

**Ohio Revised Code » Title [45] XLV MOTOR VEHICLES - AERONAUTICS - WATERCRAFT » Chapter 4501: MOTOR VEHICLES - DEFINITIONS; GENERAL PROVISIONS**

[4501.01 \[Effective 1/1/2016\] \[Effective Until 1/1/2017\] Motor vehicles definitions..](#)

As used in this chapter and Chapters 4503., 4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the Revised Code, and in the penal laws, except as otherwise provided:

(D) "Commercial tractor," except as defined in division (C) of this section, means any motor vehicle that has motive power and either is designed or used for drawing other motor vehicles, or is designed or used for drawing another motor vehicle while carrying a portion of the other motor vehicle or its load, or both.

(H) "Noncommercial motor vehicle" means any motor vehicle, including a farm truck as defined in section [4503.04](#) of the Revised Code, that is designed by the manufacturer to carry a load of no more than one ton and is used exclusively for purposes other than engaging in business for profit.

(J) "Commercial car" or "truck" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.

(M) "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.

(N) "Noncommercial trailer" means any trailer, except a travel trailer or trailer that is used to transport a boat as described in division (B) of this section, but, where applicable, includes a vehicle that is used to transport a boat as described in division (M) of this section, that has a gross weight of no more than ten thousand pounds, and that is used exclusively for purposes other than engaging in business for a profit, such as the transportation of personal items for personal or recreational purposes.

(P) "Semitrailer" means any vehicle of the trailer type that does not have motive power and is so designed or used with another and separate motor vehicle that in operation a part of its own weight or that of its load, or both, rests upon and is carried by the other vehicle furnishing the motive power for propelling itself and the vehicle referred to in this division, and includes, for the purpose only of registration and taxation under those chapters, any vehicle of the dolly type, such as a trailer dolly, that is designed or used for the conversion of a semitrailer into a trailer.

### 4513.32 Vehicle towing requirements.

(A) When one vehicle is towing another vehicle, the drawbar or other connection shall be of sufficient strength to pull all the weight towed thereby, and the drawbar or other connection shall not exceed fifteen feet from one vehicle to the other, except the connection between any two vehicles transporting poles, pipe, machinery, or other objects of structural nature which cannot readily be dismembered.

When one vehicle is towing another and the connection consists only of a chain, rope, or cable, there shall be displayed upon such connection a white flag or cloth not less than twelve inches square.

In addition to such drawbar or other connection, each trailer and each semitrailer which is not connected to a commercial tractor by means of a fifth wheel shall be coupled with stay chains or cables to the vehicle by which it is being drawn. The chains or cables shall be of sufficient size and strength to prevent the towed vehicle's parting from the drawing vehicle in case the drawbar or other connection should break or become disengaged. In case of a loaded pole trailer, the connecting pole to the drawing vehicle shall be coupled to the drawing vehicle with stay chains or cables of sufficient size and strength to prevent the towed vehicle's parting from the drawing vehicle.

Every trailer or semitrailer, except pole and cable trailers and pole and cable dollies operated by a public utility as defined in section [5727.01](#) of the Revised Code, shall be equipped with a coupling device, which shall be so designed and constructed that the trailer will follow substantially in the path of the vehicle drawing it, without whipping or swerving from side to side. Vehicles used to transport agricultural produce or agricultural production materials between a local place of storage and supply and the farm, when drawn or towed on a street or highway at a speed of twenty-five miles per hour or less, and vehicles designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less, shall have a drawbar or other connection, including the hitch mounted on the towing vehicle, which shall be of sufficient strength to pull all the weight towed thereby. Only one such vehicle used to transport agricultural produce or agricultural production materials as provided in this section may be towed or drawn at one time, except as follows:

- (1) An agricultural tractor may tow or draw more than one such vehicle;
- (2) A pickup truck or straight truck designed by the manufacturer to carry a load of not less than one-half ton and not more than two tons may tow or draw not more than two such vehicles that are being used to transport agricultural produce from the farm to a local place of storage. No vehicle being so towed by such a pickup truck or straight truck shall be considered to be a motor vehicle.

(B) Whoever violates this section shall be punished as provided in section [4513.99](#) of the Revised Code.

[5577.05 Prohibition against violation.](#)

(A) No vehicle shall be operated upon the public highways, streets, bridges, and culverts within the state, whose dimensions exceed those specified in this section.

(B) No such vehicle shall have a width in excess of:

(1) One hundred four inches for passenger bus type vehicles operated exclusively within municipal corporations;

(2) One hundred two inches, excluding such safety devices as are required by law, for passenger bus type vehicles operated over freeways, and such other state roads with minimum pavement widths of twenty-two feet, except those roads or portions of roads over which operation of one hundred two-inch buses is prohibited by order of the director of transportation;

(3) One hundred thirty-two inches for traction engines;

(4) One hundred two inches for recreational vehicles, excluding safety devices and retracted awnings and other appurtenances of six inches or less in width and except that the director may prohibit the operation of one hundred two inch recreational vehicles on designated state highways or portions of highways;

(5) One hundred two inches, including load, for all other vehicles, except that the director may prohibit the operation of one hundred two-inch vehicles on such state highways or portions of state highways as the director designates.

(C) No such vehicle shall have a length in excess of:

(1) Sixty-six feet for passenger bus type vehicles and articulated passenger bus type vehicles operated by a regional transit authority pursuant to sections 306.30 to 306.54 of the Revised Code;

(2) Forty-five feet for all other passenger bus type vehicles;

(3) Fifty-three feet for any semitrailer when operated in a commercial tractor-semi-trailer combination, with or without load, except that the director may prohibit the operation of any such commercial tractor-semi-trailer combination on such state highways or portions of state highways as the director designates.

(4) Twenty-eight and one-half feet for any semitrailer or trailer when operated in a commercial tractor-semi-trailer-trailer or commercial tractor-semi-trailer-semi-trailer combination, except that the director may prohibit the operation of any such commercial tractor-semi-trailer-trailer or commercial tractor-semi-trailer-semi-trailer combination on such state highways or portions of state highways as the director designates;

(5)

(a) Ninety-seven feet for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations when operated on any interstate, United States route, or state route, including reasonable access travel on all other

roadways for a distance not to exceed one road mile from any interstate, United States route, or state route, not to exceed three saddlemounted vehicles, but which may include one fullmount;

(b) Seventy-five feet for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations, when operated on any roadway not designated as an interstate, United States route, or state route, not to exceed three saddlemounted vehicles, but which may include one fullmount;

(6) Sixty-five feet for any other combination of vehicles coupled together, with or without load, except as provided in divisions (C)(3) and (4), and in division (E) of this section;

(7) Forty-five feet for recreational vehicles;

(8) Fifty feet for all other vehicles except trailers and semitrailers, with or without load.

(D) No such vehicle shall have a height in excess of thirteen feet six inches, with or without load.

(E) An automobile transporter or boat transporter shall be allowed a length of sixty-five feet and a stinger-steered automobile transporter or stinger-steered boat transporter shall be allowed a length of seventy-five feet, except that the load thereon may extend no more than four feet beyond the rear of such vehicles and may extend no more than three feet beyond the front of such vehicles, and except further that the director may prohibit the operation of a stinger-steered automobile transporter, stinger-steered boat transporter, or a B-train assembly on any state highway or portion of any state highway that the director designates.

(F) The widths prescribed in division (B) of this section shall not include side mirrors, turn signal lamps, marker lamps, handholds for cab entry and egress, flexible fender extensions, mud flaps, splash and spray suppressant devices, and load-induced tire bulge.

The width prescribed in division (B)(5) of this section shall not include automatic covering devices, tarp and tarp hardware, and tiedown assemblies, provided these safety devices do not extend more than three inches from each side of the vehicle.

The lengths prescribed in divisions (C)(2) to (8) of this section shall not include safety devices, bumpers attached to the front or rear of such bus or combination, nonproperty carrying devices or components that do not extend more than twenty-four inches beyond the rear of the vehicle and are needed for loading or unloading, B-train assembly used between the first and second semitrailer of a commercial tractor-semi-trailer-semi-trailer combination, energy conservation devices as provided in any regulations adopted by the secretary of the United States department of transportation, or any noncargo-carrying refrigeration equipment attached to the front of trailers and semitrailers. In special cases, vehicles whose dimensions exceed those prescribed by this section may operate in accordance with rules adopted by the director.

(G) This section does not apply to fire engines, fire trucks, or other vehicles or apparatus belonging to any municipal corporation or to the volunteer fire department of any municipal corporation or used by such department in the discharge of its functions. This section does not apply to vehicles and pole trailers used in the transportation of wooden and metal poles, nor to the transportation of pipes or well-drilling equipment, nor to farm machinery and equipment.

The owner or operator of any vehicle, machinery, or equipment not specifically enumerated in this section but the dimensions of which exceed the dimensions provided by this section, when operating the same on the highways and streets of this state, shall comply with the rules of the director governing such movement that the director may adopt. Sections 119.01 to 119.13 of the Revised Code apply to any rules the director adopts under this section, or the amendment or rescission of the rules, and any person adversely affected shall have the same right of appeal as provided in those sections.

This section does not require the state, a municipal corporation, county, township, or any railroad or other private corporation to provide sufficient vertical clearance to permit the operation of such vehicle, or to make any changes in or about existing structures now crossing streets, roads, and other public thoroughfares in this state.

(H) As used in this section, "recreational vehicle" has the same meaning as in section 4501.01 of the Revised Code.

Amended by 130th General Assembly File No. 7, HB 51, §101.01, eff. 7/1/2013.

Amended by 129th General Assembly File No. 71, HB 337, §1, eff. 1/27/2012.

§ 4513.20 **Brake** equipment.

- (A) The following requirements govern as to **brake** equipment on vehicles:
  - (1) Every trackless trolley and motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with **brakes** adequate to control the movement of and to stop and hold such trackless trolley or motor vehicle, including two separate means of applying the **brakes**, each of which means shall be effective to apply the **brakes** to at least two wheels. If these two separate means of applying the **brakes** are connected in any way, then on such trackless trolleys or motor vehicles manufactured or assembled after January 1, 1942, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the trackless trolley or motor vehicle without **brakes** on at least two wheels.
  - (2) Every motorcycle, when operated upon a highway shall be equipped with at least one adequate **brake**, which may be operated by hand or by foot.
  - (3) Every motorized bicycle shall be equipped with **brakes** meeting the rules adopted by the director of public safety under [section 4511.521 of the Revised Code](#).
  - (4) When operated upon the highways of this state, the following vehicles shall be equipped with **brakes** adequate to control the movement of and to stop and to hold the vehicle, designed to be applied by the driver of the towing motor vehicle from its cab, and also designed and connected so that, in case of a breakaway of the towed vehicle, the **brakes** shall be automatically applied:

- (a) Except as otherwise provided in this section, every **trailer** or semitrailer, except a pole **trailer**, with an empty weight of two thousand pounds or more, manufactured or assembled on or after January 1, 1942;
  - (b) Every manufactured home or travel **trailer** with an empty weight of two thousand pounds or more, manufactured or assembled on or after January 1, 2001.
- (5) Every watercraft **trailer** with a gross weight or manufacturer's gross vehicle weight rating of three thousand pounds or more that is manufactured or assembled on or after January 1, 2008, shall have separate **brakes** equipped with hydraulic surge or electrically operated **brakes** on two wheels.
- (6) In any combination of motor-drawn **trailers** or semitrailers equipped with **brakes**, means shall be provided for applying the rearmost **brakes** in approximate synchronism with the **brakes** on the towing vehicle, and developing the required **braking** effort on the rearmost wheels at the fastest rate; or means shall be provided for applying **braking** effort first on the rearmost **brakes**; or both of the above means, capable of being used alternatively, may be employed.
- (7) Every vehicle and combination of vehicles, except motorcycles and motorized bicycles, and except **trailers** and semitrailers of a gross weight of less than two thousand pounds, and pole **trailers**, shall be equipped with parking **brakes** adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking **brakes** shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service **brakes** or other source of power provided that failure of the service **brake** actuation system or other power assisting mechanism will not prevent the parking **brakes** from being applied in conformance with the foregoing requirements. The parking **brakes** shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind.
- (8) The same **brake** drums, **brake** shoes and lining assemblies, **brake** shoe anchors, and mechanical **brake** shoe actuation mechanism normally associated with the wheel **brake** assemblies may be used for both the service **brakes** and the parking **brakes**. If the means of applying the parking **brakes** and the service **brakes** are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative **brakes**.
- (9) Every trackless trolley, motor vehicle, or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading of being stopped on a dry, smooth, level road free from loose material, upon application of

the service or foot **brake**, within the following specified distances, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

- (a) Trackless trolleys, vehicles, or combinations of vehicles having **brakes** on all wheels shall come to a stop in thirty feet or less from a speed of twenty miles per hour.
- (b) Vehicles or combinations of vehicles not having **brakes** on all wheels shall come to a stop in forty feet or less from a speed of twenty miles per hour.
- (10) All **brakes** shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the trackless trolley or vehicle.
- (B) Whoever violates this section shall be punished as provided in [section 4513.99 of the Revised Code](#).

§ 257.721. Passenger vehicle or pickup truck towing vehicle or trailer; **drawbar** or other connection; coupling devices and safety chains; pickup truck with fifth wheel assembly; conditions for towing additional trailer or semitrailer; speed limit requirements; violation as civil infraction.

- Sec. 721. (1) Except as otherwise provided in subsection (5), a passenger vehicle or a pickup truck shall not be driven upon a highway drawing or having attached to the passenger vehicle or pickup truck more than 1 vehicle or trailer.
- (2) The **drawbar** or other connection between 2 vehicles, 1 of which is towing or drawing the other on a highway, shall not exceed 15 feet in length from 1 vehicle to the other. If the connection consists of a chain, rope, or cable, there shall be displayed upon the connection a red flag or other signal or cloth not less than 12 inches both in length and width.
- (3) A vehicle or trailer towed or drawn by a vehicle shall be attached to the vehicle with forms of coupling devices in a manner so that when the combination is operated in a linear alignment on a level, smooth, paved surface, the movement of the towed or drawn vehicle or trailer does not deviate more than 3 inches to either side of the path of the towing vehicle that tows or draws it. The vehicle or trailer shall also be connected to the towing vehicle by suitable safety chains or devices, 1 on each side of the coupling and at the extreme outer edge of the vehicle or trailer. Each chain or device and connection used shall be of sufficient strength to haul the vehicle or trailer when loaded. In the case of an implement of husbandry with a gross vehicle weight rating or gross combination weight rating of 10,000 pounds or less, the safety chains or devices required under this subsection shall conform to the federal motor carrier safety regulations requirements contained in 49 CFR 393.70(d)(5).

- (4) A pickup truck with a fifth wheel assembly shall not tow a semitrailer unless the fifth wheel assembly conforms to the standards prescribed in the motor carrier safety act of 1963, 1963 PA 181, [MCL 480.11](#) to 480.25.
- (5) Notwithstanding subsection (1), a pickup truck with a towing rating equal to, or greater than, the weight being towed, equipped with a fifth wheel assembly that conforms with the standards prescribed in the motor carrier safety act of 1963, 1963 PA 181, [MCL 480.11](#) to 480.25, towing attached with a semitrailer designed for recreational living purposes may tow an additional trailer or semitrailer under the following conditions:
  - (a) The additional trailer or semitrailer shall be attached as provided in subsection (3). The safety chains described in subsection (3) shall be securely attached at the extreme outer edge of the attached trailer or semitrailer with a locking mechanism. The towing vehicle hitch shall be of substantial material and shall be attached in a proper and skillful manner to the frame of the towing vehicle.
  - (b) The total length of the pickup truck, semitrailer designed for recreational living purposes, and additional trailer or semitrailer, and load, shall not exceed 75 feet on any highways in this state.
  - (c) The gross weight of the additional trailer or semitrailer towed or drawn shall not exceed the empty weight of the pickup truck or the empty weight of the semitrailer.
- (6) For the purposes of this section, a pickup truck towing a semitrailer and additional trailer shall be considered a passenger vehicle and shall comply with the speed limit requirements of section 627(5).
- (7) A person who violates this section is responsible for a civil infraction.

Sec. 685. (1) Except as otherwise provided in subsection (2), a motor vehicle shall be equipped with at least 2 head **lamps** with at least 1 head**lamp** on each side of the front of the motor vehicle, in compliance with this chapter. An implement of husbandry manufactured on or after January 1, 2007 shall comply with section 684a.

- (2) A motorcycle or moped shall be equipped with at least 1 and not more than 2 head **lamps** that comply with this chapter.
- (3) A motorcycle or moped head **lamp** may be wired or equipped to allow either its upper beam or its lower beam, but not both, to modulate from a higher intensity to a lower intensity. A head **lamp** modulator installed on a motorcycle or moped with 2 head **lamps** shall be wired in a manner to prevent the head **lamps** from modulating at different rates or not in synchronization with each other. A head **lamp** modulator installed on a motorcycle or moped shall meet the standards prescribed in [49 CFR 571.108](#).



- (4) Every head **lamp** upon a motor vehicle shall be located at a height measured from the center of the head **lamp** of not more than 54 inches nor less than 24 inches above the level surface upon which the vehicle stands.
- (5) When a motor vehicle equipped with head **lamps** as required in this section is also equipped with auxiliary **lamps** or a spot **lamp** or any other **lamp** on the front of the motor vehicle projecting a beam of an intensity greater than 300 candlepower, not more than a total of 4 of those **lamps** on the front of a vehicle shall be lighted at a time when upon a highway.
- (6) A motor vehicle licensed as an historic vehicle is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements. An historic vehicle shall not be operated in violation of section 684.

### § 257.708. Mirrors.

Sec. 708. A person shall not drive a motor vehicle on a highway which is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless the vehicle is equipped with a mirror located so as to reflect to the driver a view of the highway to the rear of the vehicle. In addition all motor vehicles shall be equipped with an outside rearview mirror on the driver's side which shall be positioned to give the driver a rear viewing angle from the driver's side of the vehicle, except a motor vehicle licensed as an historic vehicle if the vehicle was not originally equipped with an outside rearview mirror. Rearview mirrors may be positioned on the helmet or visor worn by the operator of a motorcycle if the helmet is securely attached to the head of the operator. Every commercial vehicle of 1/2 ton capacity or more, operating upon the public highways of this state, shall be equipped with 2 mirrors, 1 on each side, adjusted so that the operator shall have a clear view of the highway behind the commercial vehicle. The outside mirrors shall not be considered to be a part of the vehicle for the purpose of determining the maximum width under section 717.

### § 4513.09 **Red light** or flag required.

- (A) Whenever the load upon any **vehicle** extends to the rear four feet or more beyond the bed or body of such **vehicle**, there shall be displayed at the extreme rear end of the load, at the times specified in [section 4513.03 of the Revised Code](#), a **red light** or lantern plainly visible from a distance of at least five hundred feet to the sides and rear. The **red light** or lantern required by this section is in addition to the **red rear light** required upon every **vehicle**. At any other time there shall be displayed at the extreme rear end of such load a **red flag** or cloth not less than sixteen inches square.
- (B) Whoever violates this section is guilty of a minor misdemeanor.

### § 4513.23 Rear view **mirrors**.

- (A) Every motor **vehicle**, motorcycle, and trackless trolley shall be equipped with a **mirror** so located as to reflect to the operator a view of the highway to the rear of

such **vehicle**, motorcycle, or trackless trolley. Operators of **vehicles**, motorcycles, streetcars, and trackless trolleys shall have a clear and unobstructed view to the front and to both sides of their **vehicles**, motorcycles, streetcars, or trackless trolleys and shall have a clear view to the rear of their **vehicles**, motorcycles, streetcars, or trackless trolleys by **mirror**.

- **(B)** Whoever violates this section is guilty of a minor misdemeanor.
- **(A)** No person shall operate a motor **vehicle**, trackless trolley, or streetcar at a **speed** greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor **vehicle**, trackless trolley, or streetcar in and upon any street or highway at a greater **speed** than will permit the person to bring it to a stop within the assured clear distance ahead.
- **(B)** It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor **vehicle**, trackless trolley, or streetcar to operate the same at a **speed** not exceeding the following:
  - **(1)**
    - **(a)** Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school **speed** limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the **speed** shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the **speed** shall be governed by divisions (B)(9) and (10) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone **speed** limit is in effect.
    - **(b)** As used in this section and in [section 4511.212 of the Revised Code](#), “school” means any school chartered under [section 3301.16 of the Revised Code](#) and any nonchartered school that during the preceding year filed with the department of education in compliance with rule [3301-35-08 of the Ohio Administrative Code](#), a copy of the school’s report for the parents of the school’s pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone. “School” also includes a

special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

- **(c)** As used in this section, “school zone” means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from local authorities for streets and highways under their jurisdiction and that portion of a state highway under the jurisdiction of the director of transportation or a request from a county engineer in the case of a school zone for a special elementary school, the director may extend the traditional school zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the director approves as most appropriate:
  - **(i)** The distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of three hundred feet on each approach direction;
  - **(ii)** The distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of three hundred feet on each approach direction;
  - **(iii)** The distance encompassed by the special marking of the pavement for a principal school pupil crosswalk plus a distance of three hundred feet on each approach direction of the highway.
  - Nothing in this section shall be construed to invalidate the director’s initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in divisions (B)(1)(a) and (c) of this section.
- **(d)** As used in this division, “crosswalk” has the meaning given that term in division (LL)(2) of [section 4511.01 of the Revised Code](#).
- The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of developmental disabilities created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other

information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route.

- (e) As used in this section, “special elementary school” means a school that meets all of the following criteria:
  - (i) It is not chartered and does not receive tax revenue from any source.
  - (ii) It does not educate children beyond the eighth grade.
  - (iii) It is located outside the limits of a municipal corporation.
  - (iv) A majority of the total number of students enrolled at the school are not related by blood.
  - (v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.
- (2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;
- (3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;
- (4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;
- (5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in division (B)(9) of this section, and highways, expressways, and freeways as provided in divisions (B)(12), (13), (14), and (16) of this section;

- (6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie **speed** is established as further provided in this section;
- (7) Fifteen miles per hour on all alleys within the municipal corporation;
- (8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;
- (9) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H)(2) of this section.
- (10) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B)(14) and (16) of this section;
- (11) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B)(14) and (16) of this section;
- (12) Sixty miles per hour for operators of any motor **vehicle** at all times on all portions of rural divided highways;
- (13) Sixty-five miles per hour for operators of any motor **vehicle** at all times on all rural expressways without traffic control signals;
- (14) Seventy miles per hour for operators of any motor **vehicle** at all times on all rural freeways;
- (15) Fifty-five miles per hour for operators of any motor **vehicle** at all times on all portions of freeways in congested areas as determined by the director and that are part of the interstate system and are located within a municipal corporation or within an interstate freeway outerbelt;
- (16) Sixty-five miles per hour for operators of any motor **vehicle** at all times on all portions of freeways in urban areas as determined by the director and that are part of the interstate system and are part of an interstate freeway outerbelt.
- (C) It is prima-facie unlawful for any person to exceed any of the **speed** limitations in divisions (B)(1)(a), (2), (3), (4), (6), (7), and (8) of this section, or any declared or established pursuant to this section by the director or local authorities and it is unlawful for any person to exceed any of the **speed** limitations in division (D) of this section. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.
- (D) No person shall operate a motor **vehicle**, trackless trolley, or streetcar upon a street or highway as follows:

- (1) At a **speed** exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B)(9) of this section and upon a highway, expressway, or freeway as provided in divisions (B)(12), (13), (14), and (16) of this section;
  - (2) At a **speed** exceeding sixty miles per hour upon a two-lane state route as provided in division (B)(9) of this section and upon a highway as provided in division (B)(12) of this section;
  - (3) At a **speed** exceeding sixty-five miles per hour upon an expressway as provided in division (B)(13) or upon a freeway as provided in division (B)(16) of this section, except upon a freeway as provided in division (B)(14) of this section;
  - (4) At a **speed** exceeding seventy miles per hour upon a freeway as provided in division (B)(14) of this section;
  - (5) At a **speed** exceeding the posted **speed** limit upon a highway, expressway, or freeway for which the director has determined and declared a **speed** limit pursuant to division (I)(2) or (L)(2) of this section.
- (E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and **speed** at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the **speed** which division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater **speed** than will permit the person to bring the **vehicle** to a stop within the assured clear distance ahead the affidavit and warrant need not specify the **speed** at which the defendant is alleged to have driven.
- (F) When a **speed** in excess of both a prima-facie limitation and a limitation in division (D) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of this section, or of a limit declared or established pursuant to this section by the director or local authorities, and of the limitation in division (D) of this section. If the court finds a violation of division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared or established pursuant to, this section has occurred, it shall enter a judgment of conviction under such division and dismiss the charge under division (D) of this section. If it finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared or established pursuant to, this section, it shall then consider whether the evidence supports a conviction under division (D) of this section.
- (G) Points shall be assessed for violation of a limitation under division (D) of this section in accordance with [section 4510.036 of the Revised Code](#).
- (H)

- (1) Whenever the director determines upon the basis of a geometric and traffic characteristic study that any **speed** limit set forth in divisions (B)(1)(a) to (D) of this section is greater or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie **speed** limit, which shall be effective when appropriate signs giving notice of it are erected at the location.
- (2) Whenever the director determines upon the basis of a geometric and traffic characteristic study that the **speed** limit of fifty-five miles per hour on a two-lane state route outside a municipal corporation is less than is reasonable or safe under the conditions found to exist at that portion of the state route, the director may determine and declare a **speed** limit of sixty miles per hour for that portion of the state route, which shall be effective when appropriate signs giving notice of it are erected at the location.
- (I)
  - (1) Except as provided in divisions (I)(2) and (K) of this section, whenever local authorities determine upon the basis of an engineering and traffic investigation that the **speed** permitted by divisions (B)(1)(a) to (D) of this section, on any part of a highway under their jurisdiction, is greater than is reasonable and safe under the conditions found to exist at such location, the local authorities may by resolution request the director to determine and declare a reasonable and safe prima-facie **speed** limit. Upon receipt of such request the director may determine and declare a reasonable and safe prima-facie **speed** limit at such location, and if the director does so, then such declared **speed** limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie **speed** limit whenever in the director's opinion the altered prima-facie **speed** becomes unreasonable. Upon such withdrawal, the declared prima-facie **speed** shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.
  - (2) A local authority may determine on the basis of a geometric and traffic characteristic study that the **speed** limit of sixty-five miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the local authority by resolution may request the director to determine and declare a reasonable and safe **speed** limit of not less than fifty-five miles per hour for that portion of the freeway. If the director takes such action, the declared **speed** limit becomes effective only when appropriate signs giving notice of it are erected at such location by the local authority.

- **(J)** Local authorities in their respective jurisdictions may authorize by ordinance higher prima-facie **speeds** than those stated in this section upon through highways, or upon highways or portions thereof where there are no intersections, or between widely spaced intersections, provided signs are erected giving notice of the authorized **speed**, but local authorities shall not modify or alter the basic rule set forth in division (A) of this section or in any event authorize by ordinance a **speed** in excess of fifty miles per hour.
- Alteration of prima-facie limits on state routes by local authorities shall not be effective until the alteration has been approved by the director. The director may withdraw approval of any altered prima-facie **speed** limits whenever in the director’s opinion any altered prima-facie **speed** becomes unreasonable, and upon such withdrawal, the altered prima-facie **speed** shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.
- **(K)**
  - **(1)** As used in divisions (K)(1), (2), (3), and (4) of this section, “unimproved highway” means a highway consisting of any of the following:
    - **(a)** Unimproved earth;
    - **(b)** Unimproved graded and drained earth;
    - **(c)** Gravel.
  - **(2)** Except as otherwise provided in divisions (K)(4) and (5) of this section, whenever a board of township trustees determines upon the basis of an engineering and traffic investigation that the **speed** permitted by division (B)(5) of this section on any part of an unimproved highway under its jurisdiction and in the unincorporated territory of the township is greater than is reasonable or safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie **speed** limit of fifty-five but not less than twenty-five miles per hour. An altered **speed** limit adopted by a board of township trustees under this division becomes effective when appropriate traffic control devices, as prescribed in [section 4511.11 of the Revised Code](#), giving notice thereof are erected at the location, which shall be no sooner than sixty days after adoption of the resolution.
  - **(3)**
    - **(a)** Whenever, in the opinion of a board of township trustees, any altered prima-facie **speed** limit established by the board under this division becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie **speed** limit. Upon the adoption of such a resolution, the altered prima-facie **speed** limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.



- (b) Whenever a highway ceases to be an unimproved highway and the board has adopted an altered prima-facie **speed** limit pursuant to division (K)(2) of this section, the board shall, by resolution, withdraw the altered prima-facie **speed** limit as soon as the highway ceases to be unimproved. Upon the adoption of such a resolution, the altered prima-facie **speed** limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.
- (4)
  - (a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie **speed** limit pursuant to division (K)(2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of an engineering and traffic investigation, that the **speed** permitted by division (B)(5) of this section is greater than is reasonable or safe under the conditions found to exist at the location and both boards agree upon a reasonable and safe prima-facie **speed** limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both boards so agree, each shall follow the procedure specified in division (K)(2) of this section for altering the prima-facie **speed** limit on the highway. Except as otherwise provided in division (K)(4)(b) of this section, no **speed** limit altered pursuant to division (K)(4)(a) of this section may be withdrawn unless the boards of township trustees of both townships determine that the altered prima-facie **speed** limit previously adopted becomes unreasonable and each board adopts a resolution withdrawing the altered prima-facie **speed** limit pursuant to the procedure specified in division (K)(3)(a) of this section.
  - (b) Whenever a highway described in division (K)(4)(a) of this section ceases to be an unimproved highway and two boards of township trustees have adopted an altered prima-facie **speed** limit pursuant to division (K)(4)(a) of this section, both boards shall, by resolution, withdraw the altered prima-facie **speed** limit as soon as the highway ceases to be unimproved. Upon the adoption of the resolution, the altered prima-facie **speed** limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.
- (5) As used in division (K)(5) of this section:
  - (a) “Commercial subdivision” means any platted territory outside the limits of a municipal corporation and fronting a highway where, for a distance of three hundred feet or more, the frontage is improved with

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

- **(b)** “Residential subdivision” means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business.
  - Whenever a board of township trustees finds upon the basis of an engineering and traffic investigation that the prima-facie **speed** permitted by division (B)(5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to **vehicles** on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie **speed** limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered **speed** limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie **speed** limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie **speed**, and upon such withdrawal, the altered prima-facie **speed** shall become ineffective, and the signs relating thereto shall be immediately removed by the township.
- **(L)**
    - **(1)** On the effective date of this amendment, the director of transportation, based upon an engineering study of a highway, expressway, or freeway described in division (B)(12), (13), (14), (15), or (16) of this section, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, may determine and declare that the **speed** limit established on such highway, expressway, or freeway under division (B)(12), (13), (14), (15), or (16) of this section either is reasonable and safe or is more or less than that which is reasonable and safe.

- (2) If the established **speed** limit for a highway, expressway, or freeway studied pursuant to division (L)(1) of this section is determined to be more or less than that which is reasonable and safe, the director of transportation, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, shall determine and declare a reasonable and safe **speed** limit for that highway, expressway, or freeway.
- (N)
  - (1)
    - (a) If the boundary of two local authorities rests on the centerline of a highway and both authorities have jurisdiction over the highway, the **speed** limit for the part of the highway within their joint jurisdiction shall be either one of the following as agreed to by both authorities:
      - (i) Either prima-facie **speed** limit permitted by division (B) of this section;
      - (ii) An altered **speed** limit determined and posted in accordance with this section.
    - (b) If the local authorities are unable to reach an agreement, the **speed** limit shall remain as established and posted under this section.
  - (2) Neither local authority may declare an altered prima-facie **speed** limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of an engineering and traffic investigation, that the **speed** permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie **speed** limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie **speed** limit on the highway, and the **speed** limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered **speed** limit may be withdrawn unless both local authorities determine that the altered prima-facie **speed** limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie **speed** limit pursuant to the procedure specified in this section.
- (O) As used in this section:
  - (1) “Interstate system” has the same meaning as in [23 U.S.C.A. 101](#).
  - (2) “Commercial bus” means a motor **vehicle** designed for carrying more than nine passengers and used for the transportation of persons for compensation.

- (3) “Noncommercial bus” includes but is not limited to a school bus or a motor **vehicle** operated solely for the transportation of persons associated with a charitable or nonprofit organization.
  - (4) “Outerbelt” means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the director.
  - (5) “Rural” means outside urbanized areas, as designated in accordance with [23 U.S.C. 101](#), and outside of a business or urban district.
- (P)
    - (1) A violation of any provision of this section is one of the following:
      - (a) Except as otherwise provided in divisions (P)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;
      - (b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;
      - (c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.
    - (2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a municipal ordinance that is substantially similar to this section and operated a motor **vehicle** faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school’s opening or closing hours, a misdemeanor of the fourth degree.
    - (3) Notwithstanding division (P)(1) of this section, if the offender operated a motor **vehicle** in a construction zone where a sign was then posted in accordance with [section 4511.98 of the Revised Code](#), the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender’s sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this

division and if the court determines that the offender is an indigent person and unable to pay the fine.