

**As Introduced**

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

**S. B. No. 92**

**Senator Schaffer**

—

**A BILL**

To amend sections 4510.02, 4510.036, 4511.21, 1  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 2  
4511.44, 4511.441, 4511.45, 4511.451, 4511.46, 3  
4511.47, and 4513.39 and to enact section 4501.20 4  
of the Revised Code to provide for increased 5  
penalties when a person violates the motor vehicle 6  
traffic law assured clear distance ahead provision 7  
or commits a failure to yield the right-of-way 8  
offense that results in serious physical harm or 9  
death to another person. 10

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

**Section 1.** That sections 4510.02, 4510.036, 4511.21, 4511.33, 11  
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 12  
4511.451, 4511.46, 4511.47, and 4513.39 be amended and section 13  
4501.20 of the Revised Code be enacted to read as follows: 14

**Sec. 4501.20.** There is hereby created in the state treasury 15  
the highway safety education fund, consisting of those portions of 16  
finer collected pursuant to and specified in sections 4511.21, 17  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 18  
4511.45, 4511.451, 4511.46, and 4511.47 of the Revised Code. The 19  
department of public safety shall use the money in the fund only 20

to pay for educational activities that relate to highway safety. 21

**Sec. 4510.02.** (A) When a court elects or is required to 22  
suspend the driver's license, commercial driver's license, 23  
temporary instruction permit, probationary license, or nonresident 24  
operating privilege of any offender from a specified suspension 25  
class, for each of the following suspension classes, the court 26  
shall impose a definite period of suspension from the range 27  
specified for the suspension class: 28

(1) For a class one suspension, a definite period for the 29  
life of the person subject to the suspension; 30

(2) For a class two suspension, a definite period of three 31  
years to life; 32

(3) For a class three suspension, a definite period of two to 33  
ten years; 34

(4) For a class four suspension, a definite period of one to 35  
five years; 36

(5) For a class five suspension, a definite period of six 37  
months to three years; 38

(6) For a class six suspension, a definite period of three 39  
months to two years; 40

(7) For a class seven suspension, a definite period not to 41  
exceed one year; 42

(8) For a class eight suspension, a definite period not to 43  
exceed six months. 44

(B) When the bureau of motor vehicles elects or is required 45  
to suspend the driver's license, commercial driver's license, 46  
temporary instruction permit, probationary license, or nonresident 47  
operating privilege of any person from a specified suspension 48  
class, for each of the following suspension classes, the period of 49

suspension shall be as follows:	50
(1) For a class A suspension, three years;	51
(2) For a class B suspension, two years;	52
(3) For a class C suspension, one year;	53
(4) For a class D suspension, six months;	54
(5) For a class E suspension, three months;	55
(6) For a class F suspension, until conditions are met.	56
(C) The court may require a person to successfully complete a remedial driving course as a condition for the return of full driving privileges after a suspension period imposed from any range in division (A) of this section or otherwise imposed by the court pursuant to any other provision of law ends.	57 58 59 60 61
(D) When a court or the bureau suspends the driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege of any offender or person pursuant to any provision of law that does not provide for the suspension to be from a class set forth in division (A) or (B) of this section, except as otherwise provided in the provision that authorizes or requires the suspension, the suspension shall be subject to and governed by this chapter.	62 63 64 65 66 67 68 69
<b>Sec. 4510.036.</b> (A) The bureau of motor vehicles shall record within ten days, after receipt, and shall keep at its main office, all abstracts received under this section or section 4510.03, 4510.031, 4510.032, or 4510.034 of the Revised Code and shall maintain records of convictions and bond forfeitures for any violation of a state law or a municipal ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways and streets, except a violation related to parking a motor vehicle.	70 71 72 73 74 75 76 77 78

(B) Every court of record or mayor's court before which a person is charged with a violation for which points are chargeable by this section shall assess and transcribe to the abstract of conviction that is furnished by the bureau to the court the number of points chargeable by this section in the correct space assigned on the reporting form. A United States district court that has jurisdiction within this state and before which a person is charged with a violation for which points are chargeable by this section may assess and transcribe to the abstract of conviction report that is furnished by the bureau the number of points chargeable by this section in the correct space assigned on the reporting form. If the federal court so assesses and transcribes the points chargeable for the offense and furnishes the report to the bureau, the bureau shall record the points in the same manner as those assessed and transcribed by a court of record or mayor's court.

(C) A court shall assess the following points for an offense based on the following formula:

(1) Aggravated vehicular homicide, vehicular homicide, vehicular manslaughter, aggravated vehicular assault, or vehicular assault when the offense involves the operation of a vehicle, streetcar, or trackless trolley on a highway or street ..... 6 points

(2) A violation of section 2921.331 of the Revised Code or any ordinance prohibiting the willful fleeing or eluding of a law enforcement officer ..... 6 points

(3) A violation of section 4549.02 or 4549.021 of the Revised Code or any ordinance requiring the driver of a vehicle to stop and disclose identity at the scene of an accident ..... 6 points

(4) A violation of section 4511.251 of the Revised Code or

any ordinance prohibiting street racing .....	6 points	110
(5) A violation of section 4510.11, 4510.14, 4510.16, or		111
4510.21 of the Revised Code or any ordinance prohibiting the		112
operation of a motor vehicle while the driver's or commercial		113
driver's license is under suspension .....	6 points	114
(6) A violation of division (A) of section 4511.19 of the		115
Revised Code, any ordinance prohibiting the operation of a vehicle		116
while under the influence of alcohol, a drug of abuse, or a		117
combination of them, or any ordinance substantially equivalent to		118
division (A) of section 4511.19 of the Revised Code prohibiting		119
the operation of a vehicle with a prohibited concentration of		120
alcohol, a controlled substance, or a metabolite of a controlled		121
substance in the whole blood, blood serum or plasma, breath, or		122
urine .....	6 points	123
(7) A violation of section 2913.03 of the Revised Code that		124
does not involve an aircraft or motorboat or any ordinance		125
prohibiting the operation of a vehicle without the consent of the		126
owner .....	6 points	127
(8) Any offense under the motor vehicle laws of this state		128
that is a felony, or any other felony in the commission of which a		129
motor vehicle was used .....	6 points	130
(9) A violation of division (B) of section 4511.19 of the		131
Revised Code or any ordinance substantially equivalent to that		132
division prohibiting the operation of a vehicle with a prohibited		133
concentration of alcohol in the whole blood, blood serum or		134
plasma, breath, or urine .....	4 points	135
(10) A violation of section 4511.20 of the Revised Code or		136
any ordinance prohibiting the operation of a motor vehicle in		137
willful or wanton disregard of the safety of persons or property		138
.....	4 points	139
(11) A violation of any law or ordinance pertaining to speed:		140

(a) Notwithstanding divisions (C)(11)(b) and (c) of this section, when the speed exceeds the lawful speed limit by thirty miles per hour or more . . . . .	4 points	141 142 143
(b) When the speed exceeds the lawful speed limit of fifty-five miles per hour or more by more than ten miles per hour . . . . .	2 points	144 145 146
(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour . . . . .	2 points	147 148 149
(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section . . . . .	0 points	150 151 152
(12) Operating a motor vehicle in violation of a restriction imposed by the registrar . . . . .	2 points	153 154
(13) <u>A violation of section 4511.21, 4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 4511.451, 4511.46, or 4511.47 of the Revised Code in which the court assesses at least two but not more than six points . . . . .</u>	<u>2 to 6 points, as assessed by the court</u>	155 156 157 158 159
(14) All other moving violations reported under this section . . . . .	2 points	160 161
(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.		162 163 164 165 166
(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater		167 168 169 170

number of points is chargeable, and, if the number of points 171  
chargeable for each offense is equal, only one offense shall be 172  
recorded, and points shall be charged only for that offense. 173

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 174  
trackless trolley, or streetcar at a speed greater or less than is 175  
reasonable or proper, having due regard to the traffic, surface, 176  
and width of the street or highway and any other conditions, and 177  
no person shall drive any motor vehicle, trackless trolley, or 178  
streetcar in and upon any street or highway at a greater speed 179  
than will permit the person to bring it to a stop within the 180  
assured clear distance ahead. 181

(B) It is prima-facie lawful, in the absence of a lower limit 182  
declared or established pursuant to this section by the director 183  
of transportation or local authorities, for the operator of a 184  
motor vehicle, trackless trolley, or streetcar to operate the same 185  
at a speed not exceeding the following: 186

(1)(a) Twenty miles per hour in school zones during school 187  
recess and while children are going to or leaving school during 188  
the opening or closing hours, and when twenty miles per hour 189  
school speed limit signs are erected; except that, on 190  
controlled-access highways and expressways, if the right-of-way 191  
line fence has been erected without pedestrian opening, the speed 192  
shall be governed by division (B)(4) of this section and on 193  
freeways, if the right-of-way line fence has been erected without 194  
pedestrian opening, the speed shall be governed by divisions 195  
(B)(9) and (10) of this section. The end of every school zone may 196  
be marked by a sign indicating the end of the zone. Nothing in 197  
this section or in the manual and specifications for a uniform 198  
system of traffic control devices shall be construed to require 199  
school zones to be indicated by signs equipped with flashing or 200  
other lights, or giving other special notice of the hours in which 201

the school zone speed limit is in effect. 202

(b) As used in this section and in section 4511.212 of the 203  
Revised Code, "school" means any school chartered under section 204  
3301.16 of the Revised Code and any nonchartered school that 205  
during the preceding year filed with the department of education 206  
in compliance with rule 3301-35-08 of the Ohio Administrative 207  
Code, a copy of the school's report for the parents of the 208  
school's pupils certifying that the school meets Ohio minimum 209  
standards for nonchartered, nontax-supported schools and presents 210  
evidence of this filing to the jurisdiction from which it is 211  
requesting the establishment of a school zone. "School" also 212  
includes a special elementary school that in writing requests the 213  
county engineer of the county in which the special elementary 214  
school is located to create a school zone at the location of that 215  
school. Upon receipt of such a written request, the county 216  
engineer shall create a school zone at that location by erecting 217  
the appropriate signs. 218

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

(i) The distance encompassed by projecting the school 233



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

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

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

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

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

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

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

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

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

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

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

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

corporations, other than highways within island jurisdictions as	295
provided in division (B)(8) of this section and freeways as	296
provided in divisions (B)(13) and (14) of this section;	297
(6) Fifty miles per hour on state routes within municipal	298
corporations outside urban districts unless a lower prima-facie	299
speed is established as further provided in this section;	300
(7) Fifteen miles per hour on all alleys within the municipal	301
corporation;	302
(8) Thirty-five miles per hour on highways outside municipal	303
corporations that are within an island jurisdiction;	304
(9) Fifty-five miles per hour at all times on freeways with	305
paved shoulders inside municipal corporations, other than freeways	306
as provided in divisions (B)(13) and (14) of this section;	307
(10) Fifty-five miles per hour at all times on freeways	308
outside municipal corporations, other than freeways as provided in	309
divisions (B)(13) and (14) of this section;	310
(11) Fifty-five miles per hour at all times on all portions	311
of freeways that are part of the interstate system and on all	312
portions of freeways that are not part of the interstate system,	313
but are built to the standards and specifications that are	314
applicable to freeways that are part of the interstate system for	315
operators of any motor vehicle weighing in excess of eight	316
thousand pounds empty weight and any noncommercial bus, except as	317
provided in division (B)(14) of this section;	318
(12) Fifty-five miles per hour for operators of any motor	319
vehicle weighing eight thousand pounds or less empty weight and	320
any commercial bus at all times on all portions of freeways that	321
are part of the interstate system and that had such a speed limit	322
established prior to October 1, 1995, and freeways that are not	323
part of the interstate system, but are built to the standards and	324
specifications that are applicable to freeways that are part of	325

the interstate system and that had such a speed limit established 326  
prior to October 1, 1995, unless a higher speed limit is 327  
established under division (L) of this section; 328

(13) Sixty-five miles per hour for operators of any motor 329  
vehicle weighing eight thousand pounds or less empty weight and 330  
any commercial bus at all times on all portions of the following: 331

(a) Freeways that are part of the interstate system and that 332  
had such a speed limit established prior to October 1, 1995, and 333  
freeways that are not part of the interstate system, but are built 334  
to the standards and specifications that are applicable to 335  
freeways that are part of the interstate system and that had such 336  
a speed limit established prior to October 1, 1995; 337

(b) Freeways that are part of the interstate system and 338  
freeways that are not part of the interstate system but are built 339  
to the standards and specifications that are applicable to 340  
freeways that are part of the interstate system, and that had such 341  
a speed limit established under division (L) of this section; 342

(c) Rural, divided, multi-lane highways that are designated 343  
as part of the national highway system under the "National Highway 344  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 345  
and that had such a speed limit established under division (M) of 346  
this section. 347

(14) Sixty-five miles per hour at all times on all portions 348  
of freeways that are part of the interstate system and that had 349  
such a speed limit on ~~the effective date of this amendment~~ July 1, 350  
2009, for operators of any motor vehicle weighing in excess of 351  
eight thousand pounds empty weight and any noncommercial bus. 352

(C) It is prima-facie unlawful for any person to exceed any 353  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 354  
(6), (7), and (8) of this section, or any declared or established 355  
pursuant to this section by the director or local authorities and 356

it is unlawful for any person to exceed any of the speed 357  
limitations in division (D) of this section. No person shall be 358  
convicted of more than one violation of this section for the same 359  
conduct, although violations of more than one provision of this 360  
section may be charged in the alternative in a single affidavit. 361

(D) No person shall operate a motor vehicle, trackless 362  
trolley, or streetcar upon a street or highway as follows: 363

(1) At a speed exceeding fifty-five miles per hour, except 364  
upon a freeway as provided in divisions (B)(13) and (14) of this 365  
section; 366

(2) At a speed exceeding sixty-five miles per hour upon a 367  
freeway as provided in divisions (B)(13) and (14) of this section; 368

(3) If a motor vehicle weighing in excess of eight thousand 369  
pounds empty weight or a noncommercial bus as prescribed in 370  
division (B)(11) of this section, at a speed exceeding fifty-five 371  
miles per hour upon a freeway as provided in that division; 372

(4) At a speed exceeding the posted speed limit upon a 373  
freeway for which the director has determined and declared a speed 374  
limit of not more than sixty-five miles per hour pursuant to 375  
division (L)(2) or (M) of this section; 376

(5) At a speed exceeding sixty-five miles per hour upon a 377  
freeway for which such a speed limit has been established through 378  
the operation of division (L)(3) of this section; 379

(6) At a speed exceeding the posted speed limit upon a 380  
freeway for which the director has determined and declared a speed 381  
limit pursuant to division (I)(2) of this section. 382

(E) In every charge of violation of this section the 383  
affidavit and warrant shall specify the time, place, and speed at 384  
which the defendant is alleged to have driven, and in charges made 385  
in reliance upon division (C) of this section also the speed which 386

division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 387  
declared or established pursuant to, this section declares is 388  
prima-facie lawful at the time and place of such alleged 389  
violation, except that in affidavits where a person is alleged to 390  
have driven at a greater speed than will permit the person to 391  
bring the vehicle to a stop within the assured clear distance 392  
ahead the affidavit and warrant need not specify the speed at 393  
which the defendant is alleged to have driven. 394

(F) When a speed in excess of both a prima-facie limitation 395  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 396  
this section is alleged, the defendant shall be charged in a 397  
single affidavit, alleging a single act, with a violation 398  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 399  
(8) of this section, or of a limit declared or established 400  
pursuant to this section by the director or local authorities, and 401  
of the limitation in division (D)(1), (2), (3), (4), (5), or (6) 402  
of this section. If the court finds a violation of division 403  
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 404  
or established pursuant to, this section has occurred, it shall 405  
enter a judgment of conviction under such division and dismiss the 406  
charge under division (D)(1), (2), (3), (4), (5), or (6) of this 407  
section. If it finds no violation of division (B)(1)(a), (2), (3), 408  
(4), (6), (7), or (8) of, or a limit declared or established 409  
pursuant to, this section, it shall then consider whether the 410  
evidence supports a conviction under division (D)(1), (2), (3), 411  
(4), (5), or (6) of this section. 412

(G) Points shall be assessed for violation of a limitation 413  
under division (D) of this section in accordance with section 414  
4510.036 of the Revised Code. 415

(H) Whenever the director determines upon the basis of a 416  
geometric and traffic characteristic study that any speed limit 417  
set forth in divisions (B)(1)(a) to (D) of this section is greater 418

or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie speed limit, which shall be effective when appropriate signs giving notice of it are erected at the location.

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

(2) A local authority may determine on the basis of a geometric and traffic characteristic study that the speed limit of sixty-five miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the

local authority by resolution may request the director to 451  
determine and declare a reasonable and safe speed limit of not 452  
less than fifty-five miles per hour for that portion of the 453  
freeway. If the director takes such action, the declared speed 454  
limit becomes effective only when appropriate signs giving notice 455  
of it are erected at such location by the local authority. 456

(J) Local authorities in their respective jurisdictions may 457  
authorize by ordinance higher prima-facie speeds than those stated 458  
in this section upon through highways, or upon highways or 459  
portions thereof where there are no intersections, or between 460  
widely spaced intersections, provided signs are erected giving 461  
notice of the authorized speed, but local authorities shall not 462  
modify or alter the basic rule set forth in division (A) of this 463  
section or in any event authorize by ordinance a speed in excess 464  
of fifty miles per hour. 465

Alteration of prima-facie limits on state routes by local 466  
authorities shall not be effective until the alteration has been 467  
approved by the director. The director may withdraw approval of 468  
any altered prima-facie speed limits whenever in the director's 469  
opinion any altered prima-facie speed becomes unreasonable, and 470  
upon such withdrawal, the altered prima-facie speed shall become 471  
ineffective and the signs relating thereto shall be immediately 472  
removed by the local authorities. 473

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 474  
section, "unimproved highway" means a highway consisting of any of 475  
the following: 476

- (a) Unimproved earth; 477
- (b) Unimproved graded and drained earth; 478
- (c) Gravel. 479

(2) Except as otherwise provided in divisions (K)(4) and (5) 480  
of this section, whenever a board of township trustees determines 481



upon the basis of an engineering and traffic investigation that 482  
the speed permitted by division (B)(5) of this section on any part 483  
of an unimproved highway under its jurisdiction and in the 484  
unincorporated territory of the township is greater than is 485  
reasonable or safe under the conditions found to exist at the 486  
location, the board may by resolution declare a reasonable and 487  
safe prima-facie speed limit of fifty-five but not less than 488  
twenty-five miles per hour. An altered speed limit adopted by a 489  
board of township trustees under this division becomes effective 490  
when appropriate traffic control devices, as prescribed in section 491  
4511.11 of the Revised Code, giving notice thereof are erected at 492  
the location, which shall be no sooner than sixty days after 493  
adoption of the resolution. 494

(3)(a) Whenever, in the opinion of a board of township 495  
trustees, any altered prima-facie speed limit established by the 496  
board under this division becomes unreasonable, the board may 497  
adopt a resolution withdrawing the altered prima-facie speed 498  
limit. Upon the adoption of such a resolution, the altered 499  
prima-facie speed limit becomes ineffective and the traffic 500  
control devices relating thereto shall be immediately removed. 501

(b) Whenever a highway ceases to be an unimproved highway and 502  
the board has adopted an altered prima-facie speed limit pursuant 503  
to division (K)(2) of this section, the board shall, by 504  
resolution, withdraw the altered prima-facie speed limit as soon 505  
as the highway ceases to be unimproved. Upon the adoption of such 506  
a resolution, the altered prima-facie speed limit becomes 507  
ineffective and the traffic control devices relating thereto shall 508  
be immediately removed. 509

(4)(a) If the boundary of two townships rests on the 510  
centerline of an unimproved highway in unincorporated territory 511  
and both townships have jurisdiction over the highway, neither of 512  
the boards of township trustees of such townships may declare an 513

altered prima-facie speed limit pursuant to division (K)(2) of 514  
this section on the part of the highway under their joint 515  
jurisdiction unless the boards of township trustees of both of the 516  
townships determine, upon the basis of an engineering and traffic 517  
investigation, that the speed permitted by division (B)(5) of this 518  
section is greater than is reasonable or safe under the conditions 519  
found to exist at the location and both boards agree upon a 520  
reasonable and safe prima-facie speed limit of less than 521  
fifty-five but not less than twenty-five miles per hour for that 522  
location. If both boards so agree, each shall follow the procedure 523  
specified in division (K)(2) of this section for altering the 524  
prima-facie speed limit on the highway. Except as otherwise 525  
provided in division (K)(4)(b) of this section, no speed limit 526  
altered pursuant to division (K)(4)(a) of this section may be 527  
withdrawn unless the boards of township trustees of both townships 528  
determine that the altered prima-facie speed limit previously 529  
adopted becomes unreasonable and each board adopts a resolution 530  
withdrawing the altered prima-facie speed limit pursuant to the 531  
procedure specified in division (K)(3)(a) of this section. 532

(b) Whenever a highway described in division (K)(4)(a) of 533  
this section ceases to be an unimproved highway and two boards of 534  
township trustees have adopted an altered prima-facie speed limit 535  
pursuant to division (K)(4)(a) of this section, both boards shall, 536  
by resolution, withdraw the altered prima-facie speed limit as 537  
soon as the highway ceases to be unimproved. Upon the adoption of 538  
the resolution, the altered prima-facie speed limit becomes 539  
ineffective and the traffic control devices relating thereto shall 540  
be immediately removed. 541

(5) As used in division (K)(5) of this section: 542

(a) "Commercial subdivision" means any platted territory 543  
outside the limits of a municipal corporation and fronting a 544  
highway where, for a distance of three hundred feet or more, the 545

frontage is improved with buildings in use for commercial 546  
purposes, or where the entire length of the highway is less than 547  
three hundred feet long and the frontage is improved with 548  
buildings in use for commercial purposes. 549

(b) "Residential subdivision" means any platted territory 550  
outside the limits of a municipal corporation and fronting a 551  
highway, where, for a distance of three hundred feet or more, the 552  
frontage is improved with residences or residences and buildings 553  
in use for business, or where the entire length of the highway is 554  
less than three hundred feet long and the frontage is improved 555  
with residences or residences and buildings in use for business. 556

Whenever a board of township trustees finds upon the basis of 557  
an engineering and traffic investigation that the prima-facie 558  
speed permitted by division (B)(5) of this section on any part of 559  
a highway under its jurisdiction that is located in a commercial 560  
or residential subdivision, except on highways or portions thereof 561  
at the entrances to which vehicular traffic from the majority of 562  
intersecting highways is required to yield the right-of-way to 563  
vehicles on such highways in obedience to stop or yield signs or 564  
traffic control signals, is greater than is reasonable and safe 565  
under the conditions found to exist at the location, the board may 566  
by resolution declare a reasonable and safe prima-facie speed 567  
limit of less than fifty-five but not less than twenty-five miles 568  
per hour at the location. An altered speed limit adopted by a 569  
board of township trustees under this division shall become 570  
effective when appropriate signs giving notice thereof are erected 571  
at the location by the township. Whenever, in the opinion of a 572  
board of township trustees, any altered prima-facie speed limit 573  
established by it under this division becomes unreasonable, it may 574  
adopt a resolution withdrawing the altered prima-facie speed, and 575  
upon such withdrawal, the altered prima-facie speed shall become 576  
ineffective, and the signs relating thereto shall be immediately 577

removed by the township. 578

(L)(1) Within one hundred twenty days of February 29, 1996, 579  
the director of transportation, based upon a geometric and traffic 580  
characteristic study of a freeway that is part of the interstate 581  
system or that is not part of the interstate system, but is built 582  
to the standards and specifications that are applicable to 583  
freeways that are part of the interstate system, in consultation 584  
with the director of public safety and, if applicable, the local 585  
authority having jurisdiction over a portion of such freeway, may 586  
determine and declare that the speed limit of less than sixty-five 587  
miles per hour established on such freeway or portion of freeway 588  
either is reasonable and safe or is less than that which is 589  
reasonable and safe. 590

(2) If the established speed limit for such a freeway or 591  
portion of freeway is determined to be less than that which is 592  
reasonable and safe, the director of transportation, in 593  
consultation with the director of public safety and, if 594  
applicable, the local authority having jurisdiction over the 595  
portion of freeway, shall determine and declare a reasonable and 596  
safe speed limit of not more than sixty-five miles per hour for 597  
that freeway or portion of freeway. 598

The director of transportation or local authority having 599  
jurisdiction over the freeway or portion of freeway shall erect 600  
appropriate signs giving notice of the speed limit at such 601  
location within one hundred fifty days of February 29, 1996. Such 602  
speed limit becomes effective only when such signs are erected at 603  
the location. 604

(3) If, within one hundred twenty days of February 29, 1996, 605  
the director of transportation does not make a determination and 606  
declaration of a reasonable and safe speed limit for a freeway or 607  
portion of freeway that is part of the interstate system or that 608  
is not part of the interstate system, but is built to the 609

standards and specifications that are applicable to freeways that 610  
are part of the interstate system and that has a speed limit of 611  
less than sixty-five miles per hour, the speed limit on that 612  
freeway or portion of a freeway shall be sixty-five miles per 613  
hour. The director of transportation or local authority having 614  
jurisdiction over the freeway or portion of the freeway shall 615  
erect appropriate signs giving notice of the speed limit of 616  
sixty-five miles per hour at such location within one hundred 617  
fifty days of February 29, 1996. Such speed limit becomes 618  
effective only when such signs are erected at the location. A 619  
speed limit established through the operation of division (L)(3) 620  
of this section is subject to reduction under division (I)(2) of 621  
this section. 622

(M) Within three hundred sixty days after February 29, 1996, 623  
the director of transportation, based upon a geometric and traffic 624  
characteristic study of a rural, divided, multi-lane highway that 625  
has been designated as part of the national highway system under 626  
the "National Highway System Designation Act of 1995," 109 Stat. 627  
568, 23 U.S.C.A. 103, in consultation with the director of public 628  
safety and, if applicable, the local authority having jurisdiction 629  
over a portion of the highway, may determine and declare that the 630  
speed limit of less than sixty-five miles per hour established on 631  
the highway or portion of highway either is reasonable and safe or 632  
is less than that which is reasonable and safe. 633

If the established speed limit for the highway or portion of 634  
highway is determined to be less than that which is reasonable and 635  
safe, the director of transportation, in consultation with the 636  
director of public safety and, if applicable, the local authority 637  
having jurisdiction over the portion of highway, shall determine 638  
and declare a reasonable and safe speed limit of not more than 639  
sixty-five miles per hour for that highway or portion of highway. 640  
The director of transportation or local authority having 641

jurisdiction over the highway or portion of highway shall erect 642  
appropriate signs giving notice of the speed limit at such 643  
location within three hundred ninety days after February 29, 1996. 644  
The speed limit becomes effective only when such signs are erected 645  
at the location. 646

(N)(1)(a) If the boundary of two local authorities rests on 647  
the centerline of a highway and both authorities have jurisdiction 648  
over the highway, the speed limit for the part of the highway 649  
within their joint jurisdiction shall be either one of the 650  
following as agreed to by both authorities: 651

(i) Either prima-facie speed limit permitted by division (B) 652  
of this section; 653

(ii) An altered speed limit determined and posted in 654  
accordance with this section. 655

(b) If the local authorities are unable to reach an 656  
agreement, the speed limit shall remain as established and posted 657  
under this section. 658

(2) Neither local authority may declare an altered 659  
prima-facie speed limit pursuant to this section on the part of 660  
the highway under their joint jurisdiction unless both of the 661  
local authorities determine, upon the basis of an engineering and 662  
traffic investigation, that the speed permitted by this section is 663  
greater than is reasonable or safe under the conditions found to 664  
exist at the location and both authorities agree upon a uniform 665  
reasonable and safe prima-facie speed limit of less than 666  
fifty-five but not less than twenty-five miles per hour for that 667  
location. If both authorities so agree, each shall follow the 668  
procedure specified in this section for altering the prima-facie 669  
speed limit on the highway, and the speed limit for the part of 670  
the highway within their joint jurisdiction shall be uniformly 671  
altered. No altered speed limit may be withdrawn unless both local 672

authorities determine that the altered prima-facie speed limit 673  
previously adopted becomes unreasonable and each adopts a 674  
resolution withdrawing the altered prima-facie speed limit 675  
pursuant to the procedure specified in this section. 676

(O) As used in this section: 677

(1) "Interstate system" has the same meaning as in 23 678  
U.S.C.A. 101. 679

(2) "Commercial bus" means a motor vehicle designed for 680  
carrying more than nine passengers and used for the transportation 681  
of persons for compensation. 682

(3) "Noncommercial bus" includes but is not limited to a 683  
school bus or a motor vehicle operated solely for the 684  
transportation of persons associated with a charitable or 685  
nonprofit organization. 686

(P)(1) A violation of any provision of this section is one of 687  
the following: 688

(a) Except as otherwise provided in divisions (P)(1)(b), 689  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 690

(b) If, within one year of the offense, the offender 691  
previously has been convicted of or pleaded guilty to two 692  
violations of any provision of this section or of any provision of 693  
a municipal ordinance that is substantially similar to any 694  
provision of this section, a misdemeanor of the fourth degree; 695

(c) If, within one year of the offense, the offender 696  
previously has been convicted of or pleaded guilty to three or 697  
more violations of any provision of this section or of any 698  
provision of a municipal ordinance that is substantially similar 699  
to any provision of this section, a misdemeanor of the third 700  
degree. 701

(2) If the offender has not previously been convicted of or 702

pleaded guilty to a violation of any provision of this section or 703  
of any provision of a municipal ordinance that is substantially 704  
similar to this section and operated a motor vehicle faster than 705  
thirty-five miles an hour in a business district of a municipal 706  
corporation, faster than fifty miles an hour in other portions of 707  
a municipal corporation, or faster than thirty-five miles an hour 708  
in a school zone during recess or while children are going to or 709  
leaving school during the school's opening or closing hours, a 710  
misdemeanor of the fourth degree. 711

(3) Notwithstanding division (P)(1) of this section, if the 712  
offender operated a motor vehicle in a construction zone where a 713  
sign was then posted in accordance with section 4511.98 of the 714  
Revised Code, the court, in addition to all other penalties 715  
provided by law, shall impose upon the offender a fine of two 716  
times the usual amount imposed for the violation. No court shall 717  
impose a fine of two times the usual amount imposed for the 718  
violation upon an offender if the offender alleges, in an 719  
affidavit filed with the court prior to the offender's sentencing, 720  
that the offender is indigent and is unable to pay the fine 721  
imposed pursuant to this division and if the court determines that 722  
the offender is an indigent person and unable to pay the fine. 723

(4)(a) If the offender's violation of division (A) of this 724  
section resulted in serious physical harm to another person, the 725  
court, in addition to any penalty the court imposes upon the 726  
offender pursuant to division (P)(1) of this section and 727  
notwithstanding section 2929.28 of the Revised Code, shall impose 728  
a fine of not more than five hundred dollars. The court also shall 729  
impose a class eight license suspension of the offender's driver's 730  
license, commercial driver's license, temporary instruction 731  
permit, probationary license, or nonresident operating privilege 732  
from the range specified in division (A)(8) of section 4510.02 of 733  
the Revised Code. The court also shall assess at least two, and 734



may assess three or four, points against the offender's driver's 735  
license, commercial driver's license, temporary instruction 736  
permit, probationary license, or nonresident operating privilege. 737  
The court shall notify the registrar of motor vehicles of the 738  
number of points assessed in accordance with sections 4510.03 to 739  
4510.036 of the Revised Code. 740

The court shall forward the first twenty-five dollars of any 741  
fine collected under division (P)(4)(a) of this section to the 742  
treasurer of state for deposit into the highway safety education 743  
fund created by section 4501.20 of the Revised Code. 744

(b) If the offender's violation of division (A) of this 745  
section resulted in the death of another person, the court, in 746  
addition to any penalty the court imposes upon the offender 747  
pursuant to division (P)(1) of this section and notwithstanding 748  
section 2929.28 of the Revised Code, shall impose a fine of not 749  
more than one thousand dollars. The court also shall impose a 750  
class seven license suspension of the offender's driver's license, 751  
commercial driver's license, temporary instruction permit, 752  
probationary license, or nonresident operating privilege from the 753  
range specified in division (A)(7) of section 4510.02 of the 754  
Revised Code. The court also shall assess at least two, and may 755  
assess three, four, five, or six, points against the offender's 756  
driver's license, commercial driver's license, temporary 757  
instruction permit, probationary license, or nonresident operating 758  
privilege. The court shall notify the registrar of the number of 759  
points assessed in accordance with sections 4510.03 to 4510.036 of 760  
the Revised Code. 761

The court shall forward the first fifty dollars of any fine 762  
collected under division (P)(4)(b) of this section to the 763  
treasurer of state for deposit into the highway safety education 764  
fund created by section 4501.20 of the Revised Code. 765

Sec. 4511.33. (A) Whenever any roadway has been divided into 766  
two or more clearly marked lanes for traffic, or wherever within 767  
municipal corporations traffic is lawfully moving in two or more 768  
substantially continuous lines in the same direction, the 769  
following rules apply: 770

(1) A vehicle or trackless trolley shall be driven, as nearly 771  
as is practicable, entirely within a single lane or line of 772  
traffic and shall not be moved from such lane or line until the 773  
driver has first ascertained that such movement can be made with 774  
safety. 775

(2) Upon a roadway which is divided into three lanes and 776  
provides for two-way movement of traffic, a vehicle or trackless 777  
trolley shall not be driven in the center lane except when 778  
overtaking and passing another vehicle or trackless trolley where 779  
the roadway is clearly visible and such center lane is clear of 780  
traffic within a safe distance, or when preparing for a left turn, 781  
or where such center lane is at the time allocated exclusively to 782  
traffic moving in the direction the vehicle or trackless trolley 783  
is proceeding and is posted with signs to give notice of such 784  
allocation. 785

(3) Official signs may be erected directing specified traffic 786  
to use a designated lane or designating those lanes to be used by 787  
traffic moving in a particular direction regardless of the center 788  
of the roadway, or restricting the use of a particular lane to 789  
only buses during certain hours or during all hours, and drivers 790  
of vehicles and trackless trolleys shall obey the directions of 791  
such signs. 792

(4) Official traffic control devices may be installed 793  
prohibiting the changing of lanes on sections of roadway and 794  
drivers of vehicles shall obey the directions of every such 795  
device. 796

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 797  
of this section, whoever violates this section is guilty of a 798  
minor misdemeanor. If, within one year of the offense, the 799  
offender previously has been convicted of or pleaded guilty to one 800  
predicate motor vehicle or traffic offense, whoever violates this 801  
section is guilty of a misdemeanor of the fourth degree. If, 802  
within one year of the offense, the offender previously has been 803  
convicted of two or more predicate motor vehicle or traffic 804  
offenses, whoever violates this section is guilty of a misdemeanor 805  
of the third degree. 806

(2) If the offender's violation of division (A) of this 807  
section resulted in serious physical harm to another person, the 808  
court, in addition to any penalty the court imposes upon the 809  
offender pursuant to division (B)(1) of this section and 810  
notwithstanding section 2929.28 of the Revised Code, shall impose 811  
a fine of not more than five hundred dollars. The court also shall 812  
impose a class eight license suspension of the offender's driver's 813  
license, commercial driver's license, temporary instruction 814  
permit, probationary license, or nonresident operating privilege 815  
from the range specified in division (A)(8) of section 4510.02 of 816  
the Revised Code. The court also shall assess at least two, and 817  
may assess three or four, points against the offender's driver's 818  
license, commercial driver's license, temporary instruction 819  
permit, probationary license, or nonresident operating privilege. 820  
The court shall notify the registrar of motor vehicles of the 821  
number of points assessed in accordance with sections 4510.03 to 822  
4510.036 of the Revised Code. 823

The court shall forward the first twenty-five dollars of any 824  
fine collected under division (B)(2) of this section to the 825  
treasurer of state for deposit into the highway safety education 826  
fund created by section 4501.20 of the Revised Code. 827

(3) If the offender's violation of division (A) of this 828

section resulted in the death of another person, the court, in 829  
addition to any penalty the court imposes upon the offender 830  
pursuant to division (B)(1) of this section and notwithstanding 831  
section 2929.28 of the Revised Code, shall impose a fine of not 832  
more than one thousand dollars. The court also shall impose a 833  
class seven license suspension of the offender's driver's license, 834  
commercial driver's license, temporary instruction permit, 835  
probationary license, or nonresident operating privilege from the 836  
range specified in division (A)(7) of section 4510.02 of the 837  
Revised Code. The court also shall assess at least two, and may 838  
assess three, four, five, or six, points against the offender's 839  
driver's license, commercial driver's license, temporary 840  
instruction permit, probationary license, or nonresident operating 841  
privilege. The court shall notify the registrar of the number of 842  
points assessed in accordance with sections 4510.03 to 4510.036 of 843  
the Revised Code. 844

The court shall forward the first fifty dollars of any fine 845  
collected under division (B)(3) of this section to the treasurer 846  
of state for deposit into the highway safety education fund 847  
created by section 4501.20 of the Revised Code. 848

**Sec. 4511.41.** (A) When two vehicles, including any trackless 849  
trolley or streetcar, approach or enter an intersection from 850  
different streets or highways at approximately the same time, the 851  
driver of the vehicle on the left shall yield the right-of-way to 852  
the vehicle on the right. 853

(B) The right-of-way rule declared in division (A) of this 854  
section is modified at through highways and otherwise as stated in 855  
Chapter 4511. of the Revised Code. 856

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 857  
of this section, whoever violates this section is guilty of a 858  
minor misdemeanor. If, within one year of the offense, the 859

offender previously has been convicted of or pleaded guilty to one 860  
predicate motor vehicle or traffic offense, whoever violates this 861  
section is guilty of a misdemeanor of the fourth degree. If, 862  
within one year of the offense, the offender previously has been 863  
convicted of two or more predicate motor vehicle or traffic 864  
offenses, whoever violates this section is guilty of a misdemeanor 865  
of the third degree. 866

(2) If the offender's violation of division (A) of this 867  
section resulted in serious physical harm to another person, the 868  
court, in addition to any penalty the court imposes upon the 869  
offender pursuant to division (C)(1) of this section and 870  
notwithstanding section 2929.28 of the Revised Code, shall impose 871  
a fine of not more than five hundred dollars. The court also shall 872  
impose a class eight license suspension of the offender's driver's 873  
license, commercial driver's license, temporary instruction 874  
permit, probationary license, or nonresident operating privilege 875  
from the range specified in division (A)(8) of section 4510.02 of 876  
the Revised Code. The court also shall assess at least two, and 877  
may assess three or four, points against the offender's driver's 878  
license, commercial driver's license, temporary instruction 879  
permit, probationary license, or nonresident operating privilege. 880  
The court shall notify the registrar of motor vehicles of the 881  
number of points assessed in accordance with sections 4510.03 to 882  
4510.036 of the Revised Code. 883

The court shall forward the first twenty-five dollars of any 884  
fine collected under division (C)(2) of this section to the 885  
treasurer of state for deposit into the highway safety education 886  
fund created by section 4501.20 of the Revised Code. 887

(3) If the offender's violation of division (A) of this 888  
section resulted in the death of another person, the court, in 889  
addition to any penalty the court imposes upon the offender 890  
pursuant to division (C)(1) of this section and notwithstanding 891

section 2929.28 of the Revised Code, shall impose a fine of not 892  
more than one thousand dollars. The court also shall impose a 893  
class seven license suspension of the offender's driver's license, 894  
commercial driver's license, temporary instruction permit, 895  
probationary license, or nonresident operating privilege from the 896  
range specified in division (A)(7) of section 4510.02 of the 897  
Revised Code. The court also shall assess at least two, and may 898  
assess three, four, five, or six, points against the offender's 899  
driver's license, commercial driver's license, temporary 900  
instruction permit, probationary license, or nonresident operating 901  
privilege. The court shall notify the registrar of the number of 902  
points assessed in accordance with sections 4510.03 to 4510.036 of 903  
the Revised Code. 904

The court shall forward the first fifty dollars of any fine 905  
collected under division (C)(3) of this section to the treasurer 906  
of state for deposit into the highway safety education fund 907  
created by section 4501.20 of the Revised Code. 908

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 909  
trackless trolley intending to turn to the left within an 910  
intersection or into an alley, private road, or driveway shall 911  
yield the right of way to any vehicle, streetcar, or trackless 912  
trolley approaching from the opposite direction, whenever the 913  
approaching vehicle, streetcar, or trackless trolley is within the 914  
intersection or so close to the intersection, alley, private road, 915  
or driveway as to constitute an immediate hazard. 916

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 917  
of this section, whoever violates this section is guilty of a 918  
minor misdemeanor. If, within one year of the offense, the 919  
offender previously has been convicted of or pleaded guilty to one 920  
predicate motor vehicle or traffic offense, whoever violates this 921  
section is guilty of a misdemeanor of the fourth degree. If, 922

within one year of the offense, the offender previously has been 923  
convicted of two or more predicate motor vehicle or traffic 924  
offenses, whoever violates this section is guilty of a misdemeanor 925  
of the third degree. 926

(2) If the offender's violation of division (A) of this 927  
section resulted in serious physical harm to another person, the 928  
court, in addition to any penalty the court imposes upon the 929  
offender pursuant to division (B)(1) of this section and 930  
notwithstanding section 2929.28 of the Revised Code, shall impose 931  
a fine of not more than five hundred dollars. The court also shall 932  
impose a class eight license suspension of the offender's driver's 933  
license, commercial driver's license, temporary instruction 934  
permit, probationary license, or nonresident operating privilege 935  
from the range specified in division (A)(8) of section 4510.02 of 936  
the Revised Code. The court also shall assess at least two, and 937  
may assess three or four, points against the offender's driver's 938  
license, commercial driver's license, temporary instruction 939  
permit, probationary license, or nonresident operating privilege. 940  
The court shall notify the registrar of motor vehicles of the 941  
number of points assessed in accordance with sections 4510.03 to 942  
4510.036 of the Revised Code. 943

The court shall forward the first twenty-five dollars of any 944  
fine collected under division (B)(2) of this section to the 945  
treasurer of state for deposit into the highway safety education 946  
fund created by section 4501.20 of the Revised Code. 947

(3) If the offender's violation of division (A) of this 948  
section resulted in the death of another person, the court, in 949  
addition to any penalty the court imposes upon the offender 950  
pursuant to division (B)(1) of this section and notwithstanding 951  
section 2929.28 of the Revised Code, shall impose a fine of not 952  
more than one thousand dollars. The court also shall impose a 953  
class seven license suspension of the offender's driver's license, 954

commercial driver's license, temporary instruction permit, 955  
probationary license, or nonresident operating privilege from the 956  
range specified in division (A)(7) of section 4510.02 of the 957  
Revised Code. The court also shall assess at least two, and may 958  
assess three, four, five, or six, points against the offender's 959  
driver's license, commercial driver's license, temporary 960  
instruction permit, probationary license, or nonresident operating 961  
privilege. The court shall notify the registrar of the number of 962  
points assessed in accordance with sections 4510.03 to 4510.036 of 963  
the Revised Code. 964

The court shall forward the first fifty dollars of any fine 965  
collected under division (B)(3) of this section to the treasurer 966  
of state for deposit into the highway safety education fund 967  
created by section 4501.20 of the Revised Code. 968

**Sec. 4511.43.** (A) Except when directed to proceed by a law 969  
enforcement officer, every driver of a vehicle or trackless 970  
trolley approaching a stop sign shall stop at a clearly marked 971  
stop line, but if none, before entering the crosswalk on the near 972  
side of the intersection, or, if none, then at the point nearest 973  
the intersecting roadway where the driver has a view of 974  
approaching traffic on the intersecting roadway before entering 975  
it. After having stopped, the driver shall yield the right-of-way 976  
to any vehicle in the intersection or approaching on another 977  
roadway so closely as to constitute an immediate hazard during the 978  
time the driver is moving across or within the intersection or 979  
junction of roadways. 980

(B) The driver of a vehicle or trackless trolley approaching 981  
a yield sign shall slow down to a speed reasonable for the 982  
existing conditions and, if required for safety to stop, shall 983  
stop at a clearly marked stop line, but if none, before entering 984  
the crosswalk on the near side of the intersection, or, if none, 985



then at the point nearest the intersecting roadway where the 986  
driver has a view of approaching traffic on the intersecting 987  
roadway before entering it. After slowing or stopping, the driver 988  
shall yield the right-of-way to any vehicle or trackless trolley 989  
in the intersection or approaching on another roadway so closely 990  
as to constitute an immediate hazard during the time the driver is 991  
moving across or within the intersection or junction of roadways. 992  
Whenever a driver is involved in a collision with a vehicle or 993  
trackless trolley in the intersection or junction of roadways, 994  
after driving past a yield sign without stopping, the collision 995  
shall be prima-facie evidence of the driver's failure to yield the 996  
right-of-way. 997

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 998  
of this section, whoever violates this section is guilty of a 999  
minor misdemeanor. If, within one year of the offense, the 1000  
offender previously has been convicted of or pleaded guilty to one 1001  
predicate motor vehicle or traffic offense, whoever violates this 1002  
section is guilty of a misdemeanor of the fourth degree. If, 1003  
within one year of the offense, the offender previously has been 1004  
convicted of two or more predicate motor vehicle or traffic 1005  
offenses, whoever violates this section is guilty of a misdemeanor 1006  
of the third degree. 1007

(2) If the offender's violation of division (A) or (B) of 1008  
this section resulted in serious physical harm to another person, 1009  
the court, in addition to any penalty the court imposes upon the 1010  
offender pursuant to division (C)(1) of this section and 1011  
notwithstanding section 2929.28 of the Revised Code, shall impose 1012  
a fine of not more than five hundred dollars. The court also shall 1013  
impose a class eight license suspension of the offender's driver's 1014  
license, commercial driver's license, temporary instruction 1015  
permit, probationary license, or nonresident operating privilege 1016  
from the range specified in division (A)(8) of section 4510.02 of 1017

the Revised Code. The court also shall assess at least two, and 1018  
may assess three or four, points against the offender's driver's 1019  
license, commercial driver's license, temporary instruction 1020  
permit, probationary license, or nonresident operating privilege. 1021  
The court shall notify the registrar of motor vehicles of the 1022  
number of points assessed in accordance with sections 4510.03 to 1023  
4510.036 of the Revised Code. 1024

The court shall forward the first twenty-five dollars of any 1025  
fine collected under division (C)(2) of this section to the 1026  
treasurer of state for deposit into the highway safety education 1027  
fund created by section 4501.20 of the Revised Code. 1028

(3) If the offender's violation of division (A) or (B) of 1029  
this section resulted in the death of another person, the court, 1030  
in addition to any penalty the court imposes upon the offender 1031  
pursuant to division (C)(1) of this section and notwithstanding 1032  
section 2929.28 of the Revised Code, shall impose a fine of not 1033  
more than one thousand dollars. The court also shall impose a 1034  
class seven license suspension of the offender's driver's license, 1035  
commercial driver's license, temporary instruction permit, 1036  
probationary license, or nonresident operating privilege from the 1037  
range specified in division (A)(7) of section 4510.02 of the 1038  
Revised Code. The court also shall assess at least two, and may 1039  
assess three, four, five, or six, points against the offender's 1040  
driver's license, commercial driver's license, temporary 1041  
instruction permit, probationary license, or nonresident operating 1042  
privilege. The court shall notify the registrar of the number of 1043  
points assessed in accordance with sections 4510.03 to 4510.036 of 1044  
the Revised Code. 1045

The court shall forward the first fifty dollars of any fine 1046  
collected under division (C)(3) of this section to the treasurer 1047  
of state for deposit into the highway safety education fund 1048  
created by section 4501.20 of the Revised Code. 1049

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

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

(2) If the offender's violation of division (A) of this section resulted in serious physical harm to another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than five hundred dollars. The court also shall impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction

permit, probationary license, or nonresident operating privilege. 1082  
The court shall notify the registrar of motor vehicles of the 1083  
number of points assessed in accordance with sections 4510.03 to 1084  
4510.036 of the Revised Code. 1085

The court shall forward the first twenty-five dollars of any 1086  
fine collected under division (B)(2) of this section to the 1087  
treasurer of state for deposit into the highway safety education 1088  
fund created by section 4501.20 of the Revised Code. 1089

(3) If the offender's violation of division (A) of this 1090  
section resulted in the death of another person, the court, in 1091  
addition to any penalty the court imposes upon the offender 1092  
pursuant to division (B)(1) of this section and notwithstanding 1093  
section 2929.28 of the Revised Code, shall impose a fine of not 1094  
more than one thousand dollars. The court also shall impose a 1095  
class seven license suspension of the offender's driver's license, 1096  
commercial driver's license, temporary instruction permit, 1097  
probationary license, or nonresident operating privilege from the 1098  
range specified in division (A)(7) of section 4510.02 of the 1099  
Revised Code. The court also shall assess at least two, and may 1100  
assess three, four, five, or six, points against the offender's 1101  
driver's license, commercial driver's license, temporary 1102  
instruction permit, probationary license, or nonresident operating 1103  
privilege. The court shall notify the registrar of the number of 1104  
points assessed in accordance with sections 4510.03 to 4510.036 of 1105  
the Revised Code. 1106

The court shall forward the first fifty dollars of any fine 1107  
collected under division (B)(3) of this section to the treasurer 1108  
of state for deposit into the highway safety education fund 1109  
created by section 4501.20 of the Revised Code. 1110

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or 1111  
trackless trolley about to enter or cross a highway from any place 1112

other than another roadway shall yield the right of way to all 1113  
traffic approaching on the roadway to be entered or crossed. 1114

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1115  
of this section, whoever violates this section is guilty of a 1116  
minor misdemeanor. If, within one year of the offense, the 1117  
offender previously has been convicted of or pleaded guilty to one 1118  
predicate motor vehicle or traffic offense, whoever violates this 1119  
section is guilty of a misdemeanor of the fourth degree. If, 1120  
within one year of the offense, the offender previously has been 1121  
convicted of two or more predicate motor vehicle or traffic 1122  
offenses, whoever violates this section is guilty of a misdemeanor 1123  
of the third degree. 1124

(2) If the offender's violation of division (A) of this 1125  
section resulted in serious physical harm to another person, the 1126  
court, in addition to any penalty the court imposes upon the 1127  
offender pursuant to division (B)(1) of this section and 1128  
notwithstanding section 2929.28 of the Revised Code, shall impose 1129  
a fine of not more than five hundred dollars. The court also shall 1130  
impose a class eight license suspension of the offender's driver's 1131  
license, commercial driver's license, temporary instruction 1132  
permit, probationary license, or nonresident operating privilege 1133  
from the range specified in division (A)(8) of section 4510.02 of 1134  
the Revised Code. The court also shall assess at least two, and 1135  
may assess three or four, points against the offender's driver's 1136  
license, commercial driver's license, temporary instruction 1137  
permit, probationary license, or nonresident operating privilege. 1138  
The court shall notify the registrar of motor vehicles of the 1139  
number of points assessed in accordance with sections 4510.03 to 1140  
4510.036 of the Revised Code. 1141

The court shall forward the first twenty-five dollars of any 1142  
fine collected under division (B)(2) of this section to the 1143  
treasurer of state for deposit into the highway safety education 1144

fund created by section 4501.20 of the Revised Code. 1145

(3) If the offender's violation of division (A) of this 1146  
section resulted in the death of another person, the court, in 1147  
addition to any penalty the court imposes upon the offender 1148  
pursuant to division (B)(1) of this section and notwithstanding 1149  
section 2929.28 of the Revised Code, shall impose a fine of not 1150  
more than one thousand dollars. The court also shall impose a 1151  
class seven license suspension of the offender's driver's license, 1152  
commercial driver's license, temporary instruction permit, 1153  
probationary license, or nonresident operating privilege from the 1154  
range specified in division (A)(7) of section 4510.02 of the 1155  
Revised Code. The court also shall assess at least two, and may 1156  
assess three, four, five, or six, points against the offender's 1157  
driver's license, commercial driver's license, temporary 1158  
instruction permit, probationary license, or nonresident operating 1159  
privilege. The court shall notify the registrar of the number of 1160  
points assessed in accordance with sections 4510.03 to 4510.036 of 1161  
the Revised Code. 1162

The court shall forward the first fifty dollars of any fine 1163  
collected under division (B)(3) of this section to the treasurer 1164  
of state for deposit into the highway safety education fund 1165  
created by section 4501.20 of the Revised Code. 1166

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 1167  
right-of-way to any pedestrian on a sidewalk. 1168

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1169  
of this section, whoever violates this section is guilty of a 1170  
minor misdemeanor. If, within one year of the offense, the 1171  
offender previously has been convicted of or pleaded guilty to one 1172  
predicate motor vehicle or traffic offense, whoever violates this 1173  
section is guilty of a misdemeanor of the fourth degree. If, 1174  
within one year of the offense, the offender previously has been 1175

convicted of two or more predicate motor vehicle or traffic 1176  
offenses, whoever violates this section is guilty of a misdemeanor 1177  
of the third degree. 1178

(2) If the offender's violation of division (A) of this 1179  
section resulted in serious physical harm to another person, the 1180  
court, in addition to any penalty the court imposes upon the 1181  
offender pursuant to division (B)(1) of this section and 1182  
notwithstanding section 2929.28 of the Revised Code, shall impose 1183  
a fine of not more than five hundred dollars. The court also shall 1184  
impose a class eight license suspension of the offender's driver's 1185  
license, commercial driver's license, temporary instruction 1186  
permit, probationary license, or nonresident operating privilege 1187  
from the range specified in division (A)(8) of section 4510.02 of 1188  
the Revised Code. The court also shall assess at least two, and 1189  
may assess three or four, points against the offender's driver's 1190  
license, commercial driver's license, temporary instruction 1191  
permit, probationary license, or nonresident operating privilege. 1192  
The court shall notify the registrar of motor vehicles of the 1193  
number of points assessed in accordance with sections 4510.03 to 1194  
4510.036 of the Revised Code. 1195

The court shall forward the first twenty-five dollars of any 1196  
fine collected under division (B)(2) of this section to the 1197  
treasurer of state for deposit into the highway safety education 1198  
fund created by section 4501.20 of the Revised Code. 1199

(3) If the offender's violation of division (A) of this 1200  
section resulted in the death of another person, the court, in 1201  
addition to any penalty the court imposes upon the offender 1202  
pursuant to division (B)(1) of this section and notwithstanding 1203  
section 2929.28 of the Revised Code, shall impose a fine of not 1204  
more than one thousand dollars. The court also shall impose a 1205  
class seven license suspension of the offender's driver's license, 1206  
commercial driver's license, temporary instruction permit, 1207

probationary license, or nonresident operating privilege from the 1208  
range specified in division (A)(7) of section 4510.02 of the 1209  
Revised Code. The court also shall assess at least two, and may 1210  
assess three, four, five, or six, points against the offender's 1211  
driver's license, commercial driver's license, temporary 1212  
instruction permit, probationary license, or nonresident operating 1213  
privilege. The court shall notify the registrar of the number of 1214  
points assessed in accordance with sections 4510.03 to 4510.036 of 1215  
the Revised Code. 1216

The court shall forward the first fifty dollars of any fine 1217  
collected under division (B)(3) of this section to the treasurer 1218  
of state for deposit into the highway safety education fund 1219  
created by section 4501.20 of the Revised Code. 1220

**Sec. 4511.45.** (A)(1) Upon the approach of a public safety 1221  
vehicle or coroner's vehicle, equipped with at least one flashing, 1222  
rotating or oscillating light visible under normal atmospheric 1223  
conditions from a distance of five hundred feet to the front of 1224  
the vehicle and the driver is giving an audible signal by siren, 1225  
exhaust whistle, or bell, no driver of any other vehicle shall 1226  
fail to yield the right-of-way, immediately drive if practical to 1227  
a position parallel to, and as close as possible to, the right 1228  
edge or curb of the highway clear of any intersection, and stop 1229  
and remain in that position until the public safety vehicle or 1230  
coroner's vehicle has passed, except when otherwise directed by a 1231  
police officer. 1232

(2) Upon the approach of a public safety vehicle or coroner's 1233  
vehicle, as stated in division (A)(1) of this section, no operator 1234  
of any streetcar or trackless trolley shall fail to immediately 1235  
stop the streetcar or trackless trolley clear of any intersection 1236  
and keep it in that position until the public safety vehicle or 1237  
coroner's vehicle has passed, except when otherwise directed by a 1238



police officer. 1239

(B) This section does not relieve the driver of a public 1240  
safety vehicle or coroner's vehicle from the duty to drive with 1241  
due regard for the safety of all persons and property upon the 1242  
highway. 1243

(C) This section applies to a coroner's vehicle only when the 1244  
vehicle is operated in accordance with section 4513.171 of the 1245  
Revised Code. As used in this section, "coroner's vehicle" means a 1246  
vehicle used by a coroner, deputy coroner, or coroner's 1247  
investigator that is equipped with a flashing, oscillating, or 1248  
rotating red or blue light and a siren, exhaust whistle, or bell 1249  
capable of giving an audible signal. 1250

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1251  
of this section, whoever violates division (A)(1) or (2) of this 1252  
section is guilty of a misdemeanor of the fourth degree ~~on a first~~ 1253  
~~offense~~. On a second offense within one year after the first 1254  
offense, the person is guilty of a misdemeanor of the third 1255  
degree, and, on each subsequent offense within one year after the 1256  
first offense, the person is guilty of a misdemeanor of the second 1257  
degree. 1258

(2)(a) If the offender's violation of division (A)(1) or (2) 1259  
of this section resulted in serious physical harm to another 1260  
person and the offender, within one year of the offense, has been 1261  
convicted of or pleaded guilty to one or fewer violations of 1262  
division (A)(1) or (2) of this section, the court, in addition to 1263  
any penalty the court imposes upon the offender pursuant to 1264  
division (D)(1) of this section and notwithstanding section 1265  
2929.28 of the Revised Code, shall impose a fine of not more than 1266  
five hundred dollars. The court also shall impose a class eight 1267  
license suspension of the offender's driver's license, commercial 1268  
driver's license, temporary instruction permit, probationary 1269  
license, or nonresident operating privilege from the range 1270

specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code. 1271  
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The court shall forward the first twenty-five dollars of any fine collected under division (D)(2)(a) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.20 of the Revised Code. 1279  
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(b) If the offender's violation of division (A)(1) or (2) of this section resulted in serious physical harm to another person and the offender, within one year of the offense, has been convicted of or pleaded guilty to two or more violations of division (A)(1) or (2) of this section, the court shall impose a fine of not more than seven hundred fifty dollars. The court also shall impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code. 1283  
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The court shall forward the first thirty-eight dollars of any fine collected under division (D)(2)(b) of this section to the treasurer of state for deposit into the highway safety education 1300  
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fund created by section 4501.20 of the Revised Code. 1303

(3) If the offender's violation of division (A)(1) or (2) of 1304  
this section resulted in the death of another person, the court, 1305  
in addition to any penalty the court imposes upon the offender 1306  
pursuant to division (D)(1) of this section and notwithstanding 1307  
section 2929.28 of the Revised Code, shall impose a fine of not 1308  
more than one thousand dollars. The court also shall impose a 1309  
class seven license suspension of the offender's driver's license, 1310  
commercial driver's license, temporary instruction permit, 1311  
probationary license, or nonresident operating privilege from the 1312  
range specified in division (A)(7) of section 4510.02 of the 1313  
Revised Code. The court also shall assess at least two, and may 1314  
assess three, four, five, or six, points against the offender's 1315  
driver's license, commercial driver's license, temporary 1316  
instruction permit, probationary license, or nonresident operating 1317  
privilege. The court shall notify the registrar of the number of 1318  
points assessed in accordance with sections 4510.03 to 4510.036 of 1319  
the Revised Code. 1320

The court shall forward the first fifty dollars of any fine 1321  
collected under division (D)(3) of this section to the treasurer 1322  
of state for deposit into the highway safety education fund 1323  
created by section 4501.20 of the Revised Code. 1324

**Sec. 4511.451.** (A) As used in this section, "funeral 1325  
procession" means two or more vehicles accompanying the cremated 1326  
remains or the body of a deceased person in the daytime when each 1327  
of the vehicles has its headlights lighted and is displaying a 1328  
purple and white or an orange and white pennant attached to each 1329  
vehicle in such a manner as to be clearly visible to traffic 1330  
approaching from any direction. 1331

(B) Excepting public safety vehicles proceeding in accordance 1332  
with section 4511.45 of the Revised Code or when directed 1333

otherwise by a police officer, pedestrians and the operators of 1334  
all vehicles, street cars, and trackless trolleys shall yield the 1335  
right of way to each vehicle that is a part of a funeral 1336  
procession. Whenever the lead vehicle in a funeral procession 1337  
lawfully enters an intersection, the remainder of the vehicles in 1338  
the procession may continue to follow the lead vehicle through the 1339  
intersection notwithstanding any traffic control devices or right 1340  
of way provisions of the Revised Code, provided that the operator 1341  
of each vehicle exercises due care to avoid colliding with any 1342  
other vehicle or pedestrian. 1343

(C) No person shall operate any vehicle as a part of a 1344  
funeral procession without having the headlights of the vehicle 1345  
lighted and without displaying a purple and white or an orange and 1346  
white pennant in such a manner as to be clearly visible to traffic 1347  
approaching from any direction. 1348

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1349  
of this section, whoever violates this section is guilty of a 1350  
minor misdemeanor. If, within one year of the offense, the 1351  
offender previously has been convicted of or pleaded guilty to one 1352  
predicate motor vehicle or traffic offense, whoever violates this 1353  
section is guilty of a misdemeanor of the fourth degree. If, 1354  
within one year of the offense, the offender previously has been 1355  
convicted of two or more predicate motor vehicle or traffic 1356  
offenses, whoever violates this section is guilty of a misdemeanor 1357  
of the third degree. 1358

(2) If the offender's violation of division (B) of this 1359  
section resulted in serious physical harm to another person, the 1360  
court, in addition to any penalty the court imposes upon the 1361  
offender pursuant to division (D)(1) of this section and 1362  
notwithstanding section 2929.28 of the Revised Code, shall impose 1363  
a fine of not more than five hundred dollars. The court also shall 1364  
impose a class eight license suspension of the offender's driver's 1365

license, commercial driver's license, temporary instruction 1366  
permit, probationary license, or nonresident operating privilege 1367  
from the range specified in division (A)(8) of section 4510.02 of 1368  
the Revised Code. The court also shall assess at least two, and 1369  
may assess three or four, points against the offender's driver's 1370  
license, commercial driver's license, temporary instruction 1371  
permit, probationary license, or nonresident operating privilege. 1372  
The court shall notify the registrar of motor vehicles of the 1373  
number of points assessed in accordance with sections 4510.03 to 1374  
4510.036 of the Revised Code. 1375

The court shall forward the first twenty-five dollars of any 1376  
fine collected under division (D)(2) of this section to the 1377  
treasurer of state for deposit into the highway safety education 1378  
fund created by section 4501.20 of the Revised Code. 1379

(3) If the offender's violation of division (B) of this 1380  
section resulted in the death of another person, the court, in 1381  
addition to any penalty the court imposes upon the offender 1382  
pursuant to division (D)(1) of this section and notwithstanding 1383  
section 2929.28 of the Revised Code, shall impose a fine of not 1384  
more than one thousand dollars. The court also shall impose a 1385  
class seven license suspension of the offender's driver's license, 1386  
commercial driver's license, temporary instruction permit, 1387  
probationary license, or nonresident operating privilege from the 1388  
range specified in division (A)(7) of section 4510.02 of the 1389  
Revised Code. The court also shall assess at least two, and may 1390  
assess three, four, five, or six, points against the offender's 1391  
driver's license, commercial driver's license, temporary 1392  
instruction permit, probationary license, or nonresident operating 1393  
privilege. The court shall notify the registrar of the number of 1394  
points assessed in accordance with sections 4510.03 to 4510.036 of 1395  
the Revised Code. 1396

The court shall forward the first fifty dollars of any fine 1397

collected under division (D)(3) of this section to the treasurer 1398  
of state for deposit into the highway safety education fund 1399  
created by section 4501.20 of the Revised Code. 1400

**Sec. 4511.46.** (A) When traffic control signals are not in 1401  
place, not in operation, or are not clearly assigning the 1402  
right-of-way, the driver of a vehicle, trackless trolley, or 1403  
streetcar shall yield the right of way, slowing down or stopping 1404  
if need be to so yield or if required by section 4511.132 of the 1405  
Revised Code, to a pedestrian crossing the roadway within a 1406  
crosswalk when the pedestrian is upon the half of the roadway upon 1407  
which the vehicle is traveling, or when the pedestrian is 1408  
approaching so closely from the opposite half of the roadway as to 1409  
be in danger. 1410

(B) No pedestrian shall suddenly leave a curb or other place 1411  
of safety and walk or run into the path of a vehicle, trackless 1412  
trolley, or streetcar which is so close as to constitute an 1413  
immediate hazard. 1414

(C) Division (A) of this section does not apply under the 1415  
conditions stated in division (B) of section 4511.48 of the 1416  
Revised Code. 1417

(D) Whenever any vehicle, trackless trolley, or streetcar is 1418  
stopped at a marked crosswalk or at any unmarked crosswalk at an 1419  
intersection to permit a pedestrian to cross the roadway, the 1420  
driver of any other vehicle, trackless trolley, or streetcar 1421  
approaching from the rear shall not overtake and pass the stopped 1422  
vehicle. 1423

(E)(1) Except as otherwise provided in ~~this~~ division (E)(1) 1424  
of this section, whoever violates this section is guilty of a 1425  
minor misdemeanor. If, within one year of the offense, the 1426  
offender previously has been convicted of or pleaded guilty to one 1427  
predicate motor vehicle or traffic offense, whoever violates this 1428

section is guilty of a misdemeanor of the fourth degree. If, 1429  
within one year of the offense, the offender previously has been 1430  
convicted of two or more predicate motor vehicle or traffic 1431  
offenses, whoever violates this section is guilty of a misdemeanor 1432  
of the third degree. 1433

(2) If the offender's violation of division (A) or (D) of 1434  
this section resulted in serious physical harm to another person, 1435  
the court, in addition to any penalty the court imposes upon the 1436  
offender pursuant to division (E)(1) of this section and 1437  
notwithstanding section 2929.28 of the Revised Code, shall impose 1438  
a fine of not more than five hundred dollars. The court also shall 1439  
impose a class eight license suspension of the offender's driver's 1440  
license, commercial driver's license, temporary instruction 1441  
permit, probationary license, or nonresident operating privilege 1442  
from the range specified in division (A)(8) of section 4510.02 of 1443  
the Revised Code. The court also shall assess at least two, and 1444  
may assess three or four, points against the offender's driver's 1445  
license, commercial driver's license, temporary instruction 1446  
permit, probationary license, or nonresident operating privilege. 1447  
The court shall notify the registrar of motor vehicles of the 1448  
number of points assessed in accordance with sections 4510.03 to 1449  
4510.036 of the Revised Code. 1450

The court shall forward the first twenty-five dollars of any 1451  
fine collected under division (E)(2) of this section to the 1452  
treasurer of state for deposit into the highway safety education 1453  
fund created by section 4501.20 of the Revised Code. 1454

(3) If the offender's violation of division (A) or (D) of 1455  
this section resulted in the death of another person, the court, 1456  
in addition to any penalty the court imposes upon the offender 1457  
pursuant to division (E)(1) of this section and notwithstanding 1458  
section 2929.28 of the Revised Code, shall impose a fine of not 1459  
more than one thousand dollars. The court also shall impose a 1460

class seven license suspension of the offender's driver's license, 1461  
commercial driver's license, temporary instruction permit, 1462  
probationary license, or nonresident operating privilege from the 1463  
range specified in division (A)(7) of section 4510.02 of the 1464  
Revised Code. The court also shall assess at least two, and may 1465  
assess three, four, five, or six, points against the offender's 1466  
driver's license, commercial driver's license, temporary 1467  
instruction permit, probationary license, or nonresident operating 1468  
privilege. The court shall notify the registrar of the number of 1469  
points assessed in accordance with sections 4510.03 to 4510.036 of 1470  
the Revised Code. 1471

The court shall forward the first fifty dollars of any fine 1472  
collected under division (E)(3) of this section to the treasurer 1473  
of state for deposit into the highway safety education fund 1474  
created by section 4501.20 of the Revised Code. 1475

**Sec. 4511.47.** (A) As used in this section "blind person" or 1476  
"blind pedestrian" means a person having not more than 20/200 1477  
visual acuity in the better eye with correcting lenses or visual 1478  
acuity greater than 20/200 but with a limitation in the fields of 1479  
vision such that the widest diameter of the visual field subtends 1480  
an angle no greater than twenty degrees. 1481

The driver of every vehicle shall yield the right of way to 1482  
every blind pedestrian guided by a guide dog, or carrying a cane 1483  
which is predominantly white or metallic in color, with or without 1484  
a red tip. 1485

(B) No person, other than a blind person, while on any public 1486  
highway, street, alley, or other public thoroughfare shall carry a 1487  
white or metallic cane with or without a red tip. 1488

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 1489  
of this section, whoever violates this section is guilty of a 1490  
minor misdemeanor. If, within one year of the offense, the 1491



offender previously has been convicted of or pleaded guilty to one 1492  
predicate motor vehicle or traffic offense, whoever violates this 1493  
section is guilty of a misdemeanor of the fourth degree. If, 1494  
within one year of the offense, the offender previously has been 1495  
convicted of two or more predicate motor vehicle or traffic 1496  
offenses, whoever violates this section is guilty of a misdemeanor 1497  
of the third degree. 1498

(2) If the offender's violation of division (A) of this 1499  
section resulted in serious physical harm to another person, the 1500  
court, in addition to any penalty the court imposes upon the 1501  
offender pursuant to division (C)(1) of this section and 1502  
notwithstanding section 2929.28 of the Revised Code, shall impose 1503  
a fine of not more than five hundred dollars. The court also shall 1504  
impose a class eight license suspension of the offender's driver's 1505  
license, commercial driver's license, temporary instruction 1506  
permit, probationary license, or nonresident operating privilege 1507  
from the range specified in division (A)(8) of section 4510.02 of 1508  
the Revised Code. The court also shall assess at least two, and 1509  
may assess three or four, points against the offender's driver's 1510  
license, commercial driver's license, temporary instruction 1511  
permit, probationary license, or nonresident operating privilege. 1512  
The court shall notify the registrar of motor vehicles of the 1513  
number of points assessed in accordance with sections 4510.03 to 1514  
4510.036 of the Revised Code. 1515

The court shall forward the first twenty-five dollars of any 1516  
fine collected under division (C)(2) of this section to the 1517  
treasurer of state for deposit into the highway safety education 1518  
fund created by section 4501.20 of the Revised Code. 1519

(3) If the offender's violation of division (A) of this 1520  
section resulted in the death of another person, the court, in 1521  
addition to any penalty the court imposes upon the offender 1522  
pursuant to division (C)(1) of this section and notwithstanding 1523

section 2929.28 of the Revised Code, shall impose a fine of not 1524  
more than one thousand dollars. The court also shall impose a 1525  
class seven license suspension of the offender's driver's license, 1526  
commercial driver's license, temporary instruction permit, 1527  
probationary license, or nonresident operating privilege from the 1528  
range specified in division (A)(7) of section 4510.02 of the 1529  
Revised Code. The court also shall assess at least two, and may 1530  
assess three, four, five, or six, points against the offender's 1531  
driver's license, commercial driver's license, temporary 1532  
instruction permit, probationary license, or nonresident operating 1533  
privilege. The court shall notify the registrar of the number of 1534  
points assessed in accordance with sections 4510.03 to 4510.036 of 1535  
the Revised Code. 1536

The court shall forward the first fifty dollars of any fine 1537  
collected under division (C)(3) of this section to the treasurer 1538  
of state for deposit into the highway safety education fund 1539  
created by section 4501.20 of the Revised Code. 1540

**Sec. 4513.39.** (A) The state highway patrol and sheriffs or 1541  
their deputies shall exercise, to the exclusion of all other peace 1542  
officers except within municipal corporations and except as 1543  
specified in division (B) of this section and division (E) of 1544  
section 2935.03 of the Revised Code, the power to make arrests for 1545  
violations on all state highways, of sections 4503.11, 4503.21, 1546  
4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 4511.40, 1547  
4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 4511.71, 4513.03 1548  
to 4513.13, 4513.15 to 4513.22, 4513.24 to 4513.34, 4549.01, 1549  
4549.08 to 4549.12, and 4549.62 of the Revised Code. 1550

(B) A member of the police force of a township police 1551  
district created under section 505.48 of the Revised Code, and a 1552  
township constable appointed pursuant to section 509.01 of the 1553  
Revised Code, who has received a certificate from the Ohio peace 1554

officer training commission under section 109.75 of the Revised Code, shall exercise the power to make arrests for violations of those sections listed in division (A) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, as follows:

(1) If the population of the township that created the township police district served by the member's police force or the township that is served by the township constable is fifty thousand or less, the member or constable shall exercise that power on those portions of all state highways, except those highways included as part of the interstate system, as defined in section 5516.01 of the Revised Code, that are located within the township police district, in the case of a member of a township police district police force, or within the unincorporated territory of the township, in the case of a township constable;

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

(C)(1) When investigating a motor vehicle accident that involves an offender's motor vehicle and another motor vehicle, a bicycle, or a pedestrian in which an injured person who is not the offender is transported to a medical facility for emergency medical treatment, if the state highway patrol trooper, sheriff, sheriff's deputy, or other peace officer investigating the accident has reason to believe that serious physical harm to, or the death of, that person has occurred as a result of a violation

of any of the provisions of sections 4511.01 to 4511.76 of the Revised Code, the state highway patrol trooper, sheriff, sheriff's deputy, or other peace officer may issue to the offender a ticket, citation, or summons of the type described in division (C)(3) of this section for the violation that charges that the offender committed the violation and that the violation resulted in serious physical harm to, or the death of, another person, whichever is applicable.

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

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

**Section 2.** That existing sections 4510.02, 4510.036, 4511.21, 4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441,

4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 of the Revised	1619
Code are hereby repealed.	1620