

As Introduced

136th General Assembly

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H. B. No. 82

Representatives Click, Johnson

Cosponsors: Representatives Brennan, Daniels, Hall, T., John



A BILL

To amend sections 4508.02, 4511.03, 4511.12, 1
4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 2
4511.205, 4511.21, 4511.211, 4511.213, 4511.22, 3
4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 4
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 5
4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 6
4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 7
4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 8
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 9
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 10
4511.712, 4511.72, 4511.73, 4511.991, and 11
5517.07 and to enact section 4511.993 of the 12
Revised Code regarding traffic offenses in 13
construction zones. 14

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

Section 1. That sections 4508.02, 4511.03, 4511.12, 15
4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 4511.205, 16
4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 17
4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 18
4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 19

4511.39, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 20
4511.451, 4511.46, 4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 21
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.72, 22
4511.73, 4511.991, and 5517.07 be amended and section 4511.993 23
of the Revised Code be enacted to read as follows: 24

Sec. 4508.02. (A) (1) The director of public safety, 25
subject to Chapter 119. of the Revised Code, shall adopt and 26
prescribe such rules concerning the administration and 27
enforcement of this chapter as are necessary to protect the 28
public. The rules shall require an assessment of the holder of a 29
probationary instructor license. The director shall inspect the 30
school facilities and equipment of applicants and licensees and 31
examine applicants for instructor's licenses. 32

(2) The director shall adopt rules governing online driver 33
education courses that may be completed via the internet to 34
satisfy the classroom instruction under division (C) of this 35
section. The rules shall do all of the following: 36

(a) Establish standards that an online driver training 37
enterprise must satisfy to be licensed to offer an online driver 38
education course via the internet, including, at a minimum, 39
proven expertise in providing driver education and an acceptable 40
infrastructure capable of providing secure online driver 41
education in accord with advances in internet technology. The 42
rules shall allow an online driver training enterprise to be 43
affiliated with a licensed driver training school offering in- 44
person classroom instruction, but shall not require such an 45
affiliation. 46

(b) Establish content requirements that an online driver 47
education course must satisfy to be approved as equivalent to 48
twenty-four hours of in-person classroom instruction; 49

(c) Establish attendance standards, including a maximum number of course hours that may be completed in a twenty-four-hour period;

(d) Allow an enrolled applicant to begin the required eight hours of actual behind-the-wheel instruction upon completing all twenty-four hours of course instruction;

(e) Establish any other requirements necessary to regulate online driver education.

(B) The director shall administer and enforce this chapter.

(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are under age eighteen. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on ~~both~~ all of the following:

(1) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless communications device, or engaging in any other activity that distracts a driver from the safe and effective operation of a motor vehicle;

(2) The dangers of driving a motor vehicle while under the influence of a controlled substance, prescription medication, or alcohol;

(3) The dangers of and requirements related to driving a

motor vehicle in a construction zone. 79

(D) The rules shall state the minimum hours for classroom 80
and behind-the-wheel instruction required for beginning drivers 81
of commercial trucks, commercial cars, buses, and commercial 82
tractors, trailers, and semitrailers. 83

(E) (1) The department of public safety may charge a fee to 84
each online driver training enterprise in an amount sufficient 85
to pay the actual expenses the department incurs in the 86
regulation of online driver education courses. 87

(2) The department shall supply to each licensed online 88
driver training enterprise certificates to be used for 89
certifying an applicant's enrollment in an approved online 90
driver education course and a separate certificate to be issued 91
upon successful completion of an approved online driver 92
education course. The certificates shall be numbered serially. 93
The department may charge a fee to each online driver training 94
enterprise per certificate supplied to pay the actual expenses 95
the department incurs in supplying the certificates. 96

(F) The director shall adopt rules in accordance with 97
Chapter 119. of the Revised Code governing an abbreviated driver 98
training course for adults. 99

Sec. 4511.03. (A) The driver of any emergency vehicle or 100
public safety vehicle, when responding to an emergency call, 101
upon approaching a red or stop signal or any stop sign shall 102
slow down as necessary for safety to traffic, but may proceed 103
cautiously past such red or stop sign or signal with due regard 104
for the safety of all persons using the street or highway. 105

(B) Except as otherwise provided in this division, whoever 106
violates this section is guilty of a minor misdemeanor. If, 107

within one year of the offense, the offender previously has been 108
convicted of or pleaded guilty to one predicate motor vehicle or 109
traffic offense, whoever violates this section is guilty of a 110
misdemeanor of the fourth degree. If, within one year of the 111
offense, the offender previously has been convicted of two or 112
more predicate motor vehicle or traffic offenses, whoever 113
violates this section is guilty of a misdemeanor of the third 114
degree. 115

If the offender commits the offense while distracted and 116
the distracting activity is a contributing factor to the 117
commission of the offense, the offender is subject to the 118
additional fine established under section 4511.991 of the 119
Revised Code. 120

If the offender commits the offense while operating a 121
motor vehicle in a construction zone and division (C) of section 122
4511.993 of the Revised Code applies, the offender is subject to 123
the additional penalties established under that section. 124

Sec. 4511.12. (A) No pedestrian, driver of a vehicle, or 125
operator of a streetcar or trackless trolley shall disobey the 126
instructions of any traffic control device placed in accordance 127
with this chapter, unless at the time otherwise directed by a 128
police officer. 129

No provision of this chapter for which signs are required 130
shall be enforced against an alleged violator if at the time and 131
place of the alleged violation an official sign is not in proper 132
position and sufficiently legible to be seen by an ordinarily 133
observant person. Whenever a particular section of this chapter 134
does not state that signs are required, that section shall be 135
effective even though no signs are erected or in place. 136

(B) Except as otherwise provided in this division, 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.

If the offender commits the offense while distracted and
the distracting activity is a contributing factor to the
commission of the offense, the offender is subject to the
additional fine established under section 4511.991 of the
Revised Code.

If the offender commits the offense while operating a
motor vehicle in a construction zone and division (C) of section
4511.993 of the Revised Code applies, the offender is subject to
the additional penalties established under that section.

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or
trackless trolley who approaches an intersection where traffic
is controlled by traffic control signals shall do all of the
following if the signal facing the driver exhibits no colored
lights or colored lighted arrows, exhibits a combination of such
lights or arrows that fails to clearly indicate the assignment
of right-of-way, or, if the vehicle is a bicycle or an electric
bicycle, the signals are otherwise malfunctioning due to the
failure of a vehicle detector to detect the presence of the
bicycle or electric bicycle:

(1) Stop at a clearly marked stop line, but if none, stop

before entering the crosswalk on the near side of the 167
intersection, or, if none, stop before entering the 168
intersection; 169

(2) Yield the right-of-way to all vehicles, streetcars, or 170
trackless trolleys in the intersection or approaching on an 171
intersecting road, if the vehicles, streetcars, or trackless 172
trolleys will constitute an immediate hazard during the time the 173
driver is moving across or within the intersection or junction 174
of roadways; 175

(3) Exercise ordinary care while proceeding through the 176
intersection. 177

(B) Except as otherwise provided in this division, whoever 178
violates this section is guilty of a minor misdemeanor. If, 179
within one year of the offense, the offender previously has been 180
convicted of or pleaded guilty to one predicate motor vehicle or 181
traffic offense, whoever violates this section is guilty of a 182
misdemeanor of the fourth degree. If, within one year of the 183
offense, the offender previously has been convicted of two or 184
more predicate motor vehicle or traffic offenses, whoever 185
violates this section is guilty of a misdemeanor of the third 186
degree. 187

If the offender commits the offense while distracted and 188
the distracting activity is a contributing factor to the 189
commission of the offense, the offender is subject to the 190
additional fine established under section 4511.991 of the 191
Revised Code. 192

If the offender commits the offense while operating a 193
motor vehicle in a construction zone and division (C) of section 194
4511.993 of the Revised Code applies, the offender is subject to 195

<u>the additional penalties established under that section.</u>	196
Sec. 4511.17. (A) No person, without lawful authority,	197
shall do any of the following:	198
(1) Knowingly move, deface, damage, destroy, or otherwise	199
improperly tamper with any traffic control device, any railroad	200
sign or signal, or any inscription, shield, or insignia on the	201
device, sign, or signal, or any part of the device, sign, or	202
signal;	203
(2) Knowingly drive upon or over any freshly applied	204
pavement marking material on the surface of a roadway while the	205
marking material is in an undried condition and is marked by	206
flags, markers, signs, or other devices intended to protect it;	207
(3) Knowingly move, damage, destroy, or otherwise	208
improperly tamper with a manhole cover.	209
(B) (1) Except as otherwise provided in this division,	210
whoever violates division (A) (1) or (3) of this section is	211
guilty of a misdemeanor of the third degree. If a violation of	212
division (A) (1) or (3) of this section creates a risk of	213
physical harm to any person, the offender is guilty of a	214
misdemeanor of the first degree. If a violation of division (A)	215
(1) or (3) of this section causes serious physical harm to	216
property that is owned, leased, or controlled by a state or	217
local authority, the offender is guilty of a felony of the fifth	218
degree.	219
(2) Except as otherwise provided in this division, whoever	220
violates division (A) (2) of this section is guilty of a minor	221
misdemeanor. If, within one year of the offense, the offender	222
previously has been convicted of or pleaded guilty to one	223
predicate motor vehicle or traffic offense, whoever violates	224

division (A) (2) of this section is guilty of a misdemeanor of 225
the fourth degree. If, within one year of the offense, the 226
offender previously has been convicted of two or more predicate 227
motor vehicle or traffic offenses, whoever violates division (A) 228
(2) of this section is guilty of a misdemeanor of the third 229
degree. 230

(C) If the offender commits the offense while distracted 231
and the distracting activity is a contributing factor to the 232
commission of the offense, the offender is subject to the 233
additional fine established under section 4511.991 of the 234
Revised Code. 235

Sec. 4511.20. (A) No person shall operate a vehicle, 236
trackless trolley, or streetcar on any street or highway in 237
willful or wanton disregard of the safety of persons or 238
property. 239

(B) Except as otherwise provided in this division, whoever 240
violates this section is guilty of a minor misdemeanor. If, 241
within one year of the offense, the offender previously has been 242
convicted of or pleaded guilty to one predicate motor vehicle or 243
traffic offense, whoever violates this section is guilty of a 244
misdemeanor of the fourth degree. If, within one year of the 245
offense, the offender previously has been convicted of two or 246
more predicate motor vehicle or traffic offenses, whoever 247
violates this section is guilty of a misdemeanor of the third 248
degree. Whoever violates this section within a construction 249
zone, as defined in section 4511.993 of the Revised Code, is 250
guilty of a misdemeanor of the first degree. 251

Sec. 4511.202. (A) No person shall operate a motor 252
vehicle, trackless trolley, streetcar, agricultural tractor, or 253
agricultural tractor that is towing, pulling, or otherwise 254

drawing a unit of farm machinery on any street, highway, or 255
property open to the public for vehicular traffic without being 256
in reasonable control of the vehicle, trolley, streetcar, 257
agricultural tractor, or unit of farm machinery. 258

(B) Whoever violates this section is guilty of operating a 259
motor vehicle or agricultural tractor without being in control 260
of it, a minor misdemeanor. 261

(C) If the offender commits the offense while distracted 262
and the distracting activity is a contributing factor to the 263
commission of the offense, the offender is subject to the 264
additional fine established under section 4511.991 of the 265
Revised Code. 266

(D) If the offender commits the offense while operating a 267
motor vehicle in a construction zone and division (C) of section 268
4511.993 of the Revised Code applies, the offender is subject to 269
the additional penalties established under that section. 270

Sec. 4511.204. (A) No person shall operate a motor 271
vehicle, trackless trolley, or streetcar on any street, highway, 272
or property open to the public for vehicular traffic while 273
using, holding, or physically supporting with any part of the 274
person's body an electronic wireless communications device. 275

(B) Division (A) of this section does not apply to any of 276
the following: 277

(1) A person using an electronic wireless communications 278
device to make contact, for emergency purposes, with a law 279
enforcement agency, hospital or health care provider, fire 280
department, or other similar emergency agency or entity; 281

(2) A person driving a public safety vehicle while using 282
an electronic wireless communications device in the course of 283

the person's duties;	284
(3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;	285 286 287 288 289
(4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;	290 291 292 293 294
(5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;	295 296 297 298 299 300 301
(6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;	302 303 304 305
(7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:	306 307 308
(a) Manually enter letters, numbers, or symbols into the device;	309 310
(b) Hold or support the device with any part of the person's body.	311 312

(8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;

(11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

(12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the

person's body. 341

(13) A person storing an electronic wireless 342
communications device in a holster, harness, or article of 343
clothing on the person's body. 344

(C) (1) On January 31 of each year, the department of 345
public safety shall issue a report to the general assembly that 346
specifies the number of citations issued for violations of this 347
section during the previous calendar year. 348

(2) If a law enforcement officer issues an offender a 349
ticket, citation, or summons for a violation of division (A) of 350
this section, the officer shall do both of the following: 351

(a) Report the issuance of the ticket, citation, or 352
summons to the officer's law enforcement agency; 353

(b) Ensure that such report indicates the offender's race. 354

(D) Whoever violates division (A) of this section is 355
guilty of operating a motor vehicle while using an electronic 356
wireless communication device, an unclassified misdemeanor, and 357
shall be punished as provided in divisions (D) (1) to ~~(5)~~ (6) of 358
this section. 359

(1) The offender shall be fined, and is subject to a 360
suspension of the offender's driver's license, commercial 361
driver's license, temporary instruction permit, probationary 362
license, or nonresident operating privilege, as follows: 363

(a) Except as provided in divisions (D) (1) (b), (c), (d), 364
and (2) of this section, the court shall impose upon the 365
offender a fine of not more than one hundred fifty dollars. 366

(b) If, within two years of the violation, the offender 367
has been convicted of or pleaded guilty to one prior violation 368

of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.

(d) Notwithstanding divisions (D) (1) (a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D) (1) (a), (b), or (c) of this section, as applicable.

(2) If the offender is in the category of offenders to whom division (D) (1) (a) of this section applies, in lieu of payment of the fine of one hundred fifty dollars under division (D) (1) (a) of this section and the assessment of points under division (D) (4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine

and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court within 90 days of the violation of division (A) of this section. However, successful completion of the course does not result in a dismissal of the charges for the violation, and the violation is a prior offense under divisions (D) (1) (b) and (c) of this section if the offender commits a subsequent violation or violations of division (A) of this section within two years of the offense for which the course was completed. This division does not apply with respect to any offender in the category of offenders to whom division (D) (1) (b), (c), ~~or (d)~~, or (5) of this section applies.

(3) The court may impose any other penalty authorized under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D) (1) of this section. The court also shall not impose a jail term or community residential sanction.

(4) Except as provided in division (D) (2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.

(5) If the offender commits an offense established under this section while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

(6) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a

strict liability offense. 429

(E) This section shall not be construed as invalidating, 430
preempting, or superseding a substantially equivalent municipal 431
ordinance that prescribes penalties for violations of that 432
ordinance that are greater than the penalties prescribed in this 433
section for violations of this section. 434

(F) A prosecution for an offense in violation of this 435
section does not preclude a prosecution for an offense in 436
violation of a substantially equivalent municipal ordinance 437
based on the same conduct. However, the two offenses are allied 438
offenses of similar import under section 2941.25 of the Revised 439
Code. 440

(G) (1) A law enforcement officer does not have probable 441
cause and shall not stop the operator of a motor vehicle for 442
purposes of enforcing this section unless the officer visually 443
observes the operator using, holding, or physically supporting 444
with any part of the person's body the electronic wireless 445
communications device. 446

(2) A law enforcement officer who stops the operator of a 447
motor vehicle, trackless trolley, or streetcar for a violation 448
of division (A) of this section shall inform the operator that 449
the operator may decline a search of the operator's electronic 450
wireless communications device. The officer shall not do any of 451
the following: 452

(a) Access the device without a warrant, unless the 453
operator voluntarily and unequivocally gives consent for the 454
officer to access the device; 455

(b) Confiscate the device while awaiting the issuance of a 456
warrant to access the device; 457

(c) Obtain consent from the operator to access the device 458
through coercion or any other improper means. Any consent by the 459
operator to access the device shall be voluntary and unequivocal 460
before the officer may access the device without a warrant. 461

(H) As used in this section: 462

(1) "Electronic wireless communications device" includes 463
any of the following: 464

(a) A wireless telephone; 465

(b) A text-messaging device; 466

(c) A personal digital assistant; 467

(d) A computer, including a laptop computer and a computer 468
tablet; 469

(e) Any device capable of displaying a video, movie, 470
broadcast television image, or visual image; 471

(f) Any other substantially similar wireless device that 472
is designed or used to communicate text, initiate or receive 473
communication, or exchange information or data. 474

An "electronic wireless communications device" does not 475
include a two-way radio transmitter or receiver used by a person 476
who is licensed by the federal communications commission to 477
participate in the amateur radio service. 478

(2) "Voice-operated or hands-free feature or function" 479
means a feature or function that allows a person to use an 480
electronic wireless communications device without the use of 481
either hand, except to activate, deactivate, or initiate the 482
feature or function with a single touch or single swipe. 483

(3) "Utility" means an entity specified in division (A), 484

(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 485

(4) "Utility service vehicle" means a vehicle owned or 486
operated by a utility. 487

Sec. 4511.205. (A) No holder of a temporary instruction 488
permit who has not attained the age of eighteen years and no 489
holder of a probationary driver's license shall drive a motor 490
vehicle on any street, highway, or property used by the public 491
for purposes of vehicular traffic or parking while using in any 492
manner an electronic wireless communications device. 493

(B) Division (A) of this section does not apply to either 494
of the following: 495

(1) A person using an electronic wireless communications 496
device for emergency purposes, including an emergency contact 497
with a law enforcement agency, hospital or health care provider, 498
fire department, or other similar emergency agency or entity; 499

(2) A person using an electronic wireless communications 500
device whose motor vehicle is in a stationary position and the 501
motor vehicle is outside a lane of travel; 502

(3) A person using a navigation device in a voice-operated 503
or hands-free manner who does not manipulate the device while 504
driving. 505

(C) (1) Except as provided in division (C) (2) of this 506
section, whoever violates division (A) of this section shall be 507
fined one hundred fifty dollars. In addition, the court shall 508
impose a class seven suspension of the offender's driver's 509
license or permit for a definite period of sixty days. 510

(2) If the person previously has been adjudicated a 511
delinquent child or a juvenile traffic offender for a violation 512

of this section, whoever violates this section shall be fined 513
three hundred dollars. In addition, the court shall impose a 514
class seven suspension of the person's driver's license or 515
permit for a definite period of one year. 516

(3) If the offender commits the offense while operating a 517
motor vehicle in a construction zone and division (C) of section 518
4511.993 of the Revised Code applies, the offender is subject to 519
the additional penalties established under that section. 520

(D) The filing of a sworn complaint against a person for a 521
violation of this section does not preclude the filing of a 522
sworn complaint for a violation of a substantially equivalent 523
municipal ordinance for the same conduct. However, if a person 524
is adjudicated a delinquent child or a juvenile traffic offender 525
for a violation of this section and is also adjudicated a 526
delinquent child or a juvenile traffic offender for a violation 527
of a substantially equivalent municipal ordinance for the same 528
conduct, the two offenses are allied offenses of similar import 529
under section 2941.25 of the Revised Code. 530

(E) As used in this section, "electronic wireless 531
communications device" includes any of the following: 532

(1) A wireless telephone; 533

(2) A personal digital assistant; 534

(3) A computer, including a laptop computer and a computer 535
tablet; 536

(4) A text-messaging device; 537

(5) Any other substantially similar electronic wireless 538
device that is designed or used to communicate via voice, image, 539
or written word. 540

Sec. 4511.21. (A) No person shall operate a motor vehicle, 541
trackless trolley, or streetcar at a speed greater or less than 542
is reasonable or proper, having due regard to the traffic, 543
surface, and width of the street or highway and any other 544
conditions, and no person shall drive any motor vehicle, 545
trackless trolley, or streetcar in and upon any street or 546
highway at a greater speed than will permit the person to bring 547
it to a stop within the assured clear distance ahead. 548

(B) It is prima-facie lawful, in the absence of a lower 549
limit declared or established pursuant to this section by the 550
director of transportation or local authorities, for the 551
operator of a motor vehicle, trackless trolley, or streetcar to 552
operate the same at a speed not exceeding the following: 553

(1) (a) Twenty miles per hour in school zones during school 554
recess and while children are going to or leaving school during 555
the opening or closing hours, and when twenty miles per hour 556
school speed limit signs are erected; except that, on 557
controlled-access highways and expressways, if the right-of-way 558
line fence has been erected without pedestrian opening, the 559
speed shall be governed by division (B) (4) of this section and 560
on freeways, if the right-of-way line fence has been erected 561
without pedestrian opening, the speed shall be governed by 562
divisions (B) (10) and (11) of this section. The end of every 563
school zone may be marked by a sign indicating the end of the 564
zone. Nothing in this section or in the manual and 565
specifications for a uniform system of traffic control devices 566
shall be construed to require school zones to be indicated by 567
signs equipped with flashing or other lights, or giving other 568
special notice of the hours in which the school zone speed limit 569
is in effect. 570

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means all of the following:

(i) Any school chartered under section 3301.16 of the Revised Code;

(ii) Any nonchartered school that during the preceding year filed with the department of education and workforce in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone;

(iii) Any special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(iv) Any preschool education program operated by an educational service center that is located on a street or highway with a speed limit of forty-five miles per hour or more, when the educational service center in writing requests that the county engineer of the county in which the program is located create a school zone at the location of that program. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon

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

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

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

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

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

(d) As used in this division, "crosswalk" has the meaning 629
given that term in division (LL) (2) of section 4511.01 of the 630
Revised Code. 631

The director may, upon request by resolution of the 632
legislative authority of a municipal corporation, the board of 633
trustees of a township, or a county board of developmental 634
disabilities created pursuant to Chapter 5126. of the Revised 635
Code, and upon submission by the municipal corporation, 636
township, or county board of such engineering, traffic, and 637
other information as the director considers necessary, designate 638
a school zone on any portion of a state route lying within the 639
municipal corporation, lying within the unincorporated territory 640
of the township, or lying adjacent to the property of a school 641
that is operated by such county board, that includes a crosswalk 642
customarily used by children going to or leaving a school during 643
recess and opening and closing hours, whenever the distance, as 644
measured in a straight line, from the school property line 645
nearest the crosswalk to the nearest point of the crosswalk is 646
no more than one thousand three hundred twenty feet. Such a 647
school zone shall include the distance encompassed by the 648
crosswalk and extending three hundred feet on each approach 649
direction of the state route. 650

(e) As used in this section, "special elementary school" 651
means a school that meets all of the following criteria: 652

(i) It is not chartered and does not receive tax revenue 653
from any source. 654

(ii) It does not educate children beyond the eighth grade. 655

(iii) It is located outside the limits of a municipal 656
corporation. 657

(iv) A majority of the total number of students enrolled 658
at the school are not related by blood. 659

(v) The principal or other person in charge of the special 660
elementary school annually sends a report to the superintendent 661
of the school district in which the special elementary school is 662
located indicating the total number of students enrolled at the 663
school, but otherwise the principal or other person in charge 664
does not report any other information or data to the 665
superintendent. 666

(2) Twenty-five miles per hour in all other portions of a 667
municipal corporation, except on state routes outside business 668
districts, through highways outside business districts, and 669
alleys; 670

(3) Thirty-five miles per hour on all state routes or 671
through highways within municipal corporations outside business 672
districts, except as provided in divisions (B) (4) and (6) of 673
this section; 674

(4) Fifty miles per hour on controlled-access highways and 675
expressways within municipal corporations, except as provided in 676
divisions (B) (12), (13), (14), (15), and (16) of this section; 677

(5) Fifty-five miles per hour on highways outside 678
municipal corporations, other than highways within island 679
jurisdictions as provided in division (B) (8) of this section, 680
highways as provided in divisions (B) (9) and (10) of this 681
section, and highways, expressways, and freeways as provided in 682
divisions (B) (12), (13), (14), and (16) of this section; 683

(6) Fifty miles per hour on state routes within municipal 684
corporations outside urban districts unless a lower prima-facie 685
speed is established as further provided in this section; 686

(7) Fifteen miles per hour on all alleys within the municipal corporation;	687 688
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	689 690
(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;	691 692 693 694
(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H) (2) of this section;	695 696 697
(11) Fifty-five miles per hour on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section;	698 699 700
(12) Sixty miles per hour on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in divisions (B) (13) and (14) of this section;	701 702 703 704
(13) Sixty-five miles per hour on all rural expressways without traffic control signals;	705 706
(14) Seventy miles per hour on all rural freeways;	707
(15) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B) (16) of this section;	708 709 710 711 712
(16) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized	713 714

areas. 715

(C) It is prima-facie unlawful for any person to exceed 716
any of the speed limitations in divisions (B) (1) (a), (2), (3), 717
(4), (6), (7), (8), and (9) of this section, or any declared or 718
established pursuant to this section by the director or local 719
authorities and it is unlawful for any person to exceed any of 720
the speed limitations in division (D) of this section. No person 721
shall be convicted of more than one violation of this section 722
for the same conduct, although violations of more than one 723
provision of this section may be charged in the alternative in a 724
single affidavit. 725

(D) No person shall operate a motor vehicle, trackless 726
trolley, or streetcar upon a street or highway as follows: 727

(1) At a speed exceeding fifty-five miles per hour, except 728
upon a two-lane state route as provided in division (B) (10) of 729
this section and upon a highway, expressway, or freeway as 730
provided in divisions (B) (12), (13), (14), and (16) of this 731
section; 732

(2) At a speed exceeding sixty miles per hour upon a two- 733
lane state route as provided in division (B) (10) of this section 734
and upon a highway as provided in division (B) (12) of this 735
section; 736

(3) At a speed exceeding sixty-five miles per hour upon an 737
expressway as provided in division (B) (13) or upon a freeway as 738
provided in division (B) (16) of this section, except upon a 739
freeway as provided in division (B) (14) of this section; 740

(4) At a speed exceeding seventy miles per hour upon a 741
freeway as provided in division (B) (14) of this section; 742

(5) At a speed exceeding the posted speed limit upon a 743

highway, expressway, or freeway for which the director has 744
determined and declared a speed limit pursuant to division (I) 745
(2) or (L) (2) of this section. 746

(E) In every charge of violation of this section the 747
affidavit and warrant shall specify the time, place, and speed 748
at which the defendant is alleged to have driven, and in charges 749
made in reliance upon division (C) of this section also the 750
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 751
(9) of, or a limit declared or established pursuant to, this 752
section declares is prima-facie lawful at the time and place of 753
such alleged violation, except that in affidavits where a person 754
is alleged to have driven at a greater speed than will permit 755
the person to bring the vehicle to a stop within the assured 756
clear distance ahead the affidavit and warrant need not specify 757
the speed at which the defendant is alleged to have driven. 758

(F) When a speed in excess of both a prima-facie 759
limitation and a limitation in division (D) of this section is 760
alleged, the defendant shall be charged in a single affidavit, 761
alleging a single act, with a violation indicated of both 762
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 763
section, or of a limit declared or established pursuant to this 764
section by the director or local authorities, and of the 765
limitation in division (D) of this section. If the court finds a 766
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 767
or (9) of, or a limit declared or established pursuant to, this 768
section has occurred, it shall enter a judgment of conviction 769
under such division and dismiss the charge under division (D) of 770
this section. If it finds no violation of division (B) (1) (a), 771
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 772
established pursuant to, this section, it shall then consider 773
whether the evidence supports a conviction under division (D) of 774

this section. 775

(G) Points shall be assessed for violation of a limitation 776
under division (D) of this section in accordance with section 777
4510.036 of the Revised Code. 778

(H) (1) Whenever the director determines upon the basis of 779
criteria established by an engineering study, as defined by the 780
director, that any speed limit set forth in divisions (B) (1) (a) 781
to (D) of this section is greater or less than is reasonable or 782
safe under the conditions found to exist at any portion of a 783
street or highway under the jurisdiction of the director, the 784
director shall determine and declare a reasonable and safe 785
prima-facie speed limit, which shall be effective when 786
appropriate signs giving notice of it are erected at the 787
location. 788

(2) Whenever the director determines upon the basis of 789
criteria established by an engineering study, as defined by the 790
director, that the speed limit of fifty-five miles per hour on a 791
two-lane state route outside a municipal corporation is less 792
than is reasonable or safe under the conditions found to exist 793
at that portion of the state route, the director may determine 794
and declare a speed limit of sixty miles per hour for that 795
portion of the state route, which shall be effective when 796
appropriate signs giving notice of it are erected at the 797
location. 798

(3) (a) For purposes of the safe and orderly movement of 799
traffic upon any portion of a street or highway under the 800
jurisdiction of the director, the director may establish a 801
variable speed limit that is different than the speed limit 802
established by or under this section on all or portions of 803
interstate six hundred seventy, interstate two hundred seventy- 804

five, and interstate ninety commencing at the intersection of 805
that interstate with interstate seventy-one and continuing to 806
the border of the state of Ohio with the state of Pennsylvania. 807
The director shall establish criteria for determining the 808
appropriate use of variable speed limits and shall establish 809
variable speed limits in accordance with the criteria. The 810
director may establish variable speed limits based upon the time 811
of day, weather conditions, traffic incidents, or other factors 812
that affect the safe speed on a street or highway. The director 813
shall not establish a variable speed limit that is based on a 814
particular type or class of vehicle. A variable speed limit 815
established by the director under this section is effective when 816
appropriate signs giving notice of the speed limit are displayed 817
at the location. 818

(b) Except for variable speed limits established under 819
division (H) (3) (a) of this section, the director shall establish 820
a variable speed limit under the authority granted to the 821
director by this section on not more than two additional 822
highways and only pursuant to criteria established in rules 823
adopted in accordance with Chapter 119. of the Revised Code. The 824
rules shall be based on the criteria described in division (H) 825
(3) (a) of this section. The rules also shall establish the 826
parameters of any engineering study necessary for determining 827
when variable speed limits are appropriate. 828

(4) Nothing in this section shall be construed to limit 829
the authority of the director to establish speed limits within a 830
construction zone as authorized under section 4511.98 of the 831
Revised Code. 832

(I) (1) Except as provided in divisions (I) (2), (J), (K), 833
and (N) of this section, whenever local authorities determine 834

upon the basis of criteria established by an engineering study, 835
as defined by the director, that the speed permitted by 836
divisions (B) (1) (a) to (D) of this section, on any part of a 837
highway under their jurisdiction, is greater than is reasonable 838
and safe under the conditions found to exist at such location, 839
the local authorities may by resolution request the director to 840
determine and declare a reasonable and safe prima-facie speed 841
limit. Upon receipt of such request the director may determine 842
and declare a reasonable and safe prima-facie speed limit at 843
such location, and if the director does so, then such declared 844
speed limit shall become effective only when appropriate signs 845
giving notice thereof are erected at such location by the local 846
authorities. The director may withdraw the declaration of a 847
prima-facie speed limit whenever in the director's opinion the 848
altered prima-facie speed limit becomes unreasonable. Upon such 849
withdrawal, the declared prima-facie speed limit shall become 850
ineffective and the signs relating thereto shall be immediately 851
removed by the local authorities. 852

(2) A local authority may determine on the basis of 853
criteria established by an engineering study, as defined by the 854
director, that the speed limit of sixty-five or seventy miles 855
per hour on a portion of a freeway under its jurisdiction is 856
greater than is reasonable or safe under the conditions found to 857
exist at that portion of the freeway. If the local authority 858
makes such a determination, the local authority by resolution 859
may request the director to determine and declare a reasonable 860
and safe speed limit of not less than fifty-five miles per hour 861
for that portion of the freeway. If the director takes such 862
action, the declared speed limit becomes effective only when 863
appropriate signs giving notice of it are erected at such 864
location by the local authority. 865

(J) Local authorities in their respective jurisdictions 866
may authorize by ordinance higher prima-facie speeds than those 867
stated in this section upon through highways, or upon highways 868
or portions thereof where there are no intersections, or between 869
widely spaced intersections, provided signs are erected giving 870
notice of the authorized speed, but local authorities shall not 871
modify or alter the basic rule set forth in division (A) of this 872
section or in any event authorize by ordinance a speed in excess 873
of the maximum speed permitted by division (D) of this section 874
for the specified type of highway. 875

Alteration of prima-facie limits on state routes by local 876
authorities shall not be effective until the alteration has been 877
approved by the director. The director may withdraw approval of 878
any altered prima-facie speed limits whenever in the director's 879
opinion any altered prima-facie speed becomes unreasonable, and 880
upon such withdrawal, the altered prima-facie speed shall become 881
ineffective and the signs relating thereto shall be immediately 882
removed by the local authorities. 883

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 884
this section, "unimproved highway" means a highway consisting of 885
any of the following: 886

- (a) Unimproved earth; 887
- (b) Unimproved graded and drained earth; 888
- (c) Gravel. 889

(2) Except as otherwise provided in divisions (K) (4) and 890
(5) of this section, whenever a board of township trustees 891
determines upon the basis of criteria established by an 892
engineering study, as defined by the director, that the speed 893
permitted by division (B) (5) of this section on any part of an 894

unimproved highway under its jurisdiction and in the 895
unincorporated territory of the township is greater than is 896
reasonable or safe under the conditions found to exist at the 897
location, the board may by resolution declare a reasonable and 898
safe prima-facie speed limit of fifty-five but not less than 899
twenty-five miles per hour. An altered speed limit adopted by a 900
board of township trustees under this division becomes effective 901
when appropriate traffic control devices, as prescribed in 902
section 4511.11 of the Revised Code, giving notice thereof are 903
erected at the location, which shall be no sooner than sixty 904
days after adoption of the resolution. 905

(3) (a) Whenever, in the opinion of a board of township 906
trustees, any altered prima-facie speed limit established by the 907
board under this division becomes unreasonable, the board may 908
adopt a resolution withdrawing the altered prima-facie speed 909
limit. Upon the adoption of such a resolution, the altered 910
prima-facie speed limit becomes ineffective and the traffic 911
control devices relating thereto shall be immediately removed. 912

(b) Whenever a highway ceases to be an unimproved highway 913
and the board has adopted an altered prima-facie speed limit 914
pursuant to division (K) (2) of this section, the board shall, by 915
resolution, withdraw the altered prima-facie speed limit as soon 916
as the highway ceases to be unimproved. Upon the adoption of 917
such a resolution, the altered prima-facie speed limit becomes 918
ineffective and the traffic control devices relating thereto 919
shall be immediately removed. 920

(4) (a) If the boundary of two townships rests on the 921
centerline of an unimproved highway in unincorporated territory 922
and both townships have jurisdiction over the highway, neither 923
of the boards of township trustees of such townships may declare 924

an altered prima-facie speed limit pursuant to division (K) (2) 925
of this section on the part of the highway under their joint 926
jurisdiction unless the boards of township trustees of both of 927
the townships determine, upon the basis of criteria established 928
by an engineering study, as defined by the director, that the 929
speed permitted by division (B) (5) of this section is greater 930
than is reasonable or safe under the conditions found to exist 931
at the location and both boards agree upon a reasonable and safe 932
prima-facie speed limit of less than fifty-five but not less 933
than twenty-five miles per hour for that location. If both 934
boards so agree, each shall follow the procedure specified in 935
division (K) (2) of this section for altering the prima-facie 936
speed limit on the highway. Except as otherwise provided in 937
division (K) (4) (b) of this section, no speed limit altered 938
pursuant to division (K) (4) (a) of this section may be withdrawn 939
unless the boards of township trustees of both townships 940
determine that the altered prima-facie speed limit previously 941
adopted becomes unreasonable and each board adopts a resolution 942
withdrawing the altered prima-facie speed limit pursuant to the 943
procedure specified in division (K) (3) (a) of this section. 944

(b) Whenever a highway described in division (K) (4) (a) of 945
this section ceases to be an unimproved highway and two boards 946
of township trustees have adopted an altered prima-facie speed 947
limit pursuant to division (K) (4) (a) of this section, both 948
boards shall, by resolution, withdraw the altered prima-facie 949
speed limit as soon as the highway ceases to be unimproved. Upon 950
the adoption of the resolution, the altered prima-facie speed 951
limit becomes ineffective and the traffic control devices 952
relating thereto shall be immediately removed. 953

(5) As used in division (K) (5) of this section: 954

(a) "Commercial subdivision" means any platted territory 955
outside the limits of a municipal corporation and fronting a 956
highway where, for a distance of three hundred feet or more, the 957
frontage is improved with buildings in use for commercial 958
purposes, or where the entire length of the highway is less than 959
three hundred feet long and the frontage is improved with 960
buildings in use for commercial purposes. 961

(b) "Residential subdivision" means any platted territory 962
outside the limits of a municipal corporation and fronting a 963
highway, where, for a distance of three hundred feet or more, 964
the frontage is improved with residences or residences and 965
buildings in use for business, or where the entire length of the 966
highway is less than three hundred feet long and the frontage is 967
improved with residences or residences and buildings in use for 968
business. 969

Whenever a board of township trustees finds upon the basis 970
of criteria established by an engineering study, as defined by 971
the director, that the prima-facie speed permitted by division 972
(B) (5) of this section on any part of a highway under its 973
jurisdiction that is located in a commercial or residential 974
subdivision, except on highways or portions thereof at the 975
entrances to which vehicular traffic from the majority of 976
intersecting highways is required to yield the right-of-way to 977
vehicles on such highways in obedience to stop or yield signs or 978
traffic control signals, is greater than is reasonable and safe 979
under the conditions found to exist at the location, the board 980
may by resolution declare a reasonable and safe prima-facie 981
speed limit of less than fifty-five but not less than twenty- 982
five miles per hour at the location. An altered speed limit 983
adopted by a board of township trustees under this division 984
shall become effective when appropriate signs giving notice 985

thereof are erected at the location by the township. Whenever, 986
in the opinion of a board of township trustees, any altered 987
prima-facie speed limit established by it under this division 988
becomes unreasonable, it may adopt a resolution withdrawing the 989
altered prima-facie speed, and upon such withdrawal, the altered 990
prima-facie speed shall become ineffective, and the signs 991
relating thereto shall be immediately removed by the township. 992

(L) (1) The director of transportation, based upon an 993
engineering study, as defined by the director, of a highway, 994
expressway, or freeway described in division (B) (12), (13), 995
(14), (15), or (16) of this section, in consultation with the 996
director of public safety and, if applicable, the local 997
authority having jurisdiction over the studied highway, 998
expressway, or freeway, may determine and declare that the speed 999
limit established on such highway, expressway, or freeway under 1000
division (B) (12), (13), (14), (15), or (16) of this section 1001
either is reasonable and safe or is more or less than that which 1002
is reasonable and safe. 1003

(2) If the established speed limit for a highway, 1004
expressway, or freeway studied pursuant to division (L) (1) of 1005
this section is determined to be more or less than that which is 1006
reasonable and safe, the director of transportation, in 1007
consultation with the director of public safety and, if 1008
applicable, the local authority having jurisdiction over the 1009
studied highway, expressway, or freeway, shall determine and 1010
declare a reasonable and safe speed limit for that highway, 1011
expressway, or freeway. 1012

(M) (1) (a) If the boundary of two local authorities rests 1013
on the centerline of a highway and both authorities have 1014
jurisdiction over the highway, the speed limit for the part of 1015

the highway within their joint jurisdiction shall be either one 1016
of the following as agreed to by both authorities: 1017

(i) Either prima-facie speed limit permitted by division 1018
(B) of this section; 1019

(ii) An altered speed limit determined and posted in 1020
accordance with this section. 1021

(b) If the local authorities are unable to reach an 1022
agreement, the speed limit shall remain as established and 1023
posted under this section. 1024

(2) Neither local authority may declare an altered prima- 1025
facie speed limit pursuant to this section on the part of the 1026
highway under their joint jurisdiction unless both of the local 1027
authorities determine, upon the basis of criteria established by 1028
an engineering study, as defined by the director, that the speed 1029
permitted by this section is greater than is reasonable or safe 1030
under the conditions found to exist at the location and both 1031
authorities agree upon a uniform reasonable and safe prima-facie 1032
speed limit of less than fifty-five but not less than twenty- 1033
five miles per hour for that location. If both authorities so 1034
agree, each shall follow the procedure specified in this section 1035
for altering the prima-facie speed limit on the highway, and the 1036
speed limit for the part of the highway within their joint 1037
jurisdiction shall be uniformly altered. No altered speed limit 1038
may be withdrawn unless both local authorities determine that 1039
the altered prima-facie speed limit previously adopted becomes 1040
unreasonable and each adopts a resolution withdrawing the 1041
altered prima-facie speed limit pursuant to the procedure 1042
specified in this section. 1043

(N) The legislative authority of a municipal corporation 1044

or township in which a boarding school is located, by resolution 1045
or ordinance, may establish a boarding school zone. The 1046
legislative authority may alter the speed limit on any street or 1047
highway within the boarding school zone and shall specify the 1048
hours during which the altered speed limit is in effect. For 1049
purposes of determining the boundaries of the boarding school 1050
zone, the altered speed limit within the boarding school zone, 1051
and the hours the altered speed limit is in effect, the 1052
legislative authority shall consult with the administration of 1053
the boarding school and with the county engineer or other 1054
appropriate engineer, as applicable. A boarding school zone 1055
speed limit becomes effective only when appropriate signs giving 1056
notice thereof are erected at the appropriate locations. 1057

(0) As used in this section: 1058

(1) "Interstate system" has the same meaning as in 23 1059
U.S.C. 101. 1060

(2) "Commercial bus" means a motor vehicle designed for 1061
carrying more than nine passengers and used for the 1062
transportation of persons for compensation. 1063

(3) "Noncommercial bus" includes but is not limited to a 1064
school bus or a motor vehicle operated solely for the 1065
transportation of persons associated with a charitable or 1066
nonprofit organization. 1067

(4) "Outerbelt" means a portion of a freeway that is part 1068
of the interstate system and is located in the outer vicinity of 1069
a major municipal corporation or group of municipal 1070
corporations, as designated by the director. 1071

(5) "Rural" means an area outside urbanized areas and 1072
outside of a business or urban district, and areas that extend 1073

within urbanized areas where the roadway characteristics remain 1074
mostly unchanged from those outside the urbanized areas. 1075

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 1076
101. 1077

(7) "Divided" means a roadway having two or more travel 1078
lanes for vehicles moving in opposite directions and that is 1079
separated by a median of more than four feet, excluding turn 1080
lanes. 1081

(P) (1) A violation of any provision of this section is one 1082
of the following: 1083

(a) Except as otherwise provided in divisions (P) (1) (b), 1084
(1) (c), (2), and (3) of this section, a minor misdemeanor; 1085

(b) If, within one year of the offense, the offender 1086
previously has been convicted of or pleaded guilty to two 1087
violations of any provision of this section or of any provision 1088
of a municipal ordinance that is substantially similar to any 1089
provision of this section, a misdemeanor of the fourth degree; 1090

(c) If, within one year of the offense, the offender 1091
previously has been convicted of or pleaded guilty to three or 1092
more violations of any provision of this section or of any 1093
provision of a municipal ordinance that is substantially similar 1094
to any provision of this section, a misdemeanor of the third 1095
degree. 1096

(2) If the offender operated a motor vehicle faster than 1097
thirty-five miles an hour in a business district of a municipal 1098
corporation, faster than fifty miles an hour in other portions 1099
of a municipal corporation, or faster than thirty-five miles an 1100
hour in a school zone during recess or while children are going 1101
to or leaving school during the school's opening or closing 1102

hours, a misdemeanor of the fourth degree. Division (P)(2) of 1103
this section does not apply if penalties may be imposed under 1104
division (P)(1)(b) or (c) of this section. 1105

(3) Notwithstanding division (P)(1) of this section, if 1106
the offender operated a motor vehicle in a construction zone 1107
where a sign was then posted in accordance with section 4511.98 1108
of the Revised Code, ~~the~~ both of the following apply: 1109

(a) The court, in addition to all other penalties provided 1110
by law, shall impose upon the offender a fine of two times the 1111
usual amount imposed for the violation. No court shall impose a 1112
fine of two times the usual amount imposed for the violation 1113
upon an offender if the offender alleges, in an affidavit filed 1114
with the court prior to the offender's sentencing, that the 1115
offender is indigent and is unable to pay the fine imposed 1116
pursuant to this division and if the court determines that the 1117
offender is an indigent person and unable to pay the fine. 1118

(b) If division (C) of section 4511.993 of the Revised 1119
Code also applies, the offender is subject to the additional 1120
penalties established under that section. 1121

(4) If the offender commits the offense while distracted 1122
and the distracting activity is a contributing factor to the 1123
commission of the offense, the offender is subject to the 1124
additional fine established under section 4511.991 of the 1125
Revised Code. 1126

Sec. 4511.211. (A) The owner of a private road or driveway 1127
located in a private residential area containing twenty or more 1128
dwelling units may establish a speed limit on the road or 1129
driveway by complying with all of the following requirements: 1130

(1) The speed limit is not less than twenty-five miles per 1131

hour and is indicated by a sign that is in a proper position, is 1132
sufficiently legible to be seen by an ordinarily observant 1133
person, and meets the specifications for the basic speed limit 1134
sign included in the manual adopted by the department of 1135
transportation pursuant to section 4511.09 of the Revised Code; 1136

(2) The owner has posted a sign at the entrance of the 1137
private road or driveway that is in plain view and clearly 1138
informs persons entering the road or driveway that they are 1139
entering private property, a speed limit has been established 1140
for the road or driveway, and the speed limit is enforceable by 1141
law enforcement officers under state law. 1142

(B) No person shall operate a vehicle upon a private road 1143
or driveway as provided in division (A) of this section at a 1144
speed exceeding any speed limit established and posted pursuant 1145
to that division. 1146

(C) When a speed limit is established and posted in 1147
accordance with division (A) of this section, any law 1148
enforcement officer may apprehend a person violating the speed 1149
limit of the residential area by utilizing any of the means 1150
described in section 4511.091 of the Revised Code or by any 1151
other accepted method of determining the speed of a motor 1152
vehicle and may stop and charge the person with exceeding the 1153
speed limit. 1154

(D) Points shall be assessed for violation of a speed 1155
limit established and posted in accordance with division (A) of 1156
this section in accordance with section 4510.036 of the Revised 1157
Code. 1158

(E) As used in this section: 1159

(1) "Owner" includes but is not limited to a person who 1160

holds title to the real property in fee simple, a condominium 1161
owners' association, a property owner's association, the board 1162
of directors or trustees of a private community, and a nonprofit 1163
corporation governing a private community. 1164

(2) "Private residential area containing twenty or more 1165
dwelling units" does not include a Chautauqua assembly as 1166
defined in section 4511.90 of the Revised Code. 1167

(F) (1) A violation of division (B) of this section is one 1168
of the following: 1169

(a) Except as otherwise provided in divisions (F) (1) (b) 1170
and (c) of this section, a minor misdemeanor; 1171

(b) If, within one year of the offense, the offender 1172
previously has been convicted of or pleaded guilty to two 1173
violations of division (B) of this section or of any municipal 1174
ordinance that is substantially similar to division (B) of this 1175
section, a misdemeanor of the fourth degree; 1176

(c) If, within one year of the offense, the offender 1177
previously has been convicted of or pleaded guilty to three or 1178
more violations of division (B) of this section or of any 1179
municipal ordinance that is substantially similar to division 1180
(B) of this section, a misdemeanor of the third degree. 1181

(2) If the offender commits the offense while distracted 1182
and the distracting activity is a contributing factor to the 1183
commission of the offense, the offender is subject to the 1184
additional fine established under section 4511.991 of the 1185
Revised Code. 1186

(3) If the offender commits the offense while operating a 1187
motor vehicle in a construction zone and division (C) of section 1188
4511.993 of the Revised Code applies, the offender is subject to 1189

the additional penalties established under that section. 1190

Sec. 4511.213. (A) The driver of a motor vehicle, upon 1191
approaching a stationary public safety vehicle, emergency 1192
vehicle, road service vehicle, waste collection vehicle, vehicle 1193
used by the public utilities commission to conduct motor vehicle 1194
inspections in accordance with sections 4923.04 and 4923.06 of 1195
the Revised Code, or a highway maintenance vehicle that is 1196
displaying the appropriate visual signals by means of flashing, 1197
oscillating, or rotating lights, as prescribed in section 1198
4513.17 of the Revised Code, shall do either of the following: 1199

(1) If the driver of the motor vehicle is traveling on a 1200
highway that consists of at least two lanes that carry traffic 1201
in the same direction of travel as that of the driver's motor 1202
vehicle, the driver shall proceed with due caution and, if 1203
possible and with due regard to the road, weather, and traffic 1204
conditions, shall change lanes into a lane that is not adjacent 1205
to that of the stationary public safety vehicle, emergency 1206
vehicle, road service vehicle, waste collection vehicle, vehicle 1207
used by the public utilities commission to conduct motor vehicle 1208
inspections in accordance with sections 4923.04 and 4923.06 of 1209
the Revised Code, or a highway maintenance vehicle. 1210

(2) If the driver is not traveling on a highway of a type 1211
described in division (A) (1) of this section, or if the driver 1212
is traveling on a highway of that type but it is not possible to 1213
change lanes or if to do so would be unsafe, the driver shall 1214
proceed with due caution, reduce the speed of the motor vehicle, 1215
and maintain a safe speed for the road, weather, and traffic 1216
conditions. 1217

(B) This section does not relieve the driver of a public 1218
safety vehicle, emergency vehicle, road service vehicle, waste 1219

collection vehicle, vehicle used by the public utilities 1220
commission to conduct motor vehicle inspections in accordance 1221
with sections 4923.04 and 4923.06 of the Revised Code, or a 1222
highway maintenance vehicle from the duty to drive with due 1223
regard for the safety of all persons and property upon the 1224
highway. 1225

(C) No person shall fail to drive a motor vehicle in 1226
compliance with division (A) (1) or (2) of this section when so 1227
required by division (A) of this section. 1228

(D) (1) Except as otherwise provided in this division, 1229
whoever violates this section is guilty of a minor misdemeanor. 1230
If, within one year of the offense, the offender previously has 1231
been convicted of or pleaded guilty to one predicate motor 1232
vehicle or traffic offense, whoever violates this section is 1233
guilty of a misdemeanor of the fourth degree. If, within one 1234
year of the offense, the offender previously has been convicted 1235
of two or more predicate motor vehicle or traffic offenses, 1236
whoever violates this section is guilty of a misdemeanor of the 1237
third degree. 1238

(2) Notwithstanding section 2929.28 of the Revised Code, 1239
upon a finding that a person operated a motor vehicle in 1240
violation of division (C) of this section, the court, in 1241
addition to all other penalties provided by law, shall impose a 1242
fine of two times the usual amount imposed for the violation. 1243

(3) If the offender commits the offense while distracted 1244
and the distracting activity is a contributing factor to the 1245
commission of the offense, the offender is subject to the 1246
additional fine established under section 4511.991 of the 1247
Revised Code. 1248

(4) If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

(E) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4511.22. (A) No person shall stop or operate a vehicle, trackless trolley, or street car at such an unreasonably slow speed as to impede or block the normal and reasonable movement of traffic, except when stopping or reduced speed is necessary for safe operation or to comply with law.

(B) Whenever the director of transportation or local authorities determine on the basis of an engineering and traffic investigation that slow speeds on any part of a controlled-access highway, expressway, or freeway consistently impede the normal and reasonable movement of traffic, the director or such local authority may declare a minimum speed limit below which no person shall operate a motor vehicle, trackless trolley, or street car except when necessary for safe operation or in compliance with law. No minimum speed limit established hereunder shall be less than thirty miles per hour, greater than fifty miles per hour, nor effective until the provisions of section 4511.21 of the Revised Code, relating to appropriate signs, have been fulfilled and local authorities have obtained the approval of the director.

(C) In a case involving a violation of this section, the

trier of fact, in determining whether the vehicle was being 1279
operated at an unreasonably slow speed, shall consider the 1280
capabilities of the vehicle and its operator. 1281

(D) Except as otherwise provided in this division, whoever 1282
violates this section is guilty of a minor misdemeanor. If, 1283
within one year of the offense, the offender previously has been 1284
convicted of or pleaded guilty to one predicate motor vehicle or 1285
traffic offense, whoever violates this section is guilty of a 1286
misdemeanor of the fourth degree. If, within one year of the 1287
offense, the offender previously has been convicted of two or 1288
more predicate motor vehicle or traffic offenses, whoever 1289
violates this section is guilty of a misdemeanor of the third 1290
degree. 1291

If the offender commits the offense while distracted and 1292
the distracting activity is a contributing factor to the 1293
commission of the offense, the offender is subject to the 1294
additional fine established under section 4511.991 of the 1295
Revised Code. 1296

If the offender commits the offense while operating a 1297
motor vehicle in a construction zone and division (C) of section 1298
4511.993 of the Revised Code applies, the offender is subject to 1299
the additional penalties established under that section. 1300

Sec. 4511.23. (A) No person shall operate a vehicle, 1301
trackless trolley, or streetcar over any bridge or other 1302
elevated structure constituting a part of a highway at a speed 1303
which is greater than the maximum speed that can be maintained 1304
with safety to such bridge or structure, when such structure is 1305
posted with signs as provided in this section. 1306

The department of transportation upon request from any 1307

local authority shall, or upon its own initiative may, conduct 1308
an investigation of any bridge or other elevated structure 1309
constituting a part of a highway, and if it finds that such 1310
structure cannot with safety withstand traffic traveling at the 1311
speed otherwise permissible under sections 4511.01 to 4511.85 1312
and ~~4511.98~~ 4511.993 of the Revised Code, the department shall 1313
determine and declare the maximum speed of traffic which such 1314
structure can withstand, and shall cause or permit suitable 1315
signs stating such maximum speed to be erected and maintained at 1316
a distance of at least one hundred feet before each end of such 1317
structure. 1318

Upon the trial of any person charged with a violation of 1319
this section, proof of said determination of the maximum speed 1320
by the department and the existence of said signs shall 1321
constitute prima-facie evidence of the maximum speed which can 1322
be maintained with safety to such bridge or structure. 1323

(B) Except as otherwise provided in this division, whoever 1324
violates this section is guilty of a minor misdemeanor. If, 1325
within one year of the offense, the offender previously has been 1326
convicted of or pleaded guilty to one predicate motor vehicle or 1327
traffic offense, whoever violates this section is guilty of a 1328
misdemeanor of the fourth degree. If, within one year of the 1329
offense, the offender previously has been convicted of two or 1330
more predicate motor vehicle or traffic offenses, whoever 1331
violates this section is guilty of a misdemeanor of the third 1332
degree. 1333

If the offender commits the offense while distracted and 1334
the distracting activity is a contributing factor to the 1335
commission of the offense, the offender is subject to the 1336
additional fine established under section 4511.991 of the 1337

Revised Code. 1338

If the offender commits the offense while operating a 1339
motor vehicle in a construction zone and division (C) of section 1340
4511.993 of the Revised Code applies, the offender is subject to 1341
the additional penalties established under that section. 1342

Sec. 4511.25. (A) Upon all roadways of sufficient width, a 1343
vehicle or trackless trolley shall be driven upon the right half 1344
of the roadway, except as follows: 1345

(1) When overtaking and passing another vehicle proceeding 1346
in the same direction, or when making a left turn under the 1347
rules governing such movements; 1348

(2) When an obstruction exists making it necessary to 1349
drive to the left of the center of the highway; provided, any 1350
person so doing shall yield the right of way to all vehicles 1351
traveling in the proper direction upon the unobstructed portion 1352
of the highway within such distance as to constitute an 1353
immediate hazard; 1354

(3) When driving upon a roadway divided into three or more 1355
marked lanes for traffic under the rules applicable thereon; 1356

(4) When driving upon a roadway designated and posted with 1357
signs for one-way traffic; 1358

(5) When otherwise directed by a police officer or traffic 1359
control device. 1360

(B) (1) Upon all roadways any vehicle or trackless trolley 1361
proceeding at less than the prevailing and lawful speed of 1362
traffic at the time and place and under the conditions then 1363
existing shall be driven in the right-hand lane then available 1364
for traffic, and far enough to the right to allow passing by 1365

faster vehicles if such passing is safe and reasonable, except 1366
under any of the following circumstances: 1367

(a) When overtaking and passing another vehicle or 1368
trackless trolley proceeding in the same direction; 1369

(b) When preparing for a left turn; 1370

(c) When the driver must necessarily drive in a lane other 1371
than the right-hand lane to continue on the driver's intended 1372
route. 1373

(2) Nothing in division (B) (1) of this section requires a 1374
driver of a slower vehicle to compromise the driver's safety to 1375
allow overtaking by a faster vehicle. 1376

(C) Upon any roadway having four or more lanes for moving 1377
traffic and providing for two-way movement of traffic, no 1378
vehicle or trackless trolley shall be driven to the left of the 1379
center line of the roadway, except when authorized by official 1380
traffic control devices designating certain lanes to the left of 1381
the center of the roadway for use by traffic not otherwise 1382
permitted to use the lanes, or except as permitted under 1383
division (A) (2) of this section. 1384

This division shall not be construed as prohibiting the 1385
crossing of the center line in making a left turn into or from 1386
an alley, private road, or driveway. 1387

(D) Except as otherwise provided in this division, whoever 1388
violates this section is guilty of a minor misdemeanor. If, 1389
within one year of the offense, the offender previously has been 1390
convicted of or pleaded guilty to one predicate motor vehicle or 1391
traffic offense, whoever violates this section is guilty of a 1392
misdemeanor of the fourth degree. If, within one year of the 1393
offense, the offender previously has been convicted of two or 1394

more predicate motor vehicle or traffic offenses, whoever 1395
violates this section is guilty of a misdemeanor of the third 1396
degree. 1397

If the offender commits the offense while distracted and 1398
the distracting activity is a contributing factor to the 1399
commission of the offense, the offender is subject to the 1400
additional fine established under section 4511.991 of the 1401
Revised Code. 1402

If the offender commits the offense while operating a 1403
motor vehicle in a construction zone and division (C) of section 1404
4511.993 of the Revised Code applies, the offender is subject to 1405
the additional penalties established under that section. 1406

Sec. 4511.251. (A) As used in this section and section 1407
4510.036 of the Revised Code: 1408

(1) "Street racing" means the operation of two or more 1409
vehicles from a point side by side at accelerating speeds in a 1410
competitive attempt to out-distance each other or the operation 1411
of one or more vehicles over a common selected course, from the 1412
same point to the same point, wherein timing is made of the 1413
participating vehicles involving competitive accelerations or 1414
speeds. The operation of two or more vehicles side by side 1415
either at speeds in excess of prima-facie lawful speeds 1416
established by divisions (B) (1) (a) to (B) (9) of section 4511.21 1417
of the Revised Code or rapidly accelerating from a common 1418
starting point to a speed in excess of such prima-facie lawful 1419
speeds shall be prima-facie evidence of street racing. 1420

(2) "Burnout" means a maneuver performed while operating a 1421
vehicle whereby the vehicle is kept in a stationary position, 1422
but the wheels of the vehicle are spun, which may cause the 1423

tires of the vehicle to become heated and emit smoke from the 1424
friction. 1425

(3) "Doughnut" means a maneuver performed while operating 1426
a vehicle whereby the front or rear of the vehicle is rotated 1427
around the opposite set of wheels in a continuous motion, which 1428
may cause a circular skid-mark pattern of rubber on the driving 1429
surface, or the tires of the vehicle to become heated and emit 1430
smoke from the friction, or both. 1431

(4) "Drifting" means a maneuver performed while operating 1432
a vehicle whereby the vehicle is driven in a manner that causes 1433
a controlled, sideways skid during a turn, with the front wheels 1434
pointing in a direction that is the opposite of the direction of 1435
the turn. 1436

(5) "Wheelie" means a maneuver performed while operating a 1437
vehicle whereby the front wheel or wheels of the vehicle are 1438
raised off of the ground or whereby two wheels that are on the 1439
same side of the vehicle are raised off of the ground. 1440

(6) "Stunt driving" means performing or engaging in 1441
burnouts, doughnuts, drifting, or wheelies, or allowing a 1442
passenger to ride either partially or fully outside of the 1443
vehicle while operating that vehicle. 1444

(7) "Street takeover" means blocking or impeding the 1445
regular flow of vehicle or pedestrian traffic on a public road, 1446
street, or highway or on private property that is open to the 1447
general public for the purpose of street racing or stunt 1448
driving. 1449

(B) No person shall knowingly participate in street 1450
racing, stunt driving, or street takeover upon any public road, 1451
street, or highway, or on private property that is open to the 1452

general public. 1453

(C) Whoever violates this section is guilty of street 1454
racing, stunt driving, or street takeover, a misdemeanor of the 1455
first degree. In addition to any other sanctions, the court 1456
shall suspend the offender's driver's license, commercial 1457
driver's license, temporary instruction permit, probationary 1458
license, or nonresident operating privilege for not less than 1459
thirty days or more than three years. No judge shall suspend the 1460
first thirty days of any suspension of an offender's license, 1461
permit, or privilege imposed under this division. 1462

(D) Persons rendering assistance in any manner to street 1463
racing, stunt driving, or street takeover shall be equally 1464
charged as the participants. 1465

(E) This section does not apply to the competitive 1466
operation of vehicles on public or private property when the 1467
political subdivision with jurisdiction of the location or owner 1468
of the property knowingly permits such operation thereon. 1469

(F) If the offender commits the offense while operating a 1470
motor vehicle in a construction zone and division (C) of section 1471
4511.993 of the Revised Code applies, the offender is subject to 1472
the additional penalties established under that section. 1473

Sec. 4511.26. (A) Operators of vehicles and trackless 1474
trolleys proceeding in opposite directions shall pass each other 1475
to the right, and upon roadways having width for not more than 1476
one line of traffic in each direction, each operator shall give 1477
to the other one-half of the main traveled portion of the 1478
roadway or as nearly one-half as is reasonable possible. 1479

(B) Except as otherwise provided in this division, whoever 1480
violates this section is guilty of a minor misdemeanor. If, 1481

within one year of the offense, the offender previously has been 1482
convicted of or pleaded guilty to one predicate motor vehicle or 1483
traffic offense, whoever violates this section is guilty of a 1484
misdemeanor of the fourth degree. If, within one year of the 1485
offense, the offender previously has been convicted of two or 1486
more predicate motor vehicle or traffic offenses, whoever 1487
violates this section is guilty of a misdemeanor of the third 1488
degree. 1489

If the offender commits the offense while distracted and 1490
the distracting activity is a contributing factor to the 1491
commission of the offense, the offender is subject to the 1492
additional fine established under section 4511.991 of the 1493
Revised Code. 1494

If the offender commits the offense while operating a 1495
motor vehicle in a construction zone and division (C) of section 1496
4511.993 of the Revised Code applies, the offender is subject to 1497
the additional penalties established under that section. 1498

Sec. 4511.27. (A) The following rules govern the 1499
overtaking and passing of vehicles or trackless trolleys 1500
proceeding in the same direction: 1501

(1) The operator of a vehicle or trackless trolley 1502
overtaking another vehicle or trackless trolley proceeding in 1503
the same direction shall, except as provided in division (A) (3) 1504
of this section, signal to the vehicle or trackless trolley to 1505
be overtaken, shall pass to the left thereof at a safe distance, 1506
and shall not again drive to the right side of the roadway until 1507
safely clear of the overtaken vehicle or trackless trolley. When 1508
a motor vehicle or trackless trolley overtakes and passes a 1509
bicycle or electric bicycle, three feet or greater is considered 1510
a safe passing distance. 1511

(2) Except when overtaking and passing on the right is 1512
permitted, the operator of an overtaken vehicle shall give way 1513
to the right in favor of the overtaking vehicle at the latter's 1514
audible signal, and the operator shall not increase the speed of 1515
the operator's vehicle until completely passed by the overtaking 1516
vehicle. 1517

(3) The operator of a vehicle or trackless trolley 1518
overtaking and passing another vehicle or trackless trolley 1519
proceeding in the same direction on a divided highway as defined 1520
in section 4511.35 of the Revised Code, a limited access highway 1521
as defined in section 5511.02 of the Revised Code, or a highway 1522
with four or more traffic lanes, is not required to signal 1523
audibly to the vehicle or trackless trolley being overtaken and 1524
passed. 1525

(B) Except as otherwise provided in this division, whoever 1526
violates this section is guilty of a minor misdemeanor. If, 1527
within one year of the offense, the offender previously has been 1528
convicted of or pleaded guilty to one predicate motor vehicle or 1529
traffic offense, whoever violates this section is guilty of a 1530
misdemeanor of the fourth degree. If, within one year of the 1531
offense, the offender previously has been convicted of two or 1532
more predicate motor vehicle or traffic offenses, whoever 1533
violates this section is guilty of a misdemeanor of the third 1534
degree. 1535

If the offender commits the offense while distracted and 1536
the distracting activity is a contributing factor to the 1537
commission of the offense, the offender is subject to the 1538
additional fine established under section 4511.991 of the 1539
Revised Code. 1540

If the offender commits the offense while operating a 1541

motor vehicle in a construction zone and division (C) of section 1542
4511.993 of the Revised Code applies, the offender is subject to 1543
the additional penalties established under that section. 1544

Sec. 4511.28. (A) The driver of a vehicle or trackless 1545
trolley may overtake and pass upon the right of another vehicle 1546
or trackless trolley only under the following conditions: 1547

(1) When the vehicle or trackless trolley overtaken is 1548
making or about to make a left turn; 1549

(2) Upon a roadway with unobstructed pavement of 1550
sufficient width for two or more lines of vehicles moving 1551
lawfully in the direction being traveled by the overtaking 1552
vehicle. 1553

(B) The driver of a vehicle or trackless trolley may 1554
overtake and pass another vehicle or trackless trolley only 1555
under conditions permitting such movement in safety. The 1556
movement shall not be made by driving off the roadway. 1557

(C) Except as otherwise provided in this division, whoever 1558
violates this section is guilty of a minor misdemeanor. If, 1559
within one year of the offense, the offender previously has been 1560
convicted of or pleaded guilty to one predicate motor vehicle or 1561
traffic offense, whoever violates this section is guilty of a 1562
misdemeanor of the fourth degree. If, within one year of the 1563
offense, the offender previously has been convicted of two or 1564
more predicate motor vehicle or traffic offenses, whoever 1565
violates this section is guilty of a misdemeanor of the third 1566
degree. 1567

If the offender commits the offense while distracted and 1568
the distracting activity is a contributing factor to the 1569
commission of the offense, the offender is subject to the 1570

additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

Sec. 4511.29. (A) No vehicle or trackless trolley shall be driven to the left of the center of the roadway in overtaking and passing traffic proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made, without interfering with the safe operation of any traffic approaching from the opposite direction or any traffic overtaken. In every event the overtaking vehicle or trackless trolley must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for traffic approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

(B) Except as otherwise provided in this division, 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.

If the offender commits the offense while distracted and

the distracting activity is a contributing factor to the 1601
commission of the offense, the offender is subject to the 1602
additional fine established under section 4511.991 of the 1603
Revised Code. 1604

If the offender commits the offense while operating a 1605
motor vehicle in a construction zone and division (C) of section 1606
4511.993 of the Revised Code applies, the offender is subject to 1607
the additional penalties established under that section. 1608

Sec. 4511.30. (A) No vehicle or trackless trolley shall be 1609
driven upon the left side of the roadway under the following 1610
conditions: 1611

(1) When approaching the crest of a grade or upon a curve 1612
in the highway, where the operator's view is obstructed within 1613
such a distance as to create a hazard in the event traffic might 1614
approach from the opposite direction; 1615

(2) When the view is obstructed upon approaching within 1616
one hundred feet of any bridge, viaduct, or tunnel; 1617

(3) When approaching within one hundred feet of or 1618
traversing any intersection or railroad grade crossing. 1619

(B) This section does not apply to vehicles or trackless 1620
trolleys upon a one-way roadway, upon a roadway where traffic is 1621
lawfully directed to be driven to the left side, or under the 1622
conditions described in division (A) (2) of section 4511.25 of 1623
the Revised Code. 1624

(C) Except as otherwise provided in this division, whoever 1625
violates this section is guilty of a minor misdemeanor. If, 1626
within one year of the offense, the offender previously has been 1627
convicted of or pleaded guilty to one predicate motor vehicle or 1628
traffic offense, whoever violates this section is guilty of a 1629

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.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

Sec. 4511.31. (A) The department of transportation may determine those portions of any state highway where overtaking and passing other traffic or driving to the left of the center or center line of the roadway would be especially hazardous and may, by appropriate signs or markings on the highway, indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible, every operator of a vehicle or trackless trolley shall obey the directions of the signs or markings, notwithstanding the distances set out in section 4511.30 of the Revised Code.

(B) Division (A) of this section does not apply when all of the following apply:

(1) The slower vehicle is proceeding at less than half the speed of the speed limit applicable to that location.

(2) The faster vehicle is capable of overtaking and

passing the slower vehicle without exceeding the speed limit. 1659

(3) There is sufficient clear sight distance to the left 1660
of the center or center line of the roadway to meet the 1661
overtaking and passing provisions of section 4511.29 of the 1662
Revised Code, considering the speed of the slower vehicle. 1663

(C) Except as otherwise provided in this division, whoever 1664
violates this section is guilty of a minor misdemeanor. If, 1665
within one year of the offense, the offender previously has been 1666
convicted of or pleaded guilty to one predicate motor vehicle or 1667
traffic offense, whoever violates this section is guilty of a 1668
misdemeanor of the fourth degree. If, within one year of the 1669
offense, the offender previously has been convicted of two or 1670
more predicate motor vehicle or traffic offenses, whoever 1671
violates this section is guilty of a misdemeanor of the third 1672
degree. 1673

If the offender commits the offense while distracted and 1674
the distracting activity is a contributing factor to the 1675
commission of the offense, the offender is subject to the 1676
additional fine established under section 4511.991 of the 1677
Revised Code. 1678

If the offender commits the offense while operating a 1679
motor vehicle in a construction zone and division (C) of section 1680
4511.993 of the Revised Code applies, the offender is subject to 1681
the additional penalties established under that section. 1682

Sec. 4511.32. (A) The department of transportation may 1683
designate any highway or any separate roadway under its 1684
jurisdiction for one-way traffic and shall erect appropriate 1685
signs giving notice thereof. 1686

Upon a roadway designated and posted with signs for one- 1687

way traffic a vehicle shall be driven only in the direction 1688
designated. 1689

A vehicle passing around a rotary traffic island shall be 1690
driven only to the right of the rotary traffic island. 1691

(B) Except as otherwise provided in this division, whoever 1692
violates this section is guilty of a minor misdemeanor. If, 1693
within one year of the offense, the offender previously has been 1694
convicted of or pleaded guilty to one predicate motor vehicle or 1695
traffic offense, whoever violates this section is guilty of a 1696
misdemeanor of the fourth degree. If, within one year of the 1697
offense, the offender previously has been convicted of two or 1698
more predicate motor vehicle or traffic offenses, whoever 1699
violates this section is guilty of a misdemeanor of the third 1700
degree. 1701

If the offender commits the offense while distracted and 1702
the distracting activity is a contributing factor to the 1703
commission of the offense, the offender is subject to the 1704
additional fine established under section 4511.991 of the 1705
Revised Code. 1706

If the offender commits the offense while operating a 1707
motor vehicle in a construction zone and division (C) of section 1708
4511.993 of the Revised Code applies, the offender is subject to 1709
the additional penalties established under that section. 1710

Sec. 4511.33. (A) Whenever any roadway has been divided 1711
into two or more clearly marked lanes for traffic, or wherever 1712
within municipal corporations traffic is lawfully moving in two 1713
or more substantially continuous lines in the same direction, 1714
the following rules apply: 1715

(1) A vehicle or trackless trolley shall be driven, as 1716

nearly as is practicable, entirely within a single lane or line 1717
of traffic and shall not be moved from such lane or line until 1718
the driver has first ascertained that such movement can be made 1719
with safety. 1720

(2) Upon a roadway which is divided into three lanes and 1721
provides for two-way movement of traffic, a vehicle or trackless 1722
trolley shall not be driven in the center lane except when 1723
overtaking and passing another vehicle or trackless trolley 1724
where the roadway is clearly visible and such center lane is 1725
clear of traffic within a safe distance, or when preparing for a 1726
left turn, or where such center lane is at the time allocated 1727
exclusively to traffic moving in the direction the vehicle or 1728
trackless trolley is proceeding and is posted with signs to give 1729
notice of such allocation. 1730

(3) Official signs may be erected directing specified 1731
traffic to use a designated lane or designating those lanes to 1732
be used by traffic moving in a particular direction regardless 1733
of the center of the roadway, or restricting the use of a 1734
particular lane to only buses during certain hours or during all 1735
hours, and drivers of vehicles and trackless trolleys shall obey 1736
the directions of such signs. 1737

(4) Official traffic control devices may be installed 1738
prohibiting the changing of lanes on sections of roadway and 1739
drivers of vehicles shall obey the directions of every such 1740
device. 1741

(B) Except as otherwise provided in this division, whoever 1742
violates this section is guilty of a minor misdemeanor. If, 1743
within one year of the offense, the offender previously has been 1744
convicted of or pleaded guilty to one predicate motor vehicle or 1745
traffic offense, whoever violates this section is guilty of a 1746

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.

If the offender commits the offense while distracted and
the distracting activity is a contributing factor to the
commission of the offense, the offender is subject to the
additional fine established under section 4511.991 of the
Revised Code.

If the offender commits the offense while operating a
motor vehicle in a construction zone and division (C) of section
4511.993 of the Revised Code applies, the offender is subject to
the additional penalties established under that section.

Sec. 4511.34. (A) The operator of a motor vehicle,
streetcar, or trackless trolley shall not follow another
vehicle, streetcar, or trackless trolley more closely than is
reasonable and prudent, having due regard for the speed of such
vehicle, streetcar, or trackless trolley, and the traffic upon
and the condition of the highway.

The driver of any truck, or motor vehicle drawing another
vehicle, when traveling upon a roadway outside a business or
residence district shall maintain a sufficient space, whenever
conditions permit, between such vehicle and another vehicle
ahead so an overtaking motor vehicle may enter and occupy such
space without danger. This paragraph does not prevent overtaking
and passing nor does it apply to any lane specially designated
for use by trucks.

Outside a municipal corporation, the driver of any truck,

or motor vehicle when drawing another vehicle, while ascending 1776
to the crest of a grade beyond which the driver's view of a 1777
roadway is obstructed, shall not follow within three hundred 1778
feet of another truck, or motor vehicle drawing another vehicle. 1779
This paragraph shall not apply to any lane specially designated 1780
for use by trucks. 1781

Motor vehicles being driven upon any roadway outside of a 1782
business or residence district in a caravan or motorcade, shall 1783
maintain a sufficient space between such vehicles so an 1784
overtaking vehicle may enter and occupy such space without 1785
danger. This paragraph shall not apply to funeral processions. 1786

(B) Except as otherwise provided in this division, whoever 1787
violates this section is guilty of a minor misdemeanor. If, 1788
within one year of the offense, the offender previously has been 1789
convicted of or pleaded guilty to one predicate motor vehicle or 1790
traffic offense, whoever violates this section is guilty of a 1791
misdemeanor of the fourth degree. If, within one year of the 1792
offense, the offender previously has been convicted of two or 1793
more predicate motor vehicle or traffic offenses, whoever 1794
violates this section is guilty of a misdemeanor of the third 1795
degree. 1796

If the offender commits the offense while distracted and 1797
the distracting activity is a contributing factor to the 1798
commission of the offense, the offender is subject to the 1799
additional fine established under section 4511.991 of the 1800
Revised Code. 1801

If the offender commits the offense while operating a 1802
motor vehicle in a construction zone and division (C) of section 1803
4511.993 of the Revised Code applies, the offender is subject to 1804
the additional penalties established under that section. 1805

Sec. 4511.35. (A) Whenever any highway has been divided 1806
into two roadways by an intervening space, or by a physical 1807
barrier, or clearly indicated dividing section so constructed as 1808
to impede vehicular traffic, every vehicle shall be driven only 1809
upon the right-hand roadway, and no vehicle shall be driven 1810
over, across, or within any such dividing space, barrier, or 1811
section, except through an opening, crossover, or intersection 1812
established by public authority. This section does not prohibit 1813
the occupancy of such dividing space, barrier, or section for 1814
the purpose of an emergency stop or in compliance with an order 1815
of a police officer. 1816

(B) Except as otherwise provided in this division, whoever 1817
violates this section is guilty of a minor misdemeanor. If, 1818
within one year of the offense, the offender previously has been 1819
convicted of or pleaded guilty to one predicate motor vehicle or 1820
traffic offense, whoever violates this section is guilty of a 1821
misdemeanor of the fourth degree. If, within one year of the 1822
offense, the offender previously has been convicted of two or 1823
more predicate motor vehicle or traffic offenses, whoever 1824
violates this section is guilty of a misdemeanor of the third 1825
degree. 1826

If the offender commits the offense while distracted and 1827
the distracting activity is a contributing factor to the 1828
commission of the offense, the offender is subject to the 1829
additional fine established under section 4511.991 of the 1830
Revised Code. 1831

If the offender commits the offense while operating a 1832
motor vehicle in a construction zone and division (C) of section 1833
4511.993 of the Revised Code applies, the offender is subject to 1834
the additional penalties established under that section. 1835

Sec. 4511.36. (A) The driver of a vehicle intending to 1836
turn at an intersection shall be governed by the following 1837
rules: 1838

(1) Approach for a right turn and a right turn shall be 1839
made as close as practicable to the right-hand curb or edge of 1840
the roadway. 1841

(2) At any intersection where traffic is permitted to move 1842
in both directions on each roadway entering the intersection, an 1843
approach for a left turn shall be made in that portion of the 1844
right half of the roadway nearest the center line thereof and by 1845
passing to the right of such center line where it enters the 1846
intersection and after entering the intersection the left turn 1847
shall be made so as to leave the intersection to the right of 1848
the center line of the roadway being entered. Whenever 1849
practicable the left turn shall be made in that portion of the 1850
intersection to the left of the center of the intersection. 1851

(3) At any intersection where traffic is restricted to one 1852
direction on one or more of the roadways, the driver of a 1853
vehicle intending to turn left at any such intersection shall 1854
approach the intersection in the extreme left-hand lane lawfully 1855
available to traffic moving in the direction of travel of such 1856
vehicle, and after entering the intersection the left turn shall 1857
be made so as to leave the intersection, as nearly as 1858
practicable, in the left-hand lane of the roadway being entered 1859
lawfully available to traffic moving in that lane. 1860

(B) The operator of a trackless trolley shall comply with 1861
divisions (A) (1), (2), and (3) of this section wherever 1862
practicable. 1863

(C) The department of transportation and local authorities 1864

in their respective jurisdictions may cause markers, buttons, or 1865
signs to be placed within or adjacent to intersections and 1866
thereby require and direct that a different course from that 1867
specified in this section be traveled by vehicles, streetcars, 1868
or trackless trolleys, turning at an intersection, and when 1869
markers, buttons, or signs are so placed, no operator of a 1870
vehicle, streetcar, or trackless trolley shall turn such 1871
vehicle, streetcar, or trackless trolley at an intersection 1872
other than as directed and required by such markers, buttons, or 1873
signs. 1874

(D) Except as otherwise provided in this division, whoever 1875
violates this section is guilty of a minor misdemeanor. If, 1876
within one year of the offense, the offender previously has been 1877
convicted of or pleaded guilty to one predicate motor vehicle or 1878
traffic offense, whoever violates this section is guilty of a 1879
misdemeanor of the fourth degree. If, within one year of the 1880
offense, the offender previously has been convicted of two or 1881
more predicate motor vehicle or traffic offenses, whoever 1882
violates this section is guilty of a misdemeanor of the third 1883
degree. 1884

If the offender commits the offense while distracted and 1885
the distracting activity is a contributing factor to the 1886
commission of the offense, the offender is subject to the 1887
additional fine established under section 4511.991 of the 1888
Revised Code. 1889

If the offender commits the offense while operating a 1890
motor vehicle in a construction zone and division (C) of section 1891
4511.993 of the Revised Code applies, the offender is subject to 1892
the additional penalties established under that section. 1893

Sec. 4511.37. (A) Except as provided in section 4511.13 of 1894

the Revised Code and division (B) of this section, no vehicle 1895
shall be turned so as to proceed in the opposite direction upon 1896
any curve, or upon the approach to or near the crest of a grade, 1897
if the vehicle cannot be seen within five hundred feet by the 1898
driver of any other vehicle approaching from either direction. 1899

(B) The driver of an emergency vehicle or public safety 1900
vehicle, when responding to an emergency call, may turn the 1901
vehicle so as to proceed in the opposite direction. This 1902
division applies only when the emergency vehicle or public 1903
safety vehicle is responding to an emergency call, is equipped 1904
with and displaying at least one flashing, rotating, or 1905
oscillating light visible under normal atmospheric conditions 1906
from a distance of five hundred feet to the front of the 1907
vehicle, and when the driver of the vehicle is giving an audible 1908
signal by siren, exhaust whistle, or bell. This division does 1909
not relieve the driver of an emergency vehicle or public safety 1910
vehicle from the duty to drive with due regard for the safety of 1911
all persons and property upon the highway. 1912

(C) Except as otherwise provided in this division, whoever 1913
violates this section is guilty of a minor misdemeanor. If, 1914
within one year of the offense, the offender previously has been 1915
convicted of or pleaded guilty to one predicate motor vehicle or 1916
traffic offense, whoever violates this section is guilty of a 1917
misdemeanor of the fourth degree. If, within one year of the 1918
offense, the offender previously has been convicted of two or 1919
more predicate motor vehicle or traffic offenses, whoever 1920
violates this section is guilty of a misdemeanor of the third 1921
degree. 1922

If the offender commits the offense while distracted and 1923
the distracting activity is a contributing factor to the 1924

commission of the offense, the offender is subject to the 1925
additional fine established under section 4511.991 of the 1926
Revised Code. 1927

If the offender commits the offense while operating a 1928
motor vehicle in a construction zone and division (C) of section 1929
4511.993 of the Revised Code applies, the offender is subject to 1930
the additional penalties established under that section. 1931

Sec. 4511.38. (A) No person shall start a vehicle, 1932
streetcar, or trackless trolley which is stopped, standing, or 1933
parked until such movement can be made with reasonable safety. 1934

Before backing, operators of vehicle, streetcars, or 1935
trackless trolleys shall give ample warning, and while backing 1936
they shall exercise vigilance not to injure person or property 1937
on the street or highway. 1938

No person shall back a motor vehicle on a freeway, except: 1939
in a rest area; in the performance of public works or official 1940
duties; as a result of an emergency caused by an accident or 1941
breakdown of a motor vehicle. 1942

(B) Except as otherwise provided in this division, whoever 1943
violates this section is guilty of a minor misdemeanor. If, 1944
within one year of the offense, the offender previously has been 1945
convicted of or pleaded guilty to one predicate motor vehicle or 1946
traffic offense, whoever violates this section is guilty of a 1947
misdemeanor of the fourth degree. If, within one year of the 1948
offense, the offender previously has been convicted of two or 1949
more predicate motor vehicle or traffic offenses, whoever 1950
violates this section is guilty of a misdemeanor of the third 1951
degree. 1952

If the offender commits the offense while distracted and 1953

the distracting activity is a contributing factor to the 1954
commission of the offense, the offender is subject to the 1955
additional fine established under section 4511.991 of the 1956
Revised Code. 1957

If the offender commits the offense while operating a 1958
motor vehicle in a construction zone and division (C) of section 1959
4511.993 of the Revised Code applies, the offender is subject to 1960
the additional penalties established under that section. 1961

Sec. 4511.39. (A) No person shall turn a vehicle or 1962
trackless trolley or move right or left upon a highway unless 1963
and until such person has exercised due care to ascertain that 1964
the movement can be made with reasonable safety nor without 1965
giving an appropriate signal in the manner hereinafter provided. 1966

When required, a signal of intention to turn or move right 1967
or left shall be given continuously during not less than the 1968
last one hundred feet traveled by the vehicle or trackless 1969
trolley before turning, except that in the case of a person 1970
operating a bicycle or electric bicycle, the signal shall be 1971
made not less than one time but is not required to be 1972
continuous. A bicycle or electric bicycle operator is not 1973
required to make a signal if the bicycle or electric bicycle is 1974
in a designated turn lane, and a signal shall not be given when 1975
the operator's hands are needed for the safe operation of the 1976
bicycle or electric bicycle. 1977

No person shall stop or suddenly decrease the speed of a 1978
vehicle or trackless trolley without first giving an appropriate 1979
signal in the manner provided herein to the driver of any 1980
vehicle or trackless trolley immediately to the rear when there 1981
is opportunity to give a signal. 1982

Any stop or turn signal required by this section shall be 1983
given either by means of the hand and arm, or by signal lights 1984
that clearly indicate to both approaching and following traffic 1985
intention to turn or move right or left, except that any motor 1986
vehicle in use on a highway shall be equipped with, and the 1987
required signal shall be given by, signal lights when the 1988
distance from the center of the top of the steering post to the 1989
left outside limit of the body, cab, or load of such motor 1990
vehicle exceeds twenty-four inches, or when the distance from 1991
the center of the top of the steering post to the rear limit of 1992
the body or load thereof exceeds fourteen feet, whether a single 1993
vehicle or a combination of vehicles. 1994

The signal lights required by this section shall not be 1995
flashed on one side only on a disabled vehicle or trackless 1996
trolley, flashed as a courtesy or "do pass" signal to operators 1997
of other vehicles or trackless trolleys approaching from the 1998
rear, nor be flashed on one side only of a parked vehicle or 1999
trackless trolley except as may be necessary for compliance with 2000
this section. 2001

(B) Except as otherwise provided in this division, whoever 2002
violates this section is guilty of a minor misdemeanor. If, 2003
within one year of the offense, the offender previously has been 2004
convicted of or pleaded guilty to one predicate motor vehicle or 2005
traffic offense, whoever violates this section is guilty of a 2006
misdemeanor of the fourth degree. If, within one year of the 2007
offense, the offender previously has been convicted of two or 2008
more predicate motor vehicle or traffic offenses, whoever 2009
violates this section is guilty of a misdemeanor of the third 2010
degree. 2011

If the offender commits the offense while distracted and 2012

the distracting activity is a contributing factor to the 2013
commission of the offense, the offender is subject to the 2014
additional fine established under section 4511.991 of the 2015
Revised Code. 2016

If the offender commits the offense while operating a 2017
motor vehicle in a construction zone and division (C) of section 2018
4511.993 of the Revised Code applies, the offender is subject to 2019
the additional penalties established under that section. 2020

Sec. 4511.41. (A) When two vehicles, including any 2021
trackless trolley or streetcar, approach or enter an 2022
intersection from different streets or highways at approximately 2023
the same time, the driver of the vehicle on the left shall yield 2024
the right-of-way to the vehicle on the right. 2025

(B) The right-of-way rule declared in division (A) of this 2026
section is modified at through highways and otherwise as stated 2027
in Chapter 4511. of the Revised Code. 2028

(C) Except as otherwise provided in this division, whoever 2029
violates this section is guilty of a minor misdemeanor. If, 2030
within one year of the offense, the offender previously has been 2031
convicted of or pleaded guilty to one predicate motor vehicle or 2032
traffic offense, whoever violates this section is guilty of a 2033
misdemeanor of the fourth degree. If, within one year of the 2034
offense, the offender previously has been convicted of two or 2035
more predicate motor vehicle or traffic offenses, whoever 2036
violates this section is guilty of a misdemeanor of the third 2037
degree. 2038

If the offender commits the offense while distracted and 2039
the distracting activity is a contributing factor to the 2040
commission of the offense, the offender is subject to the 2041

additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

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

(B) Except as otherwise provided in this division, 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.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

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

(B) The driver of a vehicle or trackless trolley approaching a yield sign shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle or trackless trolley in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways. Whenever a driver is involved in a collision with a vehicle or trackless trolley in the intersection or junction of roadways, after driving past a

yield sign without stopping, the collision shall be prima-facie 2102
evidence of the driver's failure to yield the right-of-way. 2103

(C) Except as otherwise provided in this division, whoever 2104
violates this section is guilty of a minor misdemeanor. If, 2105
within one year of the offense, the offender previously has been 2106
convicted of or pleaded guilty to one predicate motor vehicle or 2107
traffic offense, whoever violates this section is guilty of a 2108
misdemeanor of the fourth degree. If, within one year of the 2109
offense, the offender previously has been convicted of two or 2110
more predicate motor vehicle or traffic offenses, whoever 2111
violates this section is guilty of a misdemeanor of the third 2112
degree. 2113

If the offender commits the offense while distracted and 2114
the distracting activity is a contributing factor to the 2115
commission of the offense, the offender is subject to the 2116
additional fine established under section 4511.991 of the 2117
Revised Code. 2118

If the offender commits the offense while operating a 2119
motor vehicle in a construction zone and division (C) of section 2120
4511.993 of the Revised Code applies, the offender is subject to 2121
the additional penalties established under that section. 2122

Sec. 4511.431. (A) The driver of a vehicle or trackless 2123
trolley emerging from an alley, building, private road, or 2124
driveway within a business or residence district shall stop the 2125
vehicle or trackless trolley immediately prior to driving onto a 2126
sidewalk or onto the sidewalk area extending across the alley, 2127
building entrance, road, or driveway, or in the event there is 2128
no sidewalk area, shall stop at the point nearest the street to 2129
be entered where the driver has a view of approaching traffic 2130
thereon. 2131

(B) Except as otherwise provided in this division, 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.

If the offender commits the offense while distracted and
the distracting activity is a contributing factor to the
commission of the offense, the offender is subject to the
additional fine established under section 4511.991 of the
Revised Code.

If the offender commits the offense while operating a
motor vehicle in a construction zone and division (C) of section
4511.993 of the Revised Code applies, the offender is subject to
the additional penalties established under that section.

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or
trackless trolley about to enter or cross a highway from any
place other than another roadway shall yield the right of way to
all traffic approaching on the roadway to be entered or crossed.

(B) Except as otherwise provided in this division, 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 2162
violates this section is guilty of a misdemeanor of the third 2163
degree. 2164

If the offender commits the offense while distracted and 2165
the distracting activity is a contributing factor to the 2166
commission of the offense, the offender is subject to the 2167
additional fine established under section 4511.991 of the 2168
Revised Code. 2169

If the offender commits the offense while operating a 2170
motor vehicle in a construction zone and division (C) of section 2171
4511.993 of the Revised Code applies, the offender is subject to 2172
the additional penalties established under that section. 2173

Sec. 4511.441. (A) The driver of a vehicle shall yield the 2174
right-of-way to any pedestrian on a sidewalk. 2175

(B) Except as otherwise provided in this division, whoever 2176
violates this section is guilty of a minor misdemeanor. If, 2177
within one year of the offense, the offender previously has been 2178
convicted of or pleaded guilty to one predicate motor vehicle or 2179
traffic offense, whoever violates this section is guilty of a 2180
misdemeanor of the fourth degree. If, within one year of the 2181
offense, the offender previously has been convicted of two or 2182
more predicate motor vehicle or traffic offenses, whoever 2183
violates this section is guilty of a misdemeanor of the third 2184
degree. 2185

If the offender commits the offense while distracted and 2186
the distracting activity is a contributing factor to the 2187
commission of the offense, the offender is subject to the 2188
additional fine established under section 4511.991 of the 2189
Revised Code. 2190

If the offender commits the offense while operating a 2191
motor vehicle in a construction zone and division (C) of section 2192
4511.993 of the Revised Code applies, the offender is subject to 2193
the additional penalties established under that section. 2194

Sec. 4511.451. (A) As used in this section, "funeral 2195
procession" means two or more vehicles accompanying the cremated 2196
remains or the body of a deceased person in the daytime when 2197
each of the vehicles has its headlights lighted and is 2198
displaying a purple and white or an orange and white pennant 2199
attached to each vehicle in such a manner as to be clearly 2200
visible to traffic approaching from any direction. 2201

(B) Excepting public safety vehicles proceeding in 2202
accordance with section 4511.45 of the Revised Code or when 2203
directed otherwise by a police officer, pedestrians and the 2204
operators of all vehicles, street cars, and trackless trolleys 2205
shall yield the right of way to each vehicle that is a part of a 2206
funeral procession. Whenever the lead vehicle in a funeral 2207
procession lawfully enters an intersection, the remainder of the 2208
vehicles in the procession may continue to follow the lead 2209
vehicle through the intersection notwithstanding any traffic 2210
control devices or right of way provisions of the Revised Code, 2211
provided that the operator of each vehicle exercises due care to 2212
avoid colliding with any other vehicle or pedestrian. 2213

(C) No person shall operate any vehicle as a part of a 2214
funeral procession without having the headlights of the vehicle 2215
lighted and without displaying a purple and white or an orange 2216
and white pennant in such a manner as to be clearly visible to 2217
traffic approaching from any direction. 2218

(D) Except as otherwise provided in this division, whoever 2219
violates this section is guilty of a minor misdemeanor. If, 2220

within one year of the offense, the offender previously has been 2221
convicted of or pleaded guilty to one predicate motor vehicle or 2222
traffic offense, whoever violates this section is guilty of a 2223
misdemeanor of the fourth degree. If, within one year of the 2224
offense, the offender previously has been convicted of two or 2225
more predicate motor vehicle or traffic offenses, whoever 2226
violates this section is guilty of a misdemeanor of the third 2227
degree. 2228

If the offender commits the offense while distracted and 2229
the distracting activity is a contributing factor to the 2230
commission of the offense, the offender is subject to the 2231
additional fine established under section 4511.991 of the 2232
Revised Code. 2233

If the offender commits the offense while operating a 2234
motor vehicle in a construction zone and division (C) of section 2235
4511.993 of the Revised Code applies, the offender is subject to 2236
the additional penalties established under that section. 2237

Sec. 4511.46. (A) When traffic control signals are not in 2238
place, not in operation, or are not clearly assigning the right- 2239
of-way, the driver of a vehicle, trackless trolley, or streetcar 2240
shall yield the right of way, slowing down or stopping if need 2241
be to so yield or if required by section 4511.132 of the Revised 2242
Code, to a pedestrian crossing the roadway within a crosswalk 2243
when the pedestrian is upon the half of the roadway upon which 2244
the vehicle is traveling, or when the pedestrian is approaching 2245
so closely from the opposite half of the roadway as to be in 2246
danger. 2247

(B) No pedestrian shall suddenly leave a curb or other 2248
place of safety and walk or run into the path of a vehicle, 2249
trackless trolley, or streetcar which is so close as to 2250

constitute an immediate hazard. 2251

(C) Division (A) of this section does not apply under the 2252
conditions stated in division (B) of section 4511.48 of the 2253
Revised Code. 2254

(D) Whenever any vehicle, trackless trolley, or streetcar 2255
is stopped at a marked crosswalk or at any unmarked crosswalk at 2256
an intersection to permit a pedestrian to cross the roadway, the 2257
driver of any other vehicle, trackless trolley, or streetcar 2258
approaching from the rear shall not overtake and pass the 2259
stopped vehicle. 2260

(E) Except as otherwise provided in this division, whoever 2261
violates this section is guilty of a minor misdemeanor. If, 2262
within one year of the offense, the offender previously has been 2263
convicted of or pleaded guilty to one predicate motor vehicle or 2264
traffic offense, whoever violates this section is guilty of a 2265
misdemeanor of the fourth degree. If, within one year of the 2266
offense, the offender previously has been convicted of two or 2267
more predicate motor vehicle or traffic offenses, whoever 2268
violates this section is guilty of a misdemeanor of the third 2269
degree. 2270

If the offender commits the offense while distracted and 2271
the distracting activity is a contributing factor to the 2272
commission of the offense, the offender is subject to the 2273
additional fine established under section 4511.991 of the 2274
Revised Code. 2275

If the offender commits the offense while operating a 2276
motor vehicle in a construction zone and division (C) of section 2277
4511.993 of the Revised Code applies, the offender is subject to 2278
the additional penalties established under that section. 2279

Sec. 4511.47. (A) As used in this section "blind person" 2280
or "blind pedestrian" means a person having not more than 20/200 2281
visual acuity in the better eye with correcting lenses or visual 2282
acuity greater than 20/200 but with a limitation in the fields 2283
of vision such that the widest diameter of the visual field 2284
subtends an angle no greater than twenty degrees. 2285

The driver of every vehicle shall yield the right of way 2286
to every blind pedestrian guided by a guide dog, or carrying a 2287
cane which is predominantly white or metallic in color, with or 2288
without a red tip. 2289

(B) No person, other than a blind person, while on any 2290
public highway, street, alley, or other public thoroughfare 2291
shall carry a white or metallic cane with or without a red tip. 2292

(C) Except as otherwise provided in this division, whoever 2293
violates this section is guilty of a minor misdemeanor. If, 2294
within one year of the offense, the offender previously has been 2295
convicted of or pleaded guilty to one predicate motor vehicle or 2296
traffic offense, whoever violates this section is guilty of a 2297
misdemeanor of the fourth degree. If, within one year of the 2298
offense, the offender previously has been convicted of two or 2299
more predicate motor vehicle or traffic offenses, whoever 2300
violates this section is guilty of a misdemeanor of the third 2301
degree. 2302

If the offender commits the offense while distracted and 2303
the distracting activity is a contributing factor to the 2304
commission of the offense, the offender is subject to the 2305
additional fine established under section 4511.991 of the 2306
Revised Code. 2307

If the offender commits the offense while operating a 2308

motor vehicle in a construction zone and division (C) of section 2309
4511.993 of the Revised Code applies, the offender is subject to 2310
the additional penalties established under that section. 2311

Sec. 4511.54. (A) No person riding upon any bicycle, 2312
electric bicycle, coaster, roller skates, sled, skateboard, or 2313
toy vehicle shall attach the same or self to any streetcar, 2314
trackless trolley, or vehicle upon a roadway. 2315

No operator shall knowingly permit any person riding upon 2316
any bicycle, electric bicycle, coaster, roller skates, sled, 2317
skateboard, or toy vehicle to attach the same or self to any 2318
streetcar, trackless trolley, or vehicle while it is moving upon 2319
a roadway. 2320

This section does not apply to the towing of a disabled 2321
vehicle. 2322

(B) Except as otherwise provided in this division, whoever 2323
violates this section is guilty of a minor misdemeanor. If, 2324
within one year of the offense, the offender previously has been 2325
convicted of or pleaded guilty to one predicate motor vehicle or 2326
traffic offense, whoever violates this section is guilty of a 2327
misdemeanor of the fourth degree. If, within one year of the 2328
offense, the offender previously has been convicted of two or 2329
more predicate motor vehicle or traffic offenses, whoever 2330
violates this section is guilty of a misdemeanor of the third 2331
degree. 2332

If the offender commits the offense while distracted and 2333
the distracting activity is a contributing factor to the 2334
commission of the offense, the offender is subject to the 2335
additional fine established under section 4511.991 of the 2336
Revised Code. 2337

If the offender commits the offense while operating a 2338
motor vehicle in a construction zone and division (C) of section 2339
4511.993 of the Revised Code applies, the offender is subject to 2340
the additional penalties established under that section. 2341

Sec. 4511.57. (A) The driver of a vehicle shall not 2342
overtake and pass upon the left nor drive upon the left side of 2343
any streetcar proceeding in the same direction, whether such 2344
streetcar is in motion or at rest, except: 2345

(1) When so directed by a police officer or traffic 2346
control device; 2347

(2) When upon a one-way street; 2348

(3) When upon a street where the tracks are so located as 2349
to prevent compliance with this section; 2350

(4) When authorized by local authorities. 2351

(B) The driver of any vehicle when permitted to overtake 2352
and pass upon the left of a streetcar which has stopped for the 2353
purpose of receiving or discharging any passenger shall accord 2354
pedestrians the right of way. 2355

(C) Except as otherwise provided in this division, whoever 2356
violates this section is guilty of a minor misdemeanor. If, 2357
within one year of the offense, the offender previously has been 2358
convicted of or pleaded guilty to one predicate motor vehicle or 2359
traffic offense, whoever violates this section is guilty of a 2360
misdemeanor of the fourth degree. If, within one year of the 2361
offense, the offender previously has been convicted of two or 2362
more predicate motor vehicle or traffic offenses, whoever 2363
violates this section is guilty of a misdemeanor of the third 2364
degree. 2365

If the offender commits the offense while distracted and 2366
the distracting activity is a contributing factor to the 2367
commission of the offense, the offender is subject to the 2368
additional fine established under section 4511.991 of the 2369
Revised Code. 2370

If the offender commits the offense while operating a 2371
motor vehicle in a construction zone and division (C) of section 2372
4511.993 of the Revised Code applies, the offender is subject to 2373
the additional penalties established under that section. 2374

Sec. 4511.58. (A) The driver of a vehicle overtaking upon 2375
the right any streetcar stopped for the purpose of receiving or 2376
discharging any passenger shall stop such vehicle at least five 2377
feet to the rear of the nearest running board or door of such 2378
streetcar and remain standing until all passengers have boarded 2379
such streetcar, or upon alighting therefrom have reached a place 2380
of safety, except that where a safety zone has been established, 2381
a vehicle need not be brought to a stop before passing any such 2382
streetcar or any trackless trolley, but may proceed past such 2383
streetcar or trackless trolley at a speed not greater than is 2384
reasonable and proper considering the safety of pedestrians. 2385

(B) Except as otherwise provided in this division, whoever 2386
violates this section is guilty of a minor misdemeanor. If, 2387
within one year of the offense, the offender previously has been 2388
convicted of or pleaded guilty to one predicate motor vehicle or 2389
traffic offense, whoever violates this section is guilty of a 2390
misdemeanor of the fourth degree. If, within one year of the 2391
offense, the offender previously has been convicted of two or 2392
more predicate motor vehicle or traffic offenses, whoever 2393
violates this section is guilty of a misdemeanor of the third 2394
degree. 2395

If the offender commits the offense while distracted and 2396
the distracting activity is a contributing factor to the 2397
commission of the offense, the offender is subject to the 2398
additional fine established under section 4511.991 of the 2399
Revised Code. 2400

If the offender commits the offense while operating a 2401
motor vehicle in a construction zone and division (C) of section 2402
4511.993 of the Revised Code applies, the offender is subject to 2403
the additional penalties established under that section. 2404

Sec. 4511.59. (A) The driver of any vehicle proceeding 2405
upon any streetcar tracks in front of a streetcar shall remove 2406
such vehicle from the track as soon as practicable after signal 2407
from the operator of said streetcar. 2408

The driver of a vehicle upon overtaking and passing a 2409
streetcar shall not turn in front of such streetcar unless such 2410
movement can be made in safety. 2411

(B) Except as otherwise provided in this division, whoever 2412
violates this section is guilty of a minor misdemeanor. If, 2413
within one year of the offense, the offender previously has been 2414
convicted of or pleaded guilty to one predicate motor vehicle or 2415
traffic offense, whoever violates this section is guilty of a 2416
misdemeanor of the fourth degree. If, within one year of the 2417
offense, the offender previously has been convicted of two or 2418
more predicate motor vehicle or traffic offenses, whoever 2419
violates this section is guilty of a misdemeanor of the third 2420
degree. 2421

If the offender commits the offense while distracted and 2422
the distracting activity is a contributing factor to the 2423
commission of the offense, the offender is subject to the 2424

additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

Sec. 4511.60. (A) No vehicle shall at any time be driven through or within a safety zone.

(B) Except as otherwise provided in this division, 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.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

If the offender commits the offense while operating a motor vehicle in a construction zone and division (C) of section 4511.993 of the Revised Code applies, the offender is subject to the additional penalties established under that section.

Sec. 4511.61. (A) As used in this section, "active grade crossing warning device" means signs, signals, gates, or other

protective devices erected or installed at a public highway- 2454
railway crossing at common grade and activated by an electrical 2455
circuit. 2456

(B) The department of transportation and local authorities 2457
in their respective jurisdictions, with the approval of the 2458
department, may designate dangerous highway crossings over 2459
railroad tracks whether on state, county, or township highways 2460
or on streets or ways within municipal corporations, and erect 2461
stop signs thereat. 2462

(C) (1) The department and local authorities shall erect 2463
stop signs at a railroad highway grade crossing in either of the 2464
following circumstances: 2465

(a) New warning devices that are not active grade crossing 2466
warning devices are being installed at the grade crossing, and 2467
railroad crossbucks were the only warning devices at the grade 2468
crossing prior to the installation of the new warning devices. 2469

(b) The grade crossing is constructed after July 1, 2013, 2470
and only warning devices that are not active grade crossing 2471
warning devices are installed at the grade crossing. 2472

(2) Division (C) (1) of this section does not apply to a 2473
railroad highway grade crossing that the director of 2474
transportation has exempted from that division because of 2475
traffic flow or other considerations or factors. 2476

(D) When stop signs are erected pursuant to division (B) 2477
or (C) of this section, the operator of any vehicle, streetcar, 2478
or trackless trolley shall stop within fifty, but not less than 2479
fifteen, feet from the nearest rail of the railroad tracks and 2480
shall exercise due care before proceeding across such grade 2481
crossing. 2482

(E) Except as otherwise provided in this division, whoever 2483
violates division (D) of this section is guilty of a minor 2484
misdemeanor. If, within one year of the offense, the offender 2485
previously has been convicted of or pleaded guilty to one 2486
predicate motor vehicle or traffic offense, whoever violates 2487
this section is guilty of a misdemeanor of the fourth degree. 2488
If, within one year of the offense, the offender previously has 2489
been convicted of two or more predicate motor vehicle or traffic 2490
offenses, whoever violates this section is guilty of a 2491
misdemeanor of the third degree. 2492

If the offender commits the offense while distracted and 2493
the distracting activity is a contributing factor to the 2494
commission of the offense, the offender is subject to the 2495
additional fine established under section 4511.991 of the 2496
Revised Code. 2497

If the offender commits the offense while operating a 2498
motor vehicle in a construction zone and division (C) of section 2499
4511.993 of the Revised Code applies, the offender is subject to 2500
the additional penalties established under that section. 2501

Sec. 4511.64. (A) No person shall operate or move any 2502
crawler-type tractor, steam shovel, derrick, roller, or any 2503
equipment or structure having a normal operating speed of six or 2504
less miles per hour or a vertical body or load clearance of less 2505
than nine inches above the level surface of a roadway, upon or 2506
across any tracks at a railroad grade crossing without first 2507
complying with divisions (A) (1) and (2) of this section. 2508

(1) Before making any such crossing, the person operating 2509
or moving any such vehicle or equipment shall first stop the 2510
same, and while stopped the person shall listen and look in both 2511
directions along such track for any approaching train and for 2512

signals indicating the approach of a train, and shall proceed 2513
only upon exercising due care. 2514

(2) No such crossing shall be made when warning is given 2515
by automatic signal or crossing gates or a flagperson or 2516
otherwise of the immediate approach of a railroad train or car. 2517

(B) If the normal sustained speed of such vehicle, 2518
equipment, or structure is not more than three miles per hour, 2519
the person owning, operating, or moving the same shall also give 2520
notice of such intended crossing to a station agent or 2521
superintendent of the railroad, and a reasonable time shall be 2522
given to such railroad to provide proper protection for such 2523
crossing. Where such vehicles or equipment are being used in 2524
constructing or repairing a section of highway lying on both 2525
sides of a railroad grade crossing, and in such construction or 2526
repair it is necessary to repeatedly move such vehicles or 2527
equipment over such crossing, one daily notice specifying when 2528
such work will start and stating the hours during which it will 2529
be prosecuted is sufficient. 2530

(C) Except as otherwise provided in this division, whoever 2531
violates this section is guilty of a minor misdemeanor. If, 2532
within one year of the offense, the offender previously has been 2533
convicted of or pleaded guilty to one predicate motor vehicle or 2534
traffic offense, whoever violates this section is guilty of a 2535
misdemeanor of the fourth degree. If, within one year of the 2536
offense, the offender previously has been convicted of two or 2537
more predicate motor vehicle or traffic offenses, whoever 2538
violates this section is guilty of a misdemeanor of the third 2539
degree. 2540

If the offender commits the offense while distracted and 2541
the distracting activity is a contributing factor to the 2542

commission of the offense, the offender is subject to the 2543
additional fine established under section 4511.991 of the 2544
Revised Code. 2545

If the offender commits the offense while operating a 2546
motor vehicle in a construction zone and division (C) of section 2547
4511.993 of the Revised Code applies, the offender is subject to 2548
the additional penalties established under that section. 2549

Sec. 4511.71. (A) No person shall drive upon, along, or 2550
across a street or highway, or any part of a street or highway 2551
that has been closed in the process of its construction, 2552
reconstruction, or repair, and posted with appropriate signs by 2553
the authority having jurisdiction to close such highway. 2554

(B) Except as otherwise provided in this division, whoever 2555
violates this section is guilty of a minor misdemeanor. If, 2556
within one year of the offense, the offender previously has been 2557
convicted of or pleaded guilty to one predicate motor vehicle or 2558
traffic offense, whoever violates this section is guilty of a 2559
misdemeanor of the fourth degree. If, within one year of the 2560
offense, the offender previously has been convicted of two or 2561
more predicate motor vehicle or traffic offenses, whoever 2562
violates this section is guilty of a misdemeanor of the third 2563
degree. 2564

If the offender commits the offense while distracted and 2565
the distracting activity is a contributing factor to the 2566
commission of the offense, the offender is subject to the 2567
additional fine established under section 4511.991 of the 2568
Revised Code. 2569

If the offender commits the offense while operating a 2570
motor vehicle in a construction zone and division (C) of section 2571

4511.993 of the Revised Code applies, the offender is subject to 2572
the additional penalties established under that section. 2573

Sec. 4511.711. (A) No person shall drive any vehicle, 2574
other than a bicycle or an electric bicycle if the motor is not 2575
engaged, upon a sidewalk or sidewalk area except upon a 2576
permanent or duly authorized temporary driveway. 2577

This prohibition does not apply to a law enforcement 2578
officer, or other person sworn to enforce the criminal and 2579
traffic laws of the state, using an electric bicycle with the 2580
motor engaged while in the performance of the officer's duties. 2581

Nothing in this section shall be construed as prohibiting 2582
local authorities from regulating the operation of bicycles or 2583
electric bicycles within their respective jurisdictions, except 2584
that no local authority may require that bicycles or electric 2585
bicycles be operated on sidewalks. 2586

(B) Except as otherwise provided in this division, whoever 2587
violates this section is guilty of a minor misdemeanor. If, 2588
within one year of the offense, the offender previously has been 2589
convicted of or pleaded guilty to one predicate motor vehicle or 2590
traffic offense, whoever violates this section is guilty of a 2591
misdemeanor of the fourth degree. If, within one year of the 2592
offense, the offender previously has been convicted of two or 2593
more predicate motor vehicle or traffic offenses, whoever 2594
violates this section is guilty of a misdemeanor of the third 2595
degree. 2596

If the offender commits the offense while distracted and 2597
the distracting activity is a contributing factor to the 2598
commission of the offense, the offender is subject to the 2599
additional fine established under section 4511.991 of the 2600

Revised Code. 2601

If the offender commits the offense while operating a 2602
motor vehicle in a construction zone, the offender is subject to 2603
the additional penalties established under section 4511.993 of 2604
the Revised Code. 2605

Sec. 4511.712. (A) No driver shall enter an intersection 2606
or marked crosswalk or drive onto any railroad grade crossing 2607
unless there is sufficient space on the other side of the 2608
intersection, crosswalk, or grade crossing to accommodate the 2609
vehicle, streetcar, or trackless trolley the driver is operating 2610
without obstructing the passage of other vehicles, streetcars, 2611
trackless trolleys, pedestrians, or railroad trains, 2612
notwithstanding any traffic control signal indication to 2613
proceed. 2614

(B) Except as otherwise provided in this division, whoever 2615
violates this section is guilty of a minor misdemeanor. If, 2616
within one year of the offense, the offender previously has been 2617
convicted of or pleaded guilty to one predicate motor vehicle or 2618
traffic offense, whoever violates this section is guilty of a 2619
misdemeanor of the fourth degree. If, within one year of the 2620
offense, the offender previously has been convicted of two or 2621
more predicate motor vehicle or traffic offenses, whoever 2622
violates this section is guilty of a misdemeanor of the third 2623
degree. 2624

If the offender commits the offense while distracted and 2625
the distracting activity is a contributing factor to the 2626
commission of the offense, the offender is subject to the 2627
additional fine established under section 4511.991 of the 2628
Revised Code. 2629

If the offender commits the offense while operating a 2630
motor vehicle in a construction zone and division (C) of section 2631
4511.993 of the Revised Code applies, the offender is subject to 2632
the additional penalties established under that section. 2633

Sec. 4511.72. (A) The driver of any vehicle, other than an 2634
emergency vehicle or public safety vehicle on official business, 2635
shall not follow any emergency vehicle or public safety vehicle 2636
traveling in response to an alarm closer than five hundred feet, 2637
or drive into or park such vehicle within the block where fire 2638
apparatus has stopped in answer to a fire alarm, unless directed 2639
to do so by a police officer or a firefighter. 2640

(B) Except as otherwise provided in this division, whoever 2641
violates this section is guilty of a minor misdemeanor. If, 2642
within one year of the offense, the offender previously has been 2643
convicted of or pleaded guilty to one predicate motor vehicle or 2644
traffic offense, whoever violates this section is guilty of a 2645
misdemeanor of the fourth degree. If, within one year of the 2646
offense, the offender previously has been convicted of two or 2647
more predicate motor vehicle or traffic offenses, whoever 2648
violates this section is guilty of a misdemeanor of the third 2649
degree. 2650

If the offender commits the offense while distracted and 2651
the distracting activity is a contributing factor to the 2652
commission of the offense, the offender is subject to the 2653
additional fine established under section 4511.991 of the 2654
Revised Code. 2655

If the offender commits the offense while operating a 2656
motor vehicle in a construction zone and division (C) of section 2657
4511.993 of the Revised Code applies, the offender is subject to 2658
the additional penalties established under that section. 2659

Sec. 4511.73. (A) No streetcar, trackless trolley, or 2660
vehicle shall, without the consent of the fire department 2661
official in command, be driven over any unprotected hose of a 2662
fire department that is laid down on any street, private 2663
driveway, or streetcar track to be used at any fire or alarm of 2664
fire. 2665

(B) Except as otherwise provided in this division, whoever 2666
violates this section is guilty of a minor misdemeanor. If, 2667
within one year of the offense, the offender previously has been 2668
convicted of or pleaded guilty to one predicate motor vehicle or 2669
traffic offense, whoever violates this section is guilty of a 2670
misdemeanor of the fourth degree. If, within one year of the 2671
offense, the offender previously has been convicted of two or 2672
more predicate motor vehicle or traffic offenses, whoever 2673
violates this section is guilty of a misdemeanor of the third 2674
degree. 2675

If the offender commits the offense while distracted and 2676
the distracting activity is a contributing factor to the 2677
commission of the offense, the offender is subject to the 2678
additional fine established under section 4511.991 of the 2679
Revised Code. 2680

If the offender commits the offense while operating a 2681
motor vehicle in a construction zone and division (C) of section 2682
4511.993 of the Revised Code applies, the offender is subject to 2683
the additional penalties established under that section. 2684

Sec. 4511.991. (A) As used in this section and each 2685
section referenced in division (B) of this section, all of the 2686
following apply: 2687

(1) "Distracted" means doing either of the following while 2688

operating a vehicle:	2689
(a) Using an electronic wireless communications device, as defined in section 4511.204 of the Revised Code, in violation of that section;	2690 2691 2692
(b) Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.	2693 2694 2695 2696
(2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of section 4511.84 of the Revised Code.	2697 2698 2699 2700 2701
(3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage, or a circumstance affecting the health or safety of individuals.	2702 2703 2704 2705 2706
As used in division (A) (3) of this section:	2707
(a) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.	2708 2709
(b) "Utility service vehicle" means a vehicle owned or operated by a utility.	2710 2711
(B) If an offender violates section 4511.03, 4511.051, 4511.12, 4511.121, 4511.132, <u>4511.17</u> , <u>4511.202</u> , 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41,	2712 2713 2714 2715 2716

4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 2717
4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 2718
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2719
4511.713, 4511.72, or 4511.73 of the Revised Code while 2720
distracted and the distracting activity is a contributing factor 2721
to the commission of the violation, the offender is subject to 2722
the applicable penalty for the violation and, notwithstanding 2723
section 2929.28 of the Revised Code, is subject to an additional 2724
fine of not more than one hundred dollars as follows: 2725

(1) Subject to Traffic Rule 13, if a law enforcement 2726
officer issues an offender a ticket, citation, or summons for a 2727
violation of any of the aforementioned sections of the Revised 2728
Code that indicates that the offender was distracted while 2729
committing the violation and that the distracting activity was a 2730
contributing factor to the commission of the violation, the 2731
offender may enter a written plea of guilty and waive the 2732
offender's right to contest the ticket, citation, or summons in 2733
a trial provided that the offender pays the total amount of the 2734
fine established for the violation and pays the additional fine 2735
of one hundred dollars. 2736

In lieu of payment of the additional fine of one hundred 2737
dollars, the offender instead may elect to attend a distracted 2738
driving safety course, the duration and contents of which shall 2739
be established by the director of public safety. If the offender 2740
attends and successfully completes the course, the offender 2741
shall be issued written evidence that the offender successfully 2742
completed the course. The offender shall be required to pay the 2743
total amount of the fine established for the violation, but 2744
shall not be required to pay the additional fine of one hundred 2745
dollars, so long as the offender submits to the court both the 2746
offender's payment in full and such written evidence within 2747

ninety days of the underlying violation that resulted in the 2748
imposition of the additional fine under division (B) of this 2749
section. 2750

(2) If the offender appears in person to contest the 2751
ticket, citation, or summons in a trial and the offender pleads 2752
guilty to or is convicted of the violation, the court, in 2753
addition to all other penalties provided by law, may impose the 2754
applicable penalty for the violation and may impose the 2755
additional fine of not more than one hundred dollars. 2756

If the court imposes upon the offender the applicable 2757
penalty for the violation and an additional fine of not more 2758
than one hundred dollars, the court shall inform the offender 2759
that, in lieu of payment of the additional fine of not more than 2760
one hundred dollars, the offender instead may elect to attend 2761
the distracted driving safety course described in division (B) 2762
(1) of this section. If the offender elects the course option 2763
and attends and successfully completes the course, the offender 2764
shall be issued written evidence that the offender successfully 2765
completed the course. The offender shall be required to pay the 2766
total amount of the fine established for the violation, but 2767
shall not be required to pay the additional fine of not more 2768
than one hundred dollars, so long as the offender submits to the 2769
court the offender's payment and such written evidence within 2770
ninety days of the underlying violation that resulted in the 2771
imposition of the additional fine under division (B) of this 2772
section. 2773

(C) If a law enforcement officer issues an offender a 2774
ticket, citation, or summons for a violation of any of the 2775
sections of the Revised Code listed in division (B) of this 2776
section that indicates that the offender was distracted while 2777

committing the violation and that the distracting activity was a 2778
contributing factor to the commission of the violation, the 2779
officer shall do both of the following: 2780

(1) Report the issuance of the ticket, citation, or 2781
summons to the officer's law enforcement agency; 2782

(2) Ensure that such report indicates the offender's race. 2783

Sec. 4511.993. (A) As used in this section, "construction 2784
zone" means that lane or portion of street or highway open to 2785
vehicular traffic and adjacent to a lane, berm, or shoulder of a 2786
street or highway within which lane, berm, or shoulder 2787
construction, reconstruction, resurfacing, or any other work of 2788
a repair or maintenance nature, including public utility work, 2789
is being conducted, commencing with the point where the first 2790
sign indicating work is occurring and ending where the last sign 2791
specifying the end of the construction zone is located. 2792

(B) Subject to division (C) of this section, if an 2793
operator of a motor vehicle violates section 4511.03, 4511.12, 2794
4511.132, 4511.202, 4511.204, 4511.205, 4511.21, 4511.211, 2795
4511.213, 4511.22, 4511.23, 4511.25, 4511.251, 4511.26, 4511.27, 2796
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2797
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.41, 4511.42, 2798
4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 2799
4511.47, 4511.54, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 2800
4511.64, 4511.71, 4511.711, 4511.712, 4511.72, or 4511.73 of the 2801
Revised Code while driving in a construction zone, the operator 2802
is subject to the applicable penalty for the violation and, 2803
notwithstanding section 2929.28 of the Revised Code, the 2804
following: 2805

(1) Except as provided in division (B) (2) or (3) of this 2806

section, a mandatory completion of a driving safety course 2807
approved by the director of public safety to be completed by the 2808
operator within thirty days after the conviction for the 2809
underlying offense; 2810

(2) Except as provided in division (B) (3) of this section, 2811
if, within five years of the violation, the operator has 2812
previously been penalized under this section, a driver's license 2813
suspension of ninety days, which shall be in addition to any 2814
driver's license suspension imposed for the underlying offense, 2815
and mandatory completion of a driving safety course approved by 2816
the director of public safety to be completed by the operator 2817
within thirty days after the conviction for the underlying 2818
offense; 2819

(3) If, within five years of the violation, an offender 2820
has previously been penalized two or more times under this 2821
section, a driver's license suspension of one year, which shall 2822
be in addition to any driver's license suspension imposed for 2823
the underlying offense, and mandatory completion of a driving 2824
safety course approved by the director of public safety to be 2825
completed by the operator within thirty days after the 2826
conviction for the underlying offense. 2827

(C) Notwithstanding any other provision of law to the 2828
contrary, the court shall only impose additional penalties as 2829
specified under division (B) of this section when all of the 2830
following apply: 2831

(1) The offense occurs within a construction zone in which 2832
a sign is posted in accordance with the rules adopted by the 2833
director of transportation under section 5501.27 of the Revised 2834
Code. 2835

(2) The underlying violation occurs when a construction worker is present in the construction zone. 2836
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(D) If an offender does not complete the mandatory driving safety course required under division (B) of this section within the applicable thirty days, the court shall impose an additional fine of four hundred dollars on the offender, which shall be in addition to any fine imposed for the underlying offense. 2838
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(E) The director of public safety shall approve driving safety courses for purposes of this section and shall list approved courses on the web site of the department of public safety. 2843
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(F) (1) If a law enforcement agency receives a report from any person, including a law enforcement officer, that a violation of one of the traffic offenses listed in division (B) of this section has occurred in a construction zone, that agency may conduct an investigation to attempt to determine or confirm the following: 2847
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(a) The license plate number, the color, and the make and model of the vehicle used in the alleged violation; 2853
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(b) The date, approximate time, and location of the alleged violation; 2855
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(c) The identity of the operator of the vehicle at the time of the alleged violation. 2857
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(2) A law enforcement agency may request and use any sufficiently clear image, images, or video captured by a video camera installed pursuant to section 5517.07 of the Revised Code to determine or confirm the information specified in division (F) (1) of this section. 2859
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(3) Any images or video obtained by a law enforcement agency pursuant to an investigation in accordance with division (F) of this section is prima facie evidence of the facts contained therein and is admissible in a criminal or traffic prosecution. 2864
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Sec. 5517.07. ~~(A)~~(A) (1) If not already present, the department of transportation shall install signs and other traffic control devices designed to slow down the flow of traffic in construction and similar work zones. The signs and devices may include arrow boards, channelizing devices, temporary raise pavement markers, portable changeable message signs, temporary traffic barriers, screens, rumble strips, and any other signs or devices the director of transportation determines are appropriate for the highway and local conditions. 2869
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(2) A private contractor performing construction work in a construction zone, after consulting with the department or local jurisdiction, as applicable, may install speed monitoring devices in the construction zone that display the speed of passing traffic and that include flashing lights. 2878
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(B) The department may install video cameras in a construction zone to monitor and record the flow of traffic. The following parameters apply to any video camera installed in a construction zone: 2883
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(1) The department shall allow a law enforcement agency investigating a possible traffic violation in a construction zone in accordance with division (F) of section 4511.993 of the Revised Code to obtain a copy of any video or image captured by the video camera at the time of the alleged violation. 2887
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(2) The department may cooperate with a local 2892

jurisdiction, at the request of that local jurisdiction, to 2893
assist in installing video cameras in a construction zone in 2894
that local jurisdiction. 2895

(C) The department shall ensure that the placement and 2896
specifications for the signs and devices under this section 2897
conform to the department's manual of uniform traffic control 2898
devices as adopted under section 4511.09 of the Revised Code. 2899

Section 2. That existing sections 4508.02, 4511.03, 2900
4511.12, 4511.132, 4511.17, 4511.20, 4511.202, 4511.204, 2901
4511.205, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 2902
4511.25, 4511.251, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 2903
4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 2904
4511.38, 4511.39, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 2905
4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 4511.57, 4511.58, 2906
4511.59, 4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2907
4511.72, 4511.73, 4511.991, and 5517.07 of the Revised Code are 2908
hereby repealed. 2909

Section 3. The General Assembly, applying the principle 2910
stated in division (B) of section 1.52 of the Revised Code that 2911
amendments are to be harmonized if reasonably capable of 2912
simultaneous operation, finds that the following sections, 2913
presented in this act as composites of the sections as amended 2914
by the acts indicated, are the resulting versions of the 2915
sections in effect prior to the effective date of the sections 2916
as presented in this act: 2917

Section 4511.132 of the Revised Code as amended by H.B. 9, 2918
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 2919
Assembly. 2920

Section 4511.213 of the Revised Code as amended by both 2921

H.B. 95 and S.B. 127 of the 132nd General Assembly.	2922
Section 4511.27 of the Revised Code as amended by both	2923
H.B. 95 and H.B. 250 of the 132nd General Assembly.	2924
Section 4511.39 of the Revised Code as amended by both	2925
H.B. 95 and H.B. 250 of the 132nd General Assembly.	2926
Section 4511.61 of the Revised Code as amended by both	2927
H.B. 26 and H.B. 95 of the 132nd General Assembly.	2928