

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**S. B. No. 154**

**Senator Maharath  
Cosponsor: Senator Thomas**



**A BILL**

To amend section 4511.21 of the Revised Code to  
establish signage requirements for indicating  
school zones for speed limit purposes, and to  
make an appropriation. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4511.21 of the Revised Code be  
amended to read as follows: 5  
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**Sec. 4511.21.** (A) No person shall operate a motor vehicle,  
trackless trolley, or streetcar at a speed greater or less than  
is reasonable or proper, having due regard to the traffic,  
surface, and width of the street or highway and any other  
conditions, and no person shall drive any motor vehicle,  
trackless trolley, or streetcar in and upon any street or  
highway at a greater speed than will permit the person to bring  
it to a stop within the assured clear distance ahead. 7  
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(B) It is prima-facie lawful, in the absence of a lower  
limit declared or established pursuant to this section by the  
director of transportation or local authorities, for the  
operator of a motor vehicle, trackless trolley, or streetcar to 15  
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operate the same at a speed not exceeding the following: 19

(1) (a) Twenty miles per hour in school zones during school 20  
recess and while children are going to or leaving school during 21  
the opening or closing hours, and when twenty miles per hour 22  
school speed limit signs are erected; except that, on 23  
controlled-access highways and expressways, if the right-of-way 24  
line fence has been erected without pedestrian opening, the 25  
speed shall be governed by division (B) (4) of this section and 26  
on freeways, if the right-of-way line fence has been erected 27  
without pedestrian opening, the speed shall be governed by 28  
divisions (B) (10) and (11) of this section. ~~The end of every~~ 29  
~~school zone may be marked by a sign indicating the end of the~~ 30  
~~zone. Nothing in this section or in the manual and~~ 31  
~~specifications for a uniform system of traffic control devices~~ 32  
~~shall be construed to require school zones to~~ 33

The beginning of a school zone shall be indicated marked 34  
either by signs a sign equipped with flashing or other lights, 35  
that indicate that the school zone speed limit is in effect or 36  
giving other special by a sign that gives notice of the hours in 37  
which the school zone speed limit is in effect. Signs equipped 38  
with flashing or other lights shall be activated by a time 39  
clock, an automatic device, or manually. The director of 40  
transportation shall establish adequate standards governing the 41  
use of flashing or other lights to indicate a school zone and 42  
the use of signs giving notice of the hours in which a school 43  
zone speed limit is in effect. The end of every school zone 44  
shall be marked by a sign indicating the end of the zone. 45

(b) As used in this section and in section 4511.212 of the 46  
Revised Code, "school" means any school chartered under section 47  
3301.16 of the Revised Code and any nonchartered school that 48

during the preceding year filed with the department of education 49  
in compliance with rule 3301-35-08 of the Ohio Administrative 50  
Code, a copy of the school's report for the parents of the 51  
school's pupils certifying that the school meets Ohio minimum 52  
standards for nonchartered, nontax-supported schools and 53  
presents evidence of this filing to the jurisdiction from which 54  
it is requesting the establishment of a school zone. "School" 55  
also includes a special elementary school that in writing 56  
requests the county engineer of the county in which the special 57  
elementary school is located to create a school zone at the 58  
location of that school. Upon receipt of such a written request, 59  
the county engineer shall create a school zone at that location 60  
by erecting the appropriate signs. 61

(c) As used in this section, "school zone" means that 62  
portion of a street or highway passing a school fronting upon 63  
the street or highway that is encompassed by projecting the 64  
school property lines to the fronting street or highway, and 65  
also includes that portion of a state highway. Upon request from 66  
local authorities for streets and highways under their 67  
jurisdiction and that portion of a state highway under the 68  
jurisdiction of the director of transportation or a request from 69  
a county engineer in the case of a school zone for a special 70  
elementary school, the director may extend the traditional 71  
school zone boundaries. The distances in divisions (B) (1) (c) (i), 72  
(ii), and (iii) of this section shall not exceed three hundred 73  
feet per approach per direction and are bounded by whichever of 74  
the following distances or combinations thereof the director 75  
approves as most appropriate: 76

(i) The distance encompassed by projecting the school 77  
building lines normal to the fronting highway and extending a 78  
distance of three hundred feet on each approach direction; 79

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

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

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

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

The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of developmental disabilities created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line

nearest the crosswalk to the nearest point of the crosswalk is 110  
no more than one thousand three hundred twenty feet. Such a 111  
school zone shall include the distance encompassed by the 112  
crosswalk and extending three hundred feet on each approach 113  
direction of the state route. 114

(e) As used in this section, "special elementary school" 115  
means a school that meets all of the following criteria: 116

(i) It is not chartered and does not receive tax revenue 117  
from any source. 118

(ii) It does not educate children beyond the eighth grade. 119

(iii) It is located outside the limits of a municipal 120  
corporation. 121

(iv) A majority of the total number of students enrolled 122  
at the school are not related by blood. 123

(v) The principal or other person in charge of the special 124  
elementary school annually sends a report to the superintendent 125  
of the school district in which the special elementary school is 126  
located indicating the total number of students enrolled at the 127  
school, but otherwise the principal or other person in charge 128  
does not report any other information or data to the 129  
superintendent. 130

(2) Twenty-five miles per hour in all other portions of a 131  
municipal corporation, except on state routes outside business 132  
districts, through highways outside business districts, and 133  
alleys; 134

(3) Thirty-five miles per hour on all state routes or 135  
through highways within municipal corporations outside business 136  
districts, except as provided in divisions (B)(4) and (6) of 137

this section;	138
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations, except as provided in divisions (B) (12), (13), (14), (15), and (16) of this section;	139 140 141
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B) (8) of this section, highways as provided in divisions (B) (9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B) (12), (13), (14), and (16) of this section;	142 143 144 145 146 147
(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	148 149 150
(7) Fifteen miles per hour on all alleys within the municipal corporation;	151 152
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	153 154
(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;	155 156 157 158
(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H) (2) of this section;	159 160 161
(11) Fifty-five miles per hour on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B) (14) and (16) of this section;	162 163 164
(12) Sixty miles per hour on rural expressways with	165

traffic control signals and on all portions of rural divided	166
highways, except as provided in divisions (B) (13) and (14) of	167
this section;	168
(13) Sixty-five miles per hour on all rural expressways	169
without traffic control signals;	170
(14) Seventy miles per hour on all rural freeways;	171
(15) Fifty-five miles per hour on all portions of freeways	172
or expressways in congested areas as determined by the director	173
and that are located within a municipal corporation or within an	174
interstate freeway outerbelt, except as provided in division (B)	175
(16) of this section;	176
(16) Sixty-five miles per hour on all portions of freeways	177
or expressways without traffic control signals in urbanized	178
areas.	179
(C) It is prima-facie unlawful for any person to exceed	180
any of the speed limitations in divisions (B) (1) (a), (2), (3),	181
(4), (6), (7), (8), and (9) of this section, or any declared or	182
established pursuant to this section by the director or local	183
authorities and it is unlawful for any person to exceed any of	184
the speed limitations in division (D) of this section. No person	185
shall be convicted of more than one violation of this section	186
for the same conduct, although violations of more than one	187
provision of this section may be charged in the alternative in a	188
single affidavit.	189
(D) No person shall operate a motor vehicle, trackless	190
trolley, or streetcar upon a street or highway as follows:	191
(1) At a speed exceeding fifty-five miles per hour, except	192
upon a two-lane state route as provided in division (B) (10) of	193
this section and upon a highway, expressway, or freeway as	194

provided in divisions (B) (12), (13), (14), and (16) of this	195
section;	196
(2) At a speed exceeding sixty miles per hour upon a two-	197
lane state route as provided in division (B) (10) of this section	198
and upon a highway as provided in division (B) (12) of this	199
section;	200
(3) At a speed exceeding sixty-five miles per hour upon an	201
expressway as provided in division (B) (13) or upon a freeway as	202
provided in division (B) (16) of this section, except upon a	203
freeway as provided in division (B) (14) of this section;	204
(4) At a speed exceeding seventy miles per hour upon a	205
freeway as provided in division (B) (14) of this section;	206
(5) At a speed exceeding the posted speed limit upon a	207
highway, expressway, or freeway for which the director has	208
determined and declared a speed limit pursuant to division (I)	209
(2) or (L) (2) of this section.	210
(E) In every charge of violation of this section the	211
affidavit and warrant shall specify the time, place, and speed	212
at which the defendant is alleged to have driven, and in charges	213
made in reliance upon division (C) of this section also the	214
speed which division (B) (1) (a), (2), (3), (4), (6), (7), (8), or	215
(9) of, or a limit declared or established pursuant to, this	216
section declares is prima-facie lawful at the time and place of	217
such alleged violation, except that in affidavits where a person	218
is alleged to have driven at a greater speed than will permit	219
the person to bring the vehicle to a stop within the assured	220
clear distance ahead the affidavit and warrant need not specify	221
the speed at which the defendant is alleged to have driven.	222
(F) When a speed in excess of both a prima-facie	223

limitation and a limitation in division (D) of this section is 224  
alleged, the defendant shall be charged in a single affidavit, 225  
alleging a single act, with a violation indicated of both 226  
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 227  
section, or of a limit declared or established pursuant to this 228  
section by the director or local authorities, and of the 229  
limitation in division (D) of this section. If the court finds a 230  
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 231  
or (9) of, or a limit declared or established pursuant to, this 232  
section has occurred, it shall enter a judgment of conviction 233  
under such division and dismiss the charge under division (D) of 234  
this section. If it finds no violation of division (B) (1) (a), 235  
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 236  
established pursuant to, this section, it shall then consider 237  
whether the evidence supports a conviction under division (D) of 238  
this section. 239

(G) Points shall be assessed for violation of a limitation 240  
under division (D) of this section in accordance with section 241  
4510.036 of the Revised Code. 242

(H) (1) Whenever the director determines upon the basis of 243  
criteria established by an engineering study, as defined by the 244  
director, that any speed limit set forth in divisions (B) (1) (a) 245  
to (D) of this section is greater or less than is reasonable or 246  
safe under the conditions found to exist at any portion of a 247  
street or highway under the jurisdiction of the director, the 248  
director shall determine and declare a reasonable and safe 249  
prima-facie speed limit, which shall be effective when 250  
appropriate signs giving notice of it are erected at the 251  
location. 252

(2) Whenever the director determines upon the basis of 253

criteria established by an engineering study, as defined by the 254  
director, that the speed limit of fifty-five miles per hour on a 255  
two-lane state route outside a municipal corporation is less 256  
than is reasonable or safe under the conditions found to exist 257  
at that portion of the state route, the director may determine 258  
and declare a speed limit of sixty miles per hour for that 259  
portion of the state route, which shall be effective when 260  
appropriate signs giving notice of it are erected at the 261  
location. 262

(3) (a) For purposes of the safe and orderly movement of 263  
traffic upon any portion of a street or highway under the 264  
jurisdiction of the director, the director may establish a 265  
variable speed limit that is different than the speed limit 266  
established by or under this section on all or portions of 267  
interstate six hundred seventy, interstate two hundred seventy- 268  
five, and interstate ninety commencing at the intersection of 269  
that interstate with interstate seventy-one and continuing to 270  
the border of the state of Ohio with the state of Pennsylvania. 271  
The director shall establish criteria for determining the 272  
appropriate use of variable speed limits and shall establish 273  
variable speed limits in accordance with the criteria. The 274  
director may establish variable speed limits based upon the time 275  
of day, weather conditions, traffic incidents, or other factors 276  
that affect the safe speed on a street or highway. The director 277  
shall not establish a variable speed limit that is based on a 278  
particular type or class of vehicle. A variable speed limit 279  
established by the director under this section is effective when 280  
appropriate signs giving notice of the speed limit are displayed 281  
at the location. 282

(b) Except for variable speed limits established under 283  
division (H) (3) (a) of this section, the director shall establish 284

a variable speed limit under the authority granted to the 285  
director by this section on not more than two additional 286  
highways and only pursuant to criteria established in rules 287  
adopted in accordance with Chapter 119. of the Revised Code. The 288  
rules shall be based on the criteria described in division (H) 289  
(3) (a) of this section. The rules also shall establish the 290  
parameters of any engineering study necessary for determining 291  
when variable speed limits are appropriate. 292

(4) Nothing in this section shall be construed to limit 293  
the authority of the director to establish speed limits within a 294  
construction zone as authorized under section 4511.98 of the 295  
Revised Code. 296

(I) (1) Except as provided in divisions (I) (2), (J), (K), 297  
and (N) of this section, whenever local authorities determine 298  
upon the basis of criteria established by an engineering study, 299  
as defined by the director, that the speed permitted by 300  
divisions (B) (1) (a) to (D) of this section, on any part of a 301  
highway under their jurisdiction, is greater than is reasonable 302  
and safe under the conditions found to exist at such location, 303  
the local authorities may by resolution request the director to 304  
determine and declare a reasonable and safe prima-facie speed 305  
limit. Upon receipt of such request the director may determine 306  
and declare a reasonable and safe prima-facie speed limit at 307  
such location, and if the director does so, then such declared 308  
speed limit shall become effective only when appropriate signs 309  
giving notice thereof are erected at such location by the local 310  
authorities. The director may withdraw the declaration of a 311  
prima-facie speed limit whenever in the director's opinion the 312  
altered prima-facie speed limit becomes unreasonable. Upon such 313  
withdrawal, the declared prima-facie speed limit shall become 314  
ineffective and the signs relating thereto shall be immediately 315

removed by the local authorities. 316

(2) A local authority may determine on the basis of 317  
criteria established by an engineering study, as defined by the 318  
director, that the speed limit of sixty-five or seventy miles 319  
per hour on a portion of a freeway under its jurisdiction is 320  
greater than is reasonable or safe under the conditions found to 321  
exist at that portion of the freeway. If the local authority 322  
makes such a determination, the local authority by resolution 323  
may request the director to determine and declare a reasonable 324  
and safe speed limit of not less than fifty-five miles per hour 325  
for that portion of the freeway. If the director takes such 326  
action, the declared speed limit becomes effective only when 327  
appropriate signs giving notice of it are erected at such 328  
location by the local authority. 329

(J) Local authorities in their respective jurisdictions 330  
may authorize by ordinance higher prima-facie speeds than those 331  
stated in this section upon through highways, or upon highways 332  
or portions thereof where there are no intersections, or between 333  
widely spaced intersections, provided signs are erected giving 334  
notice of the authorized speed, but local authorities shall not 335  
modify or alter the basic rule set forth in division (A) of this 336  
section or in any event authorize by ordinance a speed in excess 337  
of the maximum speed permitted by division (D) of this section 338  
for the specified type of highway. 339

Alteration of prima-facie limits on state routes by local 340  
authorities shall not be effective until the alteration has been 341  
approved by the director. The director may withdraw approval of 342  
any altered prima-facie speed limits whenever in the director's 343  
opinion any altered prima-facie speed becomes unreasonable, and 344  
upon such withdrawal, the altered prima-facie speed shall become 345

ineffective and the signs relating thereto shall be immediately 346  
removed by the local authorities. 347

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 348  
this section, "unimproved highway" means a highway consisting of 349  
any of the following: 350

(a) Unimproved earth; 351

(b) Unimproved graded and drained earth; 352

(c) Gravel. 353

(2) Except as otherwise provided in divisions (K) (4) and 354  
(5) of this section, whenever a board of township trustees 355  
determines upon the basis of criteria established by an 356  
engineering study, as defined by the director, that the speed 357  
permitted by division (B) (5) of this section on any part of an 358  
unimproved highway under its jurisdiction and in the 359  
unincorporated territory of the township is greater than is 360  
reasonable or safe under the conditions found to exist at the 361  
location, the board may by resolution declare a reasonable and 362  
safe prima-facie speed limit of fifty-five but not less than 363  
twenty-five miles per hour. An altered speed limit adopted by a 364  
board of township trustees under this division becomes effective 365  
when appropriate traffic control devices, as prescribed in 366  
section 4511.11 of the Revised Code, giving notice thereof are 367  
erected at the location, which shall be no sooner than sixty 368  
days after adoption of the resolution. 369

(3) (a) Whenever, in the opinion of a board of township 370  
trustees, any altered prima-facie speed limit established by the 371  
board under this division becomes unreasonable, the board may 372  
adopt a resolution withdrawing the altered prima-facie speed 373  
limit. Upon the adoption of such a resolution, the altered 374

prima-facie speed limit becomes ineffective and the traffic 375  
control devices relating thereto shall be immediately removed. 376

(b) Whenever a highway ceases to be an unimproved highway 377  
and the board has adopted an altered prima-facie speed limit 378  
pursuant to division (K) (2) of this section, the board shall, by 379  
resolution, withdraw the altered prima-facie speed limit as soon 380  
as the highway ceases to be unimproved. Upon the adoption of 381  
such a resolution, the altered prima-facie speed limit becomes 382  
ineffective and the traffic control devices relating thereto 383  
shall be immediately removed. 384

(4) (a) If the boundary of two townships rests on the 385  
centerline of an unimproved highway in unincorporated territory 386  
and both townships have jurisdiction over the highway, neither 387  
of the boards of township trustees of such townships may declare 388  
an altered prima-facie speed limit pursuant to division (K) (2) 389  
of this section on the part of the highway under their joint 390  
jurisdiction unless the boards of township trustees of both of 391  
the townships determine, upon the basis of criteria established 392  
by an engineering study, as defined by the director, that the 393  
speed permitted by division (B) (5) of this section is greater 394  
than is reasonable or safe under the conditions found to exist 395  
at the location and both boards agree upon a reasonable and safe 396  
prima-facie speed limit of less than fifty-five but not less 397  
than twenty-five miles per hour for that location. If both 398  
boards so agree, each shall follow the procedure specified in 399  
division (K) (2) of this section for altering the prima-facie 400  
speed limit on the highway. Except as otherwise provided in 401  
division (K) (4) (b) of this section, no speed limit altered 402  
pursuant to division (K) (4) (a) of this section may be withdrawn 403  
unless the boards of township trustees of both townships 404  
determine that the altered prima-facie speed limit previously 405

adopted becomes unreasonable and each board adopts a resolution 406  
withdrawing the altered prima-facie speed limit pursuant to the 407  
procedure specified in division (K) (3) (a) of this section. 408

(b) Whenever a highway described in division (K) (4) (a) of 409  
this section ceases to be an unimproved highway and two boards 410  
of township trustees have adopted an altered prima-facie speed 411  
limit pursuant to division (K) (4) (a) of this section, both 412  
boards shall, by resolution, withdraw the altered prima-facie 413  
speed limit as soon as the highway ceases to be unimproved. Upon 414  
the adoption of the resolution, the altered prima-facie speed 415  
limit becomes ineffective and the traffic control devices 416  
relating thereto shall be immediately removed. 417

(5) As used in division (K) (5) of this section: 418

(a) "Commercial subdivision" means any platted territory 419  
outside the limits of a municipal corporation and fronting a 420  
highway where, for a distance of three hundred feet or more, the 421  
frontage is improved with buildings in use for commercial 422  
purposes, or where the entire length of the highway is less than 423  
three hundred feet long and the frontage is improved with 424  
buildings in use for commercial purposes. 425

(b) "Residential subdivision" means any platted territory 426  
outside the limits of a municipal corporation and fronting a 427  
highway, where, for a distance of three hundred feet or more, 428  
the frontage is improved with residences or residences and 429  
buildings in use for business, or where the entire length of the 430  
highway is less than three hundred feet long and the frontage is 431  
improved with residences or residences and buildings in use for 432  
business. 433

Whenever a board of township trustees finds upon the basis 434

of criteria established by an engineering study, as defined by 435  
the director, that the prima-facie speed permitted by division 436  
(B) (5) of this section on any part of a highway under its 437  
jurisdiction that is located in a commercial or residential 438  
subdivision, except on highways or portions thereof at the 439  
entrances to which vehicular traffic from the majority of 440  
intersecting highways is required to yield the right-of-way to 441  
vehicles on such highways in obedience to stop or yield signs or 442  
traffic control signals, is greater than is reasonable and safe 443  
under the conditions found to exist at the location, the board 444  
may by resolution declare a reasonable and safe prima-facie 445  
speed limit of less than fifty-five but not less than twenty- 446  
five miles per hour at the location. An altered speed limit 447  
adopted by a board of township trustees under this division 448  
shall become effective when appropriate signs giving notice 449  
thereof are erected at the location by the township. Whenever, 450  
in the opinion of a board of township trustees, any altered 451  
prima-facie speed limit established by it under this division 452  
becomes unreasonable, it may adopt a resolution withdrawing the 453  
altered prima-facie speed, and upon such withdrawal, the altered 454  
prima-facie speed shall become ineffective, and the signs 455  
relating thereto shall be immediately removed by the township. 456

(L) (1) The director of transportation, based upon an 457  
engineering study, as defined by the director, of a highway, 458  
expressway, or freeway described in division (B) (12), (13), 459  
(14), (15), or (16) of this section, in consultation with the 460  
director of public safety and, if applicable, the local 461  
authority having jurisdiction over the studied highway, 462  
expressway, or freeway, may determine and declare that the speed 463  
limit established on such highway, expressway, or freeway under 464  
division (B) (12), (13), (14), (15), or (16) of this section 465

either is reasonable and safe or is more or less than that which 466  
is reasonable and safe. 467

(2) If the established speed limit for a highway, 468  
expressway, or freeway studied pursuant to division (L) (1) of 469  
this section is determined to be more or less than that which is 470  
reasonable and safe, the director of transportation, in 471  
consultation with the director of public safety and, if 472  
applicable, the local authority having jurisdiction over the 473  
studied highway, expressway, or freeway, shall determine and 474  
declare a reasonable and safe speed limit for that highway, 475  
expressway, or freeway. 476

(M) (1) (a) If the boundary of two local authorities rests 477  
on the centerline of a highway and both authorities have 478  
jurisdiction over the highway, the speed limit for the part of 479  
the highway within their joint jurisdiction shall be either one 480  
of the following as agreed to by both authorities: 481

(i) Either prima-facie speed limit permitted by division 482  
(B) of this section; 483

(ii) An altered speed limit determined and posted in 484  
accordance with this section. 485

(b) If the local authorities are unable to reach an 486  
agreement, the speed limit shall remain as established and 487  
posted under this section. 488

(2) Neither local authority may declare an altered prima- 489  
facie speed limit pursuant to this section on the part of the 490  
highway under their joint jurisdiction unless both of the local 491  
authorities determine, upon the basis of criteria established by 492  
an engineering study, as defined by the director, that the speed 493  
permitted by this section is greater than is reasonable or safe 494

under the conditions found to exist at the location and both 495  
authorities agree upon a uniform reasonable and safe prima-facie 496  
speed limit of less than fifty-five but not less than twenty- 497  
five miles per hour for that location. If both authorities so 498  
agree, each shall follow the procedure specified in this section 499  
for altering the prima-facie speed limit on the highway, and the 500  
speed limit for the part of the highway within their joint 501  
jurisdiction shall be uniformly altered. No altered speed limit 502  
may be withdrawn unless both local authorities determine that 503  
the altered prima-facie speed limit previously adopted becomes 504  
unreasonable and each adopts a resolution withdrawing the 505  
altered prima-facie speed limit pursuant to the procedure 506  
specified in this section. 507

(N) The legislative authority of a municipal corporation 508  
or township in which a boarding school is located, by resolution 509  
or ordinance, may establish a boarding school zone. The 510  
legislative authority may alter the speed limit on any street or 511  
highway within the boarding school zone and shall specify the 512  
hours during which the altered speed limit is in effect. For 513  
purposes of determining the boundaries of the boarding school 514  
zone, the altered speed limit within the boarding school zone, 515  
and the hours the altered speed limit is in effect, the 516  
legislative authority shall consult with the administration of 517  
the boarding school and with the county engineer or other 518  
appropriate engineer, as applicable. A boarding school zone 519  
speed limit becomes effective only when appropriate signs giving 520  
notice thereof are erected at the appropriate locations. 521

(O) As used in this section: 522

(1) "Interstate system" has the same meaning as in 23 523  
U.S.C. 101. 524

(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.

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

(5) "Rural" means an area outside urbanized areas and outside of a business or urban district, and areas that extend within urbanized areas where the roadway characteristics remain mostly unchanged from those outside the urbanized areas.

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

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

(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) 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 553  
provision of this section, a misdemeanor of the fourth degree; 554

(c) If, within one year of the offense, the offender 555  
previously has been convicted of or pleaded guilty to three or 556  
more violations of any provision of this section or of any 557  
provision of a municipal ordinance that is substantially similar 558  
to any provision of this section, a misdemeanor of the third 559  
degree. 560

(2) If the offender has not previously been convicted of 561  
or pleaded guilty to a violation of any provision of this 562  
section or of any provision of a municipal ordinance that is 563  
substantially similar to this section and operated a motor 564  
vehicle faster than thirty-five miles an hour in a business 565  
district of a municipal corporation, faster than fifty miles an 566  
hour in other portions of a municipal corporation, or faster 567  
than thirty-five miles an hour in a school zone during recess or 568  
while children are going to or leaving school during the 569  
school's opening or closing hours, a misdemeanor of the fourth 570  
degree. 571

(3) Notwithstanding division (P)(1) of this section, if 572  
the offender operated a motor vehicle in a construction zone 573  
where a sign was then posted in accordance with section 4511.98 574  
of the Revised Code, the court, in addition to all other 575  
penalties provided by law, shall impose upon the offender a fine 576  
of two times the usual amount imposed for the violation. No 577  
court shall impose a fine of two times the usual amount imposed 578  
for the violation upon an offender if the offender alleges, in 579  
an affidavit filed with the court prior to the offender's 580  
sentencing, that the offender is indigent and is unable to pay 581  
the fine imposed pursuant to this division and if the court 582

determines that the offender is an indigent person and unable to pay the fine. 583  
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(4) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code. 585  
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**Section 2.** That existing section 4511.21 of the Revised Code is hereby repealed. 590  
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**Section 3.** The Department of Transportation shall provide funding for all changes to standards affecting school zone signage or other school zone equipment that the Director of Transportation establishes as a result of this act. On July 1, 2021, or as soon as possible thereafter, the Director of Transportation shall identify money in the Highway Operating Fund (Fund 7002) to be used to pay for this purpose, and the identified amount is hereby appropriated in the fiscal year ending June 30, 2022. 592  
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