

# As Introduced

126th General Assembly  
Regular Session  
2005-2006

H. B. No. 388

Representative Peterson

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## A BILL

To amend sections 4510.02, 4510.036, 4511.21, 1  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 2  
4511.44, 4511.441, 4511.45, 4511.451, 4511.46, 3  
4511.47, and 4513.39 and to enact section 4501.14 4  
of the Revised Code to provide for increased 5  
penalties when a person violates the motor vehicle 6  
traffic law assured clear distance ahead provision 7  
or commits a failure to yield the right-of-way 8  
offense that results in serious physical harm or 9  
death to another person. 10

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

**Section 1.** That sections 4510.02, 4510.036, 4511.21, 4511.33, 11  
4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 12  
4511.451, 4511.46, 4511.47, and 4513.39 be amended and section 13  
4501.14 of the Revised Code be enacted to read as follows: 14

**Sec. 4501.14.** There is hereby created in the state treasury 15  
the highway safety education fund, consisting of those portions of 16  
finer collected pursuant to and specified in sections 4511.21, 17  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 18  
4511.45, 4511.451, 4511.46, and 4511.47 of the Revised Code. The 19  
department of public safety shall use the money in the fund only 20

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Notwithstanding divisions (C)(11)(b) and (c) of this section, when the speed exceeds the lawful speed limit by thirty miles per hour or more . . . . .	4 points	140 141 142
(b) When the speed exceeds the lawful speed limit of fifty-five miles per hour or more by more than ten miles per hour . . . . .	2 points	143 144 145
(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour . . . . .	2 points	146 147 148
(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section . . . . .	0 points	149 150 151
(12) Operating a motor vehicle in violation of a restriction imposed by the registrar . . . . .	2 points	152 153
(13) <u>A violation of section 4511.21, 4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.45, 4511.451, 4511.46, or 4511.47 of the Revised Code in which the court assesses at least two but not more than six points . . . . .</u>	<u>2 to 6 points, as assessed by the court;</u>	154 155 156 157 158
(14) All other moving violations reported under this section . . . . .	2 points	159 160
(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.		161 162 163 164 165
(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater		166 167 168 169

number of points is chargeable, and, if the number of points 170  
chargeable for each offense is equal, only one offense shall be 171  
recorded, and points shall be charged only for that offense. 172

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 173  
trackless trolley, or streetcar at a speed greater or less than is 174  
reasonable or proper, having due regard to the traffic, surface, 175  
and width of the street or highway and any other conditions, and 176  
no person shall drive any motor vehicle, trackless trolley, or 177  
streetcar in and upon any street or highway at a greater speed 178  
than will permit the person to bring it to a stop within the 179  
assured clear distance ahead. 180

(B) It is prima-facie lawful, in the absence of a lower limit 181  
declared pursuant to this section by the director of 182  
transportation or local authorities, for the operator of a motor 183  
vehicle, trackless trolley, or streetcar to operate the same at a 184  
speed not exceeding the following: 185

(1)(a) Twenty miles per hour in school zones during school 186  
recess and while children are going to or leaving school during 187  
the opening or closing hours, and when twenty miles per hour 188  
school speed limit signs are erected; except that, on 189  
controlled-access highways and expressways, if the right-of-way 190  
line fence has been erected without pedestrian opening, the speed 191  
shall be governed by division (B)(4) of this section and on 192  
freeways, if the right-of-way line fence has been erected without 193  
pedestrian opening, the speed shall be governed by divisions 194  
(B)(8) and (9) of this section. The end of every school zone may 195  
be marked by a sign indicating the end of the zone. Nothing in 196  
this section or in the manual and specifications for a uniform 197  
system of traffic control devices shall be construed to require 198  
school zones to be indicated by signs equipped with flashing or 199  
other lights, or giving other special notice of the hours in which 200

the school zone speed limit is in effect. 201

(b) As used in this section and in section 4511.212 of the 202  
Revised Code, "school" means any school chartered under section 203  
3301.16 of the Revised Code and any nonchartered school that 204  
during the preceding year filed with the department of education 205  
in compliance with rule 3301-35-08 of the Ohio Administrative 206  
Code, a copy of the school's report for the parents of the 207  
school's pupils certifying that the school meets Ohio minimum 208  
standards for nonchartered, nontax-supported schools and presents 209  
evidence of this filing to the jurisdiction from which it is 210  
requesting the establishment of a school zone. 211

(c) As used in this section, "school zone" means that portion 212  
of a street or highway passing a school fronting upon the street 213  
or highway that is encompassed by projecting the school property 214  
lines to the fronting street or highway, and also includes that 215  
portion of a state highway. Upon request from local authorities 216  
for streets and highways under their jurisdiction and that portion 217  
of a state highway under the jurisdiction of the director of 218  
transportation, the director may extend the traditional school 219  
zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), 220  
and (iii) of this section shall not exceed three hundred feet per 221  
approach per direction and are bounded by whichever of the 222  
following distances or combinations thereof the director approves 223  
as most appropriate: 224

(i) The distance encompassed by projecting the school 225  
building lines normal to the fronting highway and extending a 226  
distance of three hundred feet on each approach direction; 227

(ii) The distance encompassed by projecting the school 228  
property lines intersecting the fronting highway and extending a 229  
distance of three hundred feet on each approach direction; 230

(iii) The distance encompassed by the special marking of the 231

pavement for a principal school pupil crosswalk plus a distance of 232  
three hundred feet on each approach direction of the highway. 233

Nothing in this section shall be construed to invalidate the 234  
director's initial action on August 9, 1976, establishing all 235  
school zones at the traditional school zone boundaries defined by 236  
projecting school property lines, except when those boundaries are 237  
extended as provided in divisions (B)(1)(a) and (c) of this 238  
section. 239

(d) As used in this division, "crosswalk" has the meaning 240  
given that term in division (LL)(2) of section 4511.01 of the 241  
Revised Code. 242

The director may, upon request by resolution of the 243  
legislative authority of a municipal corporation, the board of 244  
trustees of a township, or a county board of mental retardation 245  
and developmental disabilities created pursuant to Chapter 5126. 246  
of the Revised Code, and upon submission by the municipal 247  
corporation, township, or county board of such engineering, 248  
traffic, and other information as the director considers 249  
necessary, designate a school zone on any portion of a state route 250  
lying within the municipal corporation, lying within the 251  
unincorporated territory of the township, or lying adjacent to the 252  
property of a school that is operated by such county board, that 253  
includes a crosswalk customarily used by children going to or 254  
leaving a school during recess and opening and closing hours, 255  
whenever the distance, as measured in a straight line, from the 256  
school property line nearest the crosswalk to the nearest point of 257  
the crosswalk is no more than one thousand three hundred twenty 258  
feet. Such a school zone shall include the distance encompassed by 259  
the crosswalk and extending three hundred feet on each approach 260  
direction of the state route. 261

(2) Twenty-five miles per hour in all other portions of a 262

municipal corporation, except on state routes outside business	263
districts, through highways outside business districts, and	264
alleys;	265
(3) Thirty-five miles per hour on all state routes or through	266
highways within municipal corporations outside business districts,	267
except as provided in divisions (B)(4) and (6) of this section;	268
(4) Fifty miles per hour on controlled-access highways and	269
expressways within municipal corporations;	270
(5) Fifty-five miles per hour on highways outside of	271
municipal corporations, other than freeways as provided in	272
division (B)(12) of this section;	273
(6) Fifty miles per hour on state routes within municipal	274
corporations outside urban districts unless a lower prima-facie	275
speed is established as further provided in this section;	276
(7) Fifteen miles per hour on all alleys within the municipal	277
corporation;	278
(8) Fifty-five miles per hour at all times on freeways with	279
paved shoulders inside municipal corporations, other than freeways	280
as provided in division (B)(12) of this section;	281
(9) Fifty-five miles per hour at all times on freeways	282
outside municipal corporations, other than freeways as provided in	283
division (B)(12) of this section;	284
(10) Fifty-five miles per hour at all times on all portions	285
of freeways that are part of the interstate system and on all	286
portions of freeways that are not part of the interstate system,	287
but are built to the standards and specifications that are	288
applicable to freeways that are part of the interstate system for	289
operators of any motor vehicle weighing in excess of eight	290
thousand pounds empty weight and any noncommercial bus;	291
(11) Fifty-five miles per hour for operators of any motor	292

vehicle weighing eight thousand pounds or less empty weight and 293  
any commercial bus at all times on all portions of freeways that 294  
are part of the interstate system and that had such a speed limit 295  
established prior to October 1, 1995, and freeways that are not 296  
part of the interstate system, but are built to the standards and 297  
specifications that are applicable to freeways that are part of 298  
the interstate system and that had such a speed limit established 299  
prior to October 1, 1995, unless a higher speed limit is 300  
established under division (L) of this section; 301

(12) Sixty-five miles per hour for operators of any motor 302  
vehicle weighing eight thousand pounds or less empty weight and 303  
any commercial bus at all times on all portions of the following: 304

(a) Freeways that are part of the interstate system and that 305  
had such a speed limit established prior to October 1, 1995, and 306  
freeways that are not part of the interstate system, but are built 307  
to the standards and specifications that are applicable to 308  
freeways that are part of the interstate system and that had such 309  
a speed limit established prior to October 1, 1995; 310

(b) Freeways that are part of the interstate system and 311  
freeways that are not part of the interstate system but are built 312  
to the standards and specifications that are applicable to 313  
freeways that are part of the interstate system, and that had such 314  
a speed limit established under division (L) of this section; 315

(c) Rural, divided, multi-lane highways that are designated 316  
as part of the national highway system under the "National Highway 317  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 318  
and that had such a speed limit established under division (M) of 319  
this section. 320

(C) It is prima-facie unlawful for any person to exceed any 321  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 322  
(6), and (7) of this section, or any declared pursuant to this 323

section by the director or local authorities and it is unlawful 324  
for any person to exceed any of the speed limitations in division 325  
(D) of this section. No person shall be convicted of more than one 326  
violation of this section for the same conduct, although 327  
violations of more than one provision of this section may be 328  
charged in the alternative in a single affidavit. 329

(D) No person shall operate a motor vehicle, trackless 330  
trolley, or streetcar upon a street or highway as follows: 331

(1) At a speed exceeding fifty-five miles per hour, except 332  
upon a freeway as provided in division (B)(12) of this section; 333

(2) At a speed exceeding sixty-five miles per hour upon a 334  
freeway as provided in division (B)(12) of this section except as 335  
otherwise provided in division (D)(3) of this section; 336

(3) If a motor vehicle weighing in excess of eight thousand 337  
pounds empty weight or a noncommercial bus as prescribed in 338  
division (B)(10) of this section, at a speed exceeding fifty-five 339  
miles per hour upon a freeway as provided in that division; 340

(4) At a speed exceeding the posted speed limit upon a 341  
freeway for which the director has determined and declared a speed 342  
limit of not more than sixty-five miles per hour pursuant to 343  
division (L)(2) or (M) of this section; 344

(5) At a speed exceeding sixty-five miles per hour upon a 345  
freeway for which such a speed limit has been established through 346  
the operation of division (L)(3) of this section; 347

(6) At a speed exceeding the posted speed limit upon a 348  
freeway for which the director has determined and declared a speed 349  
limit pursuant to division (I)(2) of this section. 350

(E) In every charge of violation of this section the 351  
affidavit and warrant shall specify the time, place, and speed at 352  
which the defendant is alleged to have driven, and in charges made 353

in reliance upon division (C) of this section also the speed which 354  
division (B)(1)(a), (2), (3), (4), (6), or (7) of, or a limit 355  
declared pursuant to, this section declares is prima-facie lawful 356  
at the time and place of such alleged violation, except that in 357  
affidavits where a person is alleged to have driven at a greater 358  
speed than will permit the person to bring the vehicle to a stop 359  
within the assured clear distance ahead the affidavit and warrant 360  
need not specify the speed at which the defendant is alleged to 361  
have driven. 362

(F) When a speed in excess of both a prima-facie limitation 363  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 364  
this section is alleged, the defendant shall be charged in a 365  
single affidavit, alleging a single act, with a violation 366  
indicated of both division (B)(1)(a), (2), (3), (4), (6), or (7) 367  
of this section, or of a limit declared pursuant to this section 368  
by the director or local authorities, and of the limitation in 369  
division (D)(1), (2), (3), (4), (5), or (6) of this section. If 370  
the court finds a violation of division (B)(1)(a), (2), (3), (4), 371  
(6), or (7) of, or a limit declared pursuant to, this section has 372  
occurred, it shall enter a judgment of conviction under such 373  
division and dismiss the charge under division (D)(1), (2), (3), 374  
(4), (5), or (6) of this section. If it finds no violation of 375  
division (B)(1)(a), (2), (3), (4), (6), or (7) of, or a limit 376  
declared pursuant to, this section, it shall then consider whether 377  
the evidence supports a conviction under division (D)(1), (2), 378  
(3), (4), (5), or (6) of this section. 379

(G) Points shall be assessed for violation of a limitation 380  
under division (D) of this section in accordance with section 381  
4510.036 of the Revised Code. 382

(H) Whenever the director determines upon the basis of a 383  
geometric and traffic characteristic study that any speed limit 384  
set forth in divisions (B)(1)(a) to (D) of this section is greater 385

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

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

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

local authority by resolution may request the director to 418  
determine and declare a reasonable and safe speed limit of not 419  
less than fifty-five miles per hour for that portion of the 420  
freeway. If the director takes such action, the declared speed 421  
limit becomes effective only when appropriate signs giving notice 422  
of it are erected at such location by the local authority. 423

(J) Local authorities in their respective jurisdictions may 424  
authorize by ordinance higher prima-facie speeds than those stated 425  
in this section upon through highways, or upon highways or 426  
portions thereof where there are no intersections, or between 427  
widely spaced intersections, provided signs are erected giving 428  
notice of the authorized speed, but local authorities shall not 429  
modify or alter the basic rule set forth in division (A) of this 430  
section or in any event authorize by ordinance a speed in excess 431  
of fifty miles per hour. 432

Alteration of prima-facie limits on state routes by local 433  
authorities shall not be effective until the alteration has been 434  
approved by the director. The director may withdraw approval of 435  
any altered prima-facie speed limits whenever in the director's 436  
opinion any altered prima-facie speed becomes unreasonable, and 437  
upon such withdrawal, the altered prima-facie speed shall become 438  
ineffective and the signs relating thereto shall be immediately 439  
removed by the local authorities. 440

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 441  
section, "unimproved highway" means a highway consisting of any of 442  
the following: 443

(a) Unimproved earth; 444

(b) Unimproved graded and drained earth; 445

(c) Gravel. 446

(2) Except as otherwise provided in divisions (K)(4) and (5) 447

of this section, whenever a board of township trustees determines 448  
upon the basis of an engineering and traffic investigation that 449  
the speed permitted by division (B)(5) of this section on any part 450  
of an unimproved highway under its jurisdiction and in the 451  
unincorporated territory of the township is greater than is 452  
reasonable or safe under the conditions found to exist at the 453  
location, the board may by resolution declare a reasonable and 454  
safe prima-facie speed limit of fifty-five but not less than 455  
twenty-five miles per hour. An altered speed limit adopted by a 456  
board of township trustees under this division becomes effective 457  
when appropriate traffic control devices, as prescribed in section 458  
4511.11 of the Revised Code, giving notice thereof are erected at 459  
the location, which shall be no sooner than sixty days after 460  
adoption of the resolution. 461

(3)(a) Whenever, in the opinion of a board of township 462  
trustees, any altered prima-facie speed limit established by the 463  
board under this division becomes unreasonable, the board may 464  
adopt a resolution withdrawing the altered prima-facie speed 465  
limit. Upon the adoption of such a resolution, the altered 466  
prima-facie speed limit becomes ineffective and the traffic 467  
control devices relating thereto shall be immediately removed. 468

(b) Whenever a highway ceases to be an unimproved highway and 469  
the board has adopted an altered prima-facie speed limit pursuant 470  
to division (K)(2) of this section, the board shall, by 471  
resolution, withdraw the altered prima-facie speed limit as soon 472  
as the highway ceases to be unimproved. Upon the adoption of such 473  
a resolution, the altered prima-facie speed limit becomes 474  
ineffective and the traffic control devices relating thereto shall 475  
be immediately removed. 476

(4)(a) If the boundary of two townships rests on the 477  
centerline of an unimproved highway in unincorporated territory 478  
and both townships have jurisdiction over the highway, neither of 479

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

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

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

(a) "Commercial subdivision" means any platted territory  
outside the limits of a municipal corporation and fronting a

highway where, for a distance of three hundred feet or more, the frontage is improved with buildings in use for commercial purposes, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with buildings in use for commercial purposes.

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

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

ineffective, and the signs relating thereto shall be immediately removed by the township. 544  
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(L)(1) Within one hundred twenty days of February 29, 1996, 546  
the director of transportation, based upon a geometric and traffic 547  
characteristic study of a freeway that is part of the interstate 548  
system or that is not part of the interstate system, but is built 549  
to the standards and specifications that are applicable to 550  
freeways that are part of the interstate system, in consultation 551  
with the director of public safety and, if applicable, the local 552  
authority having jurisdiction over a portion of such freeway, may 553  
determine and declare that the speed limit of less than sixty-five 554  
miles per hour established on such freeway or portion of freeway 555  
either is reasonable and safe or is less than that which is 556  
reasonable and safe. 557

(2) If the established speed limit for such a freeway or 558  
portion of freeway is determined to be less than that which is 559  
reasonable and safe, the director of transportation, in 560  
consultation with the director of public safety and, if 561  
applicable, the local authority having jurisdiction over the 562  
portion of freeway, shall determine and declare a reasonable and 563  
safe speed limit of not more than sixty-five miles per hour for 564  
that freeway or portion of freeway. 565

The director of transportation or local authority having 566  
jurisdiction over the freeway or portion of freeway shall erect 567  
appropriate signs giving notice of the speed limit at such 568  
location within one hundred fifty days of February 29, 1996. Such 569  
speed limit becomes effective only when such signs are erected at 570  
the location. 571

(3) If, within one hundred twenty days of February 29, 1996, 572  
the director of transportation does not make a determination and 573  
declaration of a reasonable and safe speed limit for a freeway or 574

portion of freeway that is part of the interstate system or that 575  
is not part of the interstate system, but is built to the 576  
standards and specifications that are applicable to freeways that 577  
are part of the interstate system and that has a speed limit of 578  
less than sixty-five miles per hour, the speed limit on that 579  
freeway or portion of a freeway shall be sixty-five miles per 580  
hour. The director of transportation or local authority having 581  
jurisdiction over the freeway or portion of the freeway shall 582  
erect appropriate signs giving notice of the speed limit of 583  
sixty-five miles per hour at such location within one hundred 584  
fifty days of February 29, 1996. Such speed limit becomes 585  
effective only when such signs are erected at the location. A 586  
speed limit established through the operation of division (L)(3) 587  
of this section is subject to reduction under division (I)(2) of 588  
this section. 589

(M) Within three hundred sixty days after February 29, 1996, 590  
the director of transportation, based upon a geometric and traffic 591  
characteristic study of a rural, divided, multi-lane highway that 592  
has been designated as part of the national highway system under 593  
the "National Highway System Designation Act of 1995," 109 Stat. 594  
568, 23 U.S.C.A. 103, in consultation with the director of public 595  
safety and, if applicable, the local authority having jurisdiction 596  
over a portion of the highway, may determine and declare that the 597  
speed limit of less than sixty-five miles per hour established on 598  
the highway or portion of highway either is reasonable and safe or 599  
is less than that which is reasonable and safe. 600

If the established speed limit for the highway or portion of 601  
highway is determined to be less than that which is reasonable and 602  
safe, the director of transportation, in consultation with the 603  
director of public safety and, if applicable, the local authority 604  
having jurisdiction over the portion of highway, shall determine 605  
and declare a reasonable and safe speed limit of not more than 606

sixty-five miles per hour for that highway or portion of highway.  
The director of transportation or local authority having  
jurisdiction over the highway or portion of highway shall erect  
appropriate signs giving notice of the speed limit at such  
location within three hundred ninety days after February 29, 1996.  
The speed limit becomes effective only when such signs are erected  
at the location.

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

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

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

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

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(2) Neither local authority may declare an altered  
prima-facie speed limit pursuant to this section on the part of  
the highway under their joint jurisdiction unless both of the  
local authorities determine, upon the basis of an engineering and  
traffic investigation, that the speed permitted by this section is  
greater than is reasonable or safe under the conditions found to  
exist at the location and both authorities agree upon a uniform  
reasonable and safe prima-facie speed limit of less than  
fifty-five but not less than twenty-five miles per hour for that  
location. If both authorities so agree, each shall follow the  
procedure specified in this section for altering the prima-facie  
speed limit on the highway, and the speed limit for the part of

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the highway within their joint jurisdiction shall be uniformly  
altered. No altered speed limit may be withdrawn unless both local  
authorities determine that the altered prima-facie speed limit  
previously adopted becomes unreasonable and each adopts a  
resolution withdrawing the altered prima-facie speed limit  
pursuant to the procedure specified in this section.

(O) As used in this section:

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

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

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

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

(a) Except as otherwise provided in divisions (P)(1)(b),  
(1)(c), (2), ~~and~~ (3), and (4) of this section, a minor  
misdemeanor;

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

(c) If, within one year of the offense, the offender  
previously has been convicted of or pleaded guilty to three or  
more violations of any provision of this section or of any  
provision of a municipal ordinance that is substantially similar

to any provision of this section, a misdemeanor of the third  
degree. 668  
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(2) If the offender has not previously been convicted of or 670  
pleaded guilty to a violation of any provision of this section or 671  
of any provision of a municipal ordinance that is substantially 672  
similar to this section and operated a motor vehicle faster than 673  
thirty-five miles an hour in a business district of a municipal 674  
corporation, faster than fifty miles an hour in other portions of 675  
a municipal corporation, or faster than thirty-five miles an hour 676  
in a school zone during recess or while children are going to or 677  
leaving school during the school's opening or closing hours, a 678  
misdemeanor of the fourth degree. 679

(3) Notwithstanding division (P)(1) of this section, if the 680  
offender operated a motor vehicle in a construction zone where a 681  
sign was then posted in accordance with section 4511.98 of the 682  
Revised Code, the court, in addition to all other penalties 683  
provided by law, shall impose upon the offender a fine of two 684  
times the usual amount imposed for the violation. No court shall 685  
impose a fine of two times the usual amount imposed for the 686  
violation upon an offender if the offender alleges, in an 687  
affidavit filed with the court prior to the offender's sentencing, 688  
that the offender is indigent and is unable to pay the fine 689  
imposed pursuant to this division and if the court determines that 690  
the offender is an indigent person and unable to pay the fine. 691

(4)(a) If the offender's violation of division (A) of this 692  
section resulted in serious physical harm to another person, the 693  
offender is guilty of a misdemeanor. The court may sentence the 694  
offender to a jail term of not more than sixty days, impose a fine 695  
of not more than five hundred dollars, or both. In addition, the 696  
court may impose a class eight license suspension of the 697  
offender's driver's license, commercial driver's license, 698  
temporary instruction permit, probationary license, or nonresident 699

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

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The court shall forward the first twenty-five dollars of any  
fine collected under division (P)(4)(a) of this section to the  
treasurer of state for deposit into the highway safety education  
fund created by section 4501.14 of the Revised Code.

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(b) If the offender's violation of division (A) of this  
section resulted in the death of another person, the offender is  
guilty of a misdemeanor. The court may sentence the offender to a  
jail term of not more than one hundred eighty days, impose a fine  
of not more than one thousand dollars, or both. In addition, the  
court may impose a class seven license suspension of the  
offender's driver's license, commercial driver's license,  
temporary instruction permit, probationary license, or nonresident  
operating privilege from the range specified in division (A)(7) of  
section 4510.02 of the Revised Code. The court also shall assess  
at least two, and may assess three, four, five, or six, points  
against the offender's driver's license, commercial driver's  
license, temporary instruction permit, probationary license, or  
nonresident operating privilege. The court shall notify the  
registrar of the number of points assessed in accordance with  
sections 4510.03 to 4510.036 of the Revised Code.

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The court shall forward the first fifty dollars of any fine  
collected under division (P)(4)(b) of this section to the  
treasurer of state for deposit into the highway safety education  
fund created by section 4501.14 of the Revised Code.

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Sec. 4511.33. (A) Whenever any roadway has been divided into 732  
two or more clearly marked lanes for traffic, or wherever within 733  
municipal corporations traffic is lawfully moving in two or more 734  
substantially continuous lines in the same direction, the 735  
following rules apply: 736

(1) A vehicle or trackless trolley shall be driven, as nearly 737  
as is practicable, entirely within a single lane or line of 738  
traffic and shall not be moved from such lane or line until the 739  
driver has first ascertained that such movement can be made with 740  
safety. 741

(2) Upon a roadway which is divided into three lanes and 742  
provides for two-way movement of traffic, a vehicle or trackless 743  
trolley shall not be driven in the center lane except when 744  
overtaking and passing another vehicle or trackless trolley where 745  
the roadway is clearly visible and such center lane is clear of 746  
traffic within a safe distance, or when preparing for a left turn, 747  
or where such center lane is at the time allocated exclusively to 748  
traffic moving in the direction the vehicle or trackless trolley 749  
is proceeding and is posted with signs to give notice of such 750  
allocation. 751

(3) Official signs may be erected directing specified traffic 752  
to use a designated lane or designating those lanes to be used by 753  
traffic moving in a particular direction regardless of the center 754  
of the roadway, or restricting the use of a particular lane to 755  
only buses during certain hours or during all hours, and drivers 756  
of vehicles and trackless trolleys shall obey the directions of 757  
such signs. 758

(4) Official traffic control devices may be installed 759  
prohibiting the changing of lanes on sections of roadway and 760  
drivers of vehicles shall obey the directions of every such 761  
device. 762

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

(2) If the offender's violation of division (A) of this section resulted in serious physical harm to another person, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than sixty days, impose a fine of not more than five hundred dollars, or both. In addition, the court may impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first twenty-five dollars of any fine collected under division (B)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the offender is

guilty of a misdemeanor. The court may sentence the offender to a 795  
jail term of not more than one hundred eighty days, impose a fine 796  
of not more than one thousand dollars, or both. In addition, the 797  
court may impose a class seven license suspension of the 798  
offender's driver's license, commercial driver's license, 799  
temporary instruction permit, probationary license, or nonresident 800  
operating privilege from the range specified in division (A)(7) of 801  
section 4510.02 of the Revised Code. The court also shall assess 802  
at least two, and may assess three, four, five, or six, points 803  
against the offender's driver's license, commercial driver's 804  
license, temporary instruction permit, probationary license, or 805  
nonresident operating privilege. The court shall notify the 806  
registrar of the number of points assessed in accordance with 807  
sections 4510.03 to 4510.036 of the Revised Code. 808

The court shall forward the first fifty dollars of any fine 809  
collected under division (B)(3) of this section to the treasurer 810  
of state for deposit into the highway safety education fund 811  
created by section 4501.14 of the Revised Code. 812

**Sec. 4511.41.** (A) When two vehicles, including any trackless 813  
trolley or streetcar, approach or enter an intersection from 814  
different streets or highways at approximately the same time, the 815  
driver of the vehicle on the left shall yield the right-of-way to 816  
the vehicle on the right. 817

(B) The right-of-way rule declared in division (A) of this 818  
section is modified at through highways and otherwise as stated in 819  
Chapter 4511. of the Revised Code. 820

(C)(1) Except as otherwise provided in ~~this~~ division (C) of 821  
this section, whoever violates this section is guilty of a minor 822  
misdemeanor. If, within one year of the offense, the offender 823  
previously has been convicted of or pleaded guilty to one 824  
predicate motor vehicle or traffic offense, whoever violates this 825

section is guilty of a misdemeanor of the fourth degree. If, 826  
within one year of the offense, the offender previously has been 827  
convicted of two or more predicate motor vehicle or traffic 828  
offenses, whoever violates this section is guilty of a misdemeanor 829  
of the third degree. 830

(2) If the offender's violation of division (A) of this 831  
section resulted in serious physical harm to another person, the 832  
offender is guilty of a misdemeanor. The court may sentence the 833  
offender to a jail term of not more than sixty days, impose a fine 834  
of not more than five hundred dollars, or both. In addition, the 835  
court may impose a class eight license suspension of the 836  
offender's driver's license, commercial driver's license, 837  
temporary instruction permit, probationary license, or nonresident 838  
operating privilege from the range specified in division (A)(8) of 839  
section 4510.02 of the Revised Code. The court also shall assess 840  
at least two, and may assess three or four, points against the 841  
offender's driver's license, commercial driver's license, 842  
temporary instruction permit, probationary license, or nonresident 843  
operating privilege. The court shall notify the registrar of motor 844  
vehicles of the number of points assessed in accordance with 845  
sections 4510.03 to 4510.036 of the Revised Code. 846

The court shall forward the first twenty-five dollars of any 847  
fine collected under division (B)(2) of this section to the 848  
treasurer of state for deposit into the highway safety education 849  
fund created by section 4501.14 of the Revised Code. 850

(3) If the offender's violation of division (A) of this 851  
section resulted in the death of another person, the offender is 852  
guilty of a misdemeanor. The court may sentence the offender to a 853  
jail term of not more than one hundred eighty days, impose a fine 854  
of not more than one thousand dollars, or both. In addition, the 855  
court may impose a class seven license suspension of the 856  
offender's driver's license, commercial driver's license, 857

temporary instruction permit, probationary license, or nonresident 858  
operating privilege from the range specified in division (A)(7) of 859  
section 4510.02 of the Revised Code. The court also shall assess 860  
at least two, and may assess three, four, five, or six, points 861  
against the offender's driver's license, commercial driver's 862  
license, temporary instruction permit, probationary license, or 863  
nonresident operating privilege. The court shall notify the 864  
registrar of the number of points assessed in accordance with 865  
sections 4510.03 to 4510.036 of the Revised Code. 866

The court shall forward the first fifty dollars of any fine 867  
collected under division (B)(3) of this section to the treasurer 868  
of state for deposit into the highway safety education fund 869  
created by section 4501.14 of the Revised Code. 870

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 871  
trackless trolley intending to turn to the left within an 872  
intersection or into an alley, private road, or driveway shall 873  
yield the right of way to any vehicle, streetcar, or trackless 874  
trolley approaching from the opposite direction, whenever the 875  
approaching vehicle, streetcar, or trackless trolley is within the 876  
intersection or so close to the intersection, alley, private road, 877  
or driveway as to constitute an immediate hazard. 878

(B)(1) Except as otherwise provided in ~~this~~ division (B) of 879  
this section, whoever violates this section is guilty of a minor 880  
misdemeanor. If, within one year of the offense, the offender 881  
previously has been convicted of or pleaded guilty to one 882  
predicate motor vehicle or traffic offense, whoever violates this 883  
section is guilty of a misdemeanor of the fourth degree. If, 884  
within one year of the offense, the offender previously has been 885  
convicted of two or more predicate motor vehicle or traffic 886  
offenses, whoever violates this section is guilty of a misdemeanor 887  
of the third degree. 888

(2) If the offender's violation of division (A) of this section resulted in serious physical harm to another person, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than sixty days, impose a fine of not more than five hundred dollars, or both. In addition, the court may impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first twenty-five dollars of any fine collected under division (B)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than one hundred eighty days, impose a fine of not more than one thousand dollars, or both. In addition, the court may impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's

license, temporary instruction permit, probationary license, or 921  
nonresident operating privilege. The court shall notify the 922  
registrar of the number of points assessed in accordance with 923  
sections 4510.03 to 4510.036 of the Revised Code. 924

The court shall forward the first fifty dollars of any fine 925  
collected under division (B)(3) of this section to the treasurer 926  
of state for deposit into the highway safety education fund 927  
created by section 4501.14 of the Revised Code. 928

**Sec. 4511.43.** (A) Except when directed to proceed by a law 929  
enforcement officer, every driver of a vehicle or trackless 930  
trolley approaching a stop sign shall stop at a clearly marked 931  
stop line, but if none, before entering the crosswalk on the near 932  
side of the intersection, or, if none, then at the point nearest 933  
the intersecting roadway where the driver has a view of 934  
approaching traffic on the intersecting roadway before entering 935  
it. After having stopped, the driver shall yield the right-of-way 936  
to any vehicle in the intersection or approaching on another 937  
roadway so closely as to constitute an immediate hazard during the 938  
time the driver is moving across or within the intersection or 939  
junction of roadways. 940

(B) The driver of a vehicle or trackless trolley approaching 941  
a yield sign shall slow down to a speed reasonable for the 942  
existing conditions and, if required for safety to stop, shall 943  
stop at a clearly marked stop line, but if none, before entering 944  
the crosswalk on the near side of the intersection, or, if none, 945  
then at the point nearest the intersecting roadway where the 946  
driver has a view of approaching traffic on the intersecting 947  
roadway before entering it. After slowing or stopping, the driver 948  
shall yield the right-of-way to any vehicle or trackless trolley 949  
in the intersection or approaching on another roadway so closely 950  
as to constitute an immediate hazard during the time the driver is 951

moving across or within the intersection or junction of roadways. 952  
Whenever a driver is involved in a collision with a vehicle or 953  
trackless trolley in the intersection or junction of roadways, 954  
after driving past a yield sign without stopping, the collision 955  
shall be prima-facie evidence of the driver's failure to yield the 956  
right-of-way. 957

(C)(1) Except as otherwise provided in ~~this~~ division (C) of 958  
this section, whoever violates this section is guilty of a minor 959  
misdemeanor. If, within one year of the offense, the offender 960  
previously has been convicted of or pleaded guilty to one 961  
predicate motor vehicle or traffic offense, whoever violates this 962  
section is guilty of a misdemeanor of the fourth degree. If, 963  
within one year of the offense, the offender previously has been 964  
convicted of two or more predicate motor vehicle or traffic 965  
offenses, whoever violates this section is guilty of a misdemeanor 966  
of the third degree. 967

(2) If the offender's violation of division (A) or (B) of 968  
this section resulted in serious physical harm to another person, 969  
the offender is guilty of a misdemeanor. The court may sentence 970  
the offender to a jail term of not more than sixty days, impose a 971  
fine of not more than five hundred dollars, or both. In addition, 972  
the court may impose a class eight license suspension of the 973  
offender's driver's license, commercial driver's license, 974  
temporary instruction permit, probationary license, or nonresident 975  
operating privilege from the range specified in division (A)(8) of 976  
section 4510.02 of the Revised Code. The court also shall assess 977  
at least two, and may assess three or four, points against the 978  
offender's driver's license, commercial driver's license, 979  
temporary instruction permit, probationary license, or nonresident 980  
operating privilege. The court shall notify the registrar of motor 981  
vehicles of the number of points assessed in accordance with 982  
sections 4510.03 to 4510.036 of the Revised Code. 983

The court shall forward the first twenty-five dollars of any fine collected under division (C)(2) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(3) If the offender's violation of division (A) or (B) of this section resulted in the death of another person, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than one hundred eighty days, impose a fine of not more than one thousand dollars, or both. In addition, the court may impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first fifty dollars of any fine collected under division (C)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

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

entered where the driver has a view of approaching traffic 1015  
thereon. 1016

(B)(1) Except as otherwise provided in ~~this~~ division (B) of 1017  
this section, whoever violates this section is guilty of a minor 1018  
misdemeanor. If, within one year of the offense, the offender 1019  
previously has been convicted of or pleaded guilty to one 1020  
predicate motor vehicle or traffic offense, whoever violates this 1021  
section is guilty of a misdemeanor of the fourth degree. If, 1022  
within one year of the offense, the offender previously has been 1023  
convicted of two or more predicate motor vehicle or traffic 1024  
offenses, whoever violates this section is guilty of a misdemeanor 1025  
of the third degree. 1026

(2) If the offender's violation of division (A) of this 1027  
section resulted in serious physical harm to another person, the 1028  
offender is guilty of a misdemeanor. The court may sentence the 1029  
offender to a jail term of not more than sixty days, impose a fine 1030  
of not more than five hundred dollars, or both. In addition, the 1031  
court may impose a class eight license suspension of the 1032  
offender's driver's license, commercial driver's license, 1033  
temporary instruction permit, probationary license, or nonresident 1034  
operating privilege from the range specified in division (A)(8) of 1035  
section 4510.02 of the Revised Code. The court also shall assess 1036  
at least two, and may assess three or four, points against the 1037  
offender's driver's license, commercial driver's license, 1038  
temporary instruction permit, probationary license, or nonresident 1039  
operating privilege. The court shall notify the registrar of motor 1040  
vehicles of the number of points assessed in accordance with 1041  
sections 4510.03 to 4510.036 of the Revised Code. 1042

The court shall forward the first twenty-five dollars of any 1043  
fine collected under division (B)(2) of this section to the 1044  
treasurer of state for deposit into the highway safety education 1045

fund created by section 4501.14 of the Revised Code.

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(3) If the offender's violation of division (A) of this section resulted in the death of another person, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than one hundred eighty days, impose a fine of not more than one thousand dollars, or both. In addition, the court may impose a class seven license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three, four, five, or six, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

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The court shall forward the first fifty dollars of any fine collected under division (B)(3) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

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

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

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within one year of the offense, the offender previously has been 1077  
convicted of two or more predicate motor vehicle or traffic 1078  
offenses, whoever violates this section is guilty of a misdemeanor 1079  
of the third degree. 1080

(2) If the offender's violation of division (A) of this 1081  
section resulted in serious physical harm to another person, the 1082  
offender is guilty of a misdemeanor. The court may sentence the 1083  
offender to a jail term of not more than sixty days, impose a fine 1084  
of not more than five hundred dollars, or both. In addition, the 1085  
court may impose a class eight license suspension of the 1086  
offender's driver's license, commercial driver's license, 1087  
temporary instruction permit, probationary license, or nonresident 1088  
operating privilege from the range specified in division (A)(8) of 1089  
section 4510.02 of the Revised Code. The court also shall assess 1090  
at least two, and may assess three or four, points against the 1091  
offender's driver's license, commercial driver's license, 1092  
temporary instruction permit, probationary license, or nonresident 1093  
operating privilege. The court shall notify the registrar of motor 1094  
vehicles of the number of points assessed in accordance with 1095  
sections 4510.03 to 4510.036 of the Revised Code. 1096

The court shall forward the first twenty-five dollars of any 1097  
fine collected under division (B)(2) of this section to the 1098  
treasurer of state for deposit into the highway safety education 1099  
fund created by section 4501.14 of the Revised Code. 1100

(3) If the offender's violation of division (A) of this 1101  
section resulted in the death of another person, the offender is 1102  
guilty of a misdemeanor. The court may sentence the offender to a 1103  
jail term of not more than one hundred eighty days, impose a fine 1104  
of not more than one thousand dollars, or both. In addition, the 1105  
court may impose a class seven license suspension of the 1106  
offender's driver's license, commercial driver's license, 1107  
temporary instruction permit, probationary license, or nonresident 1108

operating privilege from the range specified in division (A)(7) of 1109  
section 4510.02 of the Revised Code. The court also shall assess 1110  
at least two, and may assess three, four, five, or six, points 1111  
against the offender's driver's license, commercial driver's 1112  
license, temporary instruction permit, probationary license, or 1113  
nonresident operating privilege. The court shall notify the 1114  
registrar of the number of points assessed in accordance with 1115  
sections 4510.03 to 4510.036 of the Revised Code. 1116

The court shall forward the first fifty dollars of any fine 1117  
collected under division (B)(3) of this section to the treasurer 1118  
of state for deposit into the highway safety education fund 1119  
created by section 4501.14 of the Revised Code. 1120

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 1121  
right-of-way to any pedestrian on a sidewalk. 1122

(B)(1) Except as otherwise provided in ~~this~~ division (B) of 1123  
this section, whoever violates this section is guilty of a minor 1124  
misdemeanor. If, within one year of the offense, the offender 1125  
previously has been convicted of or pleaded guilty to one 1126  
predicate motor vehicle or traffic offense, whoever violates this 1127  
section is guilty of a misdemeanor of the fourth degree. If, 1128  
within one year of the offense, the offender previously has been 1129  
convicted of two or more predicate motor vehicle or traffic 1130  
offenses, whoever violates this section is guilty of a misdemeanor 1131  
of the third degree. 1132

(2) If the offender's violation of division (A) of this 1133  
section resulted in serious physical harm to another person, the 1134  
offender is guilty of a misdemeanor. The court may sentence the 1135  
offender to a jail term of not more than sixty days, impose a fine 1136  
of not more than five hundred dollars, or both. In addition, the 1137  
court may impose a class eight license suspension of the 1138  
offender's driver's license, commercial driver's license, 1139

temporary instruction permit, probationary license, or nonresident 1140  
operating privilege from the range specified in division (A)(8) of 1141  
section 4510.02 of the Revised Code. The court also shall assess 1142  
at least two, and may assess three or four, points against the 1143  
offender's driver's license, commercial driver's license, 1144  
temporary instruction permit, probationary license, or nonresident 1145  
operating privilege. The court shall notify the registrar of motor 1146  
vehicles of the number of points assessed in accordance with 1147  
sections 4510.03 to 4510.036 of the Revised Code. 1148

The court shall forward the first twenty-five dollars of any 1149  
fine collected under division (B)(2) of this section to the 1150  
treasurer of state for deposit into the highway safety education 1151  
fund created by section 4501.14 of the Revised Code. 1152

(3) If the offender's violation of division (A) of this 1153  
section resulted in the death of another person, the offender is 1154  
guilty of a misdemeanor. The court may sentence the offender to a 1155  
jail term of not more than one hundred eighty days, impose a fine 1156  
of not more than one thousand dollars, or both. In addition, the 1157  
court may impose a class seven license suspension of the 1158  
offender's driver's license, commercial driver's license, 1159  
temporary instruction permit, probationary license, or nonresident 1160  
operating privilege from the range specified in division (A)(7) of 1161  
section 4510.02 of the Revised Code. The court also shall assess 1162  
at least two, and may assess three, four, five, or six, points 1163  
against the offender's driver's license, commercial driver's 1164  
license, temporary instruction permit, probationary license, or 1165  
nonresident operating privilege. The court shall notify the 1166  
registrar of the number of points assessed in accordance with 1167  
sections 4510.03 to 4510.036 of the Revised Code. 1168

The court shall forward the first fifty dollars of any fine 1169  
collected under division (B)(3) of this section to the treasurer 1170  
of state for deposit into the highway safety education fund 1171

created by section 4501.14 of the Revised Code.

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**Sec. 4511.45.** (A)(1) Upon the approach of a public safety 1173  
vehicle or coroner's vehicle, equipped with at least one flashing, 1174  
rotating or oscillating light visible under normal atmospheric 1175  
conditions from a distance of five hundred feet to the front of 1176  
the vehicle and the driver is giving an audible signal by siren, 1177  
exhaust whistle, or bell, no driver of any other vehicle shall 1178  
fail to yield the right-of-way, immediately drive if practical to 1179  
a position parallel to, and as close as possible to, the right 1180  
edge or curb of the highway clear of any intersection, and stop 1181  
and remain in that position until the public safety vehicle or 1182  
coroner's vehicle has passed, except when otherwise directed by a 1183  
police officer. 1184

(2) Upon the approach of a public safety vehicle or coroner's 1185  
vehicle, as stated in division (A)(1) of this section, no operator 1186  
of any streetcar or trackless trolley shall fail to immediately 1187  
stop the streetcar or trackless trolley clear of any intersection 1188  
and keep it in that position until the public safety vehicle or 1189  
coroner's vehicle has passed, except when otherwise directed by a 1190  
police officer. 1191

(B) This section does not relieve the driver of a public 1192  
safety vehicle or coroner's vehicle from the duty to drive with 1193  
due regard for the safety of all persons and property upon the 1194  
highway. 1195

(C) This section applies to a coroner's vehicle only when the 1196  
vehicle is operated in accordance with section 4513.171 of the 1197  
Revised Code. As used in this section, "coroner's vehicle" means a 1198  
vehicle used by a coroner, deputy coroner, or coroner's 1199  
investigator that is equipped with a flashing, oscillating, or 1200  
rotating red or blue light and a siren, exhaust whistle, or bell 1201  
capable of giving an audible signal. 1202

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

(2)(a) If the offender's violation of division (A)(1) or (2) of this section resulted in serious physical harm to another person and the offender, within one year of the offense, has been convicted of or pleaded guilty to one or fewer violations of divisions (A)(1) and (2) of this section, the offender is guilty of a misdemeanor. The court may sentence the offender to a jail term of not more than sixty days, impose a fine of not more than five hundred dollars, or both. In addition, the court may impose a class eight license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(8) of section 4510.02 of the Revised Code. The court also shall assess at least two, and may assess three or four, points against the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege. The court shall notify the registrar of motor vehicles of the number of points assessed in accordance with sections 4510.03 to 4510.036 of the Revised Code.

The court shall forward the first twenty-five dollars of any fine collected under division (D)(2)(a) of this section to the treasurer of state for deposit into the highway safety education fund created by section 4501.14 of the Revised Code.

(b) If the offender's violation of division (A)(1) or (2) of

this section resulted in serious physical harm to another person 1235  
and the offender, within one year of the offense, has been 1236  
convicted of or pleaded guilty to two or more violations of 1237  
division (A)(1) or (2) of this section, the offender is guilty of 1238  
a misdemeanor of the second degree. The court may sentence the 1239  
offender to a jail term of not more than ninety days, impose a 1240  
fine of not more than seven hundred fifty dollars, or both. In 1241  
addition, the court may impose a class eight license suspension of 1242  
the offender's driver's license, commercial driver's license, 1243  
temporary instruction permit, probationary license, or nonresident 1244  
operating privilege from the range specified in division (A)(8) of 1245  
section 4510.02 of the Revised Code. The court also shall assess 1246  
at least two, and may assess three or four, points against the 1247  
offender's driver's license, commercial driver's license, 1248  
temporary instruction permit, probationary license, or nonresident 1249  
operating privilege. The court shall notify the registrar of motor 1250  
vehicles of the number of points assessed in accordance with 1251  
sections 4510.03 to 4510.036 of the Revised Code. 1252

The court shall forward the first thirty-eight dollars of any 1253  
fine collected under division (D)(2)(b) of this section to the 1254  
treasurer of state for deposit into the highway safety education 1255  
fund created by section 4501.14 of the Revised Code. 1256

(3) If the offender's violation of division (A)(1) or (2) of 1257  
this section resulted in the death of another person, the offender 1258  
is guilty of a misdemeanor. The court may sentence the offender to 1259  
a jail term of not more than one hundred eighty days, impose a 1260  
fine of not more than one thousand dollars, or both. In addition, 1261  
the court may impose a class seven license suspension of the 1262  
offender's driver's license, commercial driver's license, 1263  
temporary instruction permit, probationary license, or nonresident 1264  
operating privilege from the range specified in division (A)(7) of 1265  
section 4510.02 of the Revised Code. The court also shall assess 1266

at least two, and may assess three, four, five, or six, points 1267  
against the offender's driver's license, commercial driver's 1268  
license, temporary instruction permit, probationary license, or 1269  
nonresident operating privilege. The court shall notify the 1270  
registrar of the number of points assessed in accordance with 1271  
sections 4510.03 to 4510.036 of the Revised Code. 1272

The court shall forward the first fifty dollars of any fine 1273  
collected under division (D)(3) of this section to the treasurer 1274  
of state for deposit into the highway safety education fund 1275  
created by section 4501.14 of the Revised Code. 1276

**Sec. 4511.451.** (A) As used in this section, "funeral 1277  
procession" means two or more vehicles accompanying the cremated 1278  
remains or the body of a deceased person in the daytime when each 1279  
of the vehicles has its headlights lighted and is displaying a 1280  
purple and white or an orange and white pennant attached to each 1281  
vehicle in such a manner as to be clearly visible to traffic 1282  
approaching from any direction. 1283

(B) Excepting public safety vehicles proceeding in accordance 1284  
with section 4511.45 of the Revised Code or when directed 1285  
otherwise by a police officer, pedestrians and the operators of 1286  
all vehicles, street cars, and trackless trolleys shall yield the 1287  
right of way to each vehicle that is a part of a funeral 1288  
procession. Whenever the lead vehicle in a funeral procession 1289  
lawfully enters an intersection, the remainder of the vehicles in 1290  
the procession may continue to follow the lead vehicle through the 1291  
intersection notwithstanding any traffic control devices or right 1292  
of way provisions of the Revised Code, provided that the operator 1293  
of each vehicle exercises due care to avoid colliding with any 1294  
other vehicle or pedestrian. 1295

(C) No person shall operate any vehicle as a part of a 1296  
funeral procession without having the headlights of the vehicle 1297

lighted and without displaying a purple and white or an orange and  
white pennant in such a manner as to be clearly visible to traffic  
approaching from any direction.

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

(2) If the offender's violation of division (B) of this  
section resulted in serious physical harm to another person, the  
offender is guilty of a misdemeanor. The court may sentence the  
offender to a jail term of not more than sixty days, impose a fine  
of not more than five hundred dollars, or both. In addition, the  
court may impose a class eight license suspension of the  
offender's driver's license, commercial driver's license,  
temporary instruction permit, probationary license, or nonresident  
operating privilege from the range specified in division (A)(8) of  
section 4510.02 of the Revised Code. The court also shall assess  
at least two, and may assess three or four, points against the  
offender's driver's license, commercial driver's license,  
temporary instruction permit, probationary license, or nonresident  
operating privilege. The court shall notify the registrar of motor  
vehicles of the number of points assessed in accordance with  
sections 4510.03 to 4510.036 of the Revised Code.

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

fund created by section 4501.14 of the Revised Code. 1330

(3) If the offender's violation of division (B) of this 1331  
section resulted in the death of another person, the offender is 1332  
guilty of a misdemeanor. The court may sentence the offender to a 1333  
jail term of not more than one hundred eighty days, impose a fine 1334  
of not more than one thousand dollars, or both. In addition, the 1335  
court may impose a class seven license suspension of the 1336  
offender's driver's license, commercial driver's license, 1337  
temporary instruction permit, probationary license, or nonresident 1338  
operating privilege from the range specified in division (A)(7) of 1339  
section 4510.02 of the Revised Code. The court also shall assess 1340  
at least two, and may assess three, four, five, or six, points 1341  
against the offender's driver's license, commercial driver's 1342  
license, temporary instruction permit, probationary license, or 1343  
nonresident operating privilege. The court shall notify the 1344  
registrar of the number of points assessed in accordance with 1345  
sections 4510.03 to 4510.036 of the Revised Code. 1346

The court shall forward the first fifty dollars of any fine 1347  
collected under division (D)(3) of this section to the treasurer 1348  
of state for deposit into the highway safety education fund 1349  
created by section 4501.14 of the Revised Code. 1350

**Sec. 4511.46.** (A) When traffic control signals are not in 1351  
place, not in operation, or are not clearly assigning the 1352  
right-of-way, the driver of a vehicle, trackless trolley, or 1353  
streetcar shall yield the right of way, slowing down or stopping 1354  
if need be to so yield or if required by section 4511.132 of the 1355  
Revised Code, to a pedestrian crossing the roadway within a 1356  
crosswalk when the pedestrian is upon the half of the roadway upon 1357  
which the vehicle is traveling, or when the pedestrian is 1358  
approaching so closely from the opposite half of the roadway as to 1359  
be in danger. 1360

(B) No pedestrian shall suddenly leave a curb or other place 1361  
of safety and walk or run into the path of a vehicle, trackless 1362  
trolley, or streetcar which is so close as to constitute an 1363  
immediate hazard. 1364

(C) Division (A) of this section does not apply under the 1365  
conditions stated in division (B) of section 4511.48 of the 1366  
Revised Code. 1367

(D) Whenever any vehicle, trackless trolley, or streetcar is 1368  
stopped at a marked crosswalk or at any unmarked crosswalk at an 1369  
intersection to permit a pedestrian to cross the roadway, the 1370  
driver of any other vehicle, trackless trolley, or streetcar 1371  
approaching from the rear shall not overtake and pass the stopped 1372  
vehicle. 1373

(E)(1) Except as otherwise provided in ~~this~~ division (E) of 1374  
this section, whoever violates this section is guilty of a minor 1375  
misdemeanor. If, within one year of the offense, the offender 1376  
previously has been convicted of or pleaded guilty to one 1377  
predicate motor vehicle or traffic offense, whoever violates this 1378  
section is guilty of a misdemeanor of the fourth degree. If, 1379  
within one year of the offense, the offender previously has been 1380  
convicted of two or more predicate motor vehicle or traffic 1381  
offenses, whoever violates this section is guilty of a misdemeanor 1382  
of the third degree. 1383

(2) If the offender's violation of division (A) or (D) of 1384  
this section resulted in serious physical harm to another person, 1385  
the offender is guilty of a misdemeanor. The court may sentence 1386  
the offender to a jail term of not more than sixty days, impose a 1387  
fine of not more than five hundred dollars, or both. In addition, 1388  
the court may impose a class eight license suspension of the 1389  
offender's driver's license, commercial driver's license, 1390  
temporary instruction permit, probationary license, or nonresident 1391

operating privilege from the range specified in division (A)(8) of 1392  
section 4510.02 of the Revised Code. The court also shall assess 1393  
at least two, and may assess three or four, points against the 1394  
offender's driver's license, commercial driver's license, 1395  
temporary instruction permit, probationary license, or nonresident 1396  
operating privilege. The court shall notify the registrar of motor 1397  
vehicles of the number of points assessed in accordance with 1398  
sections 4510.03 to 4510.036 of the Revised Code. 1399

The court shall forward the first twenty-five dollars of any 1400  
fine collected under division (E)(2) of this section to the 1401  
treasurer of state for deposit into the highway safety education 1402  
fund created by section 4501.14 of the Revised Code. 1403

(3) If the offender's violation of division (A) or (D) of 1404  
this section resulted in the death of another person, the offender 1405  
is guilty of a misdemeanor. The court may sentence the offender to 1406  
a jail term of not more than one hundred eighty days, impose a 1407  
fine of not more than one thousand dollars, or both. In addition, 1408  
the court may impose a class seven license suspension of the 1409  
offender's driver's license, commercial driver's license, 1410  
temporary instruction permit, probationary license, or nonresident 1411  
operating privilege from the range specified in division (A)(7) of 1412  
section 4510.02 of the Revised Code. The court also shall assess 1413  
at least two, and may assess three, four, five, or six, points 1414  
against the offender's driver's license, commercial driver's 1415  
license, temporary instruction permit, probationary license, or 1416  
nonresident operating privilege. The court shall notify the 1417  
registrar of the number of points assessed in accordance with 1418  
sections 4510.03 to 4510.036 of the Revised Code. 1419

The court shall forward the first fifty dollars of any fine 1420  
collected under division (E)(3) of this section to the treasurer 1421  
of state for deposit into the highway safety education fund 1422  
created by section 4501.14 of the Revised Code. 1423

Sec. 4511.47. (A) As used in this section "blind person" or 1424  
"blind pedestrian" means a person having not more than 20/200 1425  
visual acuity in the better eye with correcting lenses or visual 1426  
acuity greater than 20/200 but with a limitation in the fields of 1427  
vision such that the widest diameter of the visual field subtends 1428  
an angle no greater than twenty degrees. 1429

The driver of every vehicle shall yield the right of way to 1430  
every blind pedestrian guided by a guide dog, or carrying a cane 1431  
which is predominantly white or metallic in color, with or without 1432  
a red tip. 1433

(B) No person, other than a blind person, while on any public 1434  
highway, street, alley, or other public thoroughfare shall carry a 1435  
white or metallic cane with or without a red tip. 1436

(C)(1) Except as otherwise provided in ~~this~~ division (C) of 1437  
this section, whoever violates this section is guilty of a minor 1438  
misdemeanor. If, within one year of the offense, the offender 1439  
previously has been convicted of or pleaded guilty to one 1440  
predicate motor vehicle or traffic offense, whoever violates this 1441  
section is guilty of a misdemeanor of the fourth degree. If, 1442  
within one year of the offense, the offender previously has been 1443  
convicted of two or more predicate motor vehicle or traffic 1444  
offenses, whoever violates this section is guilty of a misdemeanor 1445  
of the third degree. 1446

(2) If the offender's violation of division (A) of this 1447  
section resulted in serious physical harm to another person, the 1448  
offender is guilty of a misdemeanor. The court may sentence the 1449  
offender to a jail term of not more than sixty days, impose a fine 1450  
of not more than five hundred dollars, or both. In addition, the 1451  
court may impose a class eight license suspension of the 1452  
offender's driver's license, commercial driver's license, 1453  
temporary instruction permit, probationary license, or nonresident 1454

operating privilege from the range specified in division (A)(8) of 1455  
section 4510.02 of the Revised Code. The court also shall assess 1456  
at least two, and may assess three or four, points against the 1457  
offender's driver's license, commercial driver's license, 1458  
temporary instruction permit, probationary license, or nonresident 1459  
operating privilege. The court shall notify the registrar of motor 1460  
vehicles of the number of points assessed in accordance with 1461  
sections 4510.03 to 4510.036 of the Revised Code. 1462

The court shall forward the first twenty-five dollars of any 1463  
fine collected under division (B)(2) of this section to the 1464  
treasurer of state for deposit into the highway safety education 1465  
fund created by section 4501.14 of the Revised Code. 1466

(3) If the offender's violation of division (A) of this 1467  
section resulted in the death of another person, the offender is 1468  
guilty of a misdemeanor. The court may sentence the offender to a 1469  
jail term of not more than one hundred eighty days, impose a fine 1470  
of not more than one thousand dollars, or both. In addition, the 1471  
court may impose a class seven license suspension of the 1472  
offender's driver's license, commercial driver's license, 1473  
temporary instruction permit, probationary license, or nonresident 1474  
operating privilege from the range specified in division (A)(7) of 1475  
section 4510.02 of the Revised Code. The court also shall assess 1476  
at least two, and may assess three, four, five, or six, points 1477  
against the offender's driver's license, commercial driver's 1478  
license, temporary instruction permit, probationary license, or 1479  
nonresident operating privilege. The court shall notify the 1480  
registrar of the number of points assessed in accordance with 1481  
sections 4510.03 to 4510.036 of the Revised Code. 1482

The court shall forward the first fifty dollars of any fine 1483  
collected under division (B)(3) of this section to the treasurer 1484  
of state for deposit into the highway safety education fund 1485  
created by section 4501.14 of the Revised Code. 1486

**Sec. 4513.39.** (A) The state highway patrol and sheriffs or 1487  
their deputies shall exercise, to the exclusion of all other peace 1488  
officers except within municipal corporations and except as 1489  
specified in division (B) of this section and division (E) of 1490  
section 2935.03 of the Revised Code, the power to make arrests for 1491  
violations on all state highways, of sections 4503.11, 4503.21, 1492  
4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 4511.40, 1493  
4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 4511.71, 4513.03 1494  
to 4513.13, 4513.15 to 4513.22, 4513.24 to 4513.34, 4549.01, 1495  
4549.08 to 4549.12, and 4549.62 of the Revised Code. 1496

(B) A member of the police force of a township police 1497  
district created under section 505.48 of the Revised Code, and a 1498  
township constable appointed pursuant to section 509.01 of the 1499  
Revised Code, who has received a certificate from the Ohio peace 1500  
officer training commission under section 109.75 of the Revised 1501  
Code, shall exercise the power to make arrests for violations of 1502  
those sections listed in division (A) of this section, other than 1503  
sections 4513.33 and 4513.34 of the Revised Code, as follows: 1504

(1) If the population of the township that created the 1505  
township police district served by the member's police force or 1506  
the township that is served by the township constable is fifty 1507  
thousand or less, the member or constable shall exercise that 1508  
power on those portions of all state highways, except those 1509  
highways included as part of the interstate system, as defined in 1510  
section 5516.01 of the Revised Code, that are located within the 1511  
township police district, in the case of a member of a township 1512  
police district police force, or within the unincorporated 1513  
territory of the township, in the case of a township constable; 1514

(2) If the population of the township that created the 1515  
township police district served by the member's police force or 1516  
the township that is served by the township constable is greater 1517

than fifty thousand, the member or constable shall exercise that  
power on those portions of all state highways and highways  
included as part of the interstate highway system, as defined in  
section 5516.01 of the Revised Code, that are located within the  
township police district, in the case of a member of a township  
police district police force, or within the unincorporated  
territory of the township, in the case of a township constable.

(C) When investigating a motor vehicle accident that involves  
an offender's motor vehicle and another motor vehicle, a bicycle,  
or a pedestrian in which an injured person who is not the offender  
is transported to a medical facility for emergency medical  
treatment, the state highway patrol trooper, sheriff, sheriff's  
deputy, or other peace officer shall not complete the  
investigation and issue a ticket, citation, or summons to the  
offender for a violation of any of the provisions of sections  
4511.01 to 4511.76 of the Revised Code until after the  
investigating trooper, sheriff, sheriff's deputy, or other peace  
officer contacts the medical facility and is informed of the  
seriousness of the injuries that the injured person suffered in  
the motor vehicle accident. If the medical facility informs the  
investigating trooper, sheriff, sheriff's deputy, or other peace  
officer that the offender caused the injured person to suffer  
serious physical injury or caused the death of the injured person,  
and if the offender is not subject to indictment for any other  
violation arising from motor vehicle accident, the investigating  
trooper, sheriff, sheriff's deputy, or other peace officer shall  
issue to the offender a ticket, citation, or summons for the  
offense and shall indicate on the ticket, citation, or summons  
that the offender is not permitted to enter a written plea of  
guilty and waive the offender's right to contest the ticket,  
citation, or summons in a trial but instead must appear in person  
in the proper court to answer the charge.

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**Section 2.** That existing sections 4510.02, 4510.036, 4511.21, 1550  
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 1551  
4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 of the Revised 1552  
Code are hereby repealed. 1553

**Section 3.** Section 4511.451 of the Revised Code is presented 1554  
in this act as a composite of the section as amended by both Sub. 1555  
H.B. 322 and Am. Sub. S.B. 123 of the 124th General Assembly. The 1556  
General Assembly, applying the principle stated in division (B) of 1557  
section 1.52 of the Revised Code that amendments are to be 1558  
harmonized if reasonably capable of simultaneous operation, finds 1559  
that the composite is the resulting version of the section in 1560  
effect prior to the effective date of the section as presented in 1561  
this act. 1562