oriented activity" includes any lawful cultural, 694
historical, recreational, educational, or commercial activity a 695
major portion of whose income or visitors are derived during the 696
normal business season from motorists not residing in the 697
immediate area of the activity and attendance at which is no less 698
than two thousand visitors in any consecutive twelve-month period. 699

(B) "Eligible attraction" means any tourist-oriented activity 700
that meets all of the following criteria: 701

(1) Is not eligible for inclusion in the business logo sign 702
program established under section 4511.101 of the Revised Code at 703

that intersection; 704

(2) If currently advertised by signs adjacent to a highway on 705
the interstate system or state system, those signs are consistent 706
with Chapter 5516. of the Revised Code and the "National Highway 707
Beautification Act of 1965," 79 Stat. 1028, 23 U.S.C. 131, and the 708
national standards, criteria, and rules adopted pursuant to that 709
act; 710

(3) Is within ten miles of the highway for which signing is 711
sought under sections 4511.102 to 4511.105 of the Revised Code; 712

(4) Meets any additional criteria developed by the director 713
of transportation and adopted by the director as rules in 714
accordance with Chapter 119. of the Revised Code. 715

(C) "Interstate system" has the same meaning as in section 716
5516.01 of the Revised Code. 717

(D) "Commercial activity" means a farm market, winery, bed 718
and breakfast, lodging that is not a franchise or part of a 719
national chain, antiques shop, craft store, or gift store. 720

Sec. 4511.103. (A) The director of transportation, in 721
accordance with 23 U.S.C. 109(d) and 315, with the provisions of 722
the ~~federal~~ manual of uniform traffic control devices relating to 723
tourist-oriented directional signs and trailblazer markers, and 724
with Chapter 119. of the Revised Code, shall adopt rules to carry 725
out a program for the placement of tourist-oriented directional 726
signs and trailblazer markers within the rights-of-way of those 727
portions of rural state highways that are not on the interstate 728
system. The rules shall prohibit the placement of tourist-oriented 729
directional signs and trailblazer markers at interchanges on state 730
system expressways and freeways. The rules shall include, but need 731
not be limited to, all of the following: 732

(1) The form of the application to participate in the 733

program. The form shall include such necessary information as the 734
director requires to ensure that a tourist-oriented activity for 735
which signing is sought is an eligible attraction. 736

(2) Provisions for covering or otherwise obscuring signs 737
during off-seasons for eligible attractions that operate on a 738
seasonal basis; 739

(3) A determination as to the circumstances that justify 740
including on a sign the hours of operation of an eligible 741
attraction; 742

(4) Criteria for use of the signs at at-grade intersections 743
on expressways. 744

(B) The program established pursuant to division (A) of this 745
section may be operated, maintained, and marketed either by the 746
department of transportation or by any private person with whom 747
the director, in accordance with rules adopted by the director 748
pursuant to Chapter 119. of the Revised Code, contracts for the 749
operation, maintenance, and marketing. The rules shall describe 750
the terms of the contract and shall allow for a reasonable profit 751
to be made by the successful applicant. In awarding the contract, 752
the director shall consider the skill, expertise, prior 753
experience, and other qualifications of each applicant. 754

(C) All direct and indirect costs of the program shall be 755
fully paid by the eligible attractions that participate in the 756
program. The director shall develop a fee schedule for 757
participation in the program, and shall charge each program 758
participant the appropriate fee. Direct and indirect costs 759
include, but are not limited to, the cost of all of the following: 760

(1) Capital; 761

(2) Insurance; 762

(3) Directional signs, sign blanks, and posts, and the 763

design, engineering, installation, repair, replacement, and 764
removal of directional signs and posts; 765

(4) Program administration. 766

(D) Money generated from participating businesses in excess 767
of the direct and indirect costs and any reasonable profit earned 768
by a person awarded a contract under division (B) of this section 769
shall be remitted to the department, which shall deposit all such 770
money into the state treasury to the credit of the highway 771
operating fund created by section 5735.291 of the Revised Code. 772

(E) Nothing in this chapter shall be construed to prohibit 773
the director from establishing such a program. If the department 774
operates such a program and does not contract with a private 775
entity to operate the program, all money collected from 776
participating businesses shall be deposited into the state 777
treasury to the credit of the highway operating fund. 778

Sec. 4511.105. Tourist-oriented directional signs shall 779
conform to the specifications contained in the ~~federal~~ manual of 780
uniform traffic control devices. 781

If more than one eligible attraction requires a sign at the 782
same location, multiple signs may be combined on the same panel in 783
accordance with the ~~federal~~ manual of uniform traffic control 784
devices. 785

Advance signing may be installed in those situations where 786
sight distance, intersection vehicle maneuvers, or other vehicle 787
operating characteristics require advance notice of an eligible 788
attraction in order to reduce vehicle conflicts and improve 789
highway safety. 790

The design, arrangement, size, and location of 791
tourist-oriented directional signs, including advance signs and 792
trailblazer markers, authorized under sections 4511.102 to 793

4511.105 of the Revised Code shall conform to the applicable 794
specifications contained in the ~~federal~~ manual of uniform traffic 795
control devices. 796

Sec. 4511.106. The legislative authority of a local authority 797
may adopt a resolution establishing a program for the placement of 798
tourist-oriented directional signs and trailblazer markers within 799
the rights-of-way of streets and highways under its jurisdiction. 800
Any program established under this section shall conform to the 801
rules and specifications contained in the program established by 802
the director of transportation pursuant to sections 4511.102 to 803
4511.105 of the Revised Code and the applicable provisions of the 804
~~federal~~ manual of uniform traffic control devices. If a local 805
authority establishes a program under this section, the local 806
authority may request guidance from the department of 807
transportation in structuring, implementing, and administering its 808
program, but the local authority is solely responsible for the 809
structure and actual implementation and administration of its 810
program, including, but not limited to, the evaluation and review 811
of applications to participate in the local program and the 812
execution of advertising agreements with eligible attractions. 813
814

Sec. 4511.11. (A) Local authorities in their respective 815
jurisdictions shall place and maintain traffic control devices in 816
accordance with the department of transportation manual ~~and~~ 817
~~specifications~~ for a uniform system of traffic control devices, 818
adopted under section 4511.09 of the Revised Code, upon highways 819
under their jurisdiction as are necessary to indicate and to carry 820
out sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 821
local traffic ordinances, or to regulate, warn, or guide traffic. 822

(B) The director of transportation may require to be removed 823
any traffic control device that does not conform to the manual ~~and~~ 824

~~specifications~~ for a uniform system of traffic control devices on 825
the extensions of the state highway system within municipal 826
corporations. 827

(C) No village shall place or maintain any traffic control 828
signal upon an extension of the state highway system within the 829
village without first obtaining the permission of the director. 830
The director may revoke the permission and may require to be 831
removed any traffic control signal that has been erected without 832
the director's permission on an extension of a state highway 833
within a village, or that, if erected under a permit granted by 834
the director, does not conform to the state manual ~~and~~ 835
~~specifications~~, or that is not operated in accordance with the 836
terms of the permit. 837

(D) All traffic control devices erected on ~~a public road, any~~ 838
~~street, or highway, alley, bikeway, or private road open to public~~ 839
~~travel~~ shall conform to the state manual ~~and specifications~~. 840

(E) No person, firm, or corporation shall sell or offer for 841
sale to local authorities any traffic control device that does not 842
conform to the state manual ~~and specifications~~, except by 843
permission of the director. 844

(F) No local authority shall purchase or manufacture any 845
traffic control device that does not conform to the state manual 846
~~and specifications~~, except by permission of the director. 847

(G) Whoever violates division (E) of this section is guilty 848
of a misdemeanor of the third degree. 849

Sec. 4511.13. ~~Whenever Highway traffic is controlled by~~ 850
~~traffic control signals exhibiting different colored lights, or~~ 851
~~colored lighted arrows, successively one at a time or in~~ 852
~~combination, only the colors green, red, and yellow shall be used,~~ 853
~~except signal indications for special pedestrian signals carrying~~ 854

~~words or symbols, and said lights shall indicate and apply to~~ 855
~~drivers of vehicles, streetcars, and trackless trolleys, and to~~ 856
~~pedestrians as follows~~ shall have the following meanings: 857

(A) ~~Green~~ Steady green signal indication: 858

(1)(a) Vehicular traffic, streetcars, and trackless trolleys 859
facing a circular green signal ~~may~~ indication are permitted to 860
proceed straight through or turn right or left ~~unless a sign at~~ 861
~~such place prohibits either such turn. But vehicular traffic,~~ 862
~~streetcars, and trackless trolleys, including vehicles,~~ 863
~~streetcars, and trackless trolleys turning right or left, shall~~ 864
~~yield the right of way to other~~ or make a u-turn movement except 865
as such movement is modified by a lane-use sign, turn prohibition 866
sign, lane marking, roadway design, separate turn signal 867
indication, or other traffic control device. Such vehicular 868
traffic, including vehicles turning right or left or making a 869
u-turn movement, shall yield the right-of-way to both of the 870
following: 871

(i) Pedestrians lawfully within an associated crosswalk; 872

(ii) Other ~~vehicles, streetcars, trackless trolleys, and~~ 873
~~pedestrians~~ lawfully within the intersection ~~or an adjacent~~ 874
~~crosswalk at the time such signal is exhibited.~~ 875

(b) In addition, vehicular traffic turning left or making a 876
u-turn movement to the left shall yield the right-of-way to other 877
vehicles approaching from the opposite direction so closely as to 878
constitute an immediate hazard during the time when such turning 879
vehicle is moving across or within the intersection. 880

(2) Vehicular traffic, streetcars, and trackless trolleys 881
facing a green arrow signal, ~~shown~~ indication, displayed alone or 882
in combination with another signal indication, ~~may~~ are permitted 883
to cautiously enter the intersection only to make the movement 884
indicated by such arrow, or such other movement as is permitted by 885

other indications ~~shown~~ displayed at the same time. Such vehicular 886
traffic, streetcars, and trackless trolleys, including vehicles 887
turning right or left or making a u-turn movement, shall yield the 888
right-of-way to ~~pedestrians~~ both of the following: 889

(a) Pedestrians lawfully within an adjacent crosswalk ~~and to~~ 890
~~other;~~ 891

(b) Other traffic lawfully using the intersection. 892

(3)(a) Unless otherwise directed by a ~~pedestrian control~~ 893
pedestrian signal indication, as provided in section 4511.14 of 894
the Revised Code, pedestrians facing ~~any a circular~~ green signal, 895
~~except when the sole green signal is a turn arrow,~~ may indication 896
are permitted to proceed across the roadway within any marked or 897
unmarked associated crosswalk. The pedestrian shall yield the 898
right-of-way to vehicles lawfully within the intersection or so 899
close as to create an immediate hazard at the time that the green 900
signal indication is first displayed. 901

(b) Pedestrians facing a green arrow signal indication, 902
unless otherwise directed by a pedestrian signal indication or 903
other traffic control device, shall not cross the roadway. 904

(B) Steady yellow signal indication: 905

(1) Vehicular traffic, streetcars, and trackless trolleys 906
facing a steady circular yellow ~~or yellow arrow~~ signal indication 907
are thereby warned that the related green movement or the related 908
flashing arrow movement is being terminated or that a steady red 909
signal indication will be exhibited immediately thereafter when 910
vehicular traffic, streetcars, and trackless trolleys shall not 911
enter the intersection. The provisions governing vehicular 912
operation under the movement being terminated shall continue to 913
apply while the steady circular yellow signal indication is 914
displayed. 915

(2) Vehicular traffic facing a steady yellow arrow signal 916

indication is thereby warned that the related green arrow movement 917
or the related flashing arrow movement is being terminated. The 918
provisions governing vehicular operation under the movement being 919
terminated shall continue to apply while the steady yellow arrow 920
signal indication is displayed. 921

(3) Pedestrians facing a steady circular yellow or yellow 922
arrow signal indication, unless otherwise directed by a 923
~~pedestrian control~~ pedestrian signal indication as provided in 924
section 4511.14 of the Revised Code or other traffic control 925
~~device~~, ~~are thereby advised that there is insufficient time to~~ 926
~~cross the roadway before a red indication is shown and no~~ 927
~~pedestrian shall then~~ not start to cross the roadway. 928

(C) Steady red signal indication: 929

(1)(a) Vehicular traffic, streetcars, and trackless trolleys 930
facing a steady circular red signal ~~alone~~ indication, unless 931
entering the intersection to make another movement permitted by 932
another signal indication, shall stop at a clearly marked stop 933
line₇; but if ~~none~~ there is no stop line, traffic shall stop 934
before entering the crosswalk on the near side of the 935
intersection₇; or if ~~none~~ there is no crosswalk, then before 936
entering the intersection₇ and shall remain ~~standing~~ stopped until 937
~~an~~ a signal indication to proceed is ~~shown~~ displayed except as 938
provided in divisions (C)(1), (2), and (3) of this section. 939

(b) Except when a traffic control device is in place 940
prohibiting a turn on red or a steady red arrow signal indication 941
is displayed, vehicular traffic facing a steady circular red 942
signal indication is permitted to enter the intersection to turn 943
right, or to turn left from a one-way street, after stopping. The 944
right to proceed with the turn shall be subject to the provisions 945
that are applicable after making a stop at a stop sign. 946

(2) Unless a sign is in place prohibiting a right turn as 947

~~provided in division (C)(5) of this section, vehicular (a)~~ 948
~~Vehicular~~ traffic, streetcars, and trackless trolleys facing a 949
steady red arrow signal ~~may cautiously~~ indication shall not enter 950
the intersection to make a ~~right turn after stopping as required~~ 951
~~by division (C)(1) of this section. Such vehicular traffic,~~ 952
~~streetcars, and trackless trolleys shall yield the right of way to~~ 953
~~pedestrians lawfully within an adjacent crosswalk and to other~~ 954
~~traffic lawfully using the intersection~~ the movement indicated by 955
the arrow and, unless entering the intersection to make another 956
movement permitted by another signal indication, shall stop at a 957
clearly marked stop line; but if there is no stop line, before 958
entering the crosswalk on the near side of the intersection; or if 959
there is no crosswalk, then before entering the intersection; and 960
shall remain stopped until a signal indication or other traffic 961
control device permitting the movement indicated by such red arrow 962
is displayed. 963

(b) When a traffic control device is in place permitting a 964
turn on a steady red arrow signal indication, vehicular traffic 965
facing a steady red arrow indication is permitted to enter the 966
intersection to make the movement indicated by the arrow signal 967
indication, after stopping. The right to proceed with the turn 968
shall be limited to the direction indicated by the arrow and shall 969
be subject to the provisions that are applicable after making a 970
stop at a stop sign. 971

~~(3) Unless a sign is in place prohibiting a left turn as~~ 972
~~provided in division (C)(5) of this section, vehicular traffic,~~ 973
~~streetcars, and trackless trolleys facing a steady red signal on a~~ 974
~~one-way street that intersects another one-way street on which~~ 975
~~traffic moves to the left may cautiously enter the intersection to~~ 976
~~make a left turn into the one-way street after stopping as~~ 977
~~required by division (C)(1) of this section, and yielding the~~ 978
~~right of way to pedestrians lawfully within an adjacent crosswalk~~ 979

and to other traffic lawfully using the intersection. 980

(4) Unless otherwise directed by a ~~pedestrian control~~ 981
pedestrian signal indication as provided in section 4511.14 of the 982
Revised Code or other traffic control device, pedestrians facing a 983
steady circular red or steady red arrow signal alone indication 984
shall not enter the roadway. 985

(5)(4) Local authorities ~~may~~ by ordinance, or the director of 986
transportation on state highways ~~may~~, may prohibit a right or a 987
left turn against a steady red signal at any intersection, which 988
shall be effective when signs giving notice thereof are posted at 989
the intersection. 990

(D) A flashing green signal indication has no meaning and 991
shall not be used. 992

(E) Flashing yellow signal indication: 993

(1)(a) Vehicular traffic, on an approach to an intersection, 994
facing a flashing circular yellow signal indication, is permitted 995
to cautiously enter the intersection to proceed straight through 996
or turn right or left or make a u-turn movement except as such 997
movement is modified by lane-use signs, turn prohibition signs, 998
lane markings, roadway design, separate turn signal indications, 999
or other traffic control devices. Such vehicular traffic, 1000
including vehicles turning right or left or making a u-turn 1001
movement, shall yield the right-of-way to both of the following: 1002

(i) Pedestrians lawfully within an associated sidewalk; 1003

(ii) Other vehicles lawfully within the intersection. 1004

(b) In addition, vehicular traffic turning left or making a 1005
u-turn to the left shall yield the right-of-way to other vehicles 1006
approaching from the opposite direction so closely as to 1007
constitute an immediate hazard during the time when such turning 1008
vehicle is moving across or within the intersection. 1009

(2)(a) Vehicular traffic, on an approach to an intersection, facing a flashing yellow arrow signal indication, displayed alone or in combination with another signal indication, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or other such movement as is permitted by other signal indications displayed at the same time. Such vehicular traffic, including vehicles turning right or left or making a u-turn, shall yield the right-of-way to both of the following:

(i) Pedestrians lawfully within an associated sidewalk;

(ii) Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(3) Pedestrians facing any flashing yellow signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(4) When a flashing circular yellow signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable.

(F) Flashing red signal indication:

(1) Vehicular traffic, on an approach to an intersection, facing a flashing circular red signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2) Pedestrians facing any flashing red signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing red signal indication is first displayed.

(3) When a flashing circular red signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable. Use of this signal indication shall be limited to supplementing stop, do not enter, or wrong way signs, and to applications where compliance with the supplemental traffic control device requires a stop at a designated point.

(G) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any

such sign or marking the stop shall be made at the signal. 1073

(H) This section does not apply at railroad grade crossings. 1074
Conduct of drivers of vehicles, trackless trolleys, and streetcars 1075
approaching railroad grade crossings shall be governed by sections 1076
4511.61 and 4511.62 of the Revised Code. 1077

Sec. 4511.131. ~~When~~ The meanings of lane-use control signals 1078
signal indications are ~~placed over individual lanes of a street or~~ 1079
~~highway, said signals shall indicate and apply to drivers of~~ 1080
~~vehicles and trackless trolleys~~ as follows: 1081

(A) A steady downward green arrow: 1082

~~Vehicular traffic and trackless trolleys may travel~~ A road 1083
user is permitted to drive in any the lane over which a green the 1084
arrow signal indication is shown located. 1085

(B) A steady yellow "X": 1086

~~Vehicular traffic and trackless trolleys are warned~~ A road 1087
user is to prepare to vacate in a safe manner any the lane over 1088
which such the signal indication is shown to avoid occupying that 1089
located because a lane when control change is being made to a 1090
steady red "X" signal is shown indication. 1091

(C) A ~~flashing yellow "X"~~ steady white two-way left-turn 1092
arrow: 1093

~~Vehicular traffic and trackless trolleys may~~ A road user is 1094
permitted to use with proper caution any a lane over which such 1095
the signal indication is shown for only the purpose of making 1096
located for a left turn, but not for through travel, with the 1097
understanding that common use of the lane by oncoming road users 1098
for left turns also is permitted. 1099

(D) A steady white one-way left-turn arrow: 1100

A road user is permitted to use a lane over which the signal 1101

indication is located for a left turn, without opposing turns in 1102
the same lane, but not for through travel. 1103

(E) A steady red "X". 1104

~~Vehicular traffic and trackless trolleys shall~~ A road user is 1105
~~not enter or travel in any~~ permitted to use the lane over which 1106
~~such~~ the signal indication is shown located and that this signal 1107
indication shall modify accordingly the meaning of other traffic 1108
controls present. 1109

Sec. 4511.14. Whenever special pedestrian control signals 1110
exhibiting the words "walk" or "don't walk," or the symbol of a 1111
walking person or an upraised palm are in place, such signals 1112
shall indicate the following instructions: 1113

(A) ~~"Walk" or the symbol of a~~ A steady walking person+ 1114
~~Pedestrians~~ signal indication, which symbolizes "walk," means that 1115
a pedestrian facing such the signal may proceed across indication 1116
is permitted to start to cross the roadway in the direction of the 1117
signal and shall be given the right of way by operators of all 1118
indication, possibly in conflict with turning vehicles, 1119
streetcars, and trackless trolleys. The pedestrian shall yield the 1120
right-of-way to vehicles lawfully within the intersection at the 1121
time that the walking person signal indication is first shown. 1122

(B) ~~"Don't walk" or the symbol of an~~ A flashing upraised 1123
~~palm: No~~ hand signal indication, which symbolizes "don't walk," 1124
means that a pedestrian shall not start to cross the roadway in 1125
the direction of the signal indication, but that any pedestrian 1126
who has already started to cross on a steady walking person signal 1127
indication shall proceed to the far side of the traveled way of 1128
the street or highway, unless otherwise directed by a traffic 1129
control device to proceed only to the median of a divided highway 1130
or only to some other island or pedestrian refuge area. 1131

(C) A steady upraised hand signal indication means that a pedestrian shall not enter the roadway in the direction of the signal indication. 1132
1133
1134

~~(C)~~(D) Nothing in this section shall be construed to 1135
invalidate the continued use of pedestrian control signals 1136
utilitizing the word "wait" if those signals were installed prior 1137
to ~~the effective date of this act~~ March 28, 1985. 1138

(E) A flashing walking person signal indication has no meaning and shall not be used. 1139
1140

Sec. 4511.37. (A) Except as provided in section 4511.13 and 1141
division (B) of this section, no vehicle shall be turned so as to 1142
proceed in the opposite direction upon any curve, or upon the 1143
approach to or near the crest of a grade, if the vehicle cannot be 1144
seen within five hundred feet by the driver of any other vehicle 1145
approaching from either direction. 1146

(B) The driver of an emergency vehicle or public safety 1147
vehicle, when responding to an emergency call, may turn the 1148
vehicle so as to proceed in the opposite direction. This division 1149
applies only when the emergency vehicle or public safety vehicle 1150
is responding to an emergency call, is equipped with and 1151
displaying at least one flashing, rotating, or oscillating light 1152
visible under normal atmospheric conditions from a distance of 1153
five hundred feet to the front of the vehicle, and when the driver 1154
of the vehicle is giving an audible signal by siren, exhaust 1155
whistle, or bell. This division does not relieve the driver of an 1156
emergency vehicle or public safety vehicle from the duty to drive 1157
with due regard for the safety of all persons and property upon 1158
the highway. 1159

(C) Except as otherwise provided in this division, whoever 1160
violates this section is guilty of a minor misdemeanor. If, within 1161
one year of the offense, the offender previously has been 1162

convicted of or pleaded guilty to one predicate motor vehicle or 1163
traffic offense, whoever violates this section is guilty of a 1164
misdemeanor of the fourth degree. If, within one year of the 1165
offense, the offender previously has been convicted of two or more 1166
predicate motor vehicle or traffic offenses, whoever violates this 1167
section is guilty of a misdemeanor of the third degree. 1168

Sec. 4511.69. (A) Every vehicle stopped or parked upon a 1169
roadway where there is an adjacent curb shall be stopped or parked 1170
with the right-hand wheels of the vehicle parallel with and not 1171
more than twelve inches from the right-hand curb, unless it is 1172
impossible to approach so close to the curb; in such case the stop 1173
shall be made as close to the curb as possible and only for the 1174
time necessary to discharge and receive passengers or to load or 1175
unload merchandise. Local authorities by ordinance may permit 1176
angle parking on any roadway under their jurisdiction, except that 1177
angle parking shall not be permitted on a state route within a 1178
municipal corporation unless an unoccupied roadway width of not 1179
less than twenty-five feet is available for free-moving traffic. 1180

(B) Local authorities by ordinance may permit parking of 1181
vehicles with the left-hand wheels adjacent to and within twelve 1182
inches of the left-hand curb of a one-way roadway. 1183

(C)(1) Except as provided in division (C)(2) of this section, 1184
no vehicle or trackless trolley shall be stopped or parked on a 1185
road or highway with the vehicle or trackless trolley facing in a 1186
direction other than the direction of travel on that side of the 1187
road or highway. 1188

(2) The operator of a motorcycle may back the motorcycle into 1189
an angled parking space so that when the motorcycle is parked it 1190
is facing in a direction other than the direction of travel on the 1191
side of the road or highway. 1192

(D) Notwithstanding any statute or any rule, resolution, or 1193

ordinance adopted by any local authority, air compressors, 1194
tractors, trucks, and other equipment, while being used in the 1195
construction, reconstruction, installation, repair, or removal of 1196
facilities near, on, over, or under a street or highway, may stop, 1197
stand, or park where necessary in order to perform such work, 1198
provided a flagperson is on duty or warning signs or lights are 1199
displayed as may be prescribed by the director of transportation. 1200

(E) Special parking locations and privileges for persons with 1201
disabilities that limit or impair the ability to walk, also known 1202
as handicapped parking spaces or disability parking spaces, shall 1203
be provided and designated by all political subdivisions and by 1204
the state and all agencies and instrumentalities thereof at all 1205
offices and facilities, where parking is provided, whether owned, 1206
rented, or leased, and at all publicly owned parking garages. The 1207
locations shall be designated through the posting of an elevated 1208
sign, whether permanently affixed or movable, imprinted with the 1209
international symbol of access and shall be reasonably close to 1210
exits, entrances, elevators, and ramps. All elevated signs posted 1211
in accordance with this division and division (C) of section 1212
3781.111 of the Revised Code shall be mounted on a fixed or 1213
movable post, and the distance from the ground to the ~~top~~ bottom 1214
edge of the sign shall measure not less than five feet. If a new 1215
sign or a replacement sign designating a special parking location 1216
is posted on or after October 14, 1999, there also shall be 1217
affixed upon the surface of that sign or affixed next to the 1218
designating sign a notice that states the fine applicable for the 1219
offense of parking a motor vehicle in the special designated 1220
parking location if the motor vehicle is not legally entitled to 1221
be parked in that location. 1222

(F)(1) No person shall stop, stand, or park any motor vehicle 1223
at special parking locations provided under division (E) of this 1224
section or at special clearly marked parking locations provided in 1225

or on privately owned parking lots, parking garages, or other 1226
parking areas and designated in accordance with that division, 1227
unless one of the following applies: 1228

(a) The motor vehicle is being operated by or for the 1229
transport of a person with a disability that limits or impairs the 1230
ability to walk and is displaying a valid removable windshield 1231
placard or special license plates; 1232

(b) The motor vehicle is being operated by or for the 1233
transport of a handicapped person and is displaying a parking card 1234
or special handicapped license plates. 1235

(2) Any motor vehicle that is parked in a special marked 1236
parking location in violation of division (F)(1)(a) or (b) of this 1237
section may be towed or otherwise removed from the parking 1238
location by the law enforcement agency of the political 1239
subdivision in which the parking location is located. A motor 1240
vehicle that is so towed or removed shall not be released to its 1241
owner until the owner presents proof of ownership of the motor 1242
vehicle and pays all towing and storage fees normally imposed by 1243
that political subdivision for towing and storing motor vehicles. 1244
If the motor vehicle is a leased vehicle, it shall not be released 1245
to the lessee until the lessee presents proof that that person is 1246
the lessee of the motor vehicle and pays all towing and storage 1247
fees normally imposed by that political subdivision for towing and 1248
storing motor vehicles. 1249

(3) If a person is charged with a violation of division 1250
(F)(1)(a) or (b) of this section, it is an affirmative defense to 1251
the charge that the person suffered an injury not more than 1252
seventy-two hours prior to the time the person was issued the 1253
ticket or citation and that, because of the injury, the person 1254
meets at least one of the criteria contained in division (A)(1) of 1255
section 4503.44 of the Revised Code. 1256

(G) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special license plates, or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(H) No owner of an office, facility, or parking garage where special parking locations are required to be designated in accordance with division (E) of this section shall fail to properly mark the special parking locations in accordance with that division or fail to maintain the markings of the special locations, including the erection and maintenance of the fixed or movable signs.

(I) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or special license plates if the parking card or special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.

(J)(1) Whoever violates division (A) or (C) of this section is guilty of a minor misdemeanor.

(2)(a) Whoever violates division (F)(1)(a) or (b) of this section is guilty of a misdemeanor and shall be punished as provided in division (J)(2)(a) and (b) of this section. Except as otherwise provided in division (J)(2)(a) of this section, an offender who violates division (F)(1)(a) or (b) of this section shall be fined not less than two hundred fifty nor more than five hundred dollars. An offender who violates division (F)(1)(a) or

(b) of this section shall be fined not more than one hundred 1289
dollars if the offender, prior to sentencing, proves either of the 1290
following to the satisfaction of the court: 1291

(i) At the time of the violation of division (F)(1)(a) of 1292
this section, the offender or the person for whose transport the 1293
motor vehicle was being operated had been issued a removable 1294
windshield placard that then was valid or special license plates 1295
that then were valid but the offender or the person neglected to 1296
display the placard or license plates as described in division 1297
(F)(1)(a) of this section. 1298

(ii) At the time of the violation of division (F)(1)(b) of 1299
this section, the offender or the person for whose transport the 1300
motor vehicle was being operated had been issued a parking card 1301
that then was valid or special handicapped license plates that 1302
then were valid but the offender or the person neglected to 1303
display the card or license plates as described in division 1304
(F)(1)(b) of this section. 1305

(b) In no case shall an offender who violates division 1306
(F)(1)(a) or (b) of this section be sentenced to any term of 1307
imprisonment. 1308

An arrest or conviction for a violation of division (F)(1)(a) 1309
or (b) of this section does not constitute a criminal record and 1310
need not be reported by the person so arrested or convicted in 1311
response to any inquiries contained in any application for 1312
employment, license, or other right or privilege, or made in 1313
connection with the person's appearance as a witness. 1314

The clerk of the court shall pay every fine collected under 1315
division (J)(2) of this section to the political subdivision in 1316
which the violation occurred. Except as provided in division 1317
(J)(2) of this section, the political subdivision shall use the 1318
fine moneys it receives under division (J)(2) of this section to 1319

pay the expenses it incurs in complying with the signage and 1320
notice requirements contained in division (E) of this section. The 1321
political subdivision may use up to fifty per cent of each fine it 1322
receives under division (J)(2) of this section to pay the costs of 1323
educational, advocacy, support, and assistive technology programs 1324
for persons with disabilities, and for public improvements within 1325
the political subdivision that benefit or assist persons with 1326
disabilities, if governmental agencies or nonprofit organizations 1327
offer the programs. 1328

(3) Whoever violates division (H) of this section shall be 1329
punished as follows: 1330

(a) Except as otherwise provided in division (J)(3) of this 1331
section, the offender shall be issued a warning. 1332

(b) If the offender previously has been convicted of or 1333
pleaded guilty to a violation of division (H) of this section or 1334
of a municipal ordinance that is substantially similar to that 1335
division, the offender shall not be issued a warning but shall be 1336
fined not more than twenty-five dollars for each parking location 1337
that is not properly marked or whose markings are not properly 1338
maintained. 1339

(K) As used in this section: 1340

(1) "Handicapped person" means any person who has lost the 1341
use of one or both legs or one or both arms, who is blind, deaf, 1342
or so severely handicapped as to be unable to move without the aid 1343
of crutches or a wheelchair, or whose mobility is restricted by a 1344
permanent cardiovascular, pulmonary, or other handicapping 1345
condition. 1346

(2) "Person with a disability that limits or impairs the 1347
ability to walk" has the same meaning as in section 4503.44 of the 1348
Revised Code. 1349

(3) "Special license plates" and "removable windshield 1350

placard" mean any license plates or removable windshield placard 1351
or temporary removable windshield placard issued under section 1352
4503.41 or 4503.44 of the Revised Code, and also mean any 1353
substantially similar license plates or removable windshield 1354
placard or temporary removable windshield placard issued by a 1355
state, district, country, or sovereignty. 1356

Sec. 4955.33. At all points where its railroad crosses a 1357
public road at a common grade, each company shall erect crossbuck 1358
signing at positions at each such crossing that are in accordance 1359
with the department of transportation manual for uniform traffic 1360
control devices, adopted under section 4511.09 of the Revised 1361
Code, to give notice of the proximity of the railroad and warn 1362
persons to be on the lookout for the locomotive. Any such signing 1363
that has been or is erected in accordance with this section may 1364
lawfully be continued in use until it is replaced. A company that 1365
neglects or refuses to comply with this section is liable in 1366
damages for all injuries that occur to persons or property from 1367
such neglect or refusal. 1368

~~Each crossbuck sign also shall be accompanied by an 1369
additional sign consisting of three panels, with the middle panel 1370
bearing the word "yield" spelled vertically. The front and rear 1371
faces of the crossbuck sign and of the three panels of the 1372
additional sign shall be coated or treated with a reflective 1373
material, and if the crossbuck sign and additional sign are 1374
mounted on a vertical girder or post, the girder or post also 1375
shall be coated or treated with a reflective material. The 1376
director, after consultation with those persons knowledgeable in 1377
the area of railroad highway grade crossing safety as he may 1378
select, shall determine specifications for the crossbuck sign, 1379
additional sign, girder, or post, and for the reflectiveness of 1380
the reflective material described in this section. 1381~~

~~The director of transportation may erect experimental signs at certain crossings in lieu of the above required signing, for the purpose of conducting research for the development of better signing systems. The erection of such a sign by the director at a particular crossing relieves the railroad company from any liability in damages that might otherwise arise under this section at the crossing.~~

~~With the prior approval of the director, a railroad company or local authority may erect experimental signs and warning devices at a crossing in lieu of the above required signing, for the purpose of conducting research for the development of better warning signing systems and devices. Such signs and warning devices may be erected on either an interim or permanent basis, as determined by the director, and the erection in accordance with this section of such signs and warning devices at a particular crossing relieves the railroad company or local authority from any liability in damages that might otherwise arise under this section at the crossing.~~

Section 2. That existing sections 3781.111, 4510.31, 4511.01, 4511.041, 4511.09, 4511.102, 4511.103, 4511.105, 4511.106, 4511.11, 4511.13, 4511.131, 4511.14, 4511.37, 4511.69, and 4955.33 and section 4511.15 of the Revised Code are hereby repealed.

1404