

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 436**

**Representatives Boggs, Leland**

**Cosponsors: Representatives Kelly, Rogers, Lepore-Hagan, Smith, K., West**

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**A BILL**

To amend sections 4511.11 and 4511.21 of the  
Revised Code to permit a local resident,  
neighborhood association, or neighborhood  
organization to request the erection of a stop  
sign at an intersection and to support a request  
for a lower prima facie speed limit on certain  
streets and highways.

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

**Section 1.** That sections 4511.11 and 4511.21 of the  
Revised Code be amended to read as follows:

**Sec. 4511.11.** (A) ~~Local~~ Except as provided in division (B)  
of this section, local authorities in their respective  
jurisdictions shall place and maintain traffic control devices  
in accordance with the department of transportation manual for a  
uniform system of traffic control devices, adopted under section  
4511.09 of the Revised Code, upon highways under their  
jurisdiction as are necessary to indicate and to carry out  
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code,  
local traffic ordinances, or to regulate, warn, or guide

traffic.

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(B) (1) Either of the following may submit a petition to  
the director of transportation or the proper local authority  
requesting that a stop sign be erected at an intersection at  
which a stop sign currently is not present:

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(a) A person who resides within a one-quarter mile radius  
of the intersection if the intersection is within the boundaries  
of a municipal corporation, or a person who resides within a  
one-half mile radius of the intersection if the intersection is  
not within the boundaries of a municipal corporation;

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(b) A recognized neighborhood association or organization  
that represents the area within which the intersection is  
located.

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(2) The petitioner shall specify in the petition the  
intersection at which the petitioner desires the stop sign to be  
erected by describing in detail the intersection's location. If  
the intersection is located within the boundaries of a municipal  
corporation, the petitioner also shall include with the petition  
the signatures of at least fifty-one per cent of the persons who  
own real property within a one-quarter mile radius of the  
intersection. If the intersection is not located within the  
boundaries of a municipal corporation, the petitioner also shall  
include with the petition the signatures of at least fifty-one  
per cent of the persons who own real property within a one-half  
mile radius of the intersection.

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(3) Upon receipt of the petition, the director or local  
authority shall determine whether a stop sign should be erected  
at the intersection. The director or local authority, in  
addition to consulting the state manual, shall take into account

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and give due consideration to the petition in determining 48  
whether to erect the stop sign requested in the petition. The 49  
director or local authority shall notify the petitioner in 50  
writing of the director's or local authority's decision 51  
regarding the requested stop sign. 52

If the director or local authority determines that a stop 53  
sign should be erected at the intersection, the director or 54  
local authority shall issue a written determination. The 55  
director or local authority shall install the stop sign at the 56  
intersection not later than thirty days after the date the 57  
director or local authority issues the written determination. 58

(C) The director of transportation may require to be 59  
removed any traffic control device that does not conform to the 60  
state manual for a uniform system of traffic control devices on 61  
the extensions of the state highway system within municipal 62  
corporations. 63

~~(C)~~ (D) No village shall place or maintain any traffic 64  
control signal upon an extension of the state highway system 65  
within the village without first obtaining the permission of the 66  
director. The director may revoke the permission and may require 67  
to be removed any traffic control signal that has been erected 68  
without the director's permission on an extension of a state 69  
highway within a village, or that, if erected under a permit 70  
granted by the director, does not conform to the state manual, 71  
or that is not operated in accordance with the terms of the 72  
permit. 73

~~(D)~~ (E) All traffic control devices erected on any street, 74  
highway, alley, bikeway, or private road open to public travel 75  
shall conform to the state manual. 76

~~(E)~~ (F) No person, firm, or corporation shall sell or 77  
offer for sale to local authorities any traffic control device 78  
that does not conform to the state manual, except by permission 79  
of the director. 80

~~(F)~~ (G) No local authority shall purchase or manufacture 81  
any traffic control device that does not conform to the state 82  
manual, except by permission of the director. 83

~~(G)~~ (H) Whoever violates division ~~(E)~~ (F) of this section 84  
is guilty of a misdemeanor of the third degree. 85

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 86  
trackless trolley, or streetcar at a speed greater or less than 87  
is reasonable or proper, having due regard to the traffic, 88  
surface, and width of the street or highway and any other 89  
conditions, and no person shall drive any motor vehicle, 90  
trackless trolley, or streetcar in and upon any street or 91  
highway at a greater speed than will permit the person to bring 92  
it to a stop within the assured clear distance ahead. 93

(B) It is prima-facie lawful, in the absence of a lower 94  
limit declared or established pursuant to this section by the 95  
director of transportation or local authorities, for the 96  
operator of a motor vehicle, trackless trolley, or streetcar to 97  
operate the same at a speed not exceeding the following: 98

(1) (a) Twenty miles per hour in school zones during school 99  
recess and while children are going to or leaving school during 100  
the opening or closing hours, and when twenty miles per hour 101  
school speed limit signs are erected; except that, on 102  
controlled-access highways and expressways, if the right-of-way 103  
line fence has been erected without pedestrian opening, the 104  
speed shall be governed by division (B) (4) of this section and 105

on freeways, if the right-of-way line fence has been erected 106  
without pedestrian opening, the speed shall be governed by 107  
divisions (B) (10) and (11) of this section. The end of every 108  
school zone may be marked by a sign indicating the end of the 109  
zone. Nothing in this section or in the manual and 110  
specifications for a uniform system of traffic control devices 111  
shall be construed to require school zones to be indicated by 112  
signs equipped with flashing or other lights, or giving other 113  
special notice of the hours in which the school zone speed limit 114  
is in effect. 115

(b) As used in this section and in section 4511.212 of the 116  
Revised Code, "school" means any school chartered under section 117  
3301.16 of the Revised Code and any nonchartered school that 118  
during the preceding year filed with the department of education 119  
in compliance with rule 3301-35-08 of the Ohio Administrative 120  
Code, a copy of the school's report for the parents of the 121  
school's pupils certifying that the school meets Ohio minimum 122  
standards for nonchartered, nontax-supported schools and 123  
presents evidence of this filing to the jurisdiction from which 124  
it is requesting the establishment of a school zone. "School" 125  
also includes a special elementary school that in writing 126  
requests the county engineer of the county in which the special 127  
elementary school is located to create a school zone at the 128  
location of that school. Upon receipt of such a written request, 129  
the county engineer shall create a school zone at that location 130  
by erecting the appropriate signs. 131

(c) As used in this section, "school zone" means that 132  
portion of a street or highway passing a school fronting upon 133  
the street or highway that is encompassed by projecting the 134  
school property lines to the fronting street or highway, and 135  
also includes that portion of a state highway. Upon request from 136

local authorities for streets and highways under their 137  
jurisdiction and that portion of a state highway under the 138  
jurisdiction of the director of transportation or a request from 139  
a county engineer in the case of a school zone for a special 140  
elementary school, the director may extend the traditional 141  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 142  
(ii), and (iii) of this section shall not exceed three hundred 143  
feet per approach per direction and are bounded by whichever of 144  
the following distances or combinations thereof the director 145  
approves as most appropriate: 146

(i) The distance encompassed by projecting the school 147  
building lines normal to the fronting highway and extending a 148  
distance of three hundred feet on each approach direction; 149

(ii) The distance encompassed by projecting the school 150  
property lines intersecting the fronting highway and extending a 151  
distance of three hundred feet on each approach direction; 152

(iii) The distance encompassed by the special marking of 153  
the pavement for a principal school pupil crosswalk plus a 154  
distance of three hundred feet on each approach direction of the 155  
highway. 156

Nothing in this section shall be construed to invalidate 157  
the director's initial action on August 9, 1976, establishing 158  
all school zones at the traditional school zone boundaries 159  
defined by projecting school property lines, except when those 160  
boundaries are extended as provided in divisions (B) (1) (a) and 161  
(c) of this section. 162

(d) As used in this division, "crosswalk" has the meaning 163  
given that term in division (LL) (2) of section 4511.01 of the 164  
Revised Code. 165

The director may, upon request by resolution of the 166  
legislative authority of a municipal corporation, the board of 167  
trustees of a township, or a county board of developmental 168  
disabilities created pursuant to Chapter 5126. of the Revised 169  
Code, and upon submission by the municipal corporation, 170  
township, or county board of such engineering, traffic, and 171  
other information as the director considers necessary, designate 172  
a school zone on any portion of a state route lying within the 173  
municipal corporation, lying within the unincorporated territory 174  
of the township, or lying adjacent to the property of a school 175  
that is operated by such county board, that includes a crosswalk 176  
customarily used by children going to or leaving a school during 177  
recess and opening and closing hours, whenever the distance, as 178  
measured in a straight line, from the school property line 179  
nearest the crosswalk to the nearest point of the crosswalk is 180  
no more than one thousand three hundred twenty feet. Such a 181  
school zone shall include the distance encompassed by the 182  
crosswalk and extending three hundred feet on each approach 183  
direction of the state route. 184

(e) As used in this section, "special elementary school" 185  
means a school that meets all of the following criteria: 186

(i) It is not chartered and does not receive tax revenue 187  
from any source. 188

(ii) It does not educate children beyond the eighth grade. 189

(iii) It is located outside the limits of a municipal 190  
corporation. 191

(iv) A majority of the total number of students enrolled 192  
at the school are not related by blood. 193

(v) The principal or other person in charge of the special 194

elementary school annually sends a report to the superintendent 195  
of the school district in which the special elementary school is 196  
located indicating the total number of students enrolled at the 197  
school, but otherwise the principal or other person in charge 198  
does not report any other information or data to the 199  
superintendent. 200

(2) Twenty-five miles per hour in all other portions of a 201  
municipal corporation, except on state routes outside business 202  
districts, through highways outside business districts, and 203  
alleys; 204

(3) Thirty-five miles per hour on all state routes or 205  
through highways within municipal corporations outside business 206  
districts, except as provided in divisions (B) (4) and (6) of 207  
this section; 208

(4) Fifty miles per hour on controlled-access highways and 209  
expressways within municipal corporations; 210

(5) Fifty-five miles per hour on highways outside 211  
municipal corporations, other than highways within island 212  
jurisdictions as provided in division (B) (8) of this section, 213  
highways as provided in divisions (B) (9) and (10) of this 214  
section, and highways, expressways, and freeways as provided in 215  
divisions (B) (13), (14), (15), and (17) of this section; 216

(6) Fifty miles per hour on state routes within municipal 217  
corporations outside urban districts unless a lower prima-facie 218  
speed is established as further provided in this section; 219

(7) Fifteen miles per hour on all alleys within the 220  
municipal corporation; 221

(8) Thirty-five miles per hour on highways outside 222  
municipal corporations that are within an island jurisdiction; 223



- (9) Thirty-five miles per hour on through highways, except 224  
state routes, that are outside municipal corporations and that 225  
are within a national park with boundaries extending through two 226  
or more counties; 227
- (10) Sixty miles per hour on two-lane state routes outside 228  
municipal corporations as established by the director under 229  
division (H) (2) of this section; 230
- (11) Fifty-five miles per hour at all times on freeways 231  
with paved shoulders inside municipal corporations, other than 232  
freeways as provided in divisions (B) (15) and (17) of this 233  
section; 234
- (12) Fifty-five miles per hour at all times on freeways 235  
outside municipal corporations, other than freeways as provided 236  
in divisions (B) (15) and (17) of this section; 237
- (13) Sixty miles per hour for operators of any motor 238  
vehicle at all times on all portions of rural divided highways; 239
- (14) Sixty-five miles per hour for operators of any motor 240  
vehicle at all times on all rural expressways without traffic 241  
control signals; 242
- (15) Seventy miles per hour for operators of any motor 243  
vehicle at all times on all rural freeways; 244
- (16) Fifty-five miles per hour for operators of any motor 245  
vehicle at all times on all portions of freeways in congested 246  
areas as determined by the director and that are part of the 247  
interstate system and are located within a municipal corporation 248  
or within an interstate freeway outerbelt; 249
- (17) Sixty-five miles per hour for operators of any motor 250  
vehicle at all times on all portions of freeways in urban areas 251

as determined by the director and that are part of the 252  
interstate system and are part of an interstate freeway 253  
outerbelt. 254

(C) It is prima-facie unlawful for any person to exceed 255  
any of the speed limitations in divisions (B) (1) (a), (2), (3), 256  
(4), (6), (7), (8), and (9) of this section, or any declared or 257  
established pursuant to this section by the director or local 258  
authorities and it is unlawful for any person to exceed any of 259  
the speed limitations in division (D) of this section. No person 260  
shall be convicted of more than one violation of this section 261  
for the same conduct, although violations of more than one 262  
provision of this section may be charged in the alternative in a 263  
single affidavit. 264

(D) No person shall operate a motor vehicle, trackless 265  
trolley, or streetcar upon a street or highway as follows: 266

(1) At a speed exceeding fifty-five miles per hour, except 267  
upon a two-lane state route as provided in division (B) (10) of 268  
this section and upon a highway, expressway, or freeway as 269  
provided in divisions (B) (13), (14), (15), and (17) of this 270  
section; 271

(2) At a speed exceeding sixty miles per hour upon a two- 272  
lane state route as provided in division (B) (10) of this section 273  
and upon a highway as provided in division (B) (13) of this 274  
section; 275

(3) At a speed exceeding sixty-five miles per hour upon an 276  
expressway as provided in division (B) (14) or upon a freeway as 277  
provided in division (B) (17) of this section, except upon a 278  
freeway as provided in division (B) (15) of this section; 279

(4) At a speed exceeding seventy miles per hour upon a 280

freeway as provided in division (B)(15) of this section; 281

(5) At a speed exceeding the posted speed limit upon a 282  
highway, expressway, or freeway for which the director has 283  
determined and declared a speed limit pursuant to division (I) 284  
(2) or (L)(2) of this section. 285

(E) In every charge of violation of this section the 286  
affidavit and warrant shall specify the time, place, and speed 287  
at which the defendant is alleged to have driven, and in charges 288  
made in reliance upon division (C) of this section also the 289  
speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or 290  
(9) of, or a limit declared or established pursuant to, this 291  
section declares is prima-facie lawful at the time and place of 292  
such alleged violation, except that in affidavits where a person 293  
is alleged to have driven at a greater speed than will permit 294  
the person to bring the vehicle to a stop within the assured 295  
clear distance ahead the affidavit and warrant need not specify 296  
the speed at which the defendant is alleged to have driven. 297

(F) When a speed in excess of both a prima-facie 298  
limitation and a limitation in division (D) of this section is 299  
alleged, the defendant shall be charged in a single affidavit, 300  
alleging a single act, with a violation indicated of both 301  
division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this 302  
section, or of a limit declared or established pursuant to this 303  
section by the director or local authorities, and of the 304  
limitation in division (D) of this section. If the court finds a 305  
violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), 306  
or (9) of, or a limit declared or established pursuant to, this 307  
section has occurred, it shall enter a judgment of conviction 308  
under such division and dismiss the charge under division (D) of 309  
this section. If it finds no violation of division (B)(1)(a), 310

(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 311  
established pursuant to, this section, it shall then consider 312  
whether the evidence supports a conviction under division (D) of 313  
this section. 314

(G) Points shall be assessed for violation of a limitation 315  
under division (D) of this section in accordance with section 316  
4510.036 of the Revised Code. 317

(H) (1) Whenever the director determines upon the basis of 318  
a geometric and traffic characteristic study that any speed 319  
limit set forth in divisions (B) (1) (a) to (D) of this section is 320  
greater or less than is reasonable or safe under the conditions 321  
found to exist at any portion of a street or highway under the 322  
jurisdiction of the director, the director shall determine and 323  
declare a reasonable and safe prima-facie speed limit, which 324  
shall be effective when appropriate signs giving notice of it 325  
are erected at the location. 326

(2) Whenever the director determines upon the basis of a 327  
geometric and traffic characteristic study that the speed limit 328  
of fifty-five miles per hour on a two-lane state route outside a 329  
municipal corporation is less than is reasonable or safe under 330  
the conditions found to exist at that portion of the state 331  
route, the director may determine and declare a speed limit of 332  
sixty miles per hour for that portion of the state route, which 333  
shall be effective when appropriate signs giving notice of it 334  
are erected at the location. 335

(3) For purposes of the safe and orderly movement of 336  
traffic upon any portion of a street or highway under the 337  
jurisdiction of the director, the director may establish a 338  
variable speed limit that is different than the speed limit 339  
established by or under this section on all or portions of 340

interstate six hundred seventy, interstate two hundred seventy- 341  
five, and interstate ninety commencing at the intersection of 342  
that interstate with interstate seventy-one and continuing to 343  
the border of the state of Ohio with the state of Pennsylvania. 344  
The director shall establish criteria for determining the 345  
appropriate use of variable speed limits and shall establish 346  
variable speed limits in accordance with the criteria. The 347  
director may establish variable speed limits based upon the time 348  
of day, weather conditions, traffic incidents, or other factors 349  
that affect the safe speed on a street or highway. The director 350  
shall not establish a variable speed limit that is based on a 351  
particular type or class of vehicle. A variable speed limit 352  
established by the director under this section is effective when 353  
appropriate signs giving notice of the speed limit are displayed 354  
at the location. 355

(4) Nothing in this section shall be construed to limit 356  
the authority of the director to establish speed limits within a 357  
construction zone as authorized under section 4511.98 of the 358  
Revised Code. 359

(I) (1) (a) Except as provided in divisions (I) (2) and (K) 360  
of this section, whenever local authorities determine upon the 361  
basis of an engineering and traffic investigation that the speed 362  
permitted by divisions (B) (1) (a) to (D) of this section, on any 363  
part of a highway under their jurisdiction, is greater than is 364  
reasonable and safe under the conditions found to exist at such 365  
location, the local authorities may by resolution request the 366  
director to determine and declare a reasonable and safe prima- 367  
facie speed limit. Upon receipt of such request the director may 368  
determine and declare a reasonable and safe prima-facie speed 369  
limit at such location, and if the director does so, then such 370  
declared speed limit shall become effective only when 371

appropriate signs giving notice thereof are erected at such 372  
location by the local authorities. The director may withdraw the 373  
declaration of a prima-facie speed limit whenever in the 374  
director's opinion the altered prima-facie speed becomes 375  
unreasonable. Upon such withdrawal, the declared prima-facie 376  
speed shall become ineffective and the signs relating thereto 377  
shall be immediately removed by the local authorities. 378

(b) In addition to the resolution request for a lower 379  
prima facie speed limit under division (I) (1) (a) of this 380  
section, when the street or highway has a speed limit of thirty- 381  
five miles per hour or less, either of the following may submit 382  
a petition to the director supporting the request for a lower 383  
prima facie speed limit: 384

(i) A person who resides on the street or highway; 385

(ii) A recognized neighborhood association or organization 386  
that represents the area within which the street or highway is 387  
located. 388

The petitioner shall specify with reasonable detail in the 389  
petition the portion of the street or highway that the 390  
petitioner desires to be subject to the speed limit reduction. 391  
The petitioner also shall include with the petition the 392  
signatures of at least fifty-one per cent of the persons who own 393  
real property located on the subject portion of the street or 394  
highway. 395

Upon receipt of the petition, the director, in making a 396  
determination pursuant to division (I) (1) (a) of this section, 397  
shall take into account and give due consideration to the 398  
petition in determining whether to declare a lower prima facie 399  
speed limit on the portion of the street or highway specified in 400

the petition. The director shall notify the petitioner in 401  
writing of the director's decision regarding the requested lower 402  
prima facie speed limit. 403

(2) A local authority may determine on the basis of a 404  
geometric and traffic characteristic study that the speed limit 405  
of sixty-five miles per hour on a portion of a freeway under its 406  
jurisdiction that was established through the operation of 407  
division (L) (3) of this section is greater than is reasonable or 408  
safe under the conditions found to exist at that portion of the 409  
freeway. If the local authority makes such a determination, the 410  
local authority by resolution may request the director to 411  
determine and declare a reasonable and safe speed limit of not 412  
less than fifty-five miles per hour for that portion of the 413  
freeway. If the director takes such action, the declared speed 414  
limit becomes effective only when appropriate signs giving 415  
notice of it are erected at such location by the local 416  
authority. 417

(J) Local authorities in their respective jurisdictions 418  
may authorize by ordinance higher prima-facie speeds than those 419  
stated in this section upon through highways, or upon highways 420  
or portions thereof where there are no intersections, or between 421  
widely spaced intersections, provided signs are erected giving 422  
notice of the authorized speed, but local authorities shall not 423  
modify or alter the basic rule set forth in division (A) of this 424  
section or in any event authorize by ordinance a speed in excess 425  
of fifty miles per hour. 426

Alteration of prima-facie limits on state routes by local 427  
authorities shall not be effective until the alteration has been 428  
approved by the director. The director may withdraw approval of 429  
any altered prima-facie speed limits whenever in the director's 430

opinion any altered prima-facie speed becomes unreasonable, and 431  
upon such withdrawal, the altered prima-facie speed shall become 432  
ineffective and the signs relating thereto shall be immediately 433  
removed by the local authorities. 434

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 435  
this section, "unimproved highway" means a highway consisting of 436  
any of the following: 437

(a) Unimproved earth; 438

(b) Unimproved graded and drained earth; 439

(c) Gravel. 440

(2) Except as otherwise provided in divisions (K) (4) and 441  
(5) of this section, whenever a board of township trustees 442  
determines upon the basis of an engineering and traffic 443  
investigation that the speed permitted by division (B) (5) of 444  
this section on any part of an unimproved highway under its 445  
jurisdiction and in the unincorporated territory of the township 446  
is greater than is reasonable or safe under the conditions found 447  
to exist at the location, the board may by resolution declare a 448  
reasonable and safe prima-facie speed limit of fifty-five but 449  
not less than twenty-five miles per hour. An altered speed limit 450  
adopted by a board of township trustees under this division 451  
becomes effective when appropriate traffic control devices, as 452  
prescribed in section 4511.11 of the Revised Code, giving notice 453  
thereof are erected at the location, which shall be no sooner 454  
than sixty days after adoption of the resolution. 455

(3) (a) Whenever, in the opinion of a board of township 456  
trustees, any altered prima-facie speed limit established by the 457  
board under this division becomes unreasonable, the board may 458  
adopt a resolution withdrawing the altered prima-facie speed 459



limit. Upon the adoption of such a resolution, the altered 460  
prima-facie speed limit becomes ineffective and the traffic 461  
control devices relating thereto shall be immediately removed. 462

(b) Whenever a highway ceases to be an unimproved highway 463  
and the board has adopted an altered prima-facie speed limit 464  
pursuant to division (K) (2) of this section, the board shall, by 465  
resolution, withdraw the altered prima-facie speed limit as soon 466  
as the highway ceases to be unimproved. Upon the adoption of 467  
such a resolution, the altered prima-facie speed limit becomes 468  
ineffective and the traffic control devices relating thereto 469  
shall be immediately removed. 470

(4) (a) If the boundary of two townships rests on the 471  
centerline of an unimproved highway in unincorporated territory 472  
and both townships have jurisdiction over the highway, neither 473  
of the boards of township trustees of such townships may declare 474  
an altered prima-facie speed limit pursuant to division (K) (2) 475  
of this section on the part of the highway under their joint 476  
jurisdiction unless the boards of township trustees of both of 477  
the townships determine, upon the basis of an engineering and 478  
traffic investigation, that the speed permitted by division (B) 479  
(5) of this section is greater than is reasonable or safe under 480  
the conditions found to exist at the location and both boards 481  
agree upon a reasonable and safe prima-facie speed limit of less 482  
than fifty-five but not less than twenty-five miles per hour for 483  
that location. If both boards so agree, each shall follow the 484  
procedure specified in division (K) (2) of this section for 485  
altering the prima-facie speed limit on the highway. Except as 486  
otherwise provided in division (K) (4) (b) of this section, no 487  
speed limit altered pursuant to division (K) (4) (a) of this 488  
section may be withdrawn unless the boards of township trustees 489  
of both townships determine that the altered prima-facie speed 490

limit previously adopted becomes unreasonable and each board 491  
adopts a resolution withdrawing the altered prima-facie speed 492  
limit pursuant to the procedure specified in division (K) (3) (a) 493  
of this section. 494

(b) Whenever a highway described in division (K) (4) (a) of 495  
this section ceases to be an unimproved highway and two boards 496  
of township trustees have adopted an altered prima-facie speed 497  
limit pursuant to division (K) (4) (a) of this section, both 498  
boards shall, by resolution, withdraw the altered prima-facie 499  
speed limit as soon as the highway ceases to be unimproved. Upon 500  
the adoption of the resolution, the altered prima-facie speed 501  
limit becomes ineffective and the traffic control devices 502  
relating thereto shall be immediately removed. 503

(5) As used in division (K) (5) of this section: 504

(a) "Commercial subdivision" means any platted territory 505  
outside the limits of a municipal corporation and fronting a 506  
highway where, for a distance of three hundred feet or more, the 507  
frontage is improved with buildings in use for commercial 508  
purposes, or where the entire length of the highway is less than 509  
three hundred feet long and the frontage is improved with 510  
buildings in use for commercial purposes. 511

(b) "Residential subdivision" means any platted territory 512  
outside the limits of a municipal corporation and fronting a 513  
highway, where, for a distance of three hundred feet or more, 514  
the frontage is improved with residences or residences and 515  
buildings in use for business, or where the entire length of the 516  
highway is less than three hundred feet long and the frontage is 517  
improved with residences or residences and buildings in use for 518  
business. 519

Whenever a board of township trustees finds upon the basis 520  
of an engineering and traffic investigation that the prima-facie 521  
speed permitted by division (B) (5) of this section on any part 522  
of a highway under its jurisdiction that is located in a 523  
commercial or residential subdivision, except on highways or 524  
portions thereof at the entrances to which vehicular traffic 525  
from the majority of intersecting highways is required to yield 526  
the right-of-way to vehicles on such highways in obedience to 527  
stop or yield signs or traffic control signals, is greater than 528  
is reasonable and safe under the conditions found to exist at 529  
the location, the board may by resolution declare a reasonable 530  
and safe prima-facie speed limit of less than fifty-five but not 531  
less than twenty-five miles per hour at the location. An altered 532  
speed limit adopted by a board of township trustees under this 533  
division shall become effective when appropriate signs giving 534  
notice thereof are erected at the location by the township. 535  
Whenever, in the opinion of a board of township trustees, any 536  
altered prima-facie speed limit established by it under this 537  
division becomes unreasonable, it may adopt a resolution 538  
withdrawing the altered prima-facie speed, and upon such 539  
withdrawal, the altered prima-facie speed shall become 540  
ineffective, and the signs relating thereto shall be immediately 541  
removed by the township. 542

(L) (1) On September 29, 2013, the director of 543  
transportation, based upon an engineering study of a highway, 544  
expressway, or freeway described in division (B) (13), (14), 545  
(15), (16), or (17) of this section, in consultation with the 546  
director of public safety and, if applicable, the local 547  
authority having jurisdiction over the studied highway, 548  
expressway, or freeway, may determine and declare that the speed 549  
limit established on such highway, expressway, or freeway under 550

division (B) (13), (14), (15), (16), or (17) of this section 551  
either is reasonable and safe or is more or less than that which 552  
is reasonable and safe. 553

(2) If the established speed limit for a highway, 554  
expressway, or freeway studied pursuant to division (L) (1) of 555  
this section is determined to be more or less than that which is 556  
reasonable and safe, the director of transportation, in 557  
consultation with the director of public safety and, if 558  
applicable, the local authority having jurisdiction over the 559  
studied highway, expressway, or freeway, shall determine and 560  
declare a reasonable and safe speed limit for that highway, 561  
expressway, or freeway. 562

(M) (1) (a) If the boundary of two local authorities rests 563  
on the centerline of a highway and both authorities have 564  
jurisdiction over the highway, the speed limit for the part of 565  
the highway within their joint jurisdiction shall be either one 566  
of the following as agreed to by both authorities: 567

(i) Either prima-facie speed limit permitted by division 568  
(B) of this section; 569

(ii) An altered speed limit determined and posted in 570  
accordance with this section. 571

(b) If the local authorities are unable to reach an 572  
agreement, the speed limit shall remain as established and 573  
posted under this section. 574

(2) Neither local authority may declare an altered prima- 575  
facie speed limit pursuant to this section on the part of the 576  
highway under their joint jurisdiction unless both of the local 577  
authorities determine, upon the basis of an engineering and 578  
traffic investigation, that the speed permitted by this section 579

is greater than is reasonable or safe under the conditions found 580  
to exist at the location and both authorities agree upon a 581  
uniform reasonable and safe prima-facie speed limit of less than 582  
fifty-five but not less than twenty-five miles per hour for that 583  
location. If both authorities so agree, each shall follow the 584  
procedure specified in this section for altering the prima-facie 585  
speed limit on the highway, and the speed limit for the part of 586  
the highway within their joint jurisdiction shall be uniformly 587  
altered. No altered speed limit may be withdrawn unless both 588  
local authorities determine that the altered prima-facie speed 589  
limit previously adopted becomes unreasonable and each adopts a 590  
resolution withdrawing the altered prima-facie speed limit 591  
pursuant to the procedure specified in this section. 592

(N) The legislative authority of a municipal corporation 593  
or township in which a boarding school is located, by resolution 594  
or ordinance, may establish a boarding school zone. The 595  
legislative authority may alter the speed limit on any street or 596  
highway within the boarding school zone and shall specify the 597  
hours during which the altered speed limit is in effect. For 598  
purposes of determining the boundaries of the boarding school 599  
zone, the altered speed limit within the boarding school zone, 600  
and the hours the altered speed limit is in effect, the 601  
legislative authority shall consult with the administration of 602  
the boarding school and with the county engineer or other 603  
appropriate engineer, as applicable. A boarding school zone 604  
speed limit becomes effective only when appropriate signs giving 605  
notice thereof are erected at the appropriate locations. 606

(O) As used in this section: 607

(1) "Interstate system" has the same meaning as in 23 608  
U.S.C.A. 101. 609

(2) "Commercial bus" means a motor vehicle designed for 610  
carrying more than nine passengers and used for the 611  
transportation of persons for compensation. 612

(3) "Noncommercial bus" includes but is not limited to a 613  
school bus or a motor vehicle operated solely for the 614  
transportation of persons associated with a charitable or 615  
nonprofit organization. 616

(4) "Outerbelt" means a portion of a freeway that is part 617  
of the interstate system and is located in the outer vicinity of 618  
a major municipal corporation or group of municipal 619  
corporations, as designated by the director. 620

(5) "Rural" means outside urbanized areas, as designated 621  
in accordance with 23 U.S.C. 101, and outside of a business or 622  
urban district. 623

(P) (1) A violation of any provision of this section is one 624  
of the following: 625

(a) Except as otherwise provided in divisions (P) (1) (b), 626  
(1) (c), (2), and (3) of this section, a minor misdemeanor; 627

(b) If, within one year of the offense, the offender 628  
previously has been convicted of or pleaded guilty to two 629  
violations of any provision of this section or of any provision 630  
of a municipal ordinance that is substantially similar to any 631  
provision of this section, a misdemeanor of the fourth degree; 632

(c) If, within one year of the offense, the offender 633  
previously has been convicted of or pleaded guilty to three or 634  
more violations of any provision of this section or of any 635  
provision of a municipal ordinance that is substantially similar 636  
to any provision of this section, a misdemeanor of the third 637  
degree. 638

(2) If the offender has not previously been convicted of 639  
or pleaded guilty to a violation of any provision of this 640  
section or of any provision of a municipal ordinance that is 641  
substantially similar to this section and operated a motor 642  
vehicle faster than thirty-five miles an hour in a business 643  
district of a municipal corporation, faster than fifty miles an 644  
hour in other portions of a municipal corporation, or faster 645  
than thirty-five miles an hour in a school zone during recess or 646  
while children are going to or leaving school during the 647  
school's opening or closing hours, a misdemeanor of the fourth 648  
degree. 649

(3) Notwithstanding division (P)(1) of this section, if 650  
the offender operated a motor vehicle in a construction zone 651  
where a sign was then posted in accordance with section 4511.98 652  
of the Revised Code, the court, in addition to all other 653  
penalties provided by law, shall impose upon the offender a fine 654  
of two times the usual amount imposed for the violation. No 655  
court shall impose a fine of two times the usual amount imposed 656  
for the violation upon an offender if the offender alleges, in 657  
an affidavit filed with the court prior to the offender's 658  
sentencing, that the offender is indigent and is unable to pay 659  
the fine imposed pursuant to this division and if the court 660  
determines that the offender is an indigent person and unable to 661  
pay the fine. 662

**Section 2.** That existing sections 4511.11 and 4511.21 of 663  
the Revised Code are hereby repealed. 664