



**H.B. 292**

126th General Assembly  
(As Introduced)

**Reps. Schaffer, Reidelbach, Seaver, C. Evans, Wagner, Carano, Setzer, Raussen, D. Evans, Kearns, Faber, Peterson, Hagan, Fende, Healy, Distel, White, Webster, Reinhard**

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**BILL SUMMARY**

- Permits a board of township trustees, upon the basis of an engineering and traffic investigation, to alter the prima-facie speed limit on any part of a highway under its jurisdiction.
- Requires the county engineer, upon request of a board of township trustees, to conduct the engineering and traffic investigation that is required when a board of township trustees seeks to alter a speed limit and permits the county engineer to make a written recommendation of a reasonable and safe speed limit.

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**CONTENT AND OPERATION**

**Altering of speed limits, generally**

R.C. 4511.21(B) prescribes the speed limits for all public streets and highways within the state. The Director of Transportation may declare a different reasonable and safe prima-facie speed limit for any portion of a state highway if a geometric and traffic characteristic study shows that the current speed limit on that highway is greater or less than is reasonable or safe under the conditions found to exist at that portion of the highway. The altered speed limit becomes effective when the Department of Transportation erects appropriate signs giving notice of it at the location. (R.C. 4511.21(H).)

If a local authority determines upon the basis of an engineering and traffic investigation that the statutory speed limit on any part of a highway under the authority's jurisdiction is greater than is reasonable and safe under the conditions found to exist at that location, the local authority by resolution may request the Director to determine and declare a reasonable and safe prima-facie speed limit.

Upon receipt of such a request, the Director may determine and declare a reasonable and safe prima-facie speed limit at the location, and the new declared speed limit becomes effective only when the local authority erects appropriate signs giving notice of it at the location. The Director may withdraw such a declaration whenever in the Director's opinion the altered prima-facie speed becomes unreasonable. If this occurs, the declared prima-facie speed becomes ineffective and the local authority must remove the related signs immediately. (R.C. 4511.21(I)(1)).

Current law also provides that whenever a board of township trustees determines upon the basis of an engineering and traffic investigation that the prescribed speed limit on any part of an unimproved highway that is under its jurisdiction and is in the unincorporated territory of the township is greater than is reasonable and safe under the conditions found to exist at the location, the board by resolution may declare a reasonable and safe prima-facie speed limit of less than 55 miles per hour but not less than 25 miles per hour. Such an altered speed limit becomes effective when appropriate traffic control devices giving notice of it are erected at the location, which can occur no sooner than 60 days after adoption of the resolution. (R.C. 4511.21(K)(2).)

Similarly, current law provides that whenever a board of township trustees makes such a determination on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision (other than in a location where vehicular traffic from intersecting highways is required to yield the right of way) is greater than is reasonable or safe under the conditions found to exist at the location, the board by resolution may declare a reasonable and safe prima-facie speed limit of less than 55 miles per hour but not less than 25 miles per hour. The altered speed limit becomes effective when appropriate signs giving notice of it are erected at the location. (R.C. 4511.21(K)(5).)

Whenever, in the opinion of a board of township trustees, an altered prima-facie speed limit established by the board becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit, and the altered prima-facie speed limit becomes ineffective and the related traffic control devices or signs must be removed immediately (R.C. 4511.21(K)(3)(a) and (5)).

### **Changes made by the bill**

The bill simplifies the provisions relating to the altering of speed limits by a board of township trustees and permits a board of township trustees to alter the prima-facie speed limit on *any* township highways under its jurisdiction without any action by the Director of Transportation. Under the bill, whenever a board of township trustees determines upon the basis of an engineering and traffic investigation that the prescribed speed limit on any part of a highway under its

jurisdiction (not just an unimproved road or a road located within a commercial or residential subdivision) and in the unincorporated territory of the township is greater or less than is reasonable or safe under the conditions found to exist at the location, the board by resolution may declare a reasonable and safe prima-facie speed limit of less than 55 miles per hour but not less than 25 miles per hour. Such an altered speed limit becomes effective when appropriate traffic control devices giving notice of it are erected at the location, which can occur no sooner than 60 days after adoption of the resolution. (R.C. 4511.21(K)(1)(a).)

The bill retains the procedure whereby if, in the opinion of a board of township trustees, an altered prima-facie speed limit established by the board becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit. The altered prima-facie speed limit becomes ineffective and the related traffic control devices must be removed immediately (R.C. 4511.21(K)(1)(b)(i)).

The bill provides that upon request of a board of township trustees, the county engineer is required to conduct the engineering and traffic investigation required of a board of township trustees to alter a speed limit. Upon concluding the investigation, the county engineer may make a written recommendation of a reasonable and safe speed limit. (R.C. 4511.21(K)(3).)

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	06-07-05	p. 909

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