

As Introduced

**127th General Assembly
Regular Session
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H. B. No. 207

Representative Peterson

Cosponsors: Representatives Domenick, Dodd

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A B I L L

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
fines 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
suspension shall be as follows:

- (1) For a class A suspension, three years;
- (2) For a class B suspension, two years;
- (3) For a class C suspension, one year;
- (4) For a class D suspension, six months;
- (5) For a class E suspension, three months;
- (6) For a class F suspension, until conditions are met.

(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.

(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.

Sec. 4510.036. (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.

(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, a controlled substance, or a metabolite of a controlled		121
substance in the whole blood, blood serum or plasma, breath, or		122
urine	6 points	123
(7) A violation of section 2913.03 of the Revised Code that		124
does not involve an aircraft or motorboat or any ordinance		125
prohibiting the operation of a vehicle without the consent of the		126
owner	6 points	127
(8) Any offense under the motor vehicle laws of this state		128
that is a felony, or any other felony in the commission of which a		129
motor vehicle was used	6 points	130
(9) A violation of division (B) of section 4511.19 of the		131
Revised Code or any ordinance substantially equivalent to that		132
division prohibiting the operation of a vehicle with a prohibited		133
concentration of alcohol in the whole blood, blood serum or		134
plasma, breath, or urine	4 points	135
(10) A violation of section 4511.20 of the Revised Code or		136
any ordinance prohibiting the operation of a motor vehicle in		137
willful or wanton disregard of the safety of persons or property		138
.....	4 points	139
(11) A violation of any law or ordinance pertaining to speed:		140

(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	141 142 143
(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	144 145 146
(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	147 148 149
(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section	0 points	150 151 152
(12) Operating a motor vehicle in violation of a restriction imposed by the registrar	2 points	153 154
(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>	155 156 157 158 159
(14) All other moving violations reported under this section	2 points	160 161
(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.		162 163 164 165 166
(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		167 168 169 170

number of points is chargeable, and, if the number of points 171
chargeable for each offense is equal, only one offense shall be 172
recorded, and points shall be charged only for that offense. 173

Sec. 4511.21. (A) No person shall operate a motor vehicle, 174
trackless trolley, or streetcar at a speed greater or less than is 175
reasonable or proper, having due regard to the traffic, surface, 176
and width of the street or highway and any other conditions, and 177
no person shall drive any motor vehicle, trackless trolley, or 178
streetcar in and upon any street or highway at a greater speed 179
than will permit the person to bring it to a stop within the 180
assured clear distance ahead. 181

(B) It is prima-facie lawful, in the absence of a lower limit 182
declared pursuant to this section by the director of 183
transportation or local authorities, for the operator of a motor 184
vehicle, trackless trolley, or streetcar to operate the same at a 185
speed not exceeding the following: 186

(1)(a) Twenty miles per hour in school zones during school 187
recess and while children are going to or leaving school during 188
the opening or closing hours, and when twenty miles per hour 189
school speed limit signs are erected; except that, on 190
controlled-access highways and expressways, if the right-of-way 191
line fence has been erected without pedestrian opening, the speed 192
shall be governed by division (B)(4) of this section and on 193
freeways, if the right-of-way line fence has been erected without 194
pedestrian opening, the speed shall be governed by divisions 195
(B)(9) and (10) of this section. The end of every school zone may 196
be marked by a sign indicating the end of the zone. Nothing in 197
this section or in the manual and specifications for a uniform 198
system of traffic control devices shall be construed to require 199
school zones to be indicated by signs equipped with flashing or 200
other lights, or giving other special notice of the hours in which 201

the school zone speed limit is in effect. 202

(b) As used in this section and in section 4511.212 of the 203
Revised Code, "school" means any school chartered under section 204
3301.16 of the Revised Code and any nonchartered school that 205
during the preceding year filed with the department of education 206
in compliance with rule 3301-35-08 of the Ohio Administrative 207
Code, a copy of the school's report for the parents of the 208
school's pupils certifying that the school meets Ohio minimum 209
standards for nonchartered, nontax-supported schools and presents 210
evidence of this filing to the jurisdiction from which it is 211
requesting the establishment of a school zone. 212

(c) As used in this section, "school zone" means that portion 213
of a street or highway passing a school fronting upon the street 214
or highway that is encompassed by projecting the school property 215
lines to the fronting street or highway, and also includes that 216
portion of a state highway. Upon request from local authorities 217
for streets and highways under their jurisdiction and that portion 218
of a state highway under the jurisdiction of the director of 219
transportation, the director may extend the traditional school 220
zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), 221
and (iii) of this section shall not exceed three hundred feet per 222
approach per direction and are bounded by whichever of the 223
following distances or combinations thereof the director approves 224
as most appropriate: 225

(i) The distance encompassed by projecting the school 226
building lines normal to the fronting highway and extending a 227
distance of three hundred feet on each approach direction; 228

(ii) The distance encompassed by projecting the school 229
property lines intersecting the fronting highway and extending a 230
distance of three hundred feet on each approach direction; 231

(iii) The distance encompassed by the special marking of the 232

pavement for a principal school pupil crosswalk plus a distance of 233
three hundred feet on each approach direction of the highway. 234

Nothing in this section shall be construed to invalidate the 235
director's initial action on August 9, 1976, establishing all 236
school zones at the traditional school zone boundaries defined by 237
projecting school property lines, except when those boundaries are 238
extended as provided in divisions (B)(1)(a) and (c) of this 239
section. 240

(d) As used in this division, "crosswalk" has the meaning 241
given that term in division (LL)(2) of section 4511.01 of the 242
Revised Code. 243

The director may, upon request by resolution of the 244
legislative authority of a municipal corporation, the board of 245
trustees of a township, or a county board of mental retardation 246
and developmental disabilities created pursuant to Chapter 5126. 247
of the Revised Code, and upon submission by the municipal 248
corporation, township, or county board of such engineering, 249
traffic, and other information as the director considers 250
necessary, designate a school zone on any portion of a state route 251
lying within the municipal corporation, lying within the 252
unincorporated territory of the township, or lying adjacent to the 253
property of a school that is operated by such county board, that 254
includes a crosswalk customarily used by children going to or 255
leaving a school during recess and opening and closing hours, 256
whenever the distance, as measured in a straight line, from the 257
school property line nearest the crosswalk to the nearest point of 258
the crosswalk is no more than one thousand three hundred twenty 259
feet. Such a school zone shall include the distance encompassed by 260
the crosswalk and extending three hundred feet on each approach 261
direction of the state route. 262

(2) Twenty-five miles per hour in all other portions of a 263
municipal corporation, except on state routes outside business 264

districts, through highways outside business districts, and	265
alleys;	266
(3) Thirty-five miles per hour on all state routes or through	267
highways within municipal corporations outside business districts,	268
except as provided in divisions (B)(4) and (6) of this section;	269
(4) Fifty miles per hour on controlled-access highways and	270
expressways within municipal corporations;	271
(5) Fifty-five miles per hour on highways outside municipal	272
corporations, other than highways within island jurisdictions as	273
provided in division (B)(8) of this section and freeways as	274
provided in division (B)(13) of this section;	275
(6) Fifty miles per hour on state routes within municipal	276
corporations outside urban districts unless a lower prima-facie	277
speed is established as further provided in this section;	278
(7) Fifteen miles per hour on all alleys within the municipal	279
corporation;	280
(8) Thirty-five miles per hour on highways outside municipal	281
corporations that are within an island jurisdiction;	282
(9) Fifty-five miles per hour at all times on freeways with	283
paved shoulders inside municipal corporations, other than freeways	284
as provided in division (B)(13) of this section;	285
(10) Fifty-five miles per hour at all times on freeways	286
outside municipal corporations, other than freeways as provided in	287
division (B)(13) of this section;	288
(11) Fifty-five miles per hour at all times on all portions	289
of freeways that are part of the interstate system and on all	290
portions of freeways that are not part of the interstate system,	291
but are built to the standards and specifications that are	292
applicable to freeways that are part of the interstate system for	293
operators of any motor vehicle weighing in excess of eight	294

thousand pounds empty weight and any noncommercial bus; 295

(12) Fifty-five miles per hour for operators of any motor 296
vehicle weighing eight thousand pounds or less empty weight and 297
any commercial bus at all times on all portions of freeways that 298
are part of the interstate system and that had such a speed limit 299
established prior to October 1, 1995, and freeways that are not 300
part of the interstate system, but are built to the standards and 301
specifications that are applicable to freeways that are part of 302
the interstate system and that had such a speed limit established 303
prior to October 1, 1995, unless a higher speed limit is 304
established under division (L) of this section; 305

(13) Sixty-five miles per hour for operators of any motor 306
vehicle weighing eight thousand pounds or less empty weight and 307
any commercial bus at all times on all portions of the following: 308

(a) Freeways that are part of the interstate system and that 309
had such a speed limit established prior to October 1, 1995, and 310
freeways that are not part of the interstate system, but are built 311
to the standards and specifications that are applicable to 312
freeways that are part of the interstate system and that had such 313
a speed limit established prior to October 1, 1995; 314

(b) Freeways that are part of the interstate system and 315
freeways that are not part of the interstate system but are built 316
to the standards and specifications that are applicable to 317
freeways that are part of the interstate system, and that had such 318
a speed limit established under division (L) of this section; 319

(c) Rural, divided, multi-lane highways that are designated 320
as part of the national highway system under the "National Highway 321
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 322
and that had such a speed limit established under division (M) of 323
this section. 324

(C) It is prima-facie unlawful for any person to exceed any 325

of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 326
(6), (7), and (8) of this section, or any declared pursuant to 327
this section by the director or local authorities and it is 328
unlawful for any person to exceed any of the speed limitations in 329
division (D) of this section. No person shall be convicted of more 330
than one violation of this section for the same conduct, although 331
violations of more than one provision of this section may be 332
charged in the alternative in a single affidavit. 333

(D) No person shall operate a motor vehicle, trackless 334
trolley, or streetcar upon a street or highway as follows: 335

(1) At a speed exceeding fifty-five miles per hour, except 336
upon a freeway as provided in division (B)(13) of this section; 337

(2) At a speed exceeding sixty-five miles per hour upon a 338
freeway as provided in division (B)(13) of this section except as 339
otherwise provided in division (D)(3) of this section; 340

(3) If a motor vehicle weighing in excess of eight thousand 341
pounds empty weight or a noncommercial bus as prescribed in 342
division (B)(11) of this section, at a speed exceeding fifty-five 343
miles per hour upon a freeway as provided in that division; 344

(4) At a speed exceeding the posted speed limit upon a 345
freeway for which the director has determined and declared a speed 346
limit of not more than sixty-five miles per hour pursuant to 347
division (L)(2) or (M) of this section; 348

(5) At a speed exceeding sixty-five miles per hour upon a 349
freeway for which such a speed limit has been established through 350
the operation of division (L)(3) of this section; 351

(6) At a speed exceeding the posted speed limit upon a 352
freeway for which the director has determined and declared a speed 353
limit pursuant to division (I)(2) of this section. 354

(E) In every charge of violation of this section the 355

affidavit and warrant shall specify the time, place, and speed at 356
which the defendant is alleged to have driven, and in charges made 357
in reliance upon division (C) of this section also the speed which 358
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 359
declared pursuant to, this section declares is prima-facie lawful 360
at the time and place of such alleged violation, except that in 361
affidavits where a person is alleged to have driven at a greater 362
speed than will permit the person to bring the vehicle to a stop 363
within the assured clear distance ahead the affidavit and warrant 364
need not specify the speed at which the defendant is alleged to 365
have driven. 366

(F) When a speed in excess of both a prima-facie limitation 367
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 368
this section is alleged, the defendant shall be charged in a 369
single affidavit, alleging a single act, with a violation 370
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 371
(8) of this section, or of a limit declared pursuant to this 372
section by the director or local authorities, and of the 373
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 374
section. If the court finds a violation of division (B)(1)(a), 375
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 376
to, this section has occurred, it shall enter a judgment of 377
conviction under such division and dismiss the charge under 378
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 379
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 380
or (8) of, or a limit declared pursuant to, this section, it shall 381
then consider whether the evidence supports a conviction under 382
division (D)(1), (2), (3), (4), (5), or (6) of this section. 383

(G) Points shall be assessed for violation of a limitation 384
under division (D) of this section in accordance with section 385
4510.036 of the Revised Code. 386

(H) Whenever the director determines upon the basis of a 387

geometric and traffic characteristic study that any speed limit 388
set forth in divisions (B)(1)(a) to (D) of this section is greater 389
or less than is reasonable or safe under the conditions found to 390
exist at any portion of a street or highway under the jurisdiction 391
of the director, the director shall determine and declare a 392
reasonable and safe prima-facie speed limit, which shall be 393
effective when appropriate signs giving notice of it are erected 394
at the location. 395

(I)(1) Except as provided in divisions (I)(2) and (K) of this 396
section, whenever local authorities determine upon the basis of an 397
engineering and traffic investigation that the speed permitted by 398
divisions (B)(1)(a) to (D) of this section, on any part of a 399
highway under their jurisdiction, is greater than is reasonable 400
and safe under the conditions found to exist at such location, the 401
local authorities may by resolution request the director to 402
determine and declare a reasonable and safe prima-facie speed 403
limit. Upon receipt of such request the director may determine and 404
declare a reasonable and safe prima-facie speed limit at such 405
location, and if the director does so, then such declared speed 406
limit shall become effective only when appropriate signs giving 407
notice thereof are erected at such location by the local 408
authorities. The director may withdraw the declaration of a 409
prima-facie speed limit whenever in the director's opinion the 410
altered prima-facie speed becomes unreasonable. Upon such 411
withdrawal, the declared prima-facie speed shall become 412
ineffective and the signs relating thereto shall be immediately 413
removed by the local authorities. 414

(2) A local authority may determine on the basis of a 415
geometric and traffic characteristic study that the speed limit of 416
sixty-five miles per hour on a portion of a freeway under its 417
jurisdiction that was established through the operation of 418
division (L)(3) of this section is greater than is reasonable or 419

safe under the conditions found to exist at that portion of the 420
freeway. If the local authority makes such a determination, the 421
local authority by resolution may request the director to 422
determine and declare a reasonable and safe speed limit of not 423
less than fifty-five miles per hour for that portion of the 424
freeway. If the director takes such action, the declared speed 425
limit becomes effective only when appropriate signs giving notice 426
of it are erected at such location by the local authority. 427

(J) Local authorities in their respective jurisdictions may 428
authorize by ordinance higher prima-facie speeds than those stated 429
in this section upon through highways, or upon highways or 430
portions thereof where there are no intersections, or between 431
widely spaced intersections, provided signs are erected giving 432
notice of the authorized speed, but local authorities shall not 433
modify or alter the basic rule set forth in division (A) of this 434
section or in any event authorize by ordinance a speed in excess 435
of fifty miles per hour. 436

Alteration of prima-facie limits on state routes by local 437
authorities shall not be effective until the alteration has been 438
approved by the director. The director may withdraw approval of 439
any altered prima-facie speed limits whenever in the director's 440
opinion any altered prima-facie speed becomes unreasonable, and 441
upon such withdrawal, the altered prima-facie speed shall become 442
ineffective and the signs relating thereto shall be immediately 443
removed by the local authorities. 444

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 445
section, "unimproved highway" means a highway consisting of any of 446
the following: 447

- (a) Unimproved earth; 448
- (b) Unimproved graded and drained earth; 449
- (c) Gravel. 450

(2) Except as otherwise provided in divisions (K)(4) and (5) 451
of this section, whenever a board of township trustees determines 452
upon the basis of an engineering and traffic investigation that 453
the speed permitted by division (B)(5) of this section on any part 454
of an unimproved highway under its jurisdiction and in the 455
unincorporated territory of the township is greater than is 456
reasonable or safe under the conditions found to exist at the 457
location, the board may by resolution declare a reasonable and 458
safe prima-facie speed limit of fifty-five but not less than 459
twenty-five miles per hour. An altered speed limit adopted by a 460
board of township trustees under this division becomes effective 461
when appropriate traffic control devices, as prescribed in section 462
4511.11 of the Revised Code, giving notice thereof are erected at 463
the location, which shall be no sooner than sixty days after 464
adoption of the resolution. 465

(3)(a) Whenever, in the opinion of a board of township 466
trustees, any altered prima-facie speed limit established by the 467
board under this division becomes unreasonable, the board may 468
adopt a resolution withdrawing the altered prima-facie speed 469
limit. Upon the adoption of such a resolution, the altered 470
prima-facie speed limit becomes ineffective and the traffic 471
control devices relating thereto shall be immediately removed. 472

(b) Whenever a highway ceases to be an unimproved highway and 473
the board has adopted an altered prima-facie speed limit pursuant 474
to division (K)(2) of this section, the board shall, by 475
resolution, withdraw the altered prima-facie speed limit as soon 476
as the highway ceases to be unimproved. Upon the adoption of such 477
a resolution, the altered prima-facie speed limit becomes 478
ineffective and the traffic control devices relating thereto shall 479
be immediately removed. 480

(4)(a) If the boundary of two townships rests on the 481
centerline of an unimproved highway in unincorporated territory 482

and both townships have jurisdiction over the highway, neither of 483
the boards of township trustees of such townships may declare an 484
altered prima-facie speed limit pursuant to division (K)(2) of 485
this section on the part of the highway under their joint 486
jurisdiction unless the boards of township trustees of both of the 487
townships determine, upon the basis of an engineering and traffic 488
investigation, that the speed permitted by division (B)(5) of this 489
section is greater than is reasonable or safe under the conditions 490
found to exist at the location and both boards agree upon a 491
reasonable and safe prima-facie speed limit of less than 492
fifty-five but not less than twenty-five miles per hour for that 493
location. If both boards so agree, each shall follow the procedure 494
specified in division (K)(2) of this section for altering the 495
prima-facie speed limit on the highway. Except as otherwise 496
provided in division (K)(4)(b) of this section, no speed limit 497
altered pursuant to division (K)(4)(a) of this section may be 498
withdrawn unless the boards of township trustees of both townships 499
determine that the altered prima-facie speed limit previously 500
adopted becomes unreasonable and each board adopts a resolution 501
withdrawing the altered prima-facie speed limit pursuant to the 502
procedure specified in division (K)(3)(a) of this section. 503

(b) Whenever a highway described in division (K)(4)(a) of 504
this section ceases to be an unimproved highway and two boards of 505
township trustees have adopted an altered prima-facie speed limit 506
pursuant to division (K)(4)(a) of this section, both boards shall, 507
by resolution, withdraw the altered prima-facie speed limit as 508
soon as the highway ceases to be unimproved. Upon the adoption of 509
the resolution, the altered prima-facie speed limit becomes 510
ineffective and the traffic control devices relating thereto shall 511
be immediately removed. 512

(5) As used in division (K)(5) of this section: 513

(a) "Commercial subdivision" means any platted territory 514

outside the limits of a municipal corporation and fronting a 515
highway where, for a distance of three hundred feet or more, the 516
frontage is improved with buildings in use for commercial 517
purposes, or where the entire length of the highway is less than 518
three hundred feet long and the frontage is improved with 519
buildings in use for commercial purposes. 520

(b) "Residential subdivision" means any platted territory 521
outside the limits of a municipal corporation and fronting a 522
highway, where, for a distance of three hundred feet or more, the 523
frontage is improved with residences or residences and buildings 524
in use for business, or where the entire length of the highway is 525
less than three hundred feet long and the frontage is improved 526
with residences or residences and buildings in use for business. 527

Whenever a board of township trustees finds upon the basis of 528
an engineering and traffic investigation that the prima-facie 529
speed permitted by division (B)(5) of this section on any part of 530
a highway under its jurisdiction that is located in a commercial 531
or residential subdivision, except on highways or portions thereof 532
at the entrances to which vehicular traffic from the majority of 533
intersecting highways is required to yield the right-of-way to 534
vehicles on such highways in obedience to stop or yield signs or 535
traffic control signals, is greater than is reasonable and safe 536
under the conditions found to exist at the location, the board may 537
by resolution declare a reasonable and safe prima-facie speed 538
limit of less than fifty-five but not less than twenty-five miles 539
per hour at the location. An altered speed limit adopted by a 540
board of township trustees under this division shall become 541
effective when appropriate signs giving notice thereof are erected 542
at the location by the township. Whenever, in the opinion of a 543
board of township trustees, any altered prima-facie speed limit 544
established by it under this division becomes unreasonable, it may 545
adopt a resolution withdrawing the altered prima-facie speed, and 546

upon such withdrawal, the altered prima-facie speed shall become 547
ineffective, and the signs relating thereto shall be immediately 548
removed by the township. 549

(L)(1) Within one hundred twenty days of February 29, 1996, 550
the director of transportation, based upon a geometric and traffic 551
characteristic study of a freeway that is part of the interstate 552
system or that is not part of the interstate system, but is built 553
to the standards and specifications that are applicable to 554
freeways that are part of the interstate system, in consultation 555
with the director of public safety and, if applicable, the local 556
authority having jurisdiction over a portion of such freeway, may 557
determine and declare that the speed limit of less than sixty-five 558
miles per hour established on such freeway or portion of freeway 559
either is reasonable and safe or is less than that which is 560
reasonable and safe. 561

(2) If the established speed limit for such a freeway or 562
portion of freeway is determined to be less than that which is 563
reasonable and safe, the director of transportation, in 564
consultation with the director of public safety and, if 565
applicable, the local authority having jurisdiction over the 566
portion of freeway, shall determine and declare a reasonable and 567
safe speed limit of not more than sixty-five miles per hour for 568
that freeway or portion of freeway. 569

The director of transportation or local authority having 570
jurisdiction over the freeway or portion of freeway shall erect 571
appropriate signs giving notice of the speed limit at such 572
location within one hundred fifty days of February 29, 1996. Such 573
speed limit becomes effective only when such signs are erected at 574
the location. 575

(3) If, within one hundred twenty days of February 29, 1996, 576
the director of transportation does not make a determination and 577
declaration of a reasonable and safe speed limit for a freeway or 578

portion of freeway that is part of the interstate system or that 579
is not part of the interstate system, but is built to the 580
standards and specifications that are applicable to freeways that 581
are part of the interstate system and that has a speed limit of 582
less than sixty-five miles per hour, the speed limit on that 583
freeway or portion of a freeway shall be sixty-five miles per 584
hour. The director of transportation or local authority having 585
jurisdiction over the freeway or portion of the freeway shall 586
erect appropriate signs giving notice of the speed limit of 587
sixty-five miles per hour at such location within one hundred 588
fifty days of February 29, 1996. Such speed limit becomes 589
effective only when such signs are erected at the location. A 590
speed limit established through the operation of division (L)(3) 591
of this section is subject to reduction under division (I)(2) of 592
this section. 593

(M) Within three hundred sixty days after February 29, 1996, 594
the director of transportation, based upon a geometric and traffic 595
characteristic study of a rural, divided, multi-lane highway that 596
has been designated as part of the national highway system under 597
the "National Highway System Designation Act of 1995," 109 Stat. 598
568, 23 U.S.C.A. 103, in consultation with the director of public 599
safety and, if applicable, the local authority having jurisdiction 600
over a portion of the highway, may determine and declare that the 601
speed limit of less than sixty-five miles per hour established on 602
the highway or portion of highway either is reasonable and safe or 603
is less than that which is reasonable and safe. 604

If the established speed limit for the highway or portion of 605
highway is determined to be less than that which is reasonable and 606
safe, the director of transportation, in consultation with the 607
director of public safety and, if applicable, the local authority 608
having jurisdiction over the portion of highway, shall determine 609
and declare a reasonable and safe speed limit of not more than 610

sixty-five miles per hour for that highway or portion of highway. 611
The director of transportation or local authority having 612
jurisdiction over the highway or portion of highway shall erect 613
appropriate signs giving notice of the speed limit at such 614
location within three hundred ninety days after February 29, 1996. 615
The speed limit becomes effective only when such signs are erected 616
at the location. 617

(N)(1)(a) If the boundary of two local authorities rests on 618
the centerline of a highway and both authorities have jurisdiction 619
over the highway, the speed limit for the part of the highway 620
within their joint jurisdiction shall be either one of the 621
following as agreed to by both authorities: 622

(i) Either prima-facie speed limit permitted by division (B) 623
of this section; 624

(ii) An altered speed limit determined and posted in 625
accordance with this section. 626

(b) If the local authorities are unable to reach an 627
agreement, the speed limit shall remain as established and posted 628
under this section. 629

(2) Neither local authority may declare an altered 630
prima-facie speed limit pursuant to this section on the part of 631
the highway under their joint jurisdiction unless both of the 632
local authorities determine, upon the basis of an engineering and 633
traffic investigation, that the speed permitted by this section is 634
greater than is reasonable or safe under the conditions found to 635
exist at the location and both authorities agree upon a uniform 636
reasonable and safe prima-facie speed limit of less than 637
fifty-five but not less than twenty-five miles per hour for that 638
location. If both authorities so agree, each shall follow the 639
procedure specified in this section for altering the prima-facie 640
speed limit on the highway, and the speed limit for the part of 641

the highway within their joint jurisdiction shall be uniformly 642
altered. No altered speed limit may be withdrawn unless both local 643
authorities determine that the altered prima-facie speed limit 644
previously adopted becomes unreasonable and each adopts a 645
resolution withdrawing the altered prima-facie speed limit 646
pursuant to the procedure specified in this section. 647

(O) As used in this section: 648

(1) "Interstate system" has the same meaning as in 23 649
U.S.C.A. 101. 650

(2) "Commercial bus" means a motor vehicle designed for 651
carrying more than nine passengers and used for the transportation 652
of persons for compensation. 653

(3) "Noncommercial bus" includes but is not limited to a 654
school bus or a motor vehicle operated solely for the 655
transportation of persons associated with a charitable or 656
nonprofit organization. 657

(P)(1) A violation of any provision of this section is one of 658
the following: 659

(a) Except as otherwise provided in divisions (P)(1)(b), 660
(1)(c), (2), and (3) of this section, a minor misdemeanor; 661

(b) If, within one year of the offense, the offender 662
previously has been convicted of or pleaded guilty to two 663
violations of any provision of this section or of any provision of 664
a municipal ordinance that is substantially similar to any 665
provision of this section, a misdemeanor of the fourth degree; 666

(c) If, within one year of the offense, the offender 667
previously has been convicted of or pleaded guilty to three or 668
more violations of any provision of this section or of any 669
provision of a municipal ordinance that is substantially similar 670
to any provision of this section, a misdemeanor of the third 671

degree. 672

(2) If the offender has not previously been convicted of or 673
pleaded guilty to a violation of any provision of this section or 674
of any provision of a municipal ordinance that is substantially 675
similar to this section and operated a motor vehicle faster than 676
thirty-five miles an hour in a business district of a municipal 677
corporation, faster than fifty miles an hour in other portions of 678
a municipal corporation, or faster than thirty-five miles an hour 679
in a school zone during recess or while children are going to or 680
leaving school during the school's opening or closing hours, a 681
misdemeanor of the fourth degree. 682

(3) Notwithstanding division (P)(1) of this section, if the 683
offender operated a motor vehicle in a construction zone where a 684
sign was then posted in accordance with section 4511.98 of the 685
Revised Code, the court, in addition to all other penalties 686
provided by law, shall impose upon the offender a fine of two 687
times the usual amount imposed for the violation. No court shall 688
impose a fine of two times the usual amount imposed for the 689
violation upon an offender if the offender alleges, in an 690
affidavit filed with the court prior to the offender's sentencing, 691
that the offender is indigent and is unable to pay the fine 692
imposed pursuant to this division and if the court determines that 693
the offender is an indigent person and unable to pay the fine. 694

(4)(a) If the offender's violation of division (A) of this 695
section resulted in serious physical harm to another person, the 696
court, in addition to any penalty the court imposes upon the 697
offender pursuant to division (P)(1) of this section and 698
notwithstanding section 2929.28 of the Revised Code, shall impose 699
a fine of not more than five hundred dollars. The court also shall 700
impose a class eight license suspension of the offender's driver's 701
license, commercial driver's license, temporary instruction 702
permit, probationary license, or nonresident operating privilege 703

from the range specified in division (A)(8) of section 4510.02 of 704
the Revised Code. The court also shall assess at least two, and 705
may assess three or four, points against the offender's driver's 706
license, commercial driver's license, temporary instruction 707
permit, probationary license, or nonresident operating privilege. 708
The court shall notify the registrar of motor vehicles of the 709
number of points assessed in accordance with sections 4510.03 to 710
4510.036 of the Revised Code. 711

The court shall forward the first twenty-five dollars of any 712
fine collected under division (P)(4)(a) of this section to the 713
treasurer of state for deposit into the highway safety education 714
fund created by section 4501.14 of the Revised Code. 715

(b) If the offender's violation of division (A) of this 716
section resulted in the death of another person, the court, in 717
addition to any penalty the court imposes upon the offender 718
pursuant to division (P)(1) of this section and notwithstanding 719
section 2929.28 of the Revised Code, shall impose a fine of not 720
more than one thousand dollars. The court also shall impose a 721
class seven license suspension of the offender's driver's license, 722
commercial driver's license, temporary instruction permit, 723
probationary license, or nonresident operating privilege from the 724
range specified in division (A)(7) of section 4510.02 of the 725
Revised Code. The court also shall assess at least two, and may 726
assess three, four, five, or six, points against the offender's 727
driver's license, commercial driver's license, temporary 728
instruction permit, probationary license, or nonresident operating 729
privilege. The court shall notify the registrar of the number of 730
points assessed in accordance with sections 4510.03 to 4510.036 of 731
the Revised Code. 732

The court shall forward the first fifty dollars of any fine 733
collected under division (P)(4)(b) of this section to the 734
treasurer of state for deposit into the highway safety education 735

fund created by section 4501.14 of the Revised Code. 736

Sec. 4511.33. (A) Whenever any roadway has been divided into 737
two or more clearly marked lanes for traffic, or wherever within 738
municipal corporations traffic is lawfully moving in two or more 739
substantially continuous lines in the same direction, the 740
following rules apply: 741

(1) A vehicle or trackless trolley shall be driven, as nearly 742
as is practicable, entirely within a single lane or line of 743
traffic and shall not be moved from such lane or line until the 744
driver has first ascertained that such movement can be made with 745
safety. 746

(2) Upon a roadway which is divided into three lanes and 747
provides for two-way movement of traffic, a vehicle or trackless 748
trolley shall not be driven in the center lane except when 749
overtaking and passing another vehicle or trackless trolley where 750
the roadway is clearly visible and such center lane is clear of 751
traffic within a safe distance, or when preparing for a left turn, 752
or where such center lane is at the time allocated exclusively to 753
traffic moving in the direction the vehicle or trackless trolley 754
is proceeding and is posted with signs to give notice of such 755
allocation. 756

(3) Official signs may be erected directing specified traffic 757
to use a designated lane or designating those lanes to be used by 758
traffic moving in a particular direction regardless of the center 759
of the roadway, or restricting the use of a particular lane to 760
only buses during certain hours or during all hours, and drivers 761
of vehicles and trackless trolleys shall obey the directions of 762
such signs. 763

(4) Official traffic control devices may be installed 764
prohibiting the changing of lanes on sections of roadway and 765
drivers of vehicles shall obey the directions of every such 766

device. 767

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 768
of this section, whoever violates this section is guilty of a 769
minor misdemeanor. If, within one year of the offense, the 770
offender previously has been convicted of or pleaded guilty to one 771
predicate motor vehicle or traffic offense, whoever violates this 772
section is guilty of a misdemeanor of the fourth degree. If, 773
within one year of the offense, the offender previously has been 774
convicted of two or more predicate motor vehicle or traffic 775
offenses, whoever violates this section is guilty of a misdemeanor 776
of the third degree. 777

(2) If the offender's violation of division (A) of this 778
section resulted in serious physical harm to another person, the 779
court, in addition to any penalty the court imposes upon the 780
offender pursuant to division (B)(1) of this section and 781
notwithstanding section 2929.28 of the Revised Code, shall impose 782
a fine of not more than five hundred dollars. The court also shall 783
impose a class eight license suspension of the offender's driver's 784
license, commercial driver's license, temporary instruction 785
permit, probationary license, or nonresident operating privilege 786
from the range specified in division (A)(8) of section 4510.02 of 787
the Revised Code. The court also shall assess at least two, and 788
may assess three or four, points against the offender's driver's 789
license, commercial driver's license, temporary instruction 790
permit, probationary license, or nonresident operating privilege. 791
The court shall notify the registrar of motor vehicles of the 792
number of points assessed in accordance with sections 4510.03 to 793
4510.036 of the Revised Code. 794

The court shall forward the first twenty-five dollars of any 795
fine collected under division (B)(2) of this section to the 796
treasurer of state for deposit into the highway safety education 797
fund created by section 4501.14 of the Revised Code. 798

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall 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 (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.

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

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

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 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 court, in addition to any penalty the court imposes upon the offender pursuant to division (C)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than five hundred dollars. The court also shall 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 court, in addition to any penalty the court imposes upon the offender

pursuant to division (C)(1) of this section and notwithstanding 862
section 2929.28 of the Revised Code, shall impose a fine of not 863
more than one thousand dollars. The court also shall impose a 864
class seven license suspension of the offender's driver's license, 865
commercial driver's license, temporary instruction permit, 866
probationary license, or nonresident operating privilege from the 867
range specified in division (A)(7) of section 4510.02 of the 868
Revised Code. The court also shall assess at least two, and may 869
assess three, four, five, or six, points against the offender's 870
driver's license, commercial driver's license, temporary 871
instruction permit, probationary license, or nonresident operating 872
privilege. The court shall notify the registrar of the number of 873
points assessed in accordance with sections 4510.03 to 4510.036 of 874
the Revised Code. 875

The court shall forward the first fifty dollars of any fine 876
collected under division (B)(3) of this section to the treasurer 877
of state for deposit into the highway safety education fund 878
created by section 4501.14 of the Revised Code. 879

Sec. 4511.42. (A) The operator of a vehicle, streetcar, or 880
trackless trolley intending to turn to the left within an 881
intersection or into an alley, private road, or driveway shall 882
yield the right of way to any vehicle, streetcar, or trackless 883
trolley approaching from the opposite direction, whenever the 884
approaching vehicle, streetcar, or trackless trolley is within the 885
intersection or so close to the intersection, alley, private road, 886
or driveway as to constitute an immediate hazard. 887

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 888
of this section, whoever violates this section is guilty of a 889
minor misdemeanor. If, within one year of the offense, the 890
offender previously has been convicted of or pleaded guilty to one 891
predicate motor vehicle or traffic offense, whoever violates this 892

section is guilty of a misdemeanor of the fourth degree. If, 893
within one year of the offense, the offender previously has been 894
convicted of two or more predicate motor vehicle or traffic 895
offenses, whoever violates this section is guilty of a misdemeanor 896
of the third degree. 897

(2) If the offender's violation of division (A) of this 898
section resulted in serious physical harm to another person, the 899
court, in addition to any penalty the court imposes upon the 900
offender pursuant to division (B)(1) of this section and 901
notwithstanding section 2929.28 of the Revised Code, shall impose 902
a fine of not more than five hundred dollars. The court also shall 903
impose a class eight license suspension of the offender's driver's 904
license, commercial driver's license, temporary instruction 905
permit, probationary license, or nonresident operating privilege 906
from the range specified in division (A)(8) of section 4510.02 of 907
the Revised Code. The court also shall assess at least two, and 908
may assess three or four, points against the offender's driver's 909
license, commercial driver's license, temporary instruction 910
permit, probationary license, or nonresident operating privilege. 911
The court shall notify the registrar of motor vehicles of the 912
number of points assessed in accordance with sections 4510.03 to 913
4510.036 of the Revised Code. 914

The court shall forward the first twenty-five dollars of any 915
fine collected under division (B)(2) of this section to the 916
treasurer of state for deposit into the highway safety education 917
fund created by section 4501.14 of the Revised Code. 918

(3) If the offender's violation of division (A) of this 919
section resulted in the death of another person, the court, in 920
addition to any penalty the court imposes upon the offender 921
pursuant to division (B)(1) of this section and notwithstanding 922
section 2929.28 of the Revised Code, shall impose a fine of not 923
more than one thousand dollars. The court also shall impose a 924

class seven license suspension of the offender's driver's license, 925
commercial driver's license, temporary instruction permit, 926
probationary license, or nonresident operating privilege from the 927
range specified in division (A)(7) of section 4510.02 of the 928
Revised Code. The court also shall assess at least two, and may 929
assess three, four, five, or six, points against the offender's 930
driver's license, commercial driver's license, temporary 931
instruction permit, probationary license, or nonresident operating 932
privilege. The court shall notify the registrar of the number of 933
points assessed in accordance with sections 4510.03 to 4510.036 of 934
the Revised Code. 935

The court shall forward the first fifty dollars of any fine 936
collected under division (B)(3) of this section to the treasurer 937
of state for deposit into the highway safety education fund 938
created by section 4501.14 of the Revised Code. 939

Sec. 4511.43. (A) Except when directed to proceed by a law 940
enforcement officer, every driver of a vehicle or trackless 941
trolley approaching a stop sign shall stop at a clearly marked 942
stop line, but if none, before entering the crosswalk on the near 943
side of the intersection, or, if none, then at the point nearest 944
the intersecting roadway where the driver has a view of 945
approaching traffic on the intersecting roadway before entering 946
it. After having stopped, the driver shall yield the right-of-way 947
to any vehicle in the intersection or approaching on another 948
roadway so closely as to constitute an immediate hazard during the 949
time the driver is moving across or within the intersection or 950
junction of roadways. 951

(B) The driver of a vehicle or trackless trolley approaching 952
a yield sign shall slow down to a speed reasonable for the 953
existing conditions and, if required for safety to stop, shall 954
stop at a clearly marked stop line, but if none, before entering 955

the crosswalk on the near side of the intersection, or, if none, 956
then at the point nearest the intersecting roadway where the 957
driver has a view of approaching traffic on the intersecting 958
roadway before entering it. After slowing or stopping, the driver 959
shall yield the right-of-way to any vehicle or trackless trolley 960
in the intersection or approaching on another roadway so closely 961
as to constitute an immediate hazard during the time the driver is 962
moving across or within the intersection or junction of roadways. 963
Whenever a driver is involved in a collision with a vehicle or 964
trackless trolley in the intersection or junction of roadways, 965
after driving past a yield sign without stopping, the collision 966
shall be prima-facie evidence of the driver's failure to yield the 967
right-of-way. 968

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 969
of this section, whoever violates this section is guilty of a 970
minor misdemeanor. If, within one year of the offense, the 971
offender previously has been convicted of or pleaded guilty to one 972
predicate motor vehicle or traffic offense, whoever violates this 973
section is guilty of a misdemeanor of the fourth degree. If, 974
within one year of the offense, the offender previously has been 975
convicted of two or more predicate motor vehicle or traffic 976
offenses, whoever violates this section is guilty of a misdemeanor 977
of the third degree. 978

(2) If the offender's violation of division (A) or (B) of 979
this section resulted in serious physical harm to another person, 980
the court, in addition to any penalty the court imposes upon the 981
offender pursuant to division (C)(1) of this section and 982
notwithstanding section 2929.28 of the Revised Code, shall impose 983
a fine of not more than five hundred dollars. The court also shall 984
impose a class eight license suspension of the offender's driver's 985
license, commercial driver's license, temporary instruction 986
permit, probationary license, or nonresident operating privilege 987

from the range specified in division (A)(8) of section 4510.02 of 988
the Revised Code. The court also shall assess at least two, and 989
may assess three or four, points against the offender's driver's 990
license, commercial driver's license, temporary instruction 991
permit, probationary license, or nonresident operating privilege. 992
The court shall notify the registrar of motor vehicles of the 993
number of points assessed in accordance with sections 4510.03 to 994
4510.036 of the Revised Code. 995

The court shall forward the first twenty-five dollars of any 996
fine collected under division (C)(2) of this section to the 997
treasurer of state for deposit into the highway safety education 998
fund created by section 4501.14 of the Revised Code. 999

(3) If the offender's violation of division (A) or (B) of 1000
this section resulted in the death of another person, the court, 1001
in addition to any penalty the court imposes upon the offender 1002
pursuant to division (C)(1) of this section and notwithstanding 1003
section 2929.28 of the Revised Code, shall impose a fine of not 1004
more than one thousand dollars. The court also shall impose a 1005
class seven license suspension of the offender's driver's license, 1006
commercial driver's license, temporary instruction permit, 1007
probationary license, or nonresident operating privilege from the 1008
range specified in division (A)(7) of section 4510.02 of the 1009
Revised Code. The court also shall assess at least two, and may 1010
assess three, four, five, or six, points against the offender's 1011
driver's license, commercial driver's license, temporary 1012
instruction permit, probationary license, or nonresident operating 1013
privilege. The court shall notify the registrar of the number of 1014
points assessed in accordance with sections 4510.03 to 4510.036 of 1015
the Revised Code. 1016

The court shall forward the first fifty dollars of any fine 1017
collected under division (C)(3) of this section to the treasurer 1018
of state for deposit into the highway safety education fund 1019

created by section 4501.14 of the Revised Code. 1020

Sec. 4511.431. (A) The driver of a vehicle or trackless 1021
trolley emerging from an alley, building, private road, or 1022
driveway within a business or residence district shall stop the 1023
vehicle or trackless trolley immediately prior to driving onto a 1024
sidewalk or onto the sidewalk area extending across the alley, 1025
building entrance, road, or driveway, or in the event there is no 1026
sidewalk area, shall stop at the point nearest the street to be 1027
entered where the driver has a view of approaching traffic 1028
thereon. 1029

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1030
of this section, whoever violates this section is guilty of a 1031
minor misdemeanor. If, within one year of the offense, the 1032
offender previously has been convicted of or pleaded guilty to one 1033
predicate motor vehicle or traffic offense, whoever violates this 1034
section is guilty of a misdemeanor of the fourth degree. If, 1035
within one year of the offense, the offender previously has been 1036
convicted of two or more predicate motor vehicle or traffic 1037
offenses, whoever violates this section is guilty of a misdemeanor 1038
of the third degree. 1039

(2) If the offender's violation of division (A) of this 1040
section resulted in serious physical harm to another person, the 1041
court, in addition to any penalty the court imposes upon the 1042
offender pursuant to division (B)(1) of this section and 1043
notwithstanding section 2929.28 of the Revised Code, shall impose 1044
a fine of not more than five hundred dollars. The court also shall 1045
impose a class eight license suspension of the offender's driver's 1046
license, commercial driver's license, temporary instruction 1047
permit, probationary license, or nonresident operating privilege 1048
from the range specified in division (A)(8) of section 4510.02 of 1049
the Revised Code. The court also shall assess at least two, and 1050

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 court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall 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 (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.

Sec. 4511.44. (A) The operator of a vehicle, streetcar, or 1082
trackless trolley about to enter or cross a highway from any place 1083
other than another roadway shall yield the right of way to all 1084
traffic approaching on the roadway to be entered or crossed. 1085

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 1086
of this section, whoever violates this section is guilty of a 1087
minor misdemeanor. If, within one year of the offense, the 1088
offender previously has been convicted of or pleaded guilty to one 1089
predicate motor vehicle or traffic offense, whoever violates this 1090
section is guilty of a misdemeanor of the fourth degree. If, 1091
within one year of the offense, the offender previously has been 1092
convicted of two or more predicate motor vehicle or traffic 1093
offenses, whoever violates this section is guilty of a misdemeanor 1094
of the third degree. 1095

(2) If the offender's violation of division (A) of this 1096
section resulted in serious physical harm to another person, the 1097
court, in addition to any penalty the court imposes upon the 1098
offender pursuant to division (B)(1) of this section and 1099
notwithstanding section 2929.28 of the Revised Code, shall impose 1100
a fine of not more than five hundred dollars. The court also shall 1101
impose a class eight license suspension of the offender's driver's 1102
license, commercial driver's license, temporary instruction 1103
permit, probationary license, or nonresident operating privilege 1104
from the range specified in division (A)(8) of section 4510.02 of 1105
the Revised Code. The court also shall assess at least two, and 1106
may assess three or four, points against the offender's driver's 1107
license, commercial driver's license, temporary instruction 1108
permit, probationary license, or nonresident operating privilege. 1109
The court shall notify the registrar of motor vehicles of the 1110
number of points assessed in accordance with sections 4510.03 to 1111
4510.036 of the Revised Code. 1112

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 court, in addition to any penalty the court imposes upon the offender pursuant to division (B)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall 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 (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.

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

(B)(1) Except as otherwise provided in ~~this~~ division (B)(1) 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 1144
section is guilty of a misdemeanor of the fourth degree. If, 1145
within one year of the offense, the offender previously has been 1146
convicted of two or more predicate motor vehicle or traffic 1147
offenses, whoever violates this section is guilty of a misdemeanor 1148
of the third degree. 1149

(2) If the offender's violation of division (A) of this 1150
section resulted in serious physical harm to another person, the 1151
court, in addition to any penalty the court imposes upon the 1152
offender pursuant to division (B)(1) of this section and 1153
notwithstanding section 2929.28 of the Revised Code, shall impose 1154
a fine of not more than five hundred dollars. The court also shall 1155
impose a class eight license suspension of the offender's driver's 1156
license, commercial driver's license, temporary instruction 1157
permit, probationary license, or nonresident operating privilege 1158
from the range specified in division (A)(8) of section 4510.02 of 1159
the Revised Code. The court also shall assess at least two, and 1160
may assess three or four, points against the offender's driver's 1161
license, commercial driver's license, temporary instruction 1162
permit, probationary license, or nonresident operating privilege. 1163
The court shall notify the registrar of motor vehicles of the 1164
number of points assessed in accordance with sections 4510.03 to 1165
4510.036 of the Revised Code. 1166

The court shall forward the first twenty-five dollars of any 1167
fine collected under division (B)(2) of this section to the 1168
treasurer of state for deposit into the highway safety education 1169
fund created by section 4501.14 of the Revised Code. 1170

(3) If the offender's violation of division (A) of this 1171
section resulted in the death of another person, the court, in 1172
addition to any penalty the court imposes upon the offender 1173
pursuant to division (B)(1) of this section and notwithstanding 1174
section 2929.28 of the Revised Code, shall impose a fine of not 1175

more than one thousand dollars. The court also shall impose a 1176
class seven license suspension of the offender's driver's license, 1177
commercial driver's license, temporary instruction permit, 1178
probationary license, or nonresident operating privilege from the 1179
range specified in division (A)(7) of section 4510.02 of the 1180
Revised Code. The court also shall assess at least two, and may 1181
assess three, four, five, or six, points against the offender's 1182
driver's license, commercial driver's license, temporary 1183
instruction permit, probationary license, or nonresident operating 1184
privilege. The court shall notify the registrar of the number of 1185
points assessed in accordance with sections 4510.03 to 4510.036 of 1186
the Revised Code. 1187

The court shall forward the first fifty dollars of any fine 1188
collected under division (B)(3) of this section to the treasurer 1189
of state for deposit into the highway safety education fund 1190
created by section 4501.14 of the Revised Code. 1191

Sec. 4511.45. (A)(1) Upon the approach of a public safety 1192
vehicle or coroner's vehicle, equipped with at least one flashing, 1193
rotating or oscillating light visible under normal atmospheric 1194
conditions from a distance of five hundred feet to the front of 1195
the vehicle and the driver is giving an audible signal by siren, 1196
exhaust whistle, or bell, no driver of any other vehicle shall 1197
fail to yield the right-of-way, immediately drive if practical to 1198
a position parallel to, and as close as possible to, the right 1199
edge or curb of the highway clear of any intersection, and stop 1200
and remain in that position until the public safety vehicle or 1201
coroner's vehicle has passed, except when otherwise directed by a 1202
police officer. 1203

(2) Upon the approach of a public safety vehicle or coroner's 1204
vehicle, as stated in division (A)(1) of this section, no operator 1205
of any streetcar or trackless trolley shall fail to immediately 1206

stop the streetcar or trackless trolley clear of any intersection 1207
and keep it in that position until the public safety vehicle or 1208
coroner's vehicle has passed, except when otherwise directed by a 1209
police officer. 1210

(B) This section does not relieve the driver of a public 1211
safety vehicle or coroner's vehicle from the duty to drive with 1212
due regard for the safety of all persons and property upon the 1213
highway. 1214

(C) This section applies to a coroner's vehicle only when the 1215
vehicle is operated in accordance with section 4513.171 of the 1216
Revised Code. As used in this section, "coroner's vehicle" means a 1217
vehicle used by a coroner, deputy coroner, or coroner's 1218
investigator that is equipped with a flashing, oscillating, or 1219
rotating red or blue light and a siren, exhaust whistle, or bell 1220
capable of giving an audible signal. 1221

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1222
of this section, whoever violates division (A)(1) or (2) of this 1223
section is guilty of a misdemeanor of the fourth degree ~~on a first~~ 1224
~~offense~~. On a second offense within one year after the first 1225
offense, the person is guilty of a misdemeanor of the third 1226
degree, and, on each subsequent offense within one year after the 1227
first offense, the person is guilty of a misdemeanor of the second 1228
degree. 1229

(2)(a) If the offender's violation of division (A)(1) or (2) 1230
of this section resulted in serious physical harm to another 1231
person and the offender, within one year of the offense, has been 1232
convicted of or pleaded guilty to one or fewer violations of 1233
divisions (A)(1) and (2) of this section, the court, in addition 1234
to any penalty the court imposes upon the offender pursuant to 1235
division (D)(1) of this section and notwithstanding section 1236
2929.28 of the Revised Code, shall impose a fine of not more than 1237
five hundred dollars. The court also shall impose a class eight 1238

license suspension of the offender's driver's license, commercial 1239
driver's license, temporary instruction permit, probationary 1240
license, or nonresident operating privilege from the range 1241
specified in division (A)(8) of section 4510.02 of the Revised 1242
Code. The court also shall assess at least two, and may assess 1243
three or four, points against the offender's driver's license, 1244
commercial driver's license, temporary instruction permit, 1245
probationary license, or nonresident operating privilege. The 1246
court shall notify the registrar of motor vehicles of the number 1247
of points assessed in accordance with sections 4510.03 to 4510.036 1248
of the Revised Code. 1249

The court shall forward the first twenty-five dollars of any 1250
fine collected under division (D)(2)(a) of this section to the 1251
treasurer of state for deposit into the highway safety education 1252
fund created by section 4501.14 of the Revised Code. 1253

(b) If the offender's violation of division (A)(1) or (2) of 1254
this section resulted in serious physical harm to another person 1255
and the offender, within one year of the offense, has been 1256
convicted of or pleaded guilty to two or more violations of 1257
division (A)(1) or (2) of this section, the court shall impose a 1258
fine of not more than seven hundred fifty dollars. The court also 1259
shall impose a class eight license suspension of the offender's 1260
driver's license, commercial driver's license, temporary 1261
instruction permit, probationary license, or nonresident operating 1262
privilege from the range specified in division (A)(8) of section 1263
4510.02 of the Revised Code. The court also shall assess at least 1264
two, and may assess three or four, points against the offender's 1265
driver's license, commercial driver's license, temporary 1266
instruction permit, probationary license, or nonresident operating 1267
privilege. The court shall notify the registrar of motor vehicles 1268
of the number of points assessed in accordance with sections 1269
4510.03 to 4510.036 of the Revised Code. 1270

The court shall forward the first thirty-eight dollars of any fine collected under division (D)(2)(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.

(3) If the offender's violation of division (A)(1) or (2) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (D)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall 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 (D)(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. 4511.451. (A) As used in this section, "funeral procession" means two or more vehicles accompanying the cremated remains or the body of a deceased person in the daytime when each of the vehicles has its headlights lighted and is displaying a purple and white or an orange and white pennant attached to each vehicle in such a manner as to be clearly visible to traffic

approaching from any direction. 1302

(B) Excepting public safety vehicles proceeding in accordance 1303
with section 4511.45 of the Revised Code or when directed 1304
otherwise by a police officer, pedestrians and the operators of 1305
all vehicles, street cars, and trackless trolleys shall yield the 1306
right of way to each vehicle that is a part of a funeral 1307
procession. Whenever the lead vehicle in a funeral procession 1308
lawfully enters an intersection, the remainder of the vehicles in 1309
the procession may continue to follow the lead vehicle through the 1310
intersection notwithstanding any traffic control devices or right 1311
of way provisions of the Revised Code, provided that the operator 1312
of each vehicle exercises due care to avoid colliding with any 1313
other vehicle or pedestrian. 1314

(C) No person shall operate any vehicle as a part of a 1315
funeral procession without having the headlights of the vehicle 1316
lighted and without displaying a purple and white or an orange and 1317
white pennant in such a manner as to be clearly visible to traffic 1318
approaching from any direction. 1319

(D)(1) Except as otherwise provided in ~~this~~ division (D)(1) 1320
of this section, whoever violates this section is guilty of a 1321
minor misdemeanor. If, within one year of the offense, the 1322
offender previously has been convicted of or pleaded guilty to one 1323
predicate motor vehicle or traffic offense, whoever violates this 1324
section is guilty of a misdemeanor of the fourth degree. If, 1325
within one year of the offense, the offender previously has been 1326
convicted of two or more predicate motor vehicle or traffic 1327
offenses, whoever violates this section is guilty of a misdemeanor 1328
of the third degree. 1329

(2) If the offender's violation of division (B) of this 1330
section resulted in serious physical harm to another person, the 1331
court, in addition to any penalty the court imposes upon the 1332
offender pursuant to division (D)(1) of this section and 1333

notwithstanding section 2929.28 of the Revised Code, shall impose 1334
a fine of not more than five hundred dollars. The court also shall 1335
impose a class eight license suspension of the offender's driver's 1336
license, commercial driver's license, temporary instruction 1337
permit, probationary license, or nonresident operating privilege 1338
from the range specified in division (A)(8) of section 4510.02 of 1339
the Revised Code. The court also shall assess at least two, and 1340
may assess three or four, points against the offender's driver's 1341
license, commercial driver's license, temporary instruction 1342
permit, probationary license, or nonresident operating privilege. 1343
The court shall notify the registrar of motor vehicles of the 1344
number of points assessed in accordance with sections 4510.03 to 1345
4510.036 of the Revised Code. 1346

The court shall forward the first twenty-five dollars of any 1347
fine collected under division (D)(2) of this section to the 1348
treasurer of state for deposit into the highway safety education 1349
fund created by section 4501.14 of the Revised Code. 1350

(3) If the offender's violation of division (B) of this 1351
section resulted in the death of another person, the court, in 1352
addition to any penalty the court imposes upon the offender 1353
pursuant to division (D)(1) of this section and notwithstanding 1354
section 2929.28 of the Revised Code, shall impose a fine of not 1355
more than one thousand dollars. The court also shall impose a 1356
class seven license suspension of the offender's driver's license, 1357
commercial driver's license, temporary instruction permit, 1358
probationary license, or nonresident operating privilege from the 1359
range specified in division (A)(7) of section 4510.02 of the 1360
Revised Code. The court also shall assess at least two, and may 1361
assess three, four, five, or six, points against the offender's 1362
driver's license, commercial driver's license, temporary 1363
instruction permit, probationary license, or nonresident operating 1364
privilege. The court shall notify the registrar of the number of 1365

points assessed in accordance with sections 4510.03 to 4510.036 of 1366
the Revised Code. 1367

The court shall forward the first fifty dollars of any fine 1368
collected under division (D)(3) of this section to the treasurer 1369
of state for deposit into the highway safety education fund 1370
created by section 4501.14 of the Revised Code. 1371

Sec. 4511.46. (A) When traffic control signals are not in 1372
place, not in operation, or are not clearly assigning the 1373
right-of-way, the driver of a vehicle, trackless trolley, or 1374
streetcar shall yield the right of way, slowing down or stopping 1375
if need be to so yield or if required by section 4511.132 of the 1376
Revised Code, to a pedestrian crossing the roadway within a 1377
crosswalk when the pedestrian is upon the half of the roadway upon 1378
which the vehicle is traveling, or when the pedestrian is 1379
approaching so closely from the opposite half of the roadway as to 1380
be in danger. 1381

(B) No pedestrian shall suddenly leave a curb or other place 1382
of safety and walk or run into the path of a vehicle, trackless 1383
trolley, or streetcar which is so close as to constitute an 1384
immediate hazard. 1385

(C) Division (A) of this section does not apply under the 1386
conditions stated in division (B) of section 4511.48 of the 1387
Revised Code. 1388

(D) Whenever any vehicle, trackless trolley, or streetcar is 1389
stopped at a marked crosswalk or at any unmarked crosswalk at an 1390
intersection to permit a pedestrian to cross the roadway, the 1391
driver of any other vehicle, trackless trolley, or streetcar 1392
approaching from the rear shall not overtake and pass the stopped 1393
vehicle. 1394

(E)(1) Except as otherwise provided in ~~this~~ division (E)(1) 1395

of this section, whoever violates this section is guilty of a 1396
minor misdemeanor. If, within one year of the offense, the 1397
offender previously has been convicted of or pleaded guilty to one 1398
predicate motor vehicle or traffic offense, whoever violates this 1399
section is guilty of a misdemeanor of the fourth degree. If, 1400
within one year of the offense, the offender previously has been 1401
convicted of two or more predicate motor vehicle or traffic 1402
offenses, whoever violates this section is guilty of a misdemeanor 1403
of the third degree. 1404

(2) If the offender's violation of division (A) or (D) of 1405
this section resulted in serious physical harm to another person, 1406
the court, in addition to any penalty the court imposes upon the 1407
offender pursuant to division (E)(1) of this section and 1408
notwithstanding section 2929.28 of the Revised Code, shall impose 1409
a fine of not more than five hundred dollars. The court also shall 1410
impose a class eight license suspension of the offender's driver's 1411
license, commercial driver's license, temporary instruction 1412
permit, probationary license, or nonresident operating privilege 1413
from the range specified in division (A)(8) of section 4510.02 of 1414
the Revised Code. The court also shall assess at least two, and 1415
may assess three or four, points against the offender's driver's 1416
license, commercial driver's license, temporary instruction 1417
permit, probationary license, or nonresident operating privilege. 1418
The court shall notify the registrar of motor vehicles of the 1419
number of points assessed in accordance with sections 4510.03 to 1420
4510.036 of the Revised Code. 1421

The court shall forward the first twenty-five dollars of any 1422
fine collected under division (E)(2) of this section to the 1423
treasurer of state for deposit into the highway safety education 1424
fund created by section 4501.14 of the Revised Code. 1425

(3) If the offender's violation of division (A) or (D) of 1426
this section resulted in the death of another person, the court, 1427

in addition to any penalty the court imposes upon the offender 1428
pursuant to division (E)(1) of this section and notwithstanding 1429
section 2929.28 of the Revised Code, shall impose a fine of not 1430
more than one thousand dollars. The court also shall impose a 1431
class seven license suspension of the offender's driver's license, 1432
commercial driver's license, temporary instruction permit, 1433
probationary license, or nonresident operating privilege from the 1434
range specified in division (A)(7) of section 4510.02 of the 1435
Revised Code. The court also shall assess at least two, and may 1436
assess three, four, five, or six, points against the offender's 1437
driver's license, commercial driver's license, temporary 1438
instruction permit, probationary license, or nonresident operating 1439
privilege. The court shall notify the registrar of the number of 1440
points assessed in accordance with sections 4510.03 to 4510.036 of 1441
the Revised Code. 1442

The court shall forward the first fifty dollars of any fine 1443
collected under division (E)(3) of this section to the treasurer 1444
of state for deposit into the highway safety education fund 1445
created by section 4501.14 of the Revised Code. 1446

Sec. 4511.47. (A) As used in this section "blind person" or 1447
"blind pedestrian" means a person having not more than 20/200 1448
visual acuity in the better eye with correcting lenses or visual 1449
acuity greater than 20/200 but with a limitation in the fields of 1450
vision such that the widest diameter of the visual field subtends 1451
an angle no greater than twenty degrees. 1452

The driver of every vehicle shall yield the right of way to 1453
every blind pedestrian guided by a guide dog, or carrying a cane 1454
which is predominantly white or metallic in color, with or without 1455
a red tip. 1456

(B) No person, other than a blind person, while on any public 1457
highway, street, alley, or other public thoroughfare shall carry a 1458

white or metallic cane with or without a red tip. 1459

(C)(1) Except as otherwise provided in ~~this~~ division (C)(1) 1460
of this section, whoever violates this section is guilty of a 1461
minor misdemeanor. If, within one year of the offense, the 1462
offender previously has been convicted of or pleaded guilty to one 1463
predicate motor vehicle or traffic offense, whoever violates this 1464
section is guilty of a misdemeanor of the fourth degree. If, 1465
within one year of the offense, the offender previously has been 1466
convicted of two or more predicate motor vehicle or traffic 1467
offenses, whoever violates this section is guilty of a misdemeanor 1468
of the third degree. 1469

(2) If the offender's violation of division (A) of this 1470
section resulted in serious physical harm to another person, the 1471
court, in addition to any penalty the court imposes upon the 1472
offender pursuant to division (C)(1) of this section and 1473
notwithstanding section 2929.28 of the Revised Code, shall impose 1474
a fine of not more than five hundred dollars. The court also shall 1475
impose a class eight license suspension of the offender's driver's 1476
license, commercial driver's license, temporary instruction 1477
permit, probationary license, or nonresident operating privilege 1478
from the range specified in division (A)(8) of section 4510.02 of 1479
the Revised Code. The court also shall assess at least two, and 1480
may assess three or four, points against the offender's driver's 1481
license, commercial driver's license, temporary instruction 1482
permit, probationary license, or nonresident operating privilege. 1483
The court shall notify the registrar of motor vehicles of the 1484
number of points assessed in accordance with sections 4510.03 to 1485
4510.036 of the Revised Code. 1486

The court shall forward the first twenty-five dollars of any 1487
fine collected under division (C)(2) of this section to the 1488
treasurer of state for deposit into the highway safety education 1489
fund created by section 4501.14 of the Revised Code. 1490

(3) If the offender's violation of division (A) of this section resulted in the death of another person, the court, in addition to any penalty the court imposes upon the offender pursuant to division (C)(1) of this section and notwithstanding section 2929.28 of the Revised Code, shall impose a fine of not more than one thousand dollars. The court also shall 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. 4513.39. (A) The state highway patrol and sheriffs or their deputies shall exercise, to the exclusion of all other peace officers except within municipal corporations and except as specified in division (B) of this section and division (E) of section 2935.03 of the Revised Code, the power to make arrests for violations on all state highways, of sections 4503.11, 4503.21, 4511.14 to 4511.16, 4511.20 to 4511.23, 4511.26 to 4511.40, 4511.42 to 4511.48, 4511.58, 4511.59, 4511.62 to 4511.71, 4513.03 to 4513.13, 4513.15 to 4513.22, 4513.24 to 4513.34, 4549.01, 4549.08 to 4549.12, and 4549.62 of the Revised Code.

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

(1) If the population of the township that created the township police district served by the member's police force or the township that is served by the township constable is fifty thousand or less, the member or constable shall exercise that power on those portions of all state highways, except those highways included as part of the interstate 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;

(2) If the population of the township that created the township police district served by the member's police force or the township that is served by the township constable is greater 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 1554
deputy, or other peace officer shall not complete the 1555
investigation and issue a ticket, citation, or summons to the 1556
offender for a violation of any of the provisions of sections 1557
4511.01 to 4511.76 of the Revised Code until after the 1558
investigating trooper, sheriff, sheriff's deputy, or other peace 1559
officer contacts the medical facility and is informed of the 1560
seriousness of the injuries that the injured person suffered in 1561
the motor vehicle accident. If the medical facility informs the 1562
investigating trooper, sheriff, sheriff's deputy, or other peace 1563
officer that the offender caused the injured person to suffer 1564
serious physical injury or caused the death of the injured person, 1565
and if the offender is not subject to indictment for any other 1566
violation arising from motor vehicle accident, the investigating 1567
trooper, sheriff, sheriff's deputy, or other peace officer may 1568
issue to the offender a ticket, citation, or summons for the 1569
offense. The ticket, citation, or summons shall indicate that the 1570
offender is not permitted to enter a written plea of guilty and 1571
waive the offender's right to contest the ticket, citation, or 1572
summons in a trial but instead must appear in person in the proper 1573
court to answer the charge. 1574

Section 2. That existing sections 4510.02, 4510.036, 4511.21, 1575
4511.33, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 1576
4511.45, 4511.451, 4511.46, 4511.47, and 4513.39 of the Revised 1577
Code are hereby repealed. 1578