

As Reported by the House Transportation and Public Safety Committee

132nd General Assembly

Regular Session

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Sub. H. B. No. 95

Representatives Hughes, Seitz

Cosponsors: Representatives Duffey, Carfagna, Green, Johnson, Manning, Patton

A BILL

To amend sections 4511.03, 4511.051, 4511.12, 1
4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 2
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 3
4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4
4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 5
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 6
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 7
4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 8
4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 9
4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 10
4511.713, 4511.72, and 4511.73 and to enact 11
section 4511.991 of the Revised Code to 12
establish an enhanced penalty for committing a 13
moving violation while distracted if the 14
distraction is a contributing factor to the 15
commission of the violation and to reenact 16
provisions of law that specified that certain 17
electronic wireless communications device 18
violations were allied offenses of similar 19
import. 20

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

Section 1. That sections 4511.03, 4511.051, 4511.12, 21
4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 4511.211, 22
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 23
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 24
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 25
4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 26
4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 27
4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 28
4511.72, and 4511.73 be amended and section 4511.991 of the 29
Revised Code be enacted to read as follows: 30

Sec. 4511.03. (A) The driver of any emergency vehicle or 31
public safety vehicle, when responding to an emergency call, 32
upon approaching a red or stop signal or any stop sign shall 33
slow down as necessary for safety to traffic, but may proceed 34
cautiously past such red or stop sign or signal with due regard 35
for the safety of all persons using the street or highway. 36

(B) Except as otherwise provided in this division, whoever 37
violates this section is guilty of a minor misdemeanor. If, 38
within one year of the offense, the offender previously has been 39
convicted of or pleaded guilty to one predicate motor vehicle or 40
traffic offense, whoever violates this section is guilty of a 41
misdemeanor of the fourth degree. If, within one year of the 42
offense, the offender previously has been convicted of two or 43
more predicate motor vehicle or traffic offenses, whoever 44
violates this section is guilty of a misdemeanor of the third 45
degree. 46

If the offender commits the offense while distracted and 47
the distracting activity is a contributing factor to the 48
commission of the offense, the offender is subject to the 49
additional fine established under section 4511.991 of the 50

Revised Code. 51

Sec. 4511.051. (A) No person, unless otherwise directed by 52
a police officer, shall: 53

(1) As a pedestrian, occupy any space within the limits of 54
the right-of-way of a freeway, except: in a rest area; on a 55
facility that is separated from the roadway and shoulders of the 56
freeway and is designed and appropriately marked for pedestrian 57
use; in the performance of public works or official duties; as a 58
result of an emergency caused by an accident or breakdown of a 59
motor vehicle; or to obtain assistance; 60

(2) Occupy any space within the limits of the right-of-way 61
of a freeway, with: an animal-drawn vehicle; a ridden or led 62
animal; herded animals; a pushcart; a bicycle, except on a 63
facility that is separated from the roadway and shoulders of the 64
freeway and is designed and appropriately marked for bicycle 65
use; a bicycle with motor attached; a motor driven cycle with a 66
motor which produces not to exceed five brake horsepower; an 67
agricultural tractor; farm machinery; except in the performance 68
of public works or official duties. 69

(B) Except as otherwise provided in this division, whoever 70
violates this section is guilty of a minor misdemeanor. If, 71
within one year of the offense, the offender previously has been 72
convicted of or pleaded guilty to one predicate motor vehicle or 73
traffic offense, whoever violates this section is guilty of a 74
misdemeanor of the fourth degree. If, within one year of the 75
offense, the offender previously has been convicted of two or 76
more predicate motor vehicle or traffic offenses, whoever 77
violates this section is guilty of a misdemeanor of the third 78
degree. 79

If the offender commits the offense while distracted and 80
the distracting activity is a contributing factor to the 81
commission of the offense, the offender is subject to the 82
additional fine established under section 4511.991 of the 83
Revised Code. 84

Sec. 4511.12. (A) No pedestrian, driver of a vehicle, or 85
operator of a streetcar or trackless trolley shall disobey the 86
instructions of any traffic control device placed in accordance 87
with this chapter, unless at the time otherwise directed by a 88
police officer. 89

No provision of this chapter for which signs are required 90
shall be enforced against an alleged violator if at the time and 91
place of the alleged violation an official sign is not in proper 92
position and sufficiently legible to be seen by an ordinarily 93
observant person. Whenever a particular section of this chapter 94
does not state that signs are required, that section shall be 95
effective even though no signs are erected or in place. 96

(B) Except as otherwise provided in this division, whoever 97
violates this section is guilty of a minor misdemeanor. If, 98
within one year of the offense, the offender previously has been 99
convicted of or pleaded guilty to one predicate motor vehicle or 100
traffic offense, whoever violates this section is guilty of a 101
misdemeanor of the fourth degree. If, within one year of the 102
offense, the offender previously has been convicted of two or 103
more predicate motor vehicle or traffic offenses, whoever 104
violates this section is guilty of a misdemeanor of the third 105
degree. 106

If the offender commits the offense while distracted and 107
the distracting activity is a contributing factor to the 108
commission of the offense, the offender is subject to the 109

additional fine established under section 4511.991 of the 110
Revised Code. 111

Sec. 4511.121. (A) (1) Except as provided in division (B) 112
of this section, any operator of a commercial motor vehicle, 113
upon approaching a scale location established for the purpose of 114
determining the weight of the vehicle and its load, shall comply 115
with any traffic control device or the order of a peace officer 116
directing the vehicle to proceed to be weighed or otherwise 117
inspected. 118

(2) Any operator of a commercial motor vehicle, upon 119
bypassing a scale location in accordance with division (B) of 120
this section, shall comply with an order of a peace officer to 121
stop the vehicle to verify the use and operation of an 122
electronic clearance device. 123

(B) Any operator of a commercial motor vehicle that is 124
equipped with an electronic clearance device authorized by the 125
superintendent of the state highway patrol under section 126
4549.081 of the Revised Code may bypass a scale location, 127
regardless of the instruction of a traffic control device to 128
enter the scale facility, if either of the following apply: 129

(1) The in-cab transponder displays a green light or other 130
affirmative visual signal and also sounds an affirmative audible 131
signal; 132

(2) Any other criterion established by the superintendent 133
by rule is met. 134

(C) Any peace officer may order the operator of a 135
commercial motor vehicle that bypasses a scale location to stop 136
the vehicle to verify the use and operation of an electronic 137
clearance device. 138

(D) Whoever violates division (A) of this section is 139
guilty of a minor misdemeanor. If, within one year of the 140
offense, the offender previously has been convicted of or 141
pleaded guilty to a violation of division (A) of this section, 142
whoever violates that division is guilty of a misdemeanor of the 143
fourth degree. If, within one year of the offense, the offender 144
previously has been convicted of or pleaded guilty to two or 145
more violations of division (A) of this section, whoever 146
violates division (A) is guilty of a misdemeanor of the third 147
degree. 148

If the offender commits the offense while distracted and 149
the distracting activity is a contributing factor to the 150
commission of the offense, the offender is subject to the 151
additional fine established under section 4511.991 of the 152
Revised Code. 153

(E) As used in this section and in section 4549.081 of the 154
Revised Code, "commercial motor vehicle" means any combination 155
of vehicles with a gross vehicle weight rating or an actual 156
gross vehicle weight of more than ten thousand pounds if the 157
vehicle is used in interstate or intrastate commerce to 158
transport property and also means any vehicle that is 159
transporting hazardous materials for which placarding is 160
required pursuant to 49 C.F.R. Parts 100 to 180. 161

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 162
trackless trolley who approaches an intersection where traffic 163
is controlled by traffic control signals shall do all of the 164
following, if the signal facing the driver exhibits no colored 165
lights or colored lighted arrows, exhibits a combination of such 166
lights or arrows that fails to clearly indicate the assignment 167
of right-of-way, or the signals are otherwise malfunctioning, 168

including the failure of a vehicle detector to detect the 169
vehicle: 170

(1) Stop at a clearly marked stop line, but if none, stop 171
before entering the crosswalk on the near side of the 172
intersection, or, if none, stop before entering the 173
intersection; 174

(2) Yield the right-of-way to all vehicles, streetcars, or 175
trackless trolleys in the intersection or approaching on an 176
intersecting road, if the vehicles, streetcars, or trackless 177
trolleys will constitute an immediate hazard during the time the 178
driver is moving across or within the intersection or junction 179
of roadways; 180

(3) Exercise ordinary care while proceeding through the 181
intersection. 182

(B) Except as otherwise provided in this division, whoever 183
violates this section is guilty of a minor misdemeanor. If, 184
within one year of the offense, the offender previously has been 185
convicted of or pleaded guilty to one predicate motor vehicle or 186
traffic offense, whoever violates this section is guilty of a 187
misdemeanor of the fourth degree. If, within one year of the 188
offense, the offender previously has been convicted of two or 189
more predicate motor vehicle or traffic offenses, whoever 190
violates this section is guilty of a misdemeanor of the third 191
degree. 192

If the offender commits the offense while distracted and 193
the distracting activity is a contributing factor to the 194
commission of the offense, the offender is subject to the 195
additional fine established under section 4511.991 of the 196
Revised Code. 197

Sec. 4511.204. (A) No person shall drive a motor vehicle,	198
trackless trolley, or streetcar on any street, highway, or	199
property open to the public for vehicular traffic while using a	200
handheld electronic wireless communications device to write,	201
send, or read a text-based communication.	202
(B) Division (A) of this section does not apply to any of	203
the following:	204
(1) A person using a handheld electronic wireless	205
communications device in that manner for emergency purposes,	206
including an emergency contact with a law enforcement agency,	207
hospital or health care provider, fire department, or other	208
similar emergency agency or entity;	209
(2) A person driving a public safety vehicle who uses a	210
handheld electronic wireless communications device in that	211
manner in the course of the person's duties;	212
(3) A person using a handheld electronic wireless	213
communications device in that manner whose motor vehicle is in a	214
stationary position and who is outside a lane of travel;	215
(4) A person reading, selecting, or entering a name or	216
telephone number in a handheld electronic wireless	217
communications device for the purpose of making or receiving a	218
telephone call;	219
(5) A person receiving wireless messages on a device	220
regarding the operation or navigation of a motor vehicle;	221
safety-related information, including emergency, traffic, or	222
weather alerts; or data used primarily by the motor vehicle;	223
(6) A person receiving wireless messages via radio waves;	224
(7) A person using a device for navigation purposes;	225

(8) A person conducting wireless interpersonal 226
communication with a device that does not require manually 227
entering letters, numbers, or symbols or reading text messages, 228
except to activate, deactivate, or initiate the device or a 229
feature or function of the device; 230

(9) A person operating a commercial truck while using a 231
mobile data terminal that transmits and receives data; 232

(10) A person using a handheld electronic wireless 233
communications device in conjunction with a voice-operated or 234
hands-free device feature or function of the vehicle. 235

(C) (1) Notwithstanding any provision of law to the 236
contrary, no law enforcement officer shall cause an operator of 237
an automobile being operated on any street or highway to stop 238
the automobile for the sole purpose of determining whether a 239
violation of division (A) of this section has been or is being 240
committed or for the sole purpose of issuing a ticket, citation, 241
or summons for a violation of that nature or causing the arrest 242
of or commencing a prosecution of a person for a violation of 243
that nature, and no law enforcement officer shall view the 244
interior or visually inspect any automobile being operated on 245
any street or highway for the sole purpose of determining 246
whether a violation of that nature has been or is being 247
committed. 248

(2) On January 31 of each year, the department of public 249
safety shall issue a report to the general assembly that 250
specifies the number of citations issued for violations of this 251
section during the previous calendar year. 252

(D) Whoever violates division (A) of this section is 253
guilty of a minor misdemeanor. 254

(E) This section shall not be construed as invalidating, 255
preempting, or superseding a substantially equivalent municipal 256
ordinance that prescribes penalties for violations of that 257
ordinance that are greater than the penalties prescribed in this 258
section for violations of this section. 259

~~(F) A prosecution for a violation of this section does not 260
preclude a prosecution for a violation of a substantially 261
equivalent municipal ordinance based on the same conduct. 262
However, if an offender is convicted of or pleads guilty to a 263
violation of this section and is also convicted of or pleads 264
guilty to a violation of a substantially equivalent municipal 265
ordinance based on the same conduct, the two offenses are allied 266
offenses of similar import under section 2941.25 of the Revised 267
Code. A prosecution for a violation of this section does not 268
preclude a prosecution for a violation of a substantially 269
equivalent municipal ordinance based on the same conduct. 270
However, if an offender is convicted of or pleads guilty to a 271
violation of this section and is also convicted of or pleads 272
guilty to a violation of a substantially equivalent municipal 273
ordinance based on the same conduct, the two offenses are allied 274
offenses of similar import under section 2941.25 of the Revised 275
Code. 276~~

(G) As used in this section: 277

(1) "Electronic wireless communications device" includes 278
any of the following: 279

(a) A wireless telephone; 280

(b) A text-messaging device; 281

(c) A personal digital assistant; 282

(d) A computer, including a laptop computer and a computer 283

tablet;	284
(e) Any other substantially similar wireless device that is designed or used to communicate text.	285 286
(2) "Voice-operated or hands-free device" means a device that allows the user to vocally compose or send, or to listen to a text-based communication without the use of either hand except to activate or deactivate a feature or function.	287 288 289 290
(3) "Write, send, or read a text-based communication" means to manually write or send, or read a text-based communication using an electronic wireless communications device, including manually writing or sending, or reading communications referred to as text messages, instant messages, or electronic mail.	291 292 293 294 295 296
Sec. 4511.205. (A) No holder of a temporary instruction permit who has not attained the age of eighteen years and no holder of a probationary driver's license shall drive a motor vehicle on any street, highway, or property used by the public for purposes of vehicular traffic or parking while using in any manner an electronic wireless communications device.	297 298 299 300 301 302
(B) Division (A) of this section does not apply to either of the following:	303 304
(1) A person using an electronic wireless communications device for emergency purposes, including an emergency contact with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;	305 306 307 308
(2) A person using an electronic wireless communications device whose motor vehicle is in a stationary position and the motor vehicle is outside a lane of travel;	309 310 311

(3) A person using a navigation device in a voice-operated 312
or hands-free manner who does not manipulate the device while 313
driving. 314

(C) (1) Except as provided in division (C) (2) of this 315
section, whoever violates division (A) of this section shall be 316
fined one hundred fifty dollars. In addition, the court shall 317
impose a class seven suspension of the offender's driver's 318
license or permit for a definite period of sixty days. 319

(2) If the ~~person~~ person previously has been ~~adjudicated a~~ 320
~~delinquent child or a juvenile traffic offender~~ adjudicated a 321
delinquent child or a juvenile traffic offender for a violation 322
of this section, whoever violates this section shall be fined 323
three hundred dollars. In addition, the court shall impose a 324
class seven suspension of the ~~person's~~ person's driver's license 325
or permit for a definite period of one year. 326

~~(D) The filing of a sworn complaint against a person for a~~ 327
~~violation of this section does not preclude the filing of a~~ 328
~~sworn complaint for a violation of a substantially equivalent~~ 329
~~municipal ordinance for the same conduct. However, if a person~~ 330
~~is adjudicated a delinquent child or a juvenile traffic offender~~ 331
~~for a violation of this section and is also adjudicated a~~ 332
~~delinquent child or a juvenile traffic offender for a violation~~ 333
~~of a substantially equivalent municipal ordinance for the same~~ 334
~~conduct, the two offenses are allied offenses of similar import~~ 335
~~under section 2941.25 of the Revised Code. The filing of a sworn~~ 336
complaint against a person for a violation of this section does 337
not preclude the filing of a sworn complaint for a violation of 338
a substantially equivalent municipal ordinance for the same 339
conduct. However, if a person is adjudicated a delinquent child 340
or a juvenile traffic offender for a violation of this section 341

and is also adjudicated a delinquent child or a juvenile traffic 342
offender for a violation of a substantially equivalent municipal 343
ordinance for the same conduct, the two offenses are allied 344
offenses of similar import under section 2941.25 of the Revised 345
Code. 346

(E) As used in this section, "electronic wireless 347
communications device" includes any of the following: 348

(1) A wireless telephone; 349

(2) A personal digital assistant; 350

(3) A computer, including a laptop computer and a computer 351
tablet; 352

(4) A text-messaging device; 353

(5) Any other substantially similar electronic wireless 354
device that is designed or used to communicate via voice, image, 355
or written word. 356

Sec. 4511.21. (A) No person shall operate a motor vehicle, 357
trackless trolley, or streetcar at a speed greater or less than 358
is reasonable or proper, having due regard to the traffic, 359
surface, and width of the street or highway and any other 360
conditions, and no person shall drive any motor vehicle, 361
trackless trolley, or streetcar in and upon any street or 362
highway at a greater speed than will permit the person to bring 363
it to a stop within the assured clear distance ahead. 364

(B) It is prima-facie lawful, in the absence of a lower 365
limit declared or established pursuant to this section by the 366
director of transportation or local authorities, for the 367
operator of a motor vehicle, trackless trolley, or streetcar to 368
operate the same at a speed not exceeding the following: 369

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

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means any school chartered under section 3301.16 of the Revised Code and any nonchartered school that during the preceding year filed with the department of education 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. "School" also includes a 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 401
by erecting the appropriate signs. 402

(c) As used in this section, "school zone" means that 403
portion of a street or highway passing a school fronting upon 404
the street or highway that is encompassed by projecting the 405
school property lines to the fronting street or highway, and 406
also includes that portion of a state highway. Upon request from 407
local authorities for streets and highways under their 408
jurisdiction and that portion of a state highway under the 409
jurisdiction of the director of transportation or a request from 410
a county engineer in the case of a school zone for a special 411
elementary school, the director may extend the traditional 412
school zone boundaries. The distances in divisions (B) (1) (c) (i), 413
(ii), and (iii) of this section shall not exceed three hundred 414
feet per approach per direction and are bounded by whichever of 415
the following distances or combinations thereof the director 416
approves as most appropriate: 417

(i) The distance encompassed by projecting the school 418
building lines normal to the fronting highway and extending a 419
distance of three hundred feet on each approach direction; 420

(ii) The distance encompassed by projecting the school 421
property lines intersecting the fronting highway and extending a 422
distance of three hundred feet on each approach direction; 423

(iii) The distance encompassed by the special marking of 424
the pavement for a principal school pupil crosswalk plus a 425
distance of three hundred feet on each approach direction of the 426
highway. 427

Nothing in this section shall be construed to invalidate 428
the director's initial action on August 9, 1976, establishing 429

all school zones at the traditional school zone boundaries 430
defined by projecting school property lines, except when those 431
boundaries are extended as provided in divisions (B) (1) (a) and 432
(c) of this section. 433

(d) As used in this division, "crosswalk" has the meaning 434
given that term in division (LL) (2) of section 4511.01 of the 435
Revised Code. 436

The director may, upon request by resolution of the 437
legislative authority of a municipal corporation, the board of 438
trustees of a township, or a county board of developmental 439
disabilities created pursuant to Chapter 5126. of the Revised 440
Code, and upon submission by the municipal corporation, 441
township, or county board of such engineering, traffic, and 442
other information as the director considers necessary, designate 443
a school zone on any portion of a state route lying within the 444
municipal corporation, lying within the unincorporated territory 445
of the township, or lying adjacent to the property of a school 446
that is operated by such county board, that includes a crosswalk 447
customarily used by children going to or leaving a school during 448
recess and opening and closing hours, whenever the distance, as 449
measured in a straight line, from the school property line 450
nearest the crosswalk to the nearest point of the crosswalk is 451
no more than one thousand three hundred twenty feet. Such a 452
school zone shall include the distance encompassed by the 453
crosswalk and extending three hundred feet on each approach 454
direction of the state route. 455

(e) As used in this section, "special elementary school" 456
means a school that meets all of the following criteria: 457

(i) It is not chartered and does not receive tax revenue 458
from any source. 459

(ii) It does not educate children beyond the eighth grade.	460
(iii) It is located outside the limits of a municipal corporation.	461 462
(iv) A majority of the total number of students enrolled at the school are not related by blood.	463 464
(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.	465 466 467 468 469 470 471
(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;	472 473 474 475
(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B) (4) and (6) of this section;	476 477 478 479
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	480 481
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B) (8) of this section, highways as provided in divisions (B) (9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B) (13), (14), (15), and (17) of this section;	482 483 484 485 486 487

(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	488 489 490
(7) Fifteen miles per hour on all alleys within the municipal corporation;	491 492
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	493 494
(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;	495 496 497 498
(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;	499 500 501
(11) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (15) and (17) of this section;	502 503 504 505
(12) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B) (15) and (17) of this section;	506 507 508
(13) Sixty miles per hour for operators of any motor vehicle at all times on all portions of rural divided highways;	509 510
(14) Sixty-five miles per hour for operators of any motor vehicle at all times on all rural expressways without traffic control signals;	511 512 513
(15) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways;	514 515

(16) Fifty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in congested areas as determined by the director and that are part of the interstate system and are located within a municipal corporation or within an interstate freeway outerbelt;

(17) Sixty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in urban areas as determined by the director and that are part of the interstate system and are part of an interstate freeway outerbelt.

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

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

(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B) (10) of this section and upon a highway, expressway, or freeway as provided in divisions (B) (13), (14), (15), and (17) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B) (10) of this section

and upon a highway as provided in division (B) (13) of this 545
section; 546

(3) At a speed exceeding sixty-five miles per hour upon an 547
expressway as provided in division (B) (14) or upon a freeway as 548
provided in division (B) (17) of this section, except upon a 549
freeway as provided in division (B) (15) of this section; 550

(4) At a speed exceeding seventy miles per hour upon a 551
freeway as provided in division (B) (15) of this section; 552

(5) At a speed exceeding the posted speed limit upon a 553
highway, expressway, or freeway for which the director has 554
determined and declared a speed limit pursuant to division (I) 555
(2) or (L) (2) of this section. 556

(E) In every charge of violation of this section the 557
affidavit and warrant shall specify the time, place, and speed 558
at which the defendant is alleged to have driven, and in charges 559
made in reliance upon division (C) of this section also the 560
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or 561
(9) of, or a limit declared or established pursuant to, this 562
section declares is prima-facie lawful at the time and place of 563
such alleged violation, except that in affidavits where a person 564
is alleged to have driven at a greater speed than will permit 565
the person to bring the vehicle to a stop within the assured 566
clear distance ahead the affidavit and warrant need not specify 567
the speed at which the defendant is alleged to have driven. 568

(F) When a speed in excess of both a prima-facie 569
limitation and a limitation in division (D) of this section is 570
alleged, the defendant shall be charged in a single affidavit, 571
alleging a single act, with a violation indicated of both 572
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 573

section, or of a limit declared or established pursuant to this 574
section by the director or local authorities, and of the 575
limitation in division (D) of this section. If the court finds a 576
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 577
or (9) of, or a limit declared or established pursuant to, this 578
section has occurred, it shall enter a judgment of conviction 579
under such division and dismiss the charge under division (D) of 580
this section. If it finds no violation of division (B) (1) (a), 581
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 582
established pursuant to, this section, it shall then consider 583
whether the evidence supports a conviction under division (D) of 584
this section. 585

(G) Points shall be assessed for violation of a limitation 586
under division (D) of this section in accordance with section 587
4510.036 of the Revised Code. 588

(H) (1) Whenever the director determines upon the basis of 589
a geometric and traffic characteristic study that any speed 590
limit set forth in divisions (B) (1) (a) to (D) of this section is 591
greater or less than is reasonable or safe under the conditions 592
found to exist at any portion of a street or highway under the 593
jurisdiction of the director, the director shall determine and 594
declare a reasonable and safe prima-facie speed limit, which 595
shall be effective when appropriate signs giving notice of it 596
are erected at the location. 597

(2) Whenever the director determines upon the basis of a 598
geometric and traffic characteristic study that the speed limit 599
of fifty-five miles per hour on a two-lane state route outside a 600
municipal corporation is less than is reasonable or safe under 601
the conditions found to exist at that portion of the state 602
route, the director may determine and declare a speed limit of 603

sixty miles per hour for that portion of the state route, which 604
shall be effective when appropriate signs giving notice of it 605
are erected at the location. 606

(I) (1) Except as provided in divisions (I) (2) and (K) of 607
this section, whenever local authorities determine upon the 608
basis of an engineering and traffic investigation that the speed 609
permitted by divisions (B) (1) (a) to (D) of this section, on any 610
part of a highway under their jurisdiction, is greater than is 611
reasonable and safe under the conditions found to exist at such 612
location, the local authorities may by resolution request the 613
director to determine and declare a reasonable and safe prima- 614
facie speed limit. Upon receipt of such request the director may 615
determine and declare a reasonable and safe prima-facie speed 616
limit at such location, and if the director does so, then such 617
declared speed limit shall become effective only when 618
appropriate signs giving notice thereof are erected at such 619
location by the local authorities. The director may withdraw the 620
declaration of a prima-facie speed limit whenever in the 621
director's opinion the altered prima-facie speed becomes 622
unreasonable. Upon such withdrawal, the declared prima-facie 623
speed shall become ineffective and the signs relating thereto 624
shall be immediately removed by the local authorities. 625

(2) A local authority may determine on the basis of a 626
geometric and traffic characteristic study that the speed limit 627
of sixty-five miles per hour on a portion of a freeway under its 628
jurisdiction that was established through the operation of 629
division (L) (3) of this section is greater than is reasonable or 630
safe under the conditions found to exist at that portion of the 631
freeway. If the local authority makes such a determination, the 632
local authority by resolution may request the director to 633
determine and declare a reasonable and safe speed limit of not 634

less than fifty-five miles per hour for that portion of the 635
freeway. If the director takes such action, the declared speed 636
limit becomes effective only when appropriate signs giving 637
notice of it are erected at such location by the local 638
authority. 639

(J) Local authorities in their respective jurisdictions 640
may authorize by ordinance higher prima-facie speeds than those 641
stated in this section upon through highways, or upon highways 642
or portions thereof where there are no intersections, or between 643
widely spaced intersections, provided signs are erected giving 644
notice of the authorized speed, but local authorities shall not 645
modify or alter the basic rule set forth in division (A) of this 646
section or in any event authorize by ordinance a speed in excess 647
of fifty miles per hour. 648

Alteration of prima-facie limits on state routes by local 649
authorities shall not be effective until the alteration has been 650
approved by the director. The director may withdraw approval of 651
any altered prima-facie speed limits whenever in the director's 652
opinion any altered prima-facie speed becomes unreasonable, and 653
upon such withdrawal, the altered prima-facie speed shall become 654
ineffective and the signs relating thereto shall be immediately 655
removed by the local authorities. 656

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 657
this section, "unimproved highway" means a highway consisting of 658
any of the following: 659

(a) Unimproved earth; 660

(b) Unimproved graded and drained earth; 661

(c) Gravel. 662

(2) Except as otherwise provided in divisions (K) (4) and 663

(5) of this section, whenever a board of township trustees 664
determines upon the basis of an engineering and traffic 665
investigation that the speed permitted by division (B) (5) of 666
this section on any part of an unimproved highway under its 667
jurisdiction and in the unincorporated territory of the township 668
is greater than is reasonable or safe under the conditions found 669
to exist at the location, the board may by resolution declare a 670
reasonable and safe prima-facie speed limit of fifty-five but 671
not less than twenty-five miles per hour. An altered speed limit 672
adopted by a board of township trustees under this division 673
becomes effective when appropriate traffic control devices, as 674
prescribed in section 4511.11 of the Revised Code, giving notice 675
thereof are erected at the location, which shall be no sooner 676
than sixty days after adoption of the resolution. 677

(3) (a) Whenever, in the opinion of a board of township 678
trustees, any altered prima-facie speed limit established by the 679
board under this division becomes unreasonable, the board may 680
adopt a resolution withdrawing the altered prima-facie speed 681
limit. Upon the adoption of such a resolution, the altered 682
prima-facie speed limit becomes ineffective and the traffic 683
control devices relating thereto shall be immediately removed. 684

(b) Whenever a highway ceases to be an unimproved highway 685
and the board has adopted an altered prima-facie speed limit 686
pursuant to division (K) (2) of this section, the board shall, by 687
resolution, withdraw the altered prima-facie speed limit as soon 688
as the highway ceases to be unimproved. Upon the adoption of 689
such a resolution, the altered prima-facie speed limit becomes 690
ineffective and the traffic control devices relating thereto 691
shall be immediately removed. 692

(4) (a) If the boundary of two townships rests on the 693

centerline of an unimproved highway in unincorporated territory 694
and both townships have jurisdiction over the highway, neither 695
of the boards of township trustees of such townships may declare 696
an altered prima-facie speed limit pursuant to division (K) (2) 697
of this section on the part of the highway under their joint 698
jurisdiction unless the boards of township trustees of both of 699
the townships determine, upon the basis of an engineering and 700
traffic investigation, that the speed permitted by division (B) 701
(5) of this section is greater than is reasonable or safe under 702
the conditions found to exist at the location and both boards 703
agree upon a reasonable and safe prima-facie speed limit of less 704
than fifty-five but not less than twenty-five miles per hour for 705
that location. If both boards so agree, each shall follow the 706
procedure specified in division (K) (2) of this section for 707
altering the prima-facie speed limit on the highway. Except as 708
otherwise provided in division (K) (4) (b) of this section, no 709
speed limit altered pursuant to division (K) (4) (a) of this 710
section may be withdrawn unless the boards of township trustees 711
of both townships determine that the altered prima-facie speed 712
limit previously adopted becomes unreasonable and each board 713
adopts a resolution withdrawing the altered prima-facie speed 714
limit pursuant to the procedure specified in division (K) (3) (a) 715
of this section. 716

(b) Whenever a highway described in division (K) (4) (a) of 717
this section ceases to be an unimproved highway and two boards 718
of township trustees have adopted an altered prima-facie speed 719
limit pursuant to division (K) (4) (a) of this section, both 720
boards shall, by resolution, withdraw the altered prima-facie 721
speed limit as soon as the highway ceases to be unimproved. Upon 722
the adoption of the resolution, the altered prima-facie speed 723
limit becomes ineffective and the traffic control devices 724

relating thereto shall be immediately removed. 725

(5) As used in division (K) (5) of this section: 726

(a) "Commercial subdivision" means any platted territory 727
outside the limits of a municipal corporation and fronting a 728
highway where, for a distance of three hundred feet or more, the 729
frontage is improved with buildings in use for commercial 730
purposes, or where the entire length of the highway is less than 731
three hundred feet long and the frontage is improved with 732
buildings in use for commercial purposes. 733

(b) "Residential subdivision" means any platted territory 734
outside the limits of a municipal corporation and fronting a 735
highway, where, for a distance of three hundred feet or more, 736
the frontage is improved with residences or residences and 737
buildings in use for business, or where the entire length of the 738
highway is less than three hundred feet long and the frontage is 739
improved with residences or residences and buildings in use for 740
business. 741

Whenever a board of township trustees finds upon the basis 742
of an engineering and traffic investigation that the prima-facie 743
speed permitted by division (B) (5) of this section on any part 744
of a highway under its jurisdiction that is located in a 745
commercial or residential subdivision, except on highways or 746
portions thereof at the entrances to which vehicular traffic 747
from the majority of intersecting highways is required to yield 748
the right-of-way to vehicles on such highways in obedience to 749
stop or yield signs or traffic control signals, is greater than 750
is reasonable and safe under the conditions found to exist at 751
the location, the board may by resolution declare a reasonable 752
and safe prima-facie speed limit of less than fifty-five but not 753
less than twenty-five miles per hour at the location. An altered 754

speed limit adopted by a board of township trustees under this 755
division shall become effective when appropriate signs giving 756
notice thereof are erected at the location by the township. 757
Whenever, in the opinion of a board of township trustees, any 758
altered prima-facie speed limit established by it under this 759
division becomes unreasonable, it may adopt a resolution 760
withdrawing the altered prima-facie speed, and upon such 761
withdrawal, the altered prima-facie speed shall become 762
ineffective, and the signs relating thereto shall be immediately 763
removed by the township. 764

(L) (1) On September 29, 2013, the director of 765
transportation, based upon an engineering study of a highway, 766
expressway, or freeway described in division (B) (13), (14), 767
(15), (16), or (17) of this section, in consultation with the 768
director of public safety and, if applicable, the local 769
authority having jurisdiction over the studied highway, 770
expressway, or freeway, may determine and declare that the speed 771
limit established on such highway, expressway, or freeway under 772
division (B) (13), (14), (15), (16), or (17) of this section 773
either is reasonable and safe or is more or less than that which 774
is reasonable and safe. 775

(2) If the established speed limit for a highway, 776
expressway, or freeway studied pursuant to division (L) (1) of 777
this section is determined to be more or less than that which is 778
reasonable and safe, the director of transportation, in 779
consultation with the director of public safety and, if 780
applicable, the local authority having jurisdiction over the 781
studied highway, expressway, or freeway, shall determine and 782
declare a reasonable and safe speed limit for that highway, 783
expressway, or freeway. 784

(M) (1) (a) If the boundary of two local authorities rests 785
on the centerline of a highway and both authorities have 786
jurisdiction over the highway, the speed limit for the part of 787
the highway within their joint jurisdiction shall be either one 788
of the following as agreed to by both authorities: 789

(i) Either prima-facie speed limit permitted by division 790
(B) of this section; 791

(ii) An altered speed limit determined and posted in 792
accordance with this section. 793

(b) If the local authorities are unable to reach an 794
agreement, the speed limit shall remain as established and 795
posted under this section. 796

(2) Neither local authority may declare an altered prima- 797
facie speed limit pursuant to this section on the part of the 798
highway under their joint jurisdiction unless both of the local 799
authorities determine, upon the basis of an engineering and 800
traffic investigation, that the speed permitted by this section 801
is greater than is reasonable or safe under the conditions found 802
to exist at the location and both authorities agree upon a 803
uniform reasonable and safe prima-facie speed limit of less than 804
fifty-five but not less than twenty-five miles per hour for that 805
location. If both authorities so agree, each shall follow the 806
procedure specified in this section for altering the prima-facie 807
speed limit on the highway, and the speed limit for the part of 808
the highway within their joint jurisdiction shall be uniformly 809
altered. No altered speed limit may be withdrawn unless both 810
local authorities determine that the altered prima-facie speed 811
limit previously adopted becomes unreasonable and each adopts a 812
resolution withdrawing the altered prima-facie speed limit 813
pursuant to the procedure specified in this section. 814

(N) The legislative authority of a municipal corporation 815
or township in which a boarding school is located, by resolution 816
or ordinance, may establish a boarding school zone. The 817
legislative authority may alter the speed limit on any street or 818
highway within the boarding school zone and shall specify the 819
hours during which the altered speed limit is in effect. For 820
purposes of determining the boundaries of the boarding school 821
zone, the altered speed limit within the boarding school zone, 822
and the hours the altered speed limit is in effect, the 823
legislative authority shall consult with the administration of 824
the boarding school and with the county engineer or other 825
appropriate engineer, as applicable. A boarding school zone 826
speed limit becomes effective only when appropriate signs giving 827
notice thereof are erected at the appropriate locations. 828

(O) As used in this section: 829

(1) "Interstate system" has the same meaning as in 23 830
U.S.C.A. 101. 831

(2) "Commercial bus" means a motor vehicle designed for 832
carrying more than nine passengers and used for the 833
transportation of persons for compensation. 834

(3) "Noncommercial bus" includes but is not limited to a 835
school bus or a motor vehicle operated solely for the 836
transportation of persons associated with a charitable or 837
nonprofit organization. 838

(4) "Outerbelt" means a portion of a freeway that is part 839
of the interstate system and is located in the outer vicinity of 840
a major municipal corporation or group of municipal 841
corporations, as designated by the director. 842

(5) "Rural" means outside urbanized areas, as designated 843

in accordance with 23 U.S.C. 101, and outside of a business or 844
urban district. 845

(P) (1) A violation of any provision of this section is one 846
of the following: 847

(a) Except as otherwise provided in divisions (P) (1) (b), 848
(1) (c), (2), and (3) of this section, a minor misdemeanor; 849

(b) If, within one year of the offense, the offender 850
previously has been convicted of or pleaded guilty to two 851
violations of any provision of this section or of any provision 852
of a municipal ordinance that is substantially similar to any 853
provision of this section, a misdemeanor of the fourth degree; 854

(c) If, within one year of the offense, the offender 855
previously has been convicted of or pleaded guilty to three or 856
more violations of any provision of this section or of any 857
provision of a municipal ordinance that is substantially similar 858
to any provision of this section, a misdemeanor of the third 859
degree. 860

(2) If the offender has not previously been convicted of 861
or pleaded guilty to a violation of any provision of this 862
section or of any provision of a municipal ordinance that is 863
substantially similar to this section and operated a motor 864
vehicle faster than thirty-five miles an hour in a business 865
district of a municipal corporation, faster than fifty miles an 866
hour in other portions of a municipal corporation, or faster 867
than thirty-five miles an hour in a school zone during recess or 868
while children are going to or leaving school during the 869
school's opening or closing hours, a misdemeanor of the fourth 870
degree. 871

(3) Notwithstanding division (P) (1) of this section, if 872

the offender operated a motor vehicle in a construction zone 873
where a sign was then posted in accordance with section 4511.98 874
of the Revised Code, the court, in addition to all other 875
penalties provided by law, shall impose upon the offender a fine 876
of two times the usual amount imposed for the violation. No 877
court shall impose a fine of two times the usual amount imposed 878
for the violation upon an offender if the offender alleges, in 879
an affidavit filed with the court prior to the offender's 880
sentencing, that the offender is indigent and is unable to pay 881
the fine imposed pursuant to this division and if the court 882
determines that the offender is an indigent person and unable to 883
pay the fine. 884

(4) If the offender commits the offense while distracted 885
and the distracting activity is a contributing factor to the 886
commission of the offense, the offender is subject to the 887
additional fine established under section 4511.991 of the 888
Revised Code. 889

Sec. 4511.211. (A) The owner of a private road or driveway 890
located in a private residential area containing twenty or more 891
dwelling units may establish a speed limit on the road or 892
driveway by complying with all of the following requirements: 893

(1) The speed limit is not less than twenty-five miles per 894
hour and is indicated by a sign that is in a proper position, is 895
sufficiently legible to be seen by an ordinarily observant 896
person, and meets the specifications for the basic speed limit 897
sign included in the manual adopted by the department of 898
transportation pursuant to section 4511.09 of the Revised Code; 899

(2) The owner has posted a sign at the entrance of the 900
private road or driveway that is in plain view and clearly 901
informs persons entering the road or driveway that they are 902

entering private property, a speed limit has been established 903
for the road or driveway, and the speed limit is enforceable by 904
law enforcement officers under state law. 905

(B) No person shall operate a vehicle upon a private road 906
or driveway as provided in division (A) of this section at a 907
speed exceeding any speed limit established and posted pursuant 908
to that division. 909

(C) When a speed limit is established and posted in 910
accordance with division (A) of this section, any law 911
enforcement officer may apprehend a person violating the speed 912
limit of the residential area by utilizing any of the means 913
described in section 4511.091 of the Revised Code or by any 914
other accepted method of determining the speed of a motor 915
vehicle and may stop and charge the person with exceeding the 916
speed limit. 917

(D) Points shall be assessed for violation of a speed 918
limit established and posted in accordance with division (A) of 919
this section in accordance with section 4510.036 of the Revised 920
Code. 921

(E) As used in this section: 922

(1) "Owner" includes but is not limited to a person who 923
holds title to the real property in fee simple, a condominium 924
owners' association, a property owner's association, the board 925
of directors or trustees of a private community, and a nonprofit 926
corporation governing a private community. 927

(2) "Private residential area containing twenty or more 928
dwelling units" does not include a Chautauqua assembly as 929
defined in section 4511.90 of the Revised Code. 930

(F) (1) A violation of division (B) of this section is one 931

of the following: 932

~~(1)(a)~~ Except as otherwise provided in divisions (F) ~~(2)~~ 933
~~(1)(b)~~ and ~~(3)(c)~~ of this section, a minor misdemeanor; 934

~~(2)(b)~~ If, within one year of the offense, the offender 935
previously has been convicted of or pleaded guilty to two 936
violations of division (B) of this section or of any municipal 937
ordinance that is substantially similar to division (B) of this 938
section, a misdemeanor of the fourth degree; 939

~~(3)(c)~~ If, within one year of the offense, the offender 940
previously has been convicted of or pleaded guilty to three or 941
more violations of division (B) of this section or of any 942
municipal ordinance that is substantially similar to division 943
(B) of this section, a misdemeanor of the third degree. 944

(2) If the offender commits the offense while distracted 945
and the distracting activity is a contributing factor to the 946
commission of the offense, the offender is subject to the 947
additional fine established under section 4511.991 of the 948
Revised Code. 949

Sec. 4511.213. (A) The driver of a motor vehicle, upon 950
approaching a stationary public safety vehicle, emergency 951
vehicle, road service vehicle, vehicle used by the public 952
utilities commission to conduct motor vehicle inspections in 953
accordance with sections 4923.04 and 4923.06 of the Revised 954
Code, or a highway maintenance vehicle that is displaying the 955
appropriate visual signals by means of flashing, oscillating, or 956
rotating lights, as prescribed in section 4513.17 of the Revised 957
Code, shall do either of the following: 958

(1) If the driver of the motor vehicle is traveling on a 959
highway that consists of at least two lanes that carry traffic 960

in the same direction of travel as that of the driver's motor 961
vehicle, the driver shall proceed with due caution and, if 962
possible and with due regard to the road, weather, and traffic 963
conditions, shall change lanes into a lane that is not adjacent 964
to that of the stationary public safety vehicle, emergency 965
vehicle, road service vehicle, vehicle used by the public 966
utilities commission to conduct motor vehicle inspections in 967
accordance with sections 4923.04 and 4923.06 of the Revised 968
Code, or a highway maintenance vehicle. 969

(2) If the driver is not traveling on a highway of a type 970
described in division (A) (1) of this section, or if the driver 971
is traveling on a highway of that type but it is not possible to 972
change lanes or if to do so would be unsafe, the driver shall 973
proceed with due caution, reduce the speed of the motor vehicle, 974
and maintain a safe speed for the road, weather, and traffic 975
conditions. 976

(B) This section does not relieve the driver of a public 977
safety vehicle, emergency vehicle, road service vehicle, vehicle 978
used by the public utilities commission to conduct motor vehicle 979
inspections in accordance with sections 4923.04 and 4923.06 of 980
the Revised Code, or a highway maintenance vehicle from the duty 981
to drive with due regard for the safety of all persons and 982
property upon the highway. 983

(C) No person shall fail to drive a motor vehicle in 984
compliance with division (A) (1) or (2) of this section when so 985
required by division (A) of this section. 986

(D) (1) Except as otherwise provided in this division, 987
whoever violates this section is guilty of a minor misdemeanor. 988
If, within one year of the offense, the offender previously has 989
been convicted of or pleaded guilty to one predicate motor 990

vehicle or traffic offense, whoever violates this section is 991
guilty of a misdemeanor of the fourth degree. If, within one 992
year of the offense, the offender previously has been convicted 993
of two or more predicate motor vehicle or traffic offenses, 994
whoever violates this section is guilty of a misdemeanor of the 995
third degree. 996

(2) Notwithstanding section 2929.28 of the Revised Code, 997
upon a finding that a person operated a motor vehicle in 998
violation of division (C) of this section, the court, in 999
addition to all other penalties provided by law, shall impose a 1000
fine of two times the usual amount imposed for the violation. 1001

(3) If the offender commits the offense while distracted 1002
and the distracting activity is a contributing factor to the 1003
commission of the offense, the offender is subject to the 1004
additional fine established under section 4511.991 of the 1005
Revised Code. 1006

Sec. 4511.22. (A) No person shall stop or operate a 1007
vehicle, trackless trolley, or street car at such an 1008
unreasonably slow speed as to impede or block the normal and 1009
reasonable movement of traffic, except when stopping or reduced 1010
speed is necessary for safe operation or to comply with law. 1011

(B) Whenever the director of transportation or local 1012
authorities determine on the basis of an engineering and traffic 1013
investigation that slow speeds on any part of a controlled- 1014
access highway, expressway, or freeway consistently impede the 1015
normal and reasonable movement of traffic, the director or such 1016
local authority may declare a minimum speed limit below which no 1017
person shall operate a motor vehicle, trackless trolley, or 1018
street car except when necessary for safe operation or in 1019
compliance with law. No minimum speed limit established 1020

hereunder shall be less than thirty miles per hour, greater than 1021
fifty miles per hour, nor effective until the provisions of 1022
section 4511.21 of the Revised Code, relating to appropriate 1023
signs, have been fulfilled and local authorities have obtained 1024
the approval of the director. 1025

(C) In a case involving a violation of this section, the 1026
trier of fact, in determining whether the vehicle was being 1027
operated at an unreasonably slow speed, shall consider the 1028
capabilities of the vehicle and its operator. 1029

(D) Except as otherwise provided in this division, whoever 1030
violates this section is guilty of a minor misdemeanor. If, 1031
within one year of the offense, the offender previously has been 1032
convicted of or pleaded guilty to one predicate motor vehicle or 1033
traffic offense, whoever violates this section is guilty of a 1034
misdemeanor of the fourth degree. If, within one year of the 1035
offense, the offender previously has been convicted of two or 1036
more predicate motor vehicle or traffic offenses, whoever 1037
violates this section is guilty of a misdemeanor of the third 1038
degree. 1039

If the offender commits the offense while distracted and 1040
the distracting activity is a contributing factor to the 1041
commission of the offense, the offender is subject to the 1042
additional fine established under section 4511.991 of the 1043
Revised Code. 1044

Sec. 4511.23. (A) No person shall operate a vehicle, 1045
trackless trolley, or streetcar over any bridge or other 1046
elevated structure constituting a part of a highway at a speed 1047
which is greater than the maximum speed that can be maintained 1048
with safety to such bridge or structure, when such structure is 1049
posted with signs as provided in this section. 1050

The department of transportation upon request from any 1051
local authority shall, or upon its own initiative may, conduct 1052
an investigation of any bridge or other elevated structure 1053
constituting a part of a highway, and if it finds that such 1054
structure cannot with safety withstand traffic traveling at the 1055
speed otherwise permissible under sections 4511.01 to 4511.85 1056
and 4511.98 of the Revised Code, the department shall determine 1057
and declare the maximum speed of traffic which such structure 1058
can withstand, and shall cause or permit suitable signs stating 1059
such maximum speed to be erected and maintained at a distance of 1060
at least one hundred feet before each end of such structure. 1061

Upon the trial of any person charged with a violation of 1062
this section, proof of said determination of the maximum speed 1063
by the department and the existence of said signs shall 1064
constitute prima-facie evidence of the maximum speed which can 1065
be maintained with safety to such bridge or structure. 1066

(B) Except as otherwise provided in this division, whoever 1067
violates this section is guilty of a minor misdemeanor. If, 1068
within one year of the offense, the offender previously has been 1069
convicted of or pleaded guilty to one predicate motor vehicle or 1070
traffic offense, whoever violates this section is guilty of a 1071
misdemeanor of the fourth degree. If, within one year of the 1072
offense, the offender previously has been convicted of two or 1073
more predicate motor vehicle or traffic offenses, whoever 1074
violates this section is guilty of a misdemeanor of the third 1075
degree. 1076

If the offender commits the offense while distracted and 1077
the distracting activity is a contributing factor to the 1078
commission of the offense, the offender is subject to the 1079
additional fine established under section 4511.991 of the 1080

<u>Revised Code.</u>	1081
Sec. 4511.25. (A) Upon all roadways of sufficient width, a	1082
vehicle or trackless trolley shall be driven upon the right half	1083
of the roadway, except as follows:	1084
(1) When overtaking and passing another vehicle proceeding	1085
in the same direction, or when making a left turn under the	1086
rules governing such movements;	1087
(2) When an obstruction exists making it necessary to	1088
drive to the left of the center of the highway; provided, any	1089
person so doing shall yield the right of way to all vehicles	1090
traveling in the proper direction upon the unobstructed portion	1091
of the highway within such distance as to constitute an	1092
immediate hazard;	1093
(3) When driving upon a roadway divided into three or more	1094
marked lanes for traffic under the rules applicable thereon;	1095
(4) When driving upon a roadway designated and posted with	1096
signs for one-way traffic;	1097
(5) When otherwise directed by a police officer or traffic	1098
control device.	1099
(B) (1) Upon all roadways any vehicle or trackless trolley	1100
proceeding at less than the prevailing and lawful speed of	1101
traffic at the time and place and under the conditions then	1102
existing shall be driven in the right-hand lane then available	1103
for traffic, and far enough to the right to allow passing by	1104
faster vehicles if such passing is safe and reasonable, except	1105
under any of the following circumstances:	1106
(a) When overtaking and passing another vehicle or	1107
trackless trolley proceeding in the same direction;	1108

(b) When preparing for a left turn; 1109

(c) When the driver must necessarily drive in a lane other 1110
than the right-hand lane to continue on the driver's intended 1111
route. 1112

(2) Nothing in division (B) (1) of this section requires a 1113
driver of a slower vehicle to compromise the driver's safety to 1114
allow overtaking by a faster vehicle. 1115

(C) Upon any roadway having four or more lanes for moving 1116
traffic and providing for two-way movement of traffic, no 1117
vehicle or trackless trolley shall be driven to the left of the 1118
center line of the roadway, except when authorized by official 1119
traffic control devices designating certain lanes to the left of 1120
the center of the roadway for use by traffic not otherwise 1121
permitted to use the lanes, or except as permitted under 1122
division (A) (2) of this section. 1123

This division shall not be construed as prohibiting the 1124
crossing of the center line in making a left turn into or from 1125
an alley, private road, or driveway. 1126

(D) Except as otherwise provided in this division, whoever 1127
violates this section is guilty of a minor misdemeanor. If, 1128
within one year of the offense, the offender previously has been 1129
convicted of or pleaded guilty to one predicate motor vehicle or 1130
traffic offense, whoever violates this section is guilty of a 1131
misdemeanor of the fourth degree. If, within one year of the 1132
offense, the offender previously has been convicted of two or 1133
more predicate motor vehicle or traffic offenses, whoever 1134
violates this section is guilty of a misdemeanor of the third 1135
degree. 1136

If the offender commits the offense while distracted and 1137

the distracting activity is a contributing factor to the 1138
commission of the offense, the offender is subject to the 1139
additional fine established under section 4511.991 of the 1140
Revised Code. 1141

Sec. 4511.26. (A) Operators of vehicles and trackless 1142
trolleys proceeding in opposite directions shall pass each other 1143
to the right, and upon roadways having width for not more than 1144
one line of traffic in each direction, each operator shall give 1145
to the other one-half of the main traveled portion of the 1146
roadway or as nearly one-half as is reasonable possible. 1147

(B) Except as otherwise provided in this division, whoever 1148
violates this section is guilty of a minor misdemeanor. If, 1149
within one year of the offense, the offender previously has been 1150
convicted of or pleaded guilty to one predicate motor vehicle or 1151
traffic offense, whoever violates this section is guilty of a 1152
misdemeanor of the fourth degree. If, within one year of the 1153
offense, the offender previously has been convicted of two or 1154
more predicate motor vehicle or traffic offenses, whoever 1155
violates this section is guilty of a misdemeanor of the third 1156
degree. 1157

If the offender commits the offense while distracted and 1158
the distracting activity is a contributing factor to the 1159
commission of the offense, the offender is subject to the 1160
additional fine established under section 4511.991 of the 1161
Revised Code. 1162

Sec. 4511.27. (A) The following rules govern the 1163
overtaking and passing of vehicles or trackless trolleys 1164
proceeding in the same direction: 1165

(1) The operator of a vehicle or trackless trolley 1166

overtaking another vehicle or trackless trolley proceeding in 1167
the same direction shall, except as provided in division (A) (3) 1168
of this section, signal to the vehicle or trackless trolley to 1169
be overtaken, shall pass to the left thereof at a safe distance, 1170
and shall not again drive to the right side of the roadway until 1171
safely clear of the overtaken vehicle or trackless trolley. When 1172
a motor vehicle or trackless trolley overtakes and passes a 1173
bicycle, three feet or greater is considered a safe passing 1174
distance. 1175

(2) Except when overtaking and passing on the right is 1176
permitted, the operator of an overtaken vehicle shall give way 1177
to the right in favor of the overtaking vehicle at the latter's 1178
audible signal, and the operator shall not increase the speed of 1179
the operator's vehicle until completely passed by the overtaking 1180
vehicle. 1181

(3) The operator of a vehicle or trackless trolley 1182
overtaking and passing another vehicle or trackless trolley 1183
proceeding in the same direction on a divided highway as defined 1184
in section 4511.35 of the Revised Code, a limited access highway 1185
as defined in section 5511.02 of the Revised Code, or a highway 1186
with four or more traffic lanes, is not required to signal 1187
audibly to the vehicle or trackless trolley being overtaken and 1188
passed. 1189

(B) Except as otherwise provided in this division, whoever 1190
violates this section is guilty of a minor misdemeanor. If, 1191
within one year of the offense, the offender previously has been 1192
convicted of or pleaded guilty to one predicate motor vehicle or 1193
traffic offense, whoever violates this section is guilty of a 1194
misdemeanor of the fourth degree. If, within one year of the 1195
offense, the offender previously has been convicted of two or 1196

more predicate motor vehicle or traffic offenses, whoever 1197
violates this section is guilty of a misdemeanor of the third 1198
degree. 1199

If the offender commits the offense while distracted and 1200
the distracting activity is a contributing factor to the 1201
commission of the offense, the offender is subject to the 1202
additional fine established under section 4511.991 of the 1203
Revised Code. 1204

Sec. 4511.28. (A) The driver of a vehicle or trackless 1205
trolley may overtake and pass upon the right of another vehicle 1206
or trackless trolley only under the following conditions: 1207

(1) When the vehicle or trackless trolley overtaken is 1208
making or about to make a left turn; 1209

(2) Upon a roadway with unobstructed pavement of 1210
sufficient width for two or more lines of vehicles moving 1211
lawfully in the direction being traveled by the overtaking 1212
vehicle. 1213

(B) The driver of a vehicle or trackless trolley may 1214
overtake and pass another vehicle or trackless trolley only 1215
under conditions permitting such movement in safety. The 1216
movement shall not be made by driving off the roadway. 1217

(C) Except as otherwise provided in this division, whoever 1218
violates this section is guilty of a minor misdemeanor. If, 1219
within one year of the offense, the offender previously has been 1220
convicted of or pleaded guilty to one predicate motor vehicle or 1221
traffic offense, whoever violates this section is guilty of a 1222
misdemeanor of the fourth degree. If, within one year of the 1223
offense, the offender previously has been convicted of two or 1224
more predicate motor vehicle or traffic offenses, whoever 1225

violates this section is guilty of a misdemeanor of the third 1226
degree. 1227

If the offender commits the offense while distracted and 1228
the distracting activity is a contributing factor to the 1229
commission of the offense, the offender is subject to the 1230
additional fine established under section 4511.991 of the 1231
Revised Code. 1232

Sec. 4511.29. (A) No vehicle or trackless trolley shall be 1233
driven to the left of the center of the roadway in overtaking 1234
and passing traffic proceeding in the same direction, unless 1235
such left side is clearly visible and is free of oncoming 1236
traffic for a sufficient distance ahead to permit such 1237
overtaking and passing to be completely made, without 1238
interfering with the safe operation of any traffic approaching 1239
from the opposite direction or any traffic overtaken. In every 1240
event the overtaking vehicle or trackless trolley must return to 1241
an authorized lane of travel as soon as practicable and in the 1242
event the passing movement involves the use of a lane authorized 1243
for traffic approaching from the opposite direction, before 1244
coming within two hundred feet of any approaching vehicle. 1245

(B) Except as otherwise provided in this division, whoever 1246
violates this section is guilty of a minor misdemeanor. If, 1247
within one year of the offense, the offender previously has been 1248
convicted of or pleaded guilty to one predicate motor vehicle or 1249
traffic offense, whoever violates this section is guilty of a 1250
misdemeanor of the fourth degree. If, within one year of the 1251
offense, the offender previously has been convicted of two or 1252
more predicate motor vehicle or traffic offenses, whoever 1253
violates this section is guilty of a misdemeanor of the third 1254
degree. 1255

If the offender commits the offense while distracted and 1256
the distracting activity is a contributing factor to the 1257
commission of the offense, the offender is subject to the 1258
additional fine established under section 4511.991 of the 1259
Revised Code. 1260

Sec. 4511.30. (A) No vehicle or trackless trolley shall be 1261
driven upon the left side of the roadway under the following 1262
conditions: 1263

(1) When approaching the crest of a grade or upon a curve 1264
in the highway, where the operator's view is obstructed within 1265
such a distance as to create a hazard in the event traffic might 1266
approach from the opposite direction; 1267

(2) When the view is obstructed upon approaching within 1268
one hundred feet of any bridge, viaduct, or tunnel; 1269

(3) When approaching within one hundred feet of or 1270
traversing any intersection or railroad grade crossing. 1271

(B) This section does not apply to vehicles or trackless 1272
trolleys upon a one-way roadway, upon a roadway where traffic is 1273
lawfully directed to be driven to the left side, or under the 1274
conditions described in division (A) (2) of section 4511.25 of 1275
the Revised Code. 1276

(C) Except as otherwise provided in this division, whoever 1277
violates this section is guilty of a minor misdemeanor. If, 1278
within one year of the offense, the offender previously has been 1279
convicted of or pleaded guilty to one predicate motor vehicle or 1280
traffic offense, whoever violates this section is guilty of a 1281
misdemeanor of the fourth degree. If, within one year of the 1282
offense, the offender previously has been convicted of two or 1283
more predicate motor vehicle or traffic offenses, whoever 1284

violates this section is guilty of a misdemeanor of the third 1285
degree. 1286

If the offender commits the offense while distracted and 1287
the distracting activity is a contributing factor to the 1288
commission of the offense, the offender is subject to the 1289
additional fine established under section 4511.991 of the 1290
Revised Code. 1291

Sec. 4511.31. (A) The department of transportation may 1292
determine those portions of any state highway where overtaking 1293
and passing other traffic or driving to the left of the center 1294
or center line of the roadway would be especially hazardous and 1295
may, by appropriate signs or markings on the highway, indicate 1296
the beginning and end of such zones. When such signs or markings 1297
are in place and clearly visible, every operator of a vehicle or 1298
trackless trolley shall obey the directions of the signs or 1299
markings, notwithstanding the distances set out in section 1300
4511.30 of the Revised Code. 1301

(B) Division (A) of this section does not apply when all 1302
of the following apply: 1303

(1) The slower vehicle is proceeding at less than half the 1304
speed of the speed limit applicable to that location. 1305

(2) The faster vehicle is capable of overtaking and 1306
passing the slower vehicle without exceeding the speed limit. 1307

(3) There is sufficient clear sight distance to the left 1308
of the center or center line of the roadway to meet the 1309
overtaking and passing provisions of section 4511.29 of the 1310
Revised Code, considering the speed of the slower vehicle. 1311

(C) Except as otherwise provided in this division, whoever 1312
violates this section is guilty of a minor misdemeanor. If, 1313

within one year of the offense, the offender previously has been 1314
convicted of or pleaded guilty to one predicate motor vehicle or 1315
traffic offense, whoever violates this section is guilty of a 1316
misdemeanor of the fourth degree. If, within one year of the 1317
offense, the offender previously has been convicted of two or 1318
more predicate motor vehicle or traffic offenses, whoever 1319
violates this section is guilty of a misdemeanor of the third 1320
degree. 1321

If the offender commits the offense while distracted and 1322
the distracting activity is a contributing factor to the 1323
commission of the offense, the offender is subject to the 1324
additional fine established under section 4511.991 of the 1325
Revised Code. 1326

Sec. 4511.32. (A) The department of transportation may 1327
designate any highway or any separate roadway under its 1328
jurisdiction for one-way traffic and shall erect appropriate 1329
signs giving notice thereof. 1330

Upon a roadway designated and posted with signs for one- 1331
way traffic a vehicle shall be driven only in the direction 1332
designated. 1333

A vehicle passing around a rotary traffic island shall be 1334
driven only to the right of the rotary traffic island. 1335

(B) Except as otherwise provided in this division, whoever 1336
violates this section is guilty of a minor misdemeanor. If, 1337
within one year of the offense, the offender previously has been 1338
convicted of or pleaded guilty to one predicate motor vehicle or 1339
traffic offense, whoever violates this section is guilty of a 1340
misdemeanor of the fourth degree. If, within one year of the 1341
offense, the offender previously has been convicted of two or 1342

more predicate motor vehicle or traffic offenses, whoever 1343
violates this section is guilty of a misdemeanor of the third 1344
degree. 1345

If the offender commits the offense while distracted and 1346
the distracting activity is a contributing factor to the 1347
commission of the offense, the offender is subject to the 1348
additional fine established under section 4511.991 of the 1349
Revised Code. 1350

Sec. 4511.33. (A) Whenever any roadway has been divided 1351
into two or more clearly marked lanes for traffic, or wherever 1352
within municipal corporations traffic is lawfully moving in two 1353
or more substantially continuous lines in the same direction, 1354
the following rules apply: 1355

(1) A vehicle or trackless trolley shall be driven, as 1356
nearly as is practicable, entirely within a single lane or line 1357
of traffic and shall not be moved from such lane or line until 1358
the driver has first ascertained that such movement can be made 1359
with safety. 1360

(2) Upon a roadway which is divided into three lanes and 1361
provides for two-way movement of traffic, a vehicle or trackless 1362
trolley shall not be driven in the center lane except when 1363
overtaking and passing another vehicle or trackless trolley 1364
where the roadway is clearly visible and such center lane is 1365
clear of traffic within a safe distance, or when preparing for a 1366
left turn, or where such center lane is at the time allocated 1367
exclusively to traffic moving in the direction the vehicle or 1368
trackless trolley is proceeding and is posted with signs to give 1369
notice of such allocation. 1370

(3) Official signs may be erected directing specified 1371

traffic to use a designated lane or designating those lanes to 1372
be used by traffic moving in a particular direction regardless 1373
of the center of the roadway, or restricting the use of a 1374
particular lane to only buses during certain hours or during all 1375
hours, and drivers of vehicles and trackless trolleys shall obey 1376
the directions of such signs. 1377

(4) Official traffic control devices may be installed 1378
prohibiting the changing of lanes on sections of roadway and 1379
drivers of vehicles shall obey the directions of every such 1380
device. 1381

(B) Except as otherwise provided in this division, whoever 1382
violates this section is guilty of a minor misdemeanor. If, 1383
within one year of the offense, the offender previously has been 1384
convicted of or pleaded guilty to one predicate motor vehicle or 1385
traffic offense, whoever violates this section is guilty of a 1386
misdemeanor of the fourth degree. If, within one year of the 1387
offense, the offender previously has been convicted of two or 1388
more predicate motor vehicle or traffic offenses, whoever 1389
violates this section is guilty of a misdemeanor of the third 1390
degree. 1391

If the offender commits the offense while distracted and 1392
the distracting activity is a contributing factor to the 1393
commission of the offense, the offender is subject to the 1394
additional fine established under section 4511.991 of the 1395
Revised Code. 1396

Sec. 4511.34. (A) The operator of a motor vehicle, 1397
streetcar, or trackless trolley shall not follow another 1398
vehicle, streetcar, or trackless trolley more closely than is 1399
reasonable and prudent, having due regard for the speed of such 1400
vehicle, streetcar, or trackless trolley, and the traffic upon 1401

and the condition of the highway. 1402

The driver of any truck, or motor vehicle drawing another 1403
vehicle, when traveling upon a roadway outside a business or 1404
residence district shall maintain a sufficient space, whenever 1405
conditions permit, between such vehicle and another vehicle 1406
ahead so an overtaking motor vehicle may enter and occupy such 1407
space without danger. This paragraph does not prevent overtaking 1408
and passing nor does it apply to any lane specially designated 1409
for use by trucks. 1410

Outside a municipal corporation, the driver of any truck, 1411
or motor vehicle when drawing another vehicle, while ascending 1412
to the crest of a grade beyond which the driver's view of a 1413
roadway is obstructed, shall not follow within three hundred 1414
feet of another truck, or motor vehicle drawing another vehicle. 1415
This paragraph shall not apply to any lane specially designated 1416
for use by trucks. 1417

Motor vehicles being driven upon any roadway outside of a 1418
business or residence district in a caravan or motorcade, shall 1419
maintain a sufficient space between such vehicles so an 1420
overtaking vehicle may enter and occupy such space without 1421
danger. This paragraph shall not apply to funeral processions. 1422

(B) Except as otherwise provided in this division, whoever 1423
violates this section is guilty of a minor misdemeanor. If, 1424
within one year of the offense, the offender previously has been 1425
convicted of or pleaded guilty to one predicate motor vehicle or 1426
traffic offense, whoever violates this section is guilty of a 1427
misdemeanor of the fourth degree. If, within one year of the 1428
offense, the offender previously has been convicted of two or 1429
more predicate motor vehicle or traffic offenses, whoever 1430
violates this section is guilty of a misdemeanor of the third 1431

degree. 1432

If the offender commits the offense while distracted and 1433
the distracting activity is a contributing factor to the 1434
commission of the offense, the offender is subject to the 1435
additional fine established under section 4511.991 of the 1436
Revised Code. 1437

Sec. 4511.35. (A) Whenever any highway has been divided 1438
into two roadways by an intervening space, or by a physical 1439
barrier, or clearly indicated dividing section so constructed as 1440
to impede vehicular traffic, every vehicle shall be driven only 1441
upon the right-hand roadway, and no vehicle shall be driven 1442
over, across, or within any such dividing space, barrier, or 1443
section, except through an opening, crossover, or intersection 1444
established by public authority. This section does not prohibit 1445
the occupancy of such dividing space, barrier, or section for 1446
the purpose of an emergency stop or in compliance with an order 1447
of a police officer. 1448

(B) Except as otherwise provided in this division, whoever 1449
violates this section is guilty of a minor misdemeanor. If, 1450
within one year of the offense, the offender previously has been 1451
convicted of or pleaded guilty to one predicate motor vehicle or 1452
traffic offense, whoever violates this section is guilty of a 1453
misdemeanor of the fourth degree. If, within one year of the 1454
offense, the offender previously has been convicted of two or 1455
more predicate motor vehicle or traffic offenses, whoever 1456
violates this section is guilty of a misdemeanor of the third 1457
degree. 1458

If the offender commits the offense while distracted and 1459
the distracting activity is a contributing factor to the 1460
commission of the offense, the offender is subject to the 1461

additional fine established under section 4511.991 of the 1462
Revised Code. 1463

Sec. 4511.36. (A) The driver of a vehicle intending to 1464
turn at an intersection shall be governed by the following 1465
rules: 1466

(1) Approach for a right turn and a right turn shall be 1467
made as close as practicable to the right-hand curb or edge of 1468
the roadway. 1469

(2) At any intersection where traffic is permitted to move 1470
in both directions on each roadway entering the intersection, an 1471
approach for a left turn shall be made in that portion of the 1472
right half of the roadway nearest the center line thereof and by 1473
passing to the right of such center line where it enters the 1474
intersection and after entering the intersection the left turn 1475
shall be made so as to leave the intersection to the right of 1476
the center line of the roadway being entered. Whenever 1477
practicable the left turn shall be made in that portion of the 1478
intersection to the left of the center of the intersection. 1479

(3) At any intersection where traffic is restricted to one 1480
direction on one or more of the roadways, the driver of a 1481
vehicle intending to turn left at any such intersection shall 1482
approach the intersection in the extreme left-hand lane lawfully 1483
available to traffic moving in the direction of travel of such 1484
vehicle, and after entering the intersection the left turn shall 1485
be made so as to leave the intersection, as nearly as 1486
practicable, in the left-hand lane of the roadway being entered 1487
lawfully available to traffic moving in that lane. 1488

(B) The operator of a trackless trolley shall comply with 1489
divisions (A) (1), (2), and (3) of this section wherever 1490

practicable. 1491

(C) The department of transportation and local authorities 1492
in their respective jurisdictions may cause markers, buttons, or 1493
signs to be placed within or adjacent to intersections and 1494
thereby require and direct that a different course from that 1495
specified in this section be traveled by vehicles, streetcars, 1496
or trackless trolleys, turning at an intersection, and when 1497
markers, buttons, or signs are so placed, no operator of a 1498
vehicle, streetcar, or trackless trolley shall turn such 1499
vehicle, streetcar, or trackless trolley at an intersection 1500
other than as directed and required by such markers, buttons, or 1501
signs. 1502

(D) Except as otherwise provided in this division, whoever 1503
violates this section is guilty of a minor misdemeanor. If, 1504
within one year of the offense, the offender previously has been 1505
convicted of or pleaded guilty to one predicate motor vehicle or 1506
traffic offense, whoever violates this section is guilty of a 1507
misdemeanor of the fourth degree. If, within one year of the 1508
offense, the offender previously has been convicted of two or 1509
more predicate motor vehicle or traffic offenses, whoever 1510
violates this section is guilty of a misdemeanor of the third 1511
degree. 1512

If the offender commits the offense while distracted and 1513
the distracting activity is a contributing factor to the 1514
commission of the offense, the offender is subject to the 1515
additional fine established under section 4511.991 of the 1516
Revised Code. 1517

Sec. 4511.37. (A) Except as provided in section 4511.13 of 1518
the Revised Code and division (B) of this section, no vehicle 1519
shall be turned so as to proceed in the opposite direction upon 1520

any curve, or upon the approach to or near the crest of a grade, 1521
if the vehicle cannot be seen within five hundred feet by the 1522
driver of any other vehicle approaching from either direction. 1523

(B) The driver of an emergency vehicle or public safety 1524
vehicle, when responding to an emergency call, may turn the 1525
vehicle so as to proceed in the opposite direction. This 1526
division applies only when the emergency vehicle or public 1527
safety vehicle is responding to an emergency call, is equipped 1528
with and displaying at least one flashing, rotating, or 1529
oscillating light visible under normal atmospheric conditions 1530
from a distance of five hundred feet to the front of the 1531
vehicle, and when the driver of the vehicle is giving an audible 1532
signal by siren, exhaust whistle, or bell. This division does 1533
not relieve the driver of an emergency vehicle or public safety 1534
vehicle from the duty to drive with due regard for the safety of 1535
all persons and property upon the highway. 1536

(C) Except as otherwise provided in this division, whoever 1537
violates this section is guilty of a minor misdemeanor. If, 1538
within one year of the offense, the offender previously has been 1539
convicted of or pleaded guilty to one predicate motor vehicle or 1540
traffic offense, whoever violates this section is guilty of a 1541
misdemeanor of the fourth degree. If, within one year of the 1542
offense, the offender previously has been convicted of two or 1543
more predicate motor vehicle or traffic offenses, whoever 1544
violates this section is guilty of a misdemeanor of the third 1545
degree. 1546

If the offender commits the offense while distracted and 1547
the distracting activity is a contributing factor to the 1548
commission of the offense, the offender is subject to the 1549
additional fine established under section 4511.991 of the 1550

Revised Code. 1551

Sec. 4511.38. (A) No person shall start a vehicle, 1552
streetcar, or trackless trolley which is stopped, standing, or 1553
parked until such movement can be made with reasonable safety. 1554

Before backing, operators of vehicle, streetcars, or 1555
trackless trolleys shall give ample warning, and while backing 1556
they shall exercise vigilance not to injure person or property 1557
on the street or highway. 1558

No person shall back a motor vehicle on a freeway, except: 1559
in a rest area; in the performance of public works or official 1560
duties; as a result of an emergency caused by an accident or 1561
breakdown of a motor vehicle. 1562

(B) Except as otherwise provided in this division, whoever 1563
violates this section is guilty of a minor misdemeanor. If, 1564
within one year of the offense, the offender previously has been 1565
convicted of or pleaded guilty to one predicate motor vehicle or 1566
traffic offense, whoever violates this section is guilty of a 1567
misdemeanor of the fourth degree. If, within one year of the 1568
offense, the offender previously has been convicted of two or 1569
more predicate motor vehicle or traffic offenses, whoever 1570
violates this section is guilty of a misdemeanor of the third 1571
degree. 1572

If the offender commits the offense while distracted and 1573
the distracting activity is a contributing factor to the 1574
commission of the offense, the offender is subject to the 1575
additional fine established under section 4511.991 of the 1576
Revised Code. 1577

Sec. 4511.39. (A) No person shall turn a vehicle or 1578
trackless trolley or move right or left upon a highway unless 1579

and until such person has exercised due care to ascertain that 1580
the movement can be made with reasonable safety nor without 1581
giving an appropriate signal in the manner hereinafter provided. 1582

When required, a signal of intention to turn or move right 1583
or left shall be given continuously during not less than the 1584
last one hundred feet traveled by the vehicle or trackless 1585
trolley before turning, except that in the case of a person 1586
operating a bicycle, the signal shall be made not less than one 1587
time but is not required to be continuous. A bicycle operator is 1588
not required to make a signal if the bicycle is in a designated 1589
turn lane, and a signal shall not be given when the operator's 1590
hands are needed for the safe operation of the bicycle. 1591

No person shall stop or suddenly decrease the speed of a 1592
vehicle or trackless trolley without first giving an appropriate 1593
signal in the manner provided herein to the driver of any 1594
vehicle or trackless trolley immediately to the rear when there 1595
is opportunity to give a signal. 1596

Any stop or turn signal required by this section shall be 1597
given either by means of the hand and arm, or by signal lights 1598
that clearly indicate to both approaching and following traffic 1599
intention to turn or move right or left, except that any motor 1600
vehicle in use on a highway shall be equipped with, and the 1601
required signal shall be given by, signal lights when the 1602
distance from the center of the top of the steering post to the 1603
left outside limit of the body, cab, or load of such motor 1604
vehicle exceeds twenty-four inches, or when the distance from 1605
the center of the top of the steering post to the rear limit of 1606
the body or load thereof exceeds fourteen feet, whether a single 1607
vehicle or a combination of vehicles. 1608

The signal lights required by this section shall not be 1609

flashed on one side only on a disabled vehicle or trackless 1610
trolley, flashed as a courtesy or "do pass" signal to operators 1611
of other vehicles or trackless trolleys approaching from the 1612
rear, nor be flashed on one side only of a parked vehicle or 1613
trackless trolley except as may be necessary for compliance with 1614
this section. 1615

(B) Except as otherwise provided in this division, whoever 1616
violates this section is guilty of a minor misdemeanor. If, 1617
within one year of the offense, the offender previously has been 1618
convicted of or pleaded guilty to one predicate motor vehicle or 1619
traffic offense, whoever violates this section is guilty of a 1620
misdemeanor of the fourth degree. If, within one year of the 1621
offense, the offender previously has been convicted of two or 1622
more predicate motor vehicle or traffic offenses, whoever 1623
violates this section is guilty of a misdemeanor of the third 1624
degree. 1625

If the offender commits the offense while distracted and 1626
the distracting activity is a contributing factor to the 1627
commission of the offense, the offender is subject to the 1628
additional fine established under section 4511.991 of the 1629
Revised Code. 1630

Sec. 4511.40. (A) Except as provided in division (B) of 1631
this section, all signals required by sections 4511.01 to 1632
4511.78 of the Revised Code, when given by hand and arm, shall 1633
be given from the left side of the vehicle in the following 1634
manner, and such signals shall indicate as follows: 1635

- (1) Left turn, hand and arm extended horizontally; 1636
- (2) Right turn, hand and arm extended upward; 1637
- (3) Stop or decrease speed, hand and arm extended 1638

downward. 1639

(B) As an alternative to division (A) (2) of this section, 1640
a person operating a bicycle may give a right turn signal by 1641
extending the right hand and arm horizontally and to the right 1642
side of the bicycle. 1643

(C) Except as otherwise provided in this division, whoever 1644
violates this section is guilty of a minor misdemeanor. If, 1645
within one year of the offense, the offender previously has been 1646
convicted of or pleaded guilty to one predicate motor vehicle or 1647
traffic offense, whoever violates this section is guilty of a 1648
misdemeanor of the fourth degree. If, within one year of the 1649
offense, the offender previously has been convicted of two or 1650
more predicate motor vehicle or traffic offenses, whoever 1651
violates this section is guilty of a misdemeanor of the third 1652
degree. 1653

If the offender commits the offense while distracted and 1654
the distracting activity is a contributing factor to the 1655
commission of the offense, the offender is subject to the 1656
additional fine established under section 4511.991 of the 1657
Revised Code. 1658

Sec. 4511.41. (A) When two vehicles, including any 1659
trackless trolley or streetcar, approach or enter an 1660
intersection from different streets or highways at approximately 1661
the same time, the driver of the vehicle on the left shall yield 1662
the right-of-way to the vehicle on the right. 1663

(B) The right-of-way rule declared in division (A) of this 1664
section is modified at through highways and otherwise as stated 1665
in Chapter 4511. of the Revised Code. 1666

(C) Except as otherwise provided in this division, whoever 1667

violates this section is guilty of a minor misdemeanor. If, 1668
within one year of the offense, the offender previously has been 1669
convicted of or pleaded guilty to one predicate motor vehicle or 1670
traffic offense, whoever violates this section is guilty of a 1671
misdemeanor of the fourth degree. If, within one year of the 1672
offense, the offender previously has been convicted of two or 1673
more predicate motor vehicle or traffic offenses, whoever 1674
violates this section is guilty of a misdemeanor of the third 1675
degree. 1676

If the offender commits the offense while distracted and 1677
the distracting activity is a contributing factor to the 1678
commission of the offense, the offender is subject to the 1679
additional fine established under section 4511.991 of the 1680
Revised Code. 1681

Sec. 4511.42. (A) The operator of a vehicle, streetcar, or 1682
trackless trolley intending to turn to the left within an 1683
intersection or into an alley, private road, or driveway shall 1684
yield the right of way to any vehicle, streetcar, or trackless 1685
trolley approaching from the opposite direction, whenever the 1686
approaching vehicle, streetcar, or trackless trolley is within 1687
the intersection or so close to the intersection, alley, private 1688
road, or driveway as to constitute an immediate hazard. 1689

(B) Except as otherwise provided in this division, whoever 1690
violates this section is guilty of a minor misdemeanor. If, 1691
within one year of the offense, the offender previously has been 1692
convicted of or pleaded guilty to one predicate motor vehicle or 1693
traffic offense, whoever violates this section is guilty of a 1694
misdemeanor of the fourth degree. If, within one year of the 1695
offense, the offender previously has been convicted of two or 1696
more predicate motor vehicle or traffic offenses, whoever 1697

violates this section is guilty of a misdemeanor of the third 1698
degree. 1699

If the offender commits the offense while distracted and 1700
the distracting activity is a contributing factor to the 1701
commission of the offense, the offender is subject to the 1702
additional fine established under section 4511.991 of the 1703
Revised Code. 1704

Sec. 4511.43. (A) Except when directed to proceed by a law 1705
enforcement officer, every driver of a vehicle or trackless 1706
trolley approaching a stop sign shall stop at a clearly marked 1707
stop line, but if none, before entering the crosswalk on the 1708
near side of the intersection, or, if none, then at the point 1709
nearest the intersecting roadway where the driver has a view of 1710
approaching traffic on the intersecting roadway before entering 1711
it. After having stopped, the driver shall yield the right-of- 1712
way to any vehicle in the intersection or approaching on another 1713
roadway so closely as to constitute an immediate hazard during 1714
the time the driver is moving across or within the intersection 1715
or junction of roadways. 1716

(B) The driver of a vehicle or trackless trolley 1717
approaching a yield sign shall slow down to a speed reasonable 1718
for the existing conditions and, if required for safety to stop, 1719
shall stop at a clearly marked stop line, but if none, before 1720
entering the crosswalk on the near side of the intersection, or, 1721
if none, then at the point nearest the intersecting roadway 1722
where the driver has a view of approaching traffic on the 1723
intersecting roadway before entering it. After slowing or 1724
stopping, the driver shall yield the right-of-way to any vehicle 1725
or trackless trolley in the intersection or approaching on 1726
another roadway so closely as to constitute an immediate hazard 1727

during the time the driver is moving across or within the 1728
intersection or junction of roadways. Whenever a driver is 1729
involved in a collision with a vehicle or trackless trolley in 1730
the intersection or junction of roadways, after driving past a 1731
yield sign without stopping, the collision shall be prima-facie 1732
evidence of the driver's failure to yield the right-of-way. 1733

(C) Except as otherwise provided in this division, whoever 1734
violates this section is guilty of a minor misdemeanor. If, 1735
within one year of the offense, the offender previously has been 1736
convicted of or pleaded guilty to one predicate motor vehicle or 1737
traffic offense, whoever violates this section is guilty of a 1738
misdemeanor of the fourth degree. If, within one year of the 1739
offense, the offender previously has been convicted of two or 1740
more predicate motor vehicle or traffic offenses, whoever 1741
violates this section is guilty of a misdemeanor of the third 1742
degree. 1743

If the offender commits the offense while distracted and 1744
the distracting activity is a contributing factor to the 1745
commission of the offense, the offender is subject to the 1746
additional fine established under section 4511.991 of the 1747
Revised Code. 1748

Sec. 4511.431. (A) The driver of a vehicle or trackless 1749
trolley emerging from an alley, building, private road, or 1750
driveway within a business or residence district shall stop the 1751
vehicle or trackless trolley immediately prior to driving onto a 1752
sidewalk or onto the sidewalk area extending across the alley, 1753
building entrance, road, or driveway, or in the event there is 1754
no sidewalk area, shall stop at the point nearest the street to 1755
be entered where the driver has a view of approaching traffic 1756
thereon. 1757

(B) Except as otherwise provided in this division, whoever 1758
violates this section is guilty of a minor misdemeanor. If, 1759
within one year of the offense, the offender previously has been 1760
convicted of or pleaded guilty to one predicate motor vehicle or 1761
traffic offense, whoever violates this section is guilty of a 1762
misdemeanor of the fourth degree. If, within one year of the 1763
offense, the offender previously has been convicted of two or 1764
more predicate motor vehicle or traffic offenses, whoever 1765
violates this section is guilty of a misdemeanor of the third 1766
degree. 1767

If the offender commits the offense while distracted and 1768
the distracting activity is a contributing factor to the 1769
commission of the offense, the offender is subject to the 1770
additional fine established under section 4511.991 of the 1771
Revised Code. 1772

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or 1773
trackless trolley about to enter or cross a highway from any 1774
place other than another roadway shall yield the right of way to 1775
all traffic approaching on the roadway to be entered or crossed. 1776

(B) Except as otherwise provided in this division, whoever 1777
violates this section is guilty of a minor misdemeanor. If, 1778
within one year of the offense, the offender previously has been 1779
convicted of or pleaded guilty to one predicate motor vehicle or 1780
traffic offense, whoever violates this section is guilty of a 1781
misdemeanor of the fourth degree. If, within one year of the 1782
offense, the offender previously has been convicted of two or 1783
more predicate motor vehicle or traffic offenses, whoever 1784
violates this section is guilty of a misdemeanor of the third 1785
degree. 1786

If the offender commits the offense while distracted and 1787

the distracting activity is a contributing factor to the 1788
commission of the offense, the offender is subject to the 1789
additional fine established under section 4511.991 of the 1790
Revised Code. 1791

Sec. 4511.441. (A) The driver of a vehicle shall yield the 1792
right-of-way to any pedestrian on a sidewalk. 1793

(B) Except as otherwise provided in this division, whoever 1794
violates this section is guilty of a minor misdemeanor. If, 1795
within one year of the offense, the offender previously has been 1796
convicted of or pleaded guilty to one predicate motor vehicle or 1797
traffic offense, whoever violates this section is guilty of a 1798
misdemeanor of the fourth degree. If, within one year of the 1799
offense, the offender previously has been convicted of two or 1800
more predicate motor vehicle or traffic offenses, whoever 1801
violates this section is guilty of a misdemeanor of the third 1802
degree. 1803

If the offender commits the offense while distracted and 1804
the distracting activity is a contributing factor to the 1805
commission of the offense, the offender is subject to the 1806
additional fine established under section 4511.991 of the 1807
Revised Code. 1808

Sec. 4511.451. (A) As used in this section, "funeral 1809
procession" means two or more vehicles accompanying the cremated 1810
remains or the body of a deceased person in the daytime when 1811
each of the vehicles has its headlights lighted and is 1812
displaying a purple and white or an orange and white pennant 1813
attached to each vehicle in such a manner as to be clearly 1814
visible to traffic approaching from any direction. 1815

(B) Excepting public safety vehicles proceeding in 1816

accordance with section 4511.45 of the Revised Code or when 1817
directed otherwise by a police officer, pedestrians and the 1818
operators of all vehicles, street cars, and trackless trolleys 1819
shall yield the right of way to each vehicle that is a part of a 1820
funeral procession. Whenever the lead vehicle in a funeral 1821
procession lawfully enters an intersection, the remainder of the 1822
vehicles in the procession may continue to follow the lead 1823
vehicle through the intersection notwithstanding any traffic 1824
control devices or right of way provisions of the Revised Code, 1825
provided that the operator of each vehicle exercises due care to 1826
avoid colliding with any other vehicle or pedestrian. 1827

(C) No person shall operate any vehicle as a part of a 1828
funeral procession without having the headlights of the vehicle 1829
lighted and without displaying a purple and white or an orange 1830
and white pennant in such a manner as to be clearly visible to 1831
traffic approaching from any direction. 1832

(D) Except as otherwise provided in this division, whoever 1833
violates this section is guilty of a minor misdemeanor. If, 1834
within one year of the offense, the offender previously has been 1835
convicted of or pleaded guilty to one predicate motor vehicle or 1836
traffic offense, whoever violates this section is guilty of a 1837
misdemeanor of the fourth degree. If, within one year of the 1838
offense, the offender previously has been convicted of two or 1839
more predicate motor vehicle or traffic offenses, whoever 1840
violates this section is guilty of a misdemeanor of the third 1841
degree. 1842

If the offender commits the offense while distracted and 1843
the distracting activity is a contributing factor to the 1844
commission of the offense, the offender is subject to the 1845
additional fine established under section 4511.991 of the 1846

Revised Code. 1847

Sec. 4511.46. (A) When traffic control signals are not in 1848
place, not in operation, or are not clearly assigning the right- 1849
of-way, the driver of a vehicle, trackless trolley, or streetcar 1850
shall yield the right of way, slowing down or stopping if need 1851
be to so yield or if required by section 4511.132 of the Revised 1852
Code, to a pedestrian crossing the roadway within a crosswalk 1853
when the pedestrian is upon the half of the roadway upon which 1854
the vehicle is traveling, or when the pedestrian is approaching 1855
so closely from the opposite half of the roadway as to be in 1856
danger. 1857

(B) No pedestrian shall suddenly leave a curb or other 1858
place of safety and walk or run into the path of a vehicle, 1859
trackless trolley, or streetcar which is so close as to 1860
constitute an immediate hazard. 1861

(C) Division (A) of this section does not apply under the 1862
conditions stated in division (B) of section 4511.48 of the 1863
Revised Code. 1864

(D) Whenever any vehicle, trackless trolley, or streetcar 1865
is stopped at a marked crosswalk or at any unmarked crosswalk at 1866
an intersection to permit a pedestrian to cross the roadway, the 1867
driver of any other vehicle, trackless trolley, or streetcar 1868
approaching from the rear shall not overtake and pass the 1869
stopped vehicle. 1870

(E) Except as otherwise provided in this division, whoever 1871
violates this section is guilty of a minor misdemeanor. If, 1872
within one year of the offense, the offender previously has been 1873
convicted of or pleaded guilty to one predicate motor vehicle or 1874
traffic offense, whoever violates this section is guilty of a 1875

misdemeanor of the fourth degree. If, within one year of the 1876
offense, the offender previously has been convicted of two or 1877
more predicate motor vehicle or traffic offenses, whoever 1878
violates this section is guilty of a misdemeanor of the third 1879
degree. 1880

If the offender commits the offense while distracted and 1881
the distracting activity is a contributing factor to the 1882
commission of the offense, the offender is subject to the 1883
additional fine established under section 4511.991 of the 1884
Revised Code. 1885

Sec. 4511.47. (A) As used in this section "blind person" 1886
or "blind pedestrian" means a person having not more than 20/200 1887
visual acuity in the better eye with correcting lenses or visual 1888
acuity greater than 20/200 but with a limitation in the fields 1889
of vision such that the widest diameter of the visual field 1890
subtends an angle no greater than twenty degrees. 1891

The driver of every vehicle shall yield the right of way 1892
to every blind pedestrian guided by a guide dog, or carrying a 1893
cane which is predominantly white or metallic in color, with or 1894
without a red tip. 1895

(B) No person, other than a blind person, while on any 1896
public highway, street, alley, or other public thoroughfare 1897
shall carry a white or metallic cane with or without a red tip. 1898

(C) Except as otherwise provided in this division, whoever 1899
violates this section is guilty of a minor misdemeanor. If, 1900
within one year of the offense, the offender previously has been 1901
convicted of or pleaded guilty to one predicate motor vehicle or 1902
traffic offense, whoever violates this section is guilty of a 1903
misdemeanor of the fourth degree. If, within one year of the 1904

offense, the offender previously has been convicted of two or 1905
more predicate motor vehicle or traffic offenses, whoever 1906
violates this section is guilty of a misdemeanor of the third 1907
degree. 1908

If the offender commits the offense while distracted and 1909
the distracting activity is a contributing factor to the 1910
commission of the offense, the offender is subject to the 1911
additional fine established under section 4511.991 of the 1912
Revised Code. 1913

Sec. 4511.54. (A) No person riding upon any bicycle, 1914
coaster, roller skates, sled, or toy vehicle shall attach the 1915
same or self to any streetcar, trackless trolley, or vehicle 1916
upon a roadway. 1917

No operator shall knowingly permit any person riding upon 1918
any bicycle, coaster, roller skates, sled, or toy vehicle to 1919
attach the same or self to any streetcar, trackless trolley, or 1920
vehicle while it is moving upon a roadway. 1921

This section does not apply to the towing of a disabled 1922
vehicle. 1923

(B) Except as otherwise provided in this division, whoever 1924
violates this section is guilty of a minor misdemeanor. If, 1925
within one year of the offense, the offender previously has been 1926
convicted of or pleaded guilty to one predicate motor vehicle or 1927
traffic offense, whoever violates this section is guilty of a 1928
misdemeanor of the fourth degree. If, within one year of the 1929
offense, the offender previously has been convicted of two or 1930
more predicate motor vehicle or traffic offenses, whoever 1931
violates this section is guilty of a misdemeanor of the third 1932
degree. 1933

If the offender commits the offense while distracted and 1934
the distracting activity is a contributing factor to the 1935
commission of the offense, the offender is subject to the 1936
additional fine established under section 4511.991 of the 1937
Revised Code. 1938

Sec. 4511.55. (A) Every person operating a bicycle upon a 1939
roadway shall ride as near to the right side of the roadway as 1940
practicable obeying all traffic rules applicable to vehicles and 1941
exercising due care when passing a standing vehicle or one 1942
proceeding in the same direction. 1943

(B) Persons riding bicycles or motorcycles upon a roadway 1944
shall ride not more than two abreast in a single lane, except on 1945
paths or parts of roadways set aside for the exclusive use of 1946
bicycles or motorcycles. 1947

(C) This section does not require a person operating a 1948
bicycle to ride at the edge of the roadway when it is 1949
unreasonable or unsafe to do so. Conditions that may require 1950
riding away from the edge of the roadway include when necessary 1951
to avoid fixed or moving objects, parked or moving vehicles, 1952
surface hazards, or if it otherwise is unsafe or impracticable 1953
to do so, including if the lane is too narrow for the bicycle 1954
and an overtaking vehicle to travel safely side by side within 1955
the lane. 1956

(D) Except as otherwise provided in this division, whoever 1957
violates this section is guilty of a minor misdemeanor. If, 1958
within one year of the offense, the offender previously has been 1959
convicted of or pleaded guilty to one predicate motor vehicle or 1960
traffic offense, whoever violates this section is guilty of a 1961
misdemeanor of the fourth degree. If, within one year of the 1962
offense, the offender previously has been convicted of two or 1963

more predicate motor vehicle or traffic offenses, whoever 1964
violates this section is guilty of a misdemeanor of the third 1965
degree. 1966

If the offender commits the offense while distracted and 1967
the distracting activity is a contributing factor to the 1968
commission of the offense, the offender is subject to the 1969
additional fine established under section 4511.991 of the 1970
Revised Code. 1971

Sec. 4511.57. (A) The driver of a vehicle shall not 1972
overtake and pass upon the left nor drive upon the left side of 1973
any streetcar proceeding in the same direction, whether such 1974
streetcar is in motion or at rest, except: 1975

(1) When so directed by a police officer or traffic 1976
control device; 1977

(2) When upon a one-way street; 1978

(3) When upon a street where the tracks are so located as 1979
to prevent compliance with this section; 1980

(4) When authorized by local authorities. 1981

(B) The driver of any vehicle when permitted to overtake 1982
and pass upon the left of a streetcar which has stopped for the 1983
purpose of receiving or discharging any passenger shall accord 1984
pedestrians the right of way. 1985

(C) Except as otherwise provided in this division, whoever 1986
violates this section is guilty of a minor misdemeanor. If, 1987
within one year of the offense, the offender previously has been 1988
convicted of or pleaded guilty to one predicate motor vehicle or 1989
traffic offense, whoever violates this section is guilty of a 1990
misdemeanor of the fourth degree. If, within one year of the 1991

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.

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

(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 2022
the distracting activity is a contributing factor to the 2023
commission of the offense, the offender is subject to the 2024
additional fine established under section 4511.991 of the 2025
Revised Code. 2026

Sec. 4511.59. (A) The driver of any vehicle proceeding 2027
upon any streetcar tracks in front of a streetcar shall remove 2028
such vehicle from the track as soon as practicable after signal 2029
from the operator of said streetcar. 2030

The driver of a vehicle upon overtaking and passing a 2031
streetcar shall not turn in front of such streetcar unless such 2032
movement can be made in safety. 2033

(B) Except as otherwise provided in this division, whoever 2034
violates this section is guilty of a minor misdemeanor. If, 2035
within one year of the offense, the offender previously has been 2036
convicted of or pleaded guilty to one predicate motor vehicle or 2037
traffic offense, whoever violates this section is guilty of a 2038
misdemeanor of the fourth degree. If, within one year of the 2039
offense, the offender previously has been convicted of two or 2040
more predicate motor vehicle or traffic offenses, whoever 2041
violates this section is guilty of a misdemeanor of the third 2042
degree. 2043

If the offender commits the offense while distracted and 2044
the distracting activity is a contributing factor to the 2045
commission of the offense, the offender is subject to the 2046
additional fine established under section 4511.991 of the 2047
Revised Code. 2048

Sec. 4511.60. (A) No vehicle shall at any time be driven 2049
through or within a safety zone. 2050

(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.

Sec. 4511.61. (A) As used in this section, "active grade
crossing warning device" has the same meaning as in section
5733.43 of the Revised Code.

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

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

(a) New warning devices that are not active grade crossing
warning devices are being installed at the grade crossing, and

railroad crossbucks were the only warning devices at the grade 2080
crossing prior to the installation of the new warning devices. 2081

(b) The grade crossing is constructed after ~~the effective~~ 2082
~~date of this amendment July 1, 2013,~~ and only warning devices 2083
that are not active grade crossing warning devices are installed 2084
at the grade crossing. 2085

(2) Division (C)(1) of this section does not apply to a 2086
railroad highway grade crossing that the director of 2087
transportation has exempted from that division because of 2088
traffic flow or other considerations or factors. 2089

(D) When stop signs are erected pursuant to division (B) 2090
or (C) of this section, the operator of any vehicle, streetcar, 2091
or trackless trolley shall stop within fifty, but not less than 2092
fifteen, feet from the nearest rail of the railroad tracks and 2093
shall exercise due care before proceeding across such grade 2094
crossing. 2095

(E) Except as otherwise provided in this division, whoever 2096
violates division (D) of this section is guilty of a minor 2097
misdemeanor. If, within one year of the offense, the offender 2098
previously has been convicted of or pleaded guilty to one 2099
predicate motor vehicle or traffic offense, whoever violates 2100
this section is guilty of a misdemeanor of the fourth degree. 2101
If, within one year of the offense, the offender previously has 2102
been convicted of two or more predicate motor vehicle or traffic 2103
offenses, whoever violates this section is guilty of a 2104
misdemeanor of the third degree. 2105

If the offender commits the offense while distracted and 2106
the distracting activity is a contributing factor to the 2107
commission of the offense, the offender is subject to the 2108

additional fine established under section 4511.991 of the 2109
Revised Code. 2110

Sec. 4511.64. (A) No person shall operate or move any 2111
crawler-type tractor, steam shovel, derrick, roller, or any 2112
equipment or structure having a normal operating speed of six or 2113
less miles per hour or a vertical body or load clearance of less 2114
than nine inches above the level surface of a roadway, upon or 2115
across any tracks at a railroad grade crossing without first 2116
complying with divisions (A) (1) and (2) of this section. 2117

(1) Before making any such crossing, the person operating 2118
or moving any such vehicle or equipment shall first stop the 2119
same, and while stopped the person shall listen and look in both 2120
directions along such track for any approaching train and for 2121
signals indicating the approach of a train, and shall proceed 2122
only upon exercising due care. 2123

(2) No such crossing shall be made when warning is given 2124
by automatic signal or crossing gates or a flagperson or 2125
otherwise of the immediate approach of a railroad train or car. 2126

(B) If the normal sustained speed of such vehicle, 2127
equipment, or structure is not more than three miles per hour, 2128
the person owning, operating, or moving the same shall also give 2129
notice of such intended crossing to a station agent or 2130
superintendent of the railroad, and a reasonable time shall be 2131
given to such railroad to provide proper protection for such 2132
crossing. Where such vehicles or equipment are being used in 2133
constructing or repairing a section of highway lying on both 2134
sides of a railroad grade crossing, and in such construction or 2135
repair it is necessary to repeatedly move such vehicles or 2136
equipment over such crossing, one daily notice specifying when 2137
such work will start and stating the hours during which it will 2138

be prosecuted is sufficient. 2139

(C) Except as otherwise provided in this division, whoever 2140
violates this section is guilty of a minor misdemeanor. If, 2141
within one year of the offense, the offender previously has been 2142
convicted of or pleaded guilty to one predicate motor vehicle or 2143
traffic offense, whoever violates this section is guilty of a 2144
misdemeanor of the fourth degree. If, within one year of the 2145
offense, the offender previously has been convicted of two or 2146
more predicate motor vehicle or traffic offenses, whoever 2147
violates this section is guilty of a misdemeanor of the third 2148
degree. 2149

If the offender commits the offense while distracted and 2150
the distracting activity is a contributing factor to the 2151
commission of the offense, the offender is subject to the 2152
additional fine established under section 4511.991 of the 2153
Revised Code. 2154

Sec. 4511.71. (A) No person shall drive upon, along, or 2155
across a street or highway, or any part of a street or highway 2156
that has been closed in the process of its construction, 2157
reconstruction, or repair, and posted with appropriate signs by 2158
the authority having jurisdiction to close such highway. 2159

(B) Except as otherwise provided in this division, whoever 2160
violates this section is guilty of a minor misdemeanor. If, 2161
within one year of the offense, the offender previously has been 2162
convicted of or pleaded guilty to one predicate motor vehicle or 2163
traffic offense, whoever violates this section is guilty of a 2164
misdemeanor of the fourth degree. If, within one year of the 2165
offense, the offender previously has been convicted of two or 2166
more predicate motor vehicle or traffic offenses, whoever 2167
violates this section is guilty of a misdemeanor of the third 2168

degree. 2169

If the offender commits the offense while distracted and 2170
the distracting activity is a contributing factor to the 2171
commission of the offense, the offender is subject to the 2172
additional fine established under section 4511.991 of the 2173
Revised Code. 2174

Sec. 4511.711. (A) No person shall drive any vehicle, 2175
other than a bicycle, upon a sidewalk or sidewalk area except 2176
upon a permanent or duly authorized temporary driveway. 2177

Nothing in this section shall be construed as prohibiting 2178
local authorities from regulating the operation of bicycles 2179
within their respective jurisdictions, except that no local 2180
authority may require that bicycles be operated on sidewalks. 2181

(B) Except as otherwise provided in this division, whoever 2182
violates this section is guilty of a minor misdemeanor. If, 2183
within one year of the offense, the offender previously has been 2184
convicted of or pleaded guilty to one predicate motor vehicle or 2185
traffic offense, whoever violates this section is guilty of a 2186
misdemeanor of the fourth degree. If, within one year of the 2187
offense, the offender previously has been convicted of two or 2188
more predicate motor vehicle or traffic offenses, whoever 2189
violates this section is guilty of a misdemeanor of the third 2190
degree. 2191

If the offender commits the offense while distracted and 2192
the distracting activity is a contributing factor to the 2193
commission of the offense, the offender is subject to the 2194
additional fine established under section 4511.991 of the 2195
Revised Code. 2196

Sec. 4511.712. (A) No driver shall enter an intersection 2197

or marked crosswalk or drive onto any railroad grade crossing 2198
unless there is sufficient space on the other side of the 2199
intersection, crosswalk, or grade crossing to accommodate the 2200
vehicle, streetcar, or trackless trolley the driver is operating 2201
without obstructing the passage of other vehicles, streetcars, 2202
trackless trolleys, pedestrians, or railroad trains, 2203
notwithstanding any traffic control signal indication to 2204
proceed. 2205

(B) Except as otherwise provided in this division, whoever 2206
violates this section is guilty of a minor misdemeanor. If, 2207
within one year of the offense, the offender previously has been 2208
convicted of or pleaded guilty to one predicate motor vehicle or 2209
traffic offense, whoever violates this section is guilty of a 2210
misdemeanor of the fourth degree. If, within one year of the 2211
offense, the offender previously has been convicted of two or 2212
more predicate motor vehicle or traffic offenses, whoever 2213
violates this section is guilty of a misdemeanor of the third 2214
degree. 2215

If the offender commits the offense while distracted and 2216
the distracting activity is a contributing factor to the 2217
commission of the offense, the offender is subject to the 2218
additional fine established under section 4511.991 of the 2219
Revised Code. 2220

Sec. 4511.713. (A) No person shall operate a motor 2221
vehicle, snowmobile, or all-purpose vehicle upon any path set 2222
aside for the exclusive use of bicycles, when an appropriate 2223
sign giving notice of such use is posted on the path. 2224

Nothing in this section shall be construed to affect any 2225
rule of the director of natural resources governing the 2226
operation of motor vehicles, snowmobiles, all-purpose vehicles, 2227

and bicycles on lands under the director's jurisdiction. 2228

(B) Except as otherwise provided in this division, whoever 2229
violates this section is guilty of a minor misdemeanor. If, 2230
within one year of the offense, the offender previously has been 2231
convicted of or pleaded guilty to one predicate motor vehicle or 2232
traffic offense, whoever violates this section is guilty of a 2233
misdemeanor of the fourth degree. If, within one year of the 2234
offense, the offender previously has been convicted of two or 2235
more predicate motor vehicle or traffic offenses, whoever 2236
violates this section is guilty of a misdemeanor of the third 2237
degree. 2238

If the offender commits the offense while distracted and 2239
the distracting activity is a contributing factor to the 2240
commission of the offense, the offender is subject to the 2241
additional fine established under section 4511.991 of the 2242
Revised Code. 2243

Sec. 4511.72. (A) The driver of any vehicle, other than an 2244
emergency vehicle or public safety vehicle on official business, 2245
shall not follow any emergency vehicle or public safety vehicle 2246
traveling in response to an alarm closer than five hundred feet, 2247
or drive into or park such vehicle within the block where fire 2248
apparatus has stopped in answer to a fire alarm, unless directed 2249
to do so by a police officer or a firefighter. 2250

(B) Except as otherwise provided in this division, whoever 2251
violates this section is guilty of a minor misdemeanor. If, 2252
within one year of the offense, the offender previously has been 2253
convicted of or pleaded guilty to one predicate motor vehicle or 2254
traffic offense, whoever violates this section is guilty of a 2255
misdemeanor of the fourth degree. If, within one year of the 2256
offense, the offender previously has been convicted of two or 2257

more predicate motor vehicle or traffic offenses, whoever 2258
violates this section is guilty of a misdemeanor of the third 2259
degree. 2260

If the offender commits the offense while distracted and 2261
the distracting activity is a contributing factor to the 2262
commission of the offense, the offender is subject to the 2263
additional fine established under section 4511.991 of the 2264
Revised Code. 2265

Sec. 4511.73. (A) No streetcar, trackless trolley, or 2266
vehicle shall, without the consent of the fire department 2267
official in command, be driven over any unprotected hose of a 2268
fire department that is laid down on any street, private 2269
driveway, or streetcar track to be used at any fire or alarm of 2270
fire. 2271

(B) Except as otherwise provided in this division, whoever 2272
violates this section is guilty of a minor misdemeanor. If, 2273
within one year of the offense, the offender previously has been 2274
convicted of or pleaded guilty to one predicate motor vehicle or 2275
traffic offense, whoever violates this section is guilty of a 2276
misdemeanor of the fourth degree. If, within one year of the 2277
offense, the offender previously has been convicted of two or 2278
more predicate motor vehicle or traffic offenses, whoever 2279
violates this section is guilty of a misdemeanor of the third 2280
degree. 2281

If the offender commits the offense while distracted and 2282
the distracting activity is a contributing factor to the 2283
commission of the offense, the offender is subject to the 2284
additional fine established under section 4511.991 of the 2285
Revised Code. 2286

Sec. 4511.991. (A) As used in this section and each 2287
section referenced in division (B) of this section, all of the 2288
following apply: 2289

(1) "Distracted" means doing either of the following while 2290
operating a vehicle: 2291

(a) Using a handheld electronic wireless communications 2292
device, as defined in section 4511.204 of the Revised Code, 2293
except when utilizing any of the following: 2294

(i) The device's speakerphone function; 2295

(ii) A wireless technology standard for exchanging data 2296
over short distances; 2297

(iii) A "voice-operated or hands-free" device that allows 2298
the person to use the electronic wireless communications device 2299
without the use of either hand except to activate, deactivate, 2300
or initiate a feature or function; 2301

(iv) Any device that is physically or electronically 2302
integrated into the motor vehicle. 2303

(b) Engaging in any activity that is not necessary to the 2304
operation of a vehicle and impairs, or reasonably would be 2305
expected to impair, the ability of the operator to drive the 2306
vehicle safely. 2307

(2) "Distracted" does not include operating a motor 2308
vehicle while wearing an earphone or earplug over or in both 2309
ears at the same time. A person who so wears earphones or 2310
earplugs may be charged with a violation of section 4511.84 of 2311
the Revised Code. 2312

(3) "Distracted" does not include conducting any activity 2313
while operating a utility service vehicle or a vehicle for or on 2314

behalf of a utility, provided that the driver of the vehicle is 2315
acting in response to an emergency, power outage, or a 2316
circumstance affecting the health or safety of individuals. 2317

As used in division (A) (3) of this section: 2318

(a) "Utility" means an entity specified in division (A), 2319
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 2320

(b) "Utility service vehicle" means a vehicle owned or 2321
operated by a utility. 2322

(B) If an offender violates section 4511.03, 4511.051, 2323
4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 2324
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 2325
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 2326
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 2327
4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 2328
4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 2329
4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 2330
4511.73 of the Revised Code while distracted and the distracting 2331
activity is a contributing factor to the commission of the 2332
violation, the offender is subject to the applicable penalty for 2333
the violation and, notwithstanding section 2929.28 of the 2334
Revised Code, is subject to an additional fine of not more than 2335
one hundred dollars as follows: 2336

(1) Subject to Traffic Rule 13, if a law enforcement 2337
officer issues an offender a ticket, citation, or summons for a 2338
violation of any of the aforementioned sections of the Revised 2339
Code that indicates that the offender was distracted while 2340
committing the violation and that the distracting activity was a 2341
contributing factor to the commission of the violation, the 2342
offender may enter a written plea of guilty and waive the 2343

offender's right to contest the ticket, citation, or summons in 2344
a trial provided that the offender pays the total amount of the 2345
fine established for the violation and pays the additional fine 2346
of one hundred dollars. 2347

In lieu of payment of the additional fine of one hundred 2348
dollars, the offender instead may elect to attend a distracted 2349
driving safety course, the duration and contents of which shall 2350
be established by the director of public safety. If the offender 2351
attends and successfully completes the course, the offender 2352
shall be issued written evidence that the offender successfully 2353
completed the course. The offender shall be required to pay the 2354
total amount of the fine established for the violation, but 2355
shall not be required to pay the additional fine of one hundred 2356
dollars, so long as the offender submits to the court both the 2357
offender's payment in full and such written evidence. 2358

(2) If the offender appears in person to contest the 2359
ticket, citation, or summons in a trial and the offender pleads 2360
guilty to or is convicted of the violation, the court, in 2361
addition to all other penalties provided by law, may impose the 2362
applicable penalty for the violation and may impose the 2363
additional fine of not more than one hundred dollars. 2364

If the court imposes upon the offender the applicable 2365
penalty for the violation and an additional fine of not more 2366
than one hundred dollars, the court shall inform the offender 2367
that, in lieu of payment of the additional fine of not more than 2368
one hundred dollars, the offender instead may elect to attend 2369
the distracted driving safety course described in division (B) 2370
(1) of this section. If the offender elects the course option 2371
and attends and successfully completes the course, the offender 2372
shall be issued written evidence that the offender successfully 2373

completed the course. The offender shall be required to pay the 2374
total amount of the fine established for the violation, but 2375
shall not be required to pay the additional fine of not more 2376
than one hundred dollars, so long as the offender submits to the 2377
court the offender's payment and such written evidence. 2378

Section 2. That existing sections 4511.03, 4511.051, 2379
4511.12, 4511.121, 4511.132, 4511.204, 4511.205, 4511.21, 2380
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 2381
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 2382
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 2383
4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 2384
4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 2385
4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 2386
4511.713, 4511.72, and 4511.73 of the Revised Code are hereby 2387
repealed. 2388

Section 3. The amendments to sections 4511.204 and 2389
4511.205 of the Revised Code by this act are intended to reenact 2390
the amendments to those sections made by Sub. H.B. 606 of the 2391
129th General Assembly that were severed by the Tenth District 2392
Court of Appeals of Ohio in *Linndale v. Ohio*, 2014-Ohio-4024; 19 2393
N.E.3d 935 (10th Dist.) due to the determination that those 2394
provisions violated the one subject rule established under 2395
Article II, Section 15(D) of the Ohio Constitution. 2396