

**As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 134**

**Senator Gavarone**

**Cosponsors: Senators Kunze, Hottinger, Hoagland, Maharath, Manning, Antonio, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Fedor, Hackett, Huffman, S., Johnson, Lehner, McColley, O'Brien, Peterson, Roegner, Rulli, Schaffer, Schuring, Sykes, Thomas, Williams, Wilson, Yuko**

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**A BILL**

To amend sections 2743.51, 2903.06, 2903.08, 1  
2929.14, 4510.17, 4511.181, 4511.75, 4511.751, 2  
and 4511.76 and to enact sections 5.501 and 3  
2903.082 of the Revised Code to make changes to 4  
the law governing passing a school bus, 5  
including creating the new offense of vehicular 6  
harm, to create a new offense for vehicular 7  
homicide and vehicular assault related to 8  
improperly passing a stopped school bus, to 9  
align the penalty enhancements for vehicular 10  
homicide and vehicular assault, to make an 11  
appropriation, and to designate this the School 12  
Bus Safety Act. 13

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

**Section 1.** That sections 2743.51, 2903.06, 2903.08, 14  
2929.14, 4510.17, 4511.181, 4511.75, 4511.751, and 4511.76 be 15  
amended and sections 5.501 and 2903.082 of the Revised Code be 16  
enacted to read as follows: 17

Sec. 5.501. The month of August is designated as "School 18  
Bus Safety Awareness Month" to increase public awareness of the 19  
need to properly stop when a stopped school bus is loading and 20  
unloading passengers. 21

**Sec. 2743.51.** As used in sections 2743.51 to 2743.72 of 22  
the Revised Code: 23

(A) "Claimant" means both of the following categories of 24  
persons: 25

(1) Any of the following persons who claim an award of 26  
reparations under sections 2743.51 to 2743.72 of the Revised 27  
Code: 28

(a) A victim who was one of the following at the time of 29  
the criminally injurious conduct: 30

(i) A resident of the United States; 31

(ii) A resident of a foreign country the laws of which 32  
permit residents of this state to recover compensation as 33  
victims of offenses committed in that country. 34

(b) A dependent of a deceased victim who is described in 35  
division (A) (1) (a) of this section; 36

(c) A third person, other than a collateral source, who 37  
legally assumes or voluntarily pays the obligations of a victim, 38  
or of a dependent of a victim, who is described in division (A) 39  
(1) (a) of this section, which obligations are incurred as a 40  
result of the criminally injurious conduct that is the subject 41  
of the claim and may include, but are not limited to, medical or 42  
burial expenses; 43

(d) A person who is authorized to act on behalf of any 44  
person who is described in division (A) (1) (a), (b), or (c) of 45

this section; 46

(e) The estate of a deceased victim who is described in 47  
division (A)(1)(a) of this section. 48

(2) Any of the following persons who claim an award of 49  
reparations under sections 2743.51 to 2743.72 of the Revised 50  
Code: 51

(a) A victim who had a permanent place of residence within 52  
this state at the time of the criminally injurious conduct and 53  
who, at the time of the criminally injurious conduct, complied 54  
with any one of the following: 55

(i) Had a permanent place of employment in this state; 56

(ii) Was a member of the regular armed forces of the 57  
United States or of the United States coast guard or was a full- 58  
time member of the Ohio organized militia or of the United 59  
States army reserve, naval reserve, or air force reserve; 60

(iii) Was retired and receiving social security or any 61  
other retirement income; 62

(iv) Was sixty years of age or older; 63

(v) Was temporarily in another state for the purpose of 64  
receiving medical treatment; 65

(vi) Was temporarily in another state for the purpose of 66  
performing employment-related duties required by an employer 67  
located within this state as an express condition of employment 68  
or employee benefits; 69

(vii) Was temporarily in another state for the purpose of 70  
receiving occupational, vocational, or other job-related 71  
training or instruction required by an employer located within 72

this state as an express condition of employment or employee	73
benefits;	74
(viii) Was a full-time student at an academic institution,	75
college, or university located in another state;	76
(ix) Had not departed the geographical boundaries of this	77
state for a period exceeding thirty days or with the intention	78
of becoming a citizen of another state or establishing a	79
permanent place of residence in another state.	80
(b) A dependent of a deceased victim who is described in	81
division (A) (2) (a) of this section;	82
(c) A third person, other than a collateral source, who	83
legally assumes or voluntarily pays the obligations of a victim,	84
or of a dependent of a victim, who is described in division (A)	85
(2) (a) of this section, which obligations are incurred as a	86
result of the criminally injurious conduct that is the subject	87
of the claim and may include, but are not limited to, medical or	88
burial expenses;	89
(d) A person who is authorized to act on behalf of any	90
person who is described in division (A) (2) (a), (b), or (c) of	91
this section;	92
(e) The estate of a deceased victim who is described in	93
division (A) (2) (a) of this section.	94
(B) "Collateral source" means a source of benefits or	95
advantages for economic loss otherwise reparable that the victim	96
or claimant has received, or that is readily available to the	97
victim or claimant, from any of the following sources:	98
(1) The offender;	99
(2) The government of the United States or any of its	100

agencies, a state or any of its political subdivisions, or an 101  
instrumentality of two or more states, unless the law providing 102  
for the benefits or advantages makes them excess or secondary to 103  
benefits under sections 2743.51 to 2743.72 of the Revised Code; 104

(3) Social security, medicare, and medicaid; 105

(4) State-required, temporary, nonoccupational disability 106  
insurance; 107

(5) Workers' compensation; 108

(6) Wage continuation programs of any employer; 109

(7) Proceeds of a contract of insurance payable to the 110  
victim for loss that the victim sustained because of the 111  
criminally injurious conduct; 112

(8) A contract providing prepaid hospital and other health 113  
care services, or benefits for disability; 114

(9) That portion of the proceeds of all contracts of 115  
insurance payable to the claimant on account of the death of the 116  
victim that exceeds fifty thousand dollars; 117

(10) Any compensation recovered or recoverable under the 118  
laws of another state, district, territory, or foreign country 119  
because the victim was the victim of an offense committed in 120  
that state, district, territory, or country. 121

"Collateral source" does not include any money, or the 122  
monetary value of any property, that is subject to sections 123  
2969.01 to 2969.06 of the Revised Code or that is received as a 124  
benefit from the Ohio public safety officers death benefit fund 125  
created by section 742.62 of the Revised Code. 126

(C) "Criminally injurious conduct" means one of the 127

following: 128

(1) For the purposes of any person described in division 129  
(A) (1) of this section, any conduct that occurs or is attempted 130  
in this state; poses a substantial threat of personal injury or 131  
death; and is punishable by fine, imprisonment, or death, or 132  
would be so punishable but for the fact that the person engaging 133  
in the conduct lacked capacity to commit the crime under the 134  
laws of this state. Criminally injurious conduct does not 135  
include conduct arising out of the ownership, maintenance, or 136  
use of a motor vehicle, except when any of the following 137  
applies: 138

(a) The person engaging in the conduct intended to cause 139  
personal injury or death; 140

(b) The person engaging in the conduct was using the 141  
vehicle to flee immediately after committing a felony or an act 142  
that would constitute a felony but for the fact that the person 143  
engaging in the conduct lacked the capacity to commit the felony 144  
under the laws of this state; 145

(c) The person engaging in the conduct was using the 146  
vehicle in a manner that constitutes an OVI violation; 147

(d) The conduct occurred on or after July 25, 1990, and 148  
the person engaging in the conduct was using the vehicle in a 149  
manner that constitutes a violation of section 2903.08 of the 150  
Revised Code; 151

(e) The person engaging in the conduct acted in a manner 152  
that caused serious physical harm to a person and that 153  
constituted a violation of section 4549.02 or 4549.021 of the 154  
Revised Code. 155

(2) For the purposes of any person described in division 156

(A) (2) of this section, any conduct that occurs or is attempted 157  
in another state, district, territory, or foreign country; poses 158  
a substantial threat of personal injury or death; and is 159  
punishable by fine, imprisonment, or death, or would be so 160  
punishable but for the fact that the person engaging in the 161  
conduct lacked capacity to commit the crime under the laws of 162  
the state, district, territory, or foreign country in which the 163  
conduct occurred or was attempted. Criminally injurious conduct 164  
does not include conduct arising out of the ownership, 165  
maintenance, or use of a motor vehicle, except when any of the 166  
following applies: 167

(a) The person engaging in the conduct intended to cause 168  
personal injury or death; 169

(b) The person engaging in the conduct was using the 170  
vehicle to flee immediately after committing a felony or an act 171  
that would constitute a felony but for the fact that the person 172  
engaging in the conduct lacked the capacity to commit the felony 173  
under the laws of the state, district, territory, or foreign 174  
country in which the conduct occurred or was attempted; 175

(c) The person engaging in the conduct was using the 176  
vehicle in a manner that constitutes an OVI violation; 177

(d) The conduct occurred on or after July 25, 1990, the 178  
person engaging in the conduct was using the vehicle in a manner 179  
that constitutes a violation of any law of the state, district, 180  
territory, or foreign country in which the conduct occurred, and 181  
that law is substantially similar to a violation of section 182  
2903.08 of the Revised Code; 183

(e) The person engaging in the conduct acted in a manner 184  
that caused serious physical harm to a person and that 185

constituted a violation of any law of the state, district, 186  
territory, or foreign country in which the conduct occurred, and 187  
that law is substantially similar to section 4549.02 or 4549.021 188  
of the Revised Code. 189

(3) For the purposes of any person described in division 190  
(A) (1) or (2) of this section, terrorism that occurs within or 191  
outside the territorial jurisdiction of the United States. 192

(D) "Dependent" means an individual wholly or partially 193  
dependent upon the victim for care and support, and includes a 194  
child of the victim born after the victim's death. 195

(E) "Economic loss" means economic detriment consisting 196  
only of allowable expense, work loss, funeral expense, 197  
unemployment benefits loss, replacement services loss, cost of 198  
crime scene cleanup, and cost of evidence replacement. If 199  
criminally injurious conduct causes death, economic loss 200  
includes a dependent's economic loss and a dependent's 201  
replacement services loss. Noneconomic detriment is not economic 202  
loss; however, economic loss may be caused by pain and suffering 203  
or physical impairment. 204

(F) (1) "Allowable expense" means reasonable charges 205  
incurred for reasonably needed products, services, and 206  
accommodations, including those for medical care, 207  
rehabilitation, rehabilitative occupational training, and other 208  
remedial treatment and care and including replacement costs for 209  
hearing aids; dentures, retainers, and other dental appliances; 210  
canes, walkers, and other mobility tools; and eyeglasses and 211  
other corrective lenses. It does not include that portion of a 212  
charge for a room in a hospital, clinic, convalescent home, 213  
nursing home, or any other institution engaged in providing 214  
nursing care and related services in excess of a reasonable and 215



customary charge for semiprivate accommodations, unless 216  
accommodations other than semiprivate accommodations are 217  
medically required. 218

(2) An immediate family member of a victim of criminally 219  
injurious conduct that consists of a homicide, a sexual assault, 220  
domestic violence, or a severe and permanent incapacitating 221  
injury resulting in paraplegia or a similar life-altering 222  
condition, who requires psychiatric care or counseling as a 223  
result of the criminally injurious conduct, may be reimbursed 224  
for that care or counseling as an allowable expense through the 225  
victim's application. The cumulative allowable expense for care 226  
or counseling of that nature shall not exceed two thousand five 227  
hundred dollars for each immediate family member of a victim of 228  
that type and seven thousand five hundred dollars in the 229  
aggregate for all immediate family members of a victim of that 230  
type. 231

(3) A family member of a victim who died as a proximate 232  
result of criminally injurious conduct may be reimbursed as an 233  
allowable expense through the victim's application for wages 234  
lost and travel expenses incurred in order to attend criminal 235  
justice proceedings arising from the criminally injurious 236  
conduct. The cumulative allowable expense for wages lost and 237  
travel expenses incurred by a family member to attend criminal 238  
justice proceedings shall not exceed five hundred dollars for 239  
each family member of the victim and two thousand dollars in the 240  
aggregate for all family members of the victim. 241

(4) (a) "Allowable expense" includes reasonable expenses 242  
and fees necessary to obtain a guardian's bond pursuant to 243  
section 2109.04 of the Revised Code when the bond is required to 244  
pay an award to a fiduciary on behalf of a minor or other 245

incompetent. 246

(b) "Allowable expense" includes attorney's fees not 247  
exceeding one thousand dollars, at a rate not exceeding one 248  
hundred dollars per hour, incurred to successfully obtain a 249  
restraining order, custody order, or other order to physically 250  
separate a victim from an offender. Attorney's fees for the 251  
services described in this division may include an amount for 252  
reasonable travel time incurred to attend court hearings, not 253  
exceeding three hours' round-trip for each court hearing, 254  
assessed at a rate not exceeding thirty dollars per hour. 255

(G) "Work loss" means loss of income from work that the 256  
injured person would have performed if the person had not been 257  
injured and expenses reasonably incurred by the person to obtain 258  
services in lieu of those the person would have performed for 259  
income, reduced by any income from substitute work actually 260  
performed by the person, or by income the person would have 261  
earned in available appropriate substitute work that the person 262  
was capable of performing but unreasonably failed to undertake. 263

(H) "Replacement services loss" means expenses reasonably 264  
incurred in obtaining ordinary and necessary services in lieu of 265  
those the injured person would have performed, not for income, 266  
but for the benefit of the person's self or family, if the 267  
person had not been injured. 268

(I) "Dependent's economic loss" means loss after a 269  
victim's death of contributions of things of economic value to 270  
the victim's dependents, not including services they would have 271  
received from the victim if the victim had not suffered the 272  
fatal injury, less expenses of the dependents avoided by reason 273  
of the victim's death. If a minor child of a victim is adopted 274  
after the victim's death, the minor child continues after the 275

adoption to incur a dependent's economic loss as a result of the 276  
victim's death. If the surviving spouse of a victim remarries, 277  
the surviving spouse continues after the remarriage to incur a 278  
dependent's economic loss as a result of the victim's death. 279

(J) "Dependent's replacement services loss" means loss 280  
reasonably incurred by dependents after a victim's death in 281  
obtaining ordinary and necessary services in lieu of those the 282  
victim would have performed for their benefit if the victim had 283  
not suffered the fatal injury, less expenses of the dependents 284  
avoided by reason of the victim's death and not subtracted in 285  
calculating the dependent's economic loss. If a minor child of a 286  
victim is adopted after the victim's death, the minor child 287  
continues after the adoption to incur a dependent's replacement 288  
services loss as a result of the victim's death. If the 289  
surviving spouse of a victim remarries, the surviving spouse 290  
continues after the remarriage to incur a dependent's 291  
replacement services loss as a result of the victim's death. 292

(K) "Noneconomic detriment" means pain, suffering, 293  
inconvenience, physical impairment, or other nonpecuniary 294  
damage. 295

(L) "Victim" means a person who suffers personal injury or 296  
death as a result of any of the following: 297

(1) Criminally injurious conduct; 298

(2) The good faith effort of any person to prevent 299  
criminally injurious conduct; 300

(3) The good faith effort of any person to apprehend a 301  
person suspected of engaging in criminally injurious conduct. 302

(M) "Contributory misconduct" means any conduct of the 303  
claimant or of the victim through whom the claimant claims an 304

award of reparations that is unlawful or intentionally tortious 305  
and that, without regard to the conduct's proximity in time or 306  
space to the criminally injurious conduct, has a causal 307  
relationship to the criminally injurious conduct that is the 308  
basis of the claim. 309

(N) (1) "Funeral expense" means any reasonable charges that 310  
are not in excess of seven thousand five hundred dollars per 311  
funeral and that are incurred for expenses directly related to a 312  
victim's funeral, cremation, or burial and any wages lost or 313  
travel expenses incurred by a family member of a victim in order 314  
to attend the victim's funeral, cremation, or burial. 315

(2) An award for funeral expenses shall be applied first 316  
to expenses directly related to the victim's funeral, cremation, 317  
or burial. An award for wages lost or travel expenses incurred 318  
by a family member of the victim shall not exceed five hundred 319  
dollars for each family member and shall not exceed in the 320  
aggregate the difference between seven thousand five hundred 321  
dollars and expenses that are reimbursed by the program and that 322  
are directly related to the victim's funeral, cremation, or 323  
burial. 324

(O) "Unemployment benefits loss" means a loss of 325  
unemployment benefits pursuant to Chapter 4141. of the Revised 326  
Code when the loss arises solely from the inability of a victim 327  
to meet the able to work, available for suitable work, or the 328  
actively seeking suitable work requirements of division (A) (4) 329  
(a) of section 4141.29 of the Revised Code. 330

(P) "OVI violation" means any of the following: 331

(1) A violation of section 4511.19 of the Revised Code, of 332  
any municipal ordinance prohibiting the operation of a vehicle 333

while under the influence of alcohol, a drug of abuse, or a 334  
combination of them, or of any municipal ordinance prohibiting 335  
the operation of a vehicle with a prohibited concentration of 336  
alcohol, a controlled substance, or a metabolite of a controlled 337  
substance in the whole blood, blood serum or plasma, breath, or 338  
urine; 339

(2) A violation of division (A) (1) of section 2903.06 of 340  
the Revised Code; 341

(3) A violation of division (A) (2), (3), ~~or (4)~~, or (5) of 342  
section 2903.06 of the Revised Code or of a municipal ordinance 343  
substantially similar to any of those divisions, if the offender 344  
was under the influence of alcohol, a drug of abuse, or a 345  
combination of them, at the time of the commission of the 346  
offense; 347

(4) For purposes of any person described in division (A) 348  
(2) of this section, a violation of any law of the state, 349  
district, territory, or foreign country in which the criminally 350  
injurious conduct occurred, if that law is substantially similar 351  
to a violation described in division (P) (1) or (2) of this 352  
section or if that law is substantially similar to a violation 353  
described in division (P) (3) of this section and the offender 354  
was under the influence of alcohol, a drug of abuse, or a 355  
combination of them, at the time of the commission of the 356  
offense. 357

(Q) "Pendency of the claim" for an original reparations 358  
application or supplemental reparations application means the 359  
period of time from the date the criminally injurious conduct 360  
upon which the application is based occurred until the date a 361  
final decision, order, or judgment concerning that original 362  
reparations application or supplemental reparations application 363

is issued. 364

(R) "Terrorism" means any activity to which all of the 365  
following apply: 366

(1) The activity involves a violent act or an act that is 367  
dangerous to human life. 368

(2) The act described in division (R)(1) of this section 369  
is committed within the territorial jurisdiction of the United 370  
States and is a violation of the criminal laws of the United 371  
States, this state, or any other state or the act described in 372  
division (R)(1) of this section is committed outside the 373  
territorial jurisdiction of the United States and would be a 374  
violation of the criminal laws of the United States, this state, 375  
or any other state if committed within the territorial 376  
jurisdiction of the United States. 377

(3) The activity appears to be intended to do any of the 378  
following: 379

(a) Intimidate or coerce a civilian population; 380

(b) Influence the policy of any government by intimidation 381  
or coercion; 382

(c) Affect the conduct of any government by assassination 383  
or kidnapping. 384

(4) The activity occurs primarily outside the territorial 385  
jurisdiction of the United States or transcends the national 386  
boundaries of the United States in terms of the means by which 387  
the activity is accomplished, the person or persons that the 388  
activity appears intended to intimidate or coerce, or the area 389  
or locale in which the perpetrator or perpetrators of the 390  
activity operate or seek asylum. 391

(S) "Transcends the national boundaries of the United 392  
States" means occurring outside the territorial jurisdiction of 393  
the United States in addition to occurring within the 394  
territorial jurisdiction of the United States. 395

(T) "Cost of crime scene cleanup" means any of the 396  
following: 397

(1) The replacement cost for items of clothing removed 398  
from a victim in order to make an assessment of possible 399  
physical harm or to treat physical harm; 400

(2) Reasonable and necessary costs of cleaning the scene 401  
and repairing, for the purpose of personal security, property 402  
damaged at the scene where the criminally injurious conduct 403  
occurred, not to exceed seven hundred fifty dollars in the 404  
aggregate per claim. 405

(U) "Cost of evidence replacement" means costs for 406  
replacement of property confiscated for evidentiary purposes 407  
related to the criminally injurious conduct, not to exceed seven 408  
hundred fifty dollars in the aggregate per claim. 409

(V) "Provider" means any person who provides a victim or 410  
claimant with a product, service, or accommodations that are an 411  
allowable expense or a funeral expense. 412

(W) "Immediate family member" means an individual who 413  
resided in the same permanent household as a victim at the time 414  
of the criminally injurious conduct and who is related to the 415  
victim by affinity or consanguinity. 416

(X) "Family member" means an individual who is related to 417  
a victim by affinity or consanguinity. 418

**Sec. 2903.06.** (A) No person, while operating or 419

participating in the operation of a motor vehicle, motorcycle, 420  
snowmobile, locomotive, watercraft, or aircraft, shall cause the 421  
death of another or the unlawful termination of another's 422  
pregnancy in any of the following ways: 423

(1) (a) As the proximate result of committing a violation 424  
of division (A) of section 4511.19 of the Revised Code or of a 425  
substantially equivalent municipal ordinance; 426

(b) As the proximate result of committing a violation of 427  
division (A) of section 1547.11 of the Revised Code or of a 428  
substantially equivalent municipal ordinance; 429

(c) As the proximate result of committing a violation of 430  
division (A) (3) of section 4561.15 of the Revised Code or of a 431  
substantially equivalent municipal ordinance. 432

(2) In one of the following ways: 433

(a) Recklessly; 434

(b) As the proximate result of committing, while operating 435  
or participating in the operation of a motor vehicle or 436  
motorcycle in a construction zone, a reckless operation offense, 437  
provided that this division applies only if the person whose 438  
death is caused or whose pregnancy is unlawfully terminated is 439  
in the construction zone at the time of the offender's 440  
commission of the reckless operation offense in the construction 441  
zone and does not apply as described in division (F) of this 442  
section. 443

(3) In one of the following ways: 444

(a) Negligently; 445

(b) As the proximate result of committing, while operating 446  
or participating in the operation of a motor vehicle or 447



motorcycle in a construction zone, a speeding offense, provided 448  
that this division applies only if the person whose death is 449  
caused or whose pregnancy is unlawfully terminated is in the 450  
construction zone at the time of the offender's commission of 451  
the speeding offense in the construction zone and does not apply 452  
as described in division (F) of this section. 453

(4) As the proximate result of committing a violation of 454  
any provision of any section contained in Title XLV of the 455  
Revised Code that is a minor misdemeanor or of a municipal 456  
ordinance that, regardless of the penalty set by ordinance for 457  
the violation, is substantially equivalent to any provision of 458  
any section contained in Title XLV of the Revised Code that is a 459  
minor misdemeanor; 460

(5) As the proximate result of recklessly committing a 461  
violation of division (A) of section 4511.75 of the Revised 462  
Code. 463

(B) (1) Whoever violates division (A) (1) ~~or, (2), or (5)~~ of 464  
this section is guilty of aggravated vehicular homicide and 465  
shall be punished as provided in divisions (B) (2) ~~and, (3), and~~ 466  
(4) of this section. 467

(2) (a) Except as otherwise provided in division (B) (2) (b) 468  
or (c) of this section, aggravated vehicular homicide committed 469  
in violation of division (A) (1) of this section is a felony of 470  
the second degree and the court shall impose a mandatory prison 471  
term on the offender as described in division (E) of this 472  
section. 473

(b) Except as otherwise provided in division (B) (2) (c) of 474  
this section, aggravated vehicular homicide committed in 475  
violation of division (A) (1) of this section is a felony of the 476

first degree, and the court shall impose a mandatory prison term 477  
on the offender as described in division (E) of this section, if 478  
any of the following apply: 479

(i) At the time of the offense, the offender was driving 480  
under a suspension or cancellation imposed under Chapter 4510. 481  
or any other provision of the Revised Code or was operating a 482  
motor vehicle or motorcycle, did not have a valid driver's 483  
license, commercial driver's license, temporary instruction 484  
permit, probationary license, or nonresident operating 485  
privilege, and was not eligible for renewal of the offender's 486  
driver's license or commercial driver's license without 487  
examination under section 4507.10 of the Revised Code. 488

(ii) The offender previously has been convicted of or 489  
pleaded guilty to a violation of this section. 490

(iii) The offender previously has been convicted of or 491  
pleaded guilty to any traffic-related homicide, manslaughter, or 492  
assault offense. 493

(c) Aggravated vehicular homicide committed in violation 494  
of division (A) (1) of this section is a felony of the first 495  
degree, and the court shall sentence the offender to a mandatory 496  
prison term as provided in section 2929.142 of the Revised Code 497  
and described in division (E) of this section if any of the 498  
following apply: 499

(i) The offender previously has been convicted of or 500  
pleaded guilty to three or more prior violations of section 501  
4511.19 of the Revised Code or of a substantially equivalent 502  
municipal ordinance within the previous ten years. 503

(ii) The offender previously has been convicted of or 504  
pleaded guilty to three or more prior violations of division (A) 505

of section 1547.11 of the Revised Code or of a substantially 506  
equivalent municipal ordinance within the previous ten years. 507

(iii) The offender previously has been convicted of or 508  
pleaded guilty to three or more prior violations of division (A) 509  
(3) of section 4561.15 of the Revised Code or of a substantially 510  
equivalent municipal ordinance within the previous ten years. 511

(iv) The offender previously has been convicted of or 512  
pleaded guilty to three or more prior violations of division (A) 513  
(1) of this section within the previous ten years. 514

(v) The offender previously has been convicted of or 515  
pleaded guilty to three or more prior violations of division (A) 516  
(1) of section 2903.08 of the Revised Code within the previous 517  
ten years. 518

(vi) The offender previously has been convicted of or 519  
pleaded guilty to three or more prior violations of section 520  
2903.04 of the Revised Code within the previous ten years in 521  
circumstances in which division (D) of that section applied 522  
regarding the violations. 523

(vii) The offender previously has been convicted of or 524  
pleaded guilty to three or more violations of any combination of 525  
the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv), 526  
(v), or (vi) of this section within the previous ten years. 527

(viii) The offender previously has been convicted of or 528  
pleaded guilty to a second or subsequent felony violation of 529  
division (A) of section 4511.19 of the Revised Code. 530

(d) In addition to any other sanctions imposed pursuant to 531  
division (B) (2) (a), (b), or (c) of this section for aggravated 532  
vehicular homicide committed in violation of division (A) (1) of 533  
this section, the court shall impose upon the offender a class 534

one suspension of the offender's driver's license, commercial 535  
driver's license, temporary instruction permit, probationary 536  
license, or nonresident operating privilege as specified in 537  
division (A) (1) of section 4510.02 of the Revised Code. 538

Divisions (A) (1) to (3) of section 4510.54 of the Revised 539  
Code apply to a suspension imposed under division (B) (2) (d) of 540  
this section. 541

(3) Except as otherwise provided in this division, 542  
aggravated vehicular homicide committed in violation of division 543  
(A) (2) of this section is a felony of the third degree. 544  
Aggravated vehicular homicide committed in violation of division 545  
(A) (2) of this section is a felony of the second degree if, at 546  
the time of the offense, ~~the offender was driving under a~~ 547  
~~suspension or cancellation imposed under Chapter 4510. or any~~ 548  
~~other provision of the Revised Code or was operating a motor~~ 549  
~~vehicle or motorcycle, did not have a valid driver's license,~~ 550  
~~commercial driver's license, temporary instruction permit,~~ 551  
~~probationary license, or nonresident operating privilege, and~~ 552  
~~was not eligible for renewal of the offender's driver's license~~ 553  
~~or commercial driver's license without examination under section~~ 554  
~~4507.10 of the Revised Code or if the offender previously has~~ 555  
~~been convicted of or pleaded guilty to a violation of this~~ 556  
~~section or any traffic-related homicide, manslaughter, or~~ 557  
~~assault offense~~ any of the conditions described in division (G) 558  
of this section apply. The court shall impose a mandatory prison 559  
term on the offender when required by division (E) of this 560  
section. 561

In addition to any other sanctions imposed pursuant to 562  
this division for a violation of division (A) (2) of this 563  
section, the court shall impose upon the offender a class two 564

suspension of the offender's driver's license, commercial 565  
driver's license, temporary instruction permit, probationary 566  
license, or nonresident operating privilege from the range 567  
specified in division (A) (2) of section 4510.02 of the Revised 568  
Code or, if the offender previously has been convicted of or 569  
pleaded guilty to a traffic-related murder, felonious assault, 570  
or attempted murder offense, a class one suspension of the 571  
offender's driver's license, commercial driver's license, 572  
temporary instruction permit, probationary license, or 573  
nonresident operating privilege as specified in division (A) (1) 574  
of that section. 575

(4) Except as otherwise provided in this division, 576  
aggravated vehicular homicide committed in violation of division 577  
(A) (5) of this section is a felony of the second degree. 578  
Aggravated vehicular homicide committed in violation of division 579  
(A) (5) of this section is a felony of the first degree if, at 580  
the time of the offense, any of the conditions in division (G) 581  
of this section apply. 582

The court shall impose a mandatory prison term on the 583  
offender for a violation of division (A) (5) of this section when 584  
required by division (E) of this section. 585

In addition to any other sanctions imposed pursuant to 586  
this division for a violation of division (A) (5) of this 587  
section, the court shall impose upon the offender a class one 588  
suspension of the offender's driver's license, commercial 589  
driver's license, temporary instruction permit, probationary 590  
license, or nonresident operating privilege from the range 591  
specified in division (A) (1) of section 4510.02 of the Revised 592  
Code. 593

(C) Whoever violates division (A) (3) of this section is 594

guilty of vehicular homicide. Except as otherwise provided in 595  
this division, vehicular homicide is a misdemeanor of the first 596  
degree. Vehicular homicide committed in violation of division 597  
(A) (3) of this section is a felony of the fourth degree if, at 598  
the time of the offense, ~~the offender was driving under a~~ 599  
~~suspension or cancellation imposed under Chapter 4510. or any~~ 600  
~~other provision of the Revised Code or was operating a motor~~ 601  
~~vehicle or motorcycle, did not have a valid driver's license,~~ 602  
~~commercial driver's license, temporary instruction permit,~~ 603  
~~probationary license, or nonresident operating privilege, and~~ 604  
~~was not eligible for renewal of the offender's driver's license~~ 605  
~~or commercial driver's license without examination under section~~ 606  
~~4507.10 of the Revised Code or if the offender previously has~~ 607  
~~been convicted of or pleaded guilty to a violation of this~~ 608  
~~section or any traffic related homicide, manslaughter, or~~ 609  
~~assault offense~~any of the conditions described in division (G) 610  
of this section apply. The court shall impose a mandatory jail 611  
term or a mandatory prison term on the offender when required by 612  
division (E) of this section. 613

In addition to any other sanctions imposed pursuant to 614  
this division, the court shall impose upon the offender a class 615  
four suspension of the offender's driver's license, commercial 616  
driver's license, temporary instruction permit, probationary 617  
license, or nonresident operating privilege from the range 618  
specified in division (A) (4) of section 4510.02 of the Revised 619  
Code, or, if the offender previously has been convicted of or 620  
pleaded guilty to a violation of this section or any traffic- 621  
related homicide, manslaughter, or assault offense, a class 622  
three suspension of the offender's driver's license, commercial 623  
driver's license, temporary instruction permit, probationary 624  
license, or nonresident operating privilege from the range 625

specified in division (A) (3) of that section, or, if the 626  
offender previously has been convicted of or pleaded guilty to a 627  
traffic-related murder, felonious assault, or attempted murder 628  
offense, a class two suspension of the offender's driver's 629  
license, commercial driver's license, temporary instruction 630  
permit, probationary license, or nonresident operating privilege 631  
as specified in division (A) (2) of that section. 632

(D) Whoever violates division (A) (4) of this section is 633  
guilty of vehicular manslaughter. Except as otherwise provided 634  
in this division, vehicular manslaughter is a misdemeanor of the 635  
second degree. Vehicular manslaughter is a misdemeanor of the 636  
first degree if, at the time of the offense, ~~the offender was~~ 637  
~~driving under a suspension or cancellation imposed under Chapter~~ 638  
~~4510. or any other provision of the Revised Code or was~~ 639  
~~operating a motor vehicle or motorcycle, did not have a valid~~ 640  
~~driver's license, commercial driver's license, temporary~~ 641  
~~instruction permit, probationary license, or nonresident~~ 642  
~~operating privilege, and was not eligible for renewal of the~~ 643  
~~offender's driver's license or commercial driver's license~~ 644  
~~without examination under section 4507.10 of the Revised Code or~~ 645  
~~if the offender previously has been convicted of or pleaded~~ 646  
~~guilty to a violation of this section or any traffic related~~ 647  
~~homicide, manslaughter, or assault offense~~any of the conditions 648  
described in division (G) of this section apply. 649

In addition to any other sanctions imposed pursuant to 650  
this division, the court shall impose upon the offender a class 651  
six suspension of the offender's driver's license, commercial 652  
driver's license, temporary instruction permit, probationary 653  
license, or nonresident operating privilege from the range 654  
specified in division (A) (6) of section 4510.02 of the Revised 655  
Code or, if the offender previously has been convicted of or 656

pleaded guilty to a violation of this section, any traffic- 657  
related homicide, manslaughter, or assault offense, or a 658  
traffic-related murder, felonious assault, or attempted murder 659  
offense, a class four suspension of the offender's driver's 660  
license, commercial driver's license, temporary instruction 661  
permit, probationary license, or nonresident operating privilege 662  
from the range specified in division (A)(4) of that section. 663

(E)(1) The court shall impose a mandatory prison term on 664  
an offender who is convicted of or pleads guilty to a violation 665  
of division (A)(1) of this section. Except as otherwise provided 666  
in this division, the mandatory prison term shall be a definite 667  
term from the range of prison terms provided in division (A)(1) 668  
(b) of section 2929.14 of the Revised Code for a felony of the 669  
first degree or from division (A)(2)(b) of that section for a 670  
felony of the second degree, whichever is applicable, except 671  
that if the violation is committed on or after ~~the effective~~ 672  
~~date of this amendment~~ March 22, 2019, the court shall impose as 673  
the minimum prison term for the offense a mandatory prison term 674  
that is one of the minimum terms prescribed for a felony of the 675  
first degree in division (A)(1)(a) of section 2929.14 of the 676  
Revised Code or one of the terms prescribed for a felony of the 677  
second degree in division (A)(2)(a) of that section, whichever 678  
is applicable. If division (B)(2)(c)(i), (ii), (iii), (iv), (v), 679  
(vi), (vii), or (viii) of this section applies to an offender 680  
who is convicted of or pleads guilty to the violation of 681  
division (A)(1) of this section, the court shall impose the 682  
mandatory prison term pursuant to division (B) of section 683  
2929.142 of the Revised Code. The court shall impose a mandatory 684  
jail term of at least fifteen days on an offender who is 685  
convicted of or pleads guilty to a misdemeanor violation of 686  
division (A)(3)(b) of this section and may impose upon the 687



offender a longer jail term as authorized pursuant to section 688  
2929.24 of the Revised Code. 689

(2) The court shall impose a mandatory prison term on an 690  
offender who is convicted of or pleads guilty to a violation of 691  
division (A) (2) or (3) (a) of this section or a felony violation 692  
of division (A) (3) (b) of this section if either division (E) (2) 693  
(a) or (b) of this section applies. The mandatory prison term 694  
shall be a definite term from the range of prison terms provided 695  
in division ~~(A) (3) (a)~~ (A) (2) (b) of section 2929.14 of the 696  
Revised Code for a felony of the ~~third~~ second degree or from 697  
division (A) (4) of that section for a felony of the fourth 698  
degree, whichever is applicable. However, if the violation is a 699  
felony of the second degree committed on or after March 22, 700  
2019, the court shall impose as the minimum prison term for the 701  
offense a mandatory prison term that is one of the minimum terms 702  
prescribed for a felony of the second degree in division (A) (2) 703  
(a) of section 2929.14 of the Revised Code. The court shall 704  
impose a mandatory prison term on an offender in a category 705  
described in this division if either of the following applies: 706

(a) The offender previously has been convicted of or 707  
pleaded guilty to a violation of this section or section 2903.08 708  
of the Revised Code. 709

(b) At the time of the offense, the offender was driving 710  
under suspension or cancellation under Chapter 4510. or any 711  
other provision of the Revised Code or was operating a motor 712  
vehicle or motorcycle, did not have a valid driver's license, 713  
commercial driver's license, temporary instruction permit, 714  
probationary license, or nonresident operating privilege, and 715  
was not eligible for renewal of the offender's driver's license 716  
or commercial driver's license without examination under section 717

4507.10 of the Revised Code.

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(3) The court shall impose a mandatory prison term on an  
offender who is convicted of or pleads guilty to a violation of  
division (A) (5) of this section if either division (E) (2) (a) or  
(b) of this section applies. The court shall impose as the  
minimum prison term for the offense a mandatory prison term that  
is one of the minimum terms prescribed for a felony of the first  
degree in division (A) (1) (a) of section 2929.14 of the Revised  
Code.

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(F) Divisions (A) (2) (b) and (3) (b) of this section do not  
apply in a particular construction zone unless signs of the type  
described in section 2903.081 of the Revised Code are erected in  
that construction zone in accordance with the guidelines and  
design specifications established by the director of  
transportation under section 5501.27 of the Revised Code. The  
failure to erect signs of the type described in section 2903.081  
of the Revised Code in a particular construction zone in  
accordance with those guidelines and design specifications does  
not limit or affect the application of division (A) (1), (A) (2)  
(a), (A) (3) (a), or (A) (4) of this section in that construction  
zone or the prosecution of any person who violates any of those  
divisions in that construction zone.

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~~(G) (1)~~ (G) The applicable enhanced penalties in divisions  
(B) (3) and (4), (C), and (D) of this section shall be imposed if  
any of the following apply:

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(1) The offender was driving under a suspension or  
cancellation imposed under Chapter 4510. or any other provision  
of the Revised Code.

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(2) The offender was operating a motor vehicle or

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motorcycle, did not have a valid driver's license, commercial 747  
driver's license, temporary instruction permit, probationary 748  
license, or nonresident operating privilege, and was not 749  
eligible for renewal of the offender's driver's license or 750  
commercial driver's license without examination under section 751  
4507.10 of the Revised Code. 752

(3) The offender previously has been convicted of or 753  
pleaded guilty to a violation of this section, any traffic- 754  
related homicide, manslaughter, or assault offense, or any 755  
traffic-related murder, felonious assault, or attempted murder 756  
offense. 757

(4) The offender, in the same course of conduct that 758  
resulted in the violation, also violated section 4549.02, 759  
4549.021, or 4549.03 of the Revised Code. 760

(H) (1) As used in this section: 761

(a) "Mandatory prison term" and "mandatory jail term" have 762  
the same meanings as in section 2929.01 of the Revised Code. 763

(b) "Traffic-related homicide, manslaughter, or assault 764  
offense" means a violation of section 2903.04 of the Revised 765  
Code in circumstances in which division (D) of that section 766  
applies, a violation of section 2903.06~~or~~, 2903.08, or 767  
2903.082 of the Revised Code, or a violation of section 2903.06, 768  
2903.07, or 2903.08 of the Revised Code as they existed prior to 769  
March 23, 2000. 770

(c) "Construction zone" has the same meaning as in section 771  
5501.27 of the Revised Code. 772

(d) "Reckless operation offense" means a violation of 773  
section 4511.20 of the Revised Code or a municipal ordinance 774  
substantially equivalent to section 4511.20 of the Revised Code. 775

(e) "Speeding offense" means a violation of section 776  
4511.21 of the Revised Code or a municipal ordinance pertaining 777  
to speed. 778

(f) "Traffic-related murder, felonious assault, or 779  
attempted murder offense" means a violation of section 2903.01 780  
or 2903.02 of the Revised Code in circumstances in which the 781  
offender used a motor vehicle as the means to commit the 782  
violation, a violation of division (A) (2) of section 2903.11 of 783  
the Revised Code in circumstances in which the deadly weapon 784  
used in the commission of the violation is a motor vehicle, or 785  
an attempt to commit aggravated murder or murder in violation of 786  
section 2923.02 of the Revised Code in circumstances in which 787  
the offender used a motor vehicle as the means to attempt to 788  
commit the aggravated murder or murder. 789

(g) "Motor vehicle" has the same meaning as in section 790  
4501.01 of the Revised Code. 791

(2) For the purposes of this section, when a penalty or 792  
suspension is enhanced because of a prior or current violation 793  
of a specified law or a prior or current specified offense, the 794  
reference to the violation of the specified law or the specified 795  
offense includes any violation of any substantially equivalent 796  
municipal ordinance, former law of this state, or current or 797  
former law of another state or the United States. 798

**Sec. 2903.08.** (A) No person, while operating or 799  
participating in the operation of a motor vehicle, motorcycle, 800  
snowmobile, locomotive, watercraft, or aircraft, shall cause 801  
serious physical harm to another person or another's unborn in 802  
any of the following ways: 803

(1) (a) As the proximate result of committing a violation 804

of division (A) of section 4511.19 of the Revised Code or of a 805  
substantially equivalent municipal ordinance; 806

(b) As the proximate result of committing a violation of 807  
division (A) of section 1547.11 of the Revised Code or of a 808  
substantially equivalent municipal ordinance; 809

(c) As the proximate result of committing a violation of 810  
division (A) (3) of section 4561.15 of the Revised Code or of a 811  
substantially equivalent municipal ordinance. 812

(2) In one of the following ways: 813

(a) As the proximate result of committing, while operating 814  
or participating in the operation of a motor vehicle or 815  
motorcycle in a construction zone, a reckless operation offense, 816  
provided that this division applies only if the person to whom 817  
the serious physical harm is caused or to whose unborn the 818  
serious physical harm is caused is in the construction zone at 819  
the time of the offender's commission of the reckless operation 820  
offense in the construction zone and does not apply as described 821  
in division (E) of this section; 822

(b) Recklessly. 823

(3) As the proximate result of committing, while operating 824  
or participating in the operation of a motor vehicle or 825  
motorcycle in a construction zone, a speeding offense, provided 826  
that this division applies only if the person to whom the 827  
serious physical harm is caused or to whose unborn the serious 828  
physical harm is caused is in the construction zone at the time 829  
of the offender's commission of the speeding offense in the 830  
construction zone and does not apply as described in division 831  
(E) of this section; 832

(4) As the proximate result of recklessly committing a 833

violation of division (A) of section 4511.75 of the Revised 834  
Code. 835

(B) (1) Whoever violates division (A) (1) of this section is 836  
guilty of aggravated vehicular assault. Except as otherwise 837  
provided in this division, aggravated vehicular assault is a 838  
felony of the third degree. Aggravated vehicular assault is a 839  
felony of the second degree if any of the following apply: 840

(a) At the time of the offense, the offender was driving 841  
under a suspension imposed under Chapter 4510. or any other 842  
provision of the Revised Code. 843

(b) The offender previously has been convicted of or 844  
pleaded guilty to a violation of this section. 845

(c) The offender previously has been convicted of or 846  
pleaded guilty to any traffic-related homicide, manslaughter, or 847  
assault offense. 848

(d) The offender previously has been convicted of or 849  
pleaded guilty to three or more prior violations of section 850  
4511.19 of the Revised Code or a substantially equivalent 851  
municipal ordinance within the previous ten years. 852

(e) The offender previously has been convicted of or 853  
pleaded guilty to three or more prior violations of division (A) 854  
of section 1547.11 of the Revised Code or of a substantially 855  
equivalent municipal ordinance within the previous ten years. 856

(f) The offender previously has been convicted of or 857  
pleaded guilty to three or more prior violations of division (A) 858  
(3) of section 4561.15 of the Revised Code or of a substantially 859  
equivalent municipal ordinance within the previous ten years. 860

(g) The offender previously has been convicted of or 861

pleaded guilty to three or more prior violations of any 862  
combination of the offenses listed in division (B) (1) (d), (e), 863  
or (f) of this section. 864

(h) The offender previously has been convicted of or 865  
pleaded guilty to a second or subsequent felony violation of 866  
division (A) of section 4511.19 of the Revised Code. 867

(2) In addition to any other sanctions imposed pursuant to 868  
division (B) (1) of this section, except as otherwise provided in 869  
this division, the court shall impose upon the offender a class 870  
three suspension of the offender's driver's license, commercial 871  
driver's license, temporary instruction permit, probationary 872  
license, or nonresident operating privilege from the range 873  
specified in division (A) (3) of section 4510.02 of the Revised 874  
Code. If the offender previously has been convicted of or 875  
pleaded guilty to a violation of this section, any traffic- 876  
related homicide, manslaughter, or assault offense, or any 877  
traffic-related murder, felonious assault, or attempted murder 878  
offense, the court shall impose either a class two suspension of 879  
the offender's driver's license, commercial driver's license, 880  
temporary instruction permit, probationary license, or 881  
nonresident operating privilege from the range specified in 882  
division (A) (2) of that section or a class one suspension as 883  
specified in division (A) (1) of that section. 884

(C) (1) Whoever violates division (A) (2) ~~or, (3), or (4)~~ of 885  
this section is guilty of vehicular assault and shall be 886  
punished as provided in divisions (C) (2) ~~and, (3), and (4)~~ of 887  
this section. 888

(2) Except as otherwise provided in this division, 889  
vehicular assault committed in violation of division (A) (2) of 890  
this section is a felony of the fourth degree. Vehicular assault 891

committed in violation of division (A) (2) of this section is a 892  
felony of the third degree if, at the time of the offense, ~~the~~ 893  
~~offender was driving under a suspension imposed under Chapter~~ 894  
~~4510. or any other provision of the Revised Code, if the~~ 895  
~~offender previously has been convicted of or pleaded guilty to a~~ 896  
~~violation of this section or any traffic-related homicide,~~ 897  
~~manslaughter, or assault offense, or if, in the same course of~~ 898  
~~conduct that resulted in the violation of division (A) (2) of~~ 899  
~~this section, the offender also violated section 4549.02,~~ 900  
~~4549.021, or 4549.03 of the Revised Code~~ any of the conditions 901  
described in division (F) of this section apply. 902

In addition to any other sanctions imposed, the court 903  
shall impose upon the offender a class four suspension of the 904  
offender's driver's license, commercial driver's license, 905  
temporary instruction permit, probationary license, or 906  
nonresident operating privilege from the range specified in 907  
division (A) (4) of section 4510.02 of the Revised Code or, if 908  
the offender previously has been convicted of or pleaded guilty 909  
to a violation of this section, any traffic-related homicide, 910  
manslaughter, or assault offense, or any traffic-related murder, 911  
felonious assault, or attempted murder offense, a class three 912  
suspension of the offender's driver's license, commercial 913  
driver's license, temporary instruction permit, probationary 914  
license, or nonresident operating privilege from the range 915  
specified in division (A) (3) of that section. 916

(3) Except as otherwise provided in this division, 917  
vehicular assault committed in violation of division (A) (3) of 918  
this section is a misdemeanor of the first degree. Vehicular 919  
assault committed in violation of division (A) (3) of this 920  
section is a felony of the fourth degree if, at the time of the 921  
offense, ~~the offender was driving under a suspension imposed~~ 922



~~under Chapter 4510. or any other provision of the Revised Code~~ 923  
~~or if the offender previously has been convicted of or pleaded~~ 924  
~~guilty to a violation of this section or any traffic-related~~ 925  
~~homicide, manslaughter, or assault offense~~ 926  
any of the conditions 926  
described in division (F) of this section apply. 927

In addition to any other sanctions imposed, the court 928  
shall impose upon the offender a class four suspension of the 929  
offender's driver's license, commercial driver's license, 930  
temporary instruction permit, probationary license, or 931  
nonresident operating privilege from the range specified in 932  
division (A)(4) of section 4510.02 of the Revised Code or, if 933  
the offender previously has been convicted of or pleaded guilty 934  
to a violation of this section, any traffic-related homicide, 935  
manslaughter, or assault offense, or any traffic-related murder, 936  
felonious assault, or attempted murder offense, a class three 937  
suspension of the offender's driver's license, commercial 938  
driver's license, temporary instruction permit, probationary 939  
license, or nonresident operating privilege from the range 940  
specified in division (A)(3) of section 4510.02 of the Revised 941  
Code. 942

(4) Except as otherwise provided in this division, 943  
vehicular assault committed in violation of division (A)(4) of 944  
this section is a felony of the third degree. Vehicular assault 945  
committed in violation of division (A)(4) of this section is a 946  
felony of the second degree if, at the time of the offense, any 947  
of the conditions described in division (F) of this section 948  
apply. 949

In addition to any other sanctions imposed, the court 950  
shall impose upon the offender a class three suspension of the 951  
offender's driver's license, commercial driver's license, 952

temporary instruction permit, probationary license, or 953  
nonresident operating privilege from the range specified in 954  
division (A) (3) of section 4510.02 of the Revised Code or, if 955  
the offender previously has been convicted of or pleaded guilty 956  
to a violation of this section, any traffic-related homicide, 957  
manslaughter, or assault offense, or any traffic-related murder, 958  
felonious assault, or attempted murder offense, a class two 959  
suspension of the offender's driver's license, commercial 960  
driver's license, temporary instruction permit, probationary 961  
license, or nonresident operating privilege from the range 962  
specified in division (A) (2) of that section. 963

(D) (1) The court shall impose a mandatory prison term, as 964  
described in division (D) (4) of this section, on an offender who 965  
is convicted of or pleads guilty to a violation of division (A) 966  
(1) of this section. 967

(2) The court shall impose a mandatory prison term, as 968  
described in division (D) (4) of this section, on an offender who 969  
is convicted of or pleads guilty to a violation of division (A) 970  
(2) or (4) of this section or a felony violation of division (A) 971  
(3) of this section if either of the following applies: 972

(a) The offender previously has been convicted of or 973  
pleaded guilty to a violation of this section or section 2903.06 974  
of the Revised Code. 975

(b) At the time of the offense, the offender was driving 976  
under suspension under Chapter 4510. or any other provision of 977  
the Revised Code. 978

(3) The court shall impose a mandatory jail term of at 979  
least seven days on an offender who is convicted of or pleads 980  
guilty to a misdemeanor violation of division (A) (3) of this 981

section and may impose upon the offender a longer jail term as 982  
authorized pursuant to section 2929.24 of the Revised Code. 983

(4) A mandatory prison term required under division (D) (1) 984  
or (2) of this section shall be a definite term from the range 985  
of prison terms provided in division (A) (2) (b) of section 986  
2929.14 of the Revised Code for a felony of the second degree, 987  
from division (A) (3) (a) of that section for a felony of the 988  
third degree, or from division (A) (4) of that section for a 989  
felony of the fourth degree, whichever is applicable, except 990  
that if the violation is a felony of the second degree committed 991  
on or after ~~the effective date of this amendment~~ March 22, 2019, 992  
the court shall impose as the minimum prison term for the 993  
offense a mandatory prison term that is one of the minimum terms 994  
prescribed for a felony of the second degree in division (A) (2) 995  
(a) of section 2929.14 of the Revised Code. 996

(E) Divisions (A) (2) (a) and (3) of this section do not 997  
apply in a particular construction zone unless signs of the type 998  
described in section 2903.081 of the Revised Code are erected in 999  
that construction zone in accordance with the guidelines and 1000  
design specifications established by the director of 1001  
transportation under section 5501.27 of the Revised Code. The 1002  
failure to erect signs of the type described in section 2903.081 1003  
of the Revised Code in a particular construction zone in 1004  
accordance with those guidelines and design specifications does 1005  
not limit or affect the application of division (A) (1) or (2) (b) 1006  
of this section in that construction zone or the prosecution of 1007  
any person who violates either of those divisions in that 1008  
construction zone. 1009

(F) The applicable enhanced penalties in divisions (C) (2), 1010  
(3), and (4) of this section shall be imposed if any of the 1011

following apply: 1012

(1) The offender was driving under a suspension or 1013  
cancellation imposed under Chapter 4510. or any other provision 1014  
of the Revised Code. 1015

(2) The offender was operating a motor vehicle or 1016  
motorcycle, did not have a valid driver's license, commercial 1017  
driver's license, temporary instruction permit, probationary 1018  
license, or nonresident operating privilege, and was not 1019  
eligible for renewal of the offender's driver's license or 1020  
commercial driver's license without examination under section 1021  
4507.10 of the Revised Code. 1022

(3) The offender previously has been convicted of or 1023  
pleaded guilty to a violation of this section, any traffic- 1024  
related homicide, manslaughter, or assault offense, or any 1025  
traffic-related murder, felonious assault, or attempted murder 1026  
offense. 1027

(4) The offender, in the same course of conduct that 1028  
resulted in the violation, also violated section 4549.02, 1029  
4549.021, or 4549.03 of the Revised Code. 1030

(G) As used in this section: 1031

(1) "Mandatory prison term" and "mandatory jail term" have 1032  
the same meanings as in section 2929.01 of the Revised Code. 1033

(2) "Traffic-related homicide, manslaughter, or assault 1034  
offense" and "traffic-related murder, felonious assault, or 1035  
attempted murder offense" have the same meanings as in section 1036  
2903.06 of the Revised Code. 1037

(3) "Construction zone" has the same meaning as in section 1038  
5501.27 of the Revised Code. 1039

(4) "Reckless operation offense" and "speeding offense" 1040  
have the same meanings as in section 2903.06 of the Revised 1041  
Code. 1042

~~(G)~~ (H) For the purposes of this section, when a penalty 1043  
or suspension is enhanced because of a prior or current 1044  
violation of a specified law or a prior or current specified 1045  
offense, the reference to the violation of the specified law or 1046  
the specified offense includes any violation of any 1047  
substantially equivalent municipal ordinance, former law of this 1048  
state, or current or former law of another state or the United 1049  
States. 1050

Sec. 2903.082. (A) As used in this section, "traffic- 1051  
related homicide, manslaughter, or assault offense" and 1052  
"traffic-related murder, felonious assault, or attempted murder 1053  
offense" have the same meanings as in section 2903.06 of the 1054  
Revised Code. 1055

(B) No person, while operating or participating in the 1056  
operation of a motor vehicle, motorcycle, snowmobile, 1057  
locomotive, watercraft, or aircraft, shall cause physical harm, 1058  
excluding serious physical harm, to another person or another's 1059  
unborn as the proximate result of recklessly committing a 1060  
violation of division (A) of section 4511.75 of the Revised 1061  
Code. 1062

(C) (1) Whoever violates division (B) of this section is 1063  
guilty of vehicular harm. 1064

(2) Except as otherwise provided in division (C) (3) of 1065  
this section, vehicular harm is a felony of the fifth degree. 1066

(3) Vehicular harm is a felony of the fourth degree if, at 1067  
the time of the offense, any of the following conditions apply: 1068

(a) The offender was driving under a suspension or 1069  
cancellation imposed under Chapter 4510. or any other provision 1070  
of the Revised Code. 1071

(b) The offender was operating a motor vehicle or 1072  
motorcycle, did not have a valid driver's license, commercial 1073  
driver's license, temporary instruction permit, probationary 1074  
license, or nonresident operating privilege, and was not 1075  
eligible for renewal of the offender's driver's license or 1076  
commercial driver's license without examination under section 1077  
4507.10 of the Revised Code. 1078

(c) The offender previously has been convicted of or 1079  
pleaded guilty to a violation of this section, any traffic- 1080  
related homicide, manslaughter, or assault offense, or any 1081  
traffic-related murder, felonious assault, or attempted murder 1082  
offense. 1083

(d) The offender, in the same course of conduct that 1084  
resulted in the violation, also violated section 4549.02, 1085  
4549.021, or 4549.03 of the Revised Code. 1086

(D) (1) Except as otherwise provided in division (D) (2) of 1087  
this section, in addition to any other sanctions imposed, the 1088  
court shall impose upon the offender a class five suspension of 1089  
the offender's driver's license, commercial driver's license, 1090  
temporary instruction permit, probationary license, or 1091  
nonresident operating privilege from the range specified in 1092  
division (A) (5) of section 4510.02 of the Revised Code. 1093

(2) The court shall impose a class four suspension of the 1094  
offender's driver's license, commercial driver's license, 1095  
temporary instruction permit, probationary license, or 1096  
nonresident operating privilege from the range specified in 1097

division (A) (4) of section 4510.02 of the Revised Code if the 1098  
offender previously has been convicted of or pleaded guilty to 1099  
any of the following: 1100

(a) A violation of this section; 1101

(b) Any traffic-related homicide, manslaughter, or assault 1102  
offense; 1103

(c) Any traffic-related murder, felonious assault, or 1104  
attempted murder offense. 1105

(E) For the purposes of this section, when a penalty or 1106  
suspension is enhanced because of a prior or current violation 1107  
of a specified law or a prior or current specified offense, the 1108  
reference to the violation of the specified law or the specified 1109  
offense includes any violation of any substantially equivalent 1110  
municipal ordinance, former law of this state, or current or 1111  
former law of another state or the United States. 1112

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 1113  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 1114  
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 1115  
in division (D) (6) of section 2919.25 of the Revised Code and 1116  
except in relation to an offense for which a sentence of death 1117  
or life imprisonment is to be imposed, if the court imposing a 1118  
sentence upon an offender for a felony elects or is required to 1119  
impose a prison term on the offender pursuant to this chapter, 1120  
the court shall impose a prison term that shall be one of the 1121  
following: 1122

(1) (a) For a felony of the first degree committed on or 1123  
after the effective date of this amendment, the prison term 1124  
shall be an indefinite prison term with a stated minimum term 1125  
selected by the court of three, four, five, six, seven, eight, 1126

nine, ten, or eleven years and a maximum term that is determined 1127  
pursuant to section 2929.144 of the Revised Code, except that if 1128  
the section that criminalizes the conduct constituting the 1129  
felony specifies a different minimum term or penalty for the 1130  
offense, the specific language of that section shall control in 1131  
determining the minimum term or otherwise sentencing the 1132  
offender but the minimum term or sentence imposed under that 1133  
specific language shall be considered for purposes of the 1134  
Revised Code as if it had been imposed under this division. 1135

(b) For a felony of the first degree committed prior to 1136  
the effective date of this amendment, the prison term shall be a 1137  
definite prison term of three, four, five, six, seven, eight, 1138  
nine, ten, or eleven years. 1139

(2) (a) For a felony of the second degree committed on or 1140  
after the effective date of this amendment, the prison term 1141  
shall be an indefinite prison term with a stated minimum term 1142  
selected by the court of two, three, four, five, six, seven, or 1143  
eight years and a maximum term that is determined pursuant to 1144  
section 2929.144 of the Revised Code, except that if the section 1145  
that criminalizes the conduct constituting the felony specifies 1146  
a different minimum term or penalty for the offense, the 1147  
specific language of that section shall control in determining 1148  
the minimum term or otherwise sentencing the offender but the 1149  
minimum term or sentence imposed under that specific language 1150  
shall be considered for purposes of the Revised Code as if it 1151  
had been imposed under this division. 1152

(b) For a felony of the second degree committed prior to 1153  
the effective date of this amendment, the prison term shall be a 1154  
definite term of two, three, four, five, six, seven, or eight 1155  
years. 1156



(3) (a) For a felony of the third degree that is a 1157  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 1158  
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 1159  
Code or that is a violation of section 2911.02 or 2911.12 of the 1160  
Revised Code if the offender previously has been convicted of or 1161  
pleaded guilty in two or more separate proceedings to two or 1162  
more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 1163  
of the Revised Code, the prison term shall be a definite term of 1164  
twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, 1165  
forty-eight, fifty-four, or sixty months. 1166

(b) For a felony of the third degree that is not an 1167  
offense for which division (A) (3) (a) of this section applies, 1168  
the prison term shall be a definite term of nine, twelve, 1169  
eighteen, twenty-four, thirty, or thirty-six months. 1170

(4) For a felony of the fourth degree, the prison term 1171  
shall be a definite term of six, seven, eight, nine, ten, 1172  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 1173  
or eighteen months. 1174

(5) For a felony of the fifth degree, the prison term 1175  
shall be a definite term of six, seven, eight, nine, ten, 1176  
eleven, or twelve months. 1177

(B) (1) (a) Except as provided in division (B) (1) (e) of this 1178  
section, if an offender who is convicted of or pleads guilty to 1179  
a felony also is convicted of or pleads guilty to a 1180  
specification of the type described in section 2941.141, 1181  
2941.144, or 2941.145 of the Revised Code, the court shall 1182  
impose on the offender one of the following prison terms: 1183

(i) A prison term of six years if the specification is of 1184  
the type described in division (A) of section 2941.144 of the 1185

Revised Code that charges the offender with having a firearm 1186  
that is an automatic firearm or that was equipped with a firearm 1187  
muffler or suppressor on or about the offender's person or under 1188  
the offender's control while committing the offense; 1189

(ii) A prison term of three years if the specification is 1190  
of the type described in division (A) of section 2941.145 of the 1191  
Revised Code that charges the offender with having a firearm on 1192  
or about the offender's person or under the offender's control 1193  
while committing the offense and displaying the firearm, 1194  
brandishing the firearm, indicating that the offender possessed 1195  
the firearm, or using it to facilitate the offense; 1196

(iii) A prison term of one year if the specification is of 1197  
the type described in division (A) of section 2941.141 of the 1198  
Revised Code that charges the offender with having a firearm on 1199  
or about the offender's person or under the offender's control 1200  
while committing the offense; 1201

(iv) A prison term of nine years if the specification is 1202  
of the type described in division (D) of section 2941.144 of the 1203  
Revised Code that charges the offender with having a firearm 1204  
that is an automatic firearm or that was equipped with a firearm 1205  
muffler or suppressor on or about the offender's person or under 1206  
the offender's control while committing the offense and 1207  
specifies that the offender previously has been convicted of or 1208  
pleaded guilty to a specification of the type described in 1209  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1210  
the Revised Code; 1211

(v) A prison term of fifty-four months if the 1212  
specification is of the type described in division (D) of 1213  
section 2941.145 of the Revised Code that charges the offender 1214  
with having a firearm on or about the offender's person or under 1215

the offender's control while committing the offense and 1216  
displaying the firearm, brandishing the firearm, indicating that 1217  
the offender possessed the firearm, or using the firearm to 1218  
facilitate the offense and that the offender previously has been 1219  
convicted of or pleaded guilty to a specification of the type 1220  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 1221  
2941.1412 of the Revised Code; 1222

(vi) A prison term of eighteen months if the specification 1223  
is of the type described in division (D) of section 2941.141 of 1224  
the Revised Code that charges the offender with having a firearm 1225  
on or about the offender's person or under the offender's 1226  
control while committing the offense and that the offender 1227  
previously has been convicted of or pleaded guilty to a 1228  
specification of the type described in section 2941.141, 1229  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 1230

(b) If a court imposes a prison term on an offender under 1231  
division (B)(1)(a) of this section, the prison term shall not be 1232  
reduced pursuant to section 2967.19, section 2929.20, section 1233  
2967.193, or any other provision of Chapter 2967. or Chapter 1234  
5120. of the Revised Code. Except as provided in division (B)(1) 1235  
(g) of this section, a court shall not impose more than one 1236  
prison term on an offender under division (B)(1)(a) of this 1237  
section for felonies committed as part of the same act or 1238  
transaction. 1239

(c)(i) Except as provided in division (B)(1)(e) of this 1240  
section, if an offender who is convicted of or pleads guilty to 1241  
a violation of section 2923.161 of the Revised Code or to a 1242  
felony that includes, as an essential element, purposely or 1243  
knowingly causing or attempting to cause the death of or 1244  
physical harm to another, also is convicted of or pleads guilty 1245

to a specification of the type described in division (A) of 1246  
section 2941.146 of the Revised Code that charges the offender 1247  
with committing the offense by discharging a firearm from a 1248  
motor vehicle other than a manufactured home, the court, after 1249  
imposing a prison term on the offender for the violation of 1250  
section 2923.161 of the Revised Code or for the other felony 1251  
offense under division (A), (B) (2), or (B) (3) of this section, 1252  
shall impose an additional prison term of five years upon the 1253  
offender that shall not be reduced pursuant to section 2929.20, 1254  
section 2967.19, section 2967.193, or any other provision of 1255  
Chapter 2967. or Chapter 5120. of the Revised Code. 1256

(ii) Except as provided in division (B) (1) (e) of this 1257  
section, if an offender who is convicted of or pleads guilty to 1258  
a violation of section 2923.161 of the Revised Code or to a 1259  
felony that includes, as an essential element, purposely or 1260  
knowingly causing or attempting to cause the death of or 1261  
physical harm to another, also is convicted of or pleads guilty 1262  
to a specification of the type described in division (C) of 1263  
section 2941.146 of the Revised Code that charges the offender 1264  
with committing the offense by discharging a firearm from a 1265  
motor vehicle other than a manufactured home and that the 1266  
offender previously has been convicted of or pleaded guilty to a 1267  
specification of the type described in section 2941.141, 1268  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 1269  
the court, after imposing a prison term on the offender for the 1270  
violation of section 2923.161 of the Revised Code or for the 1271  
other felony offense under division (A), (B) (2), or (3) of this 1272  
section, shall impose an additional prison term of ninety months 1273  
upon the offender that shall not be reduced pursuant to section 1274  
2929.20, 2967.19, 2967.193, or any other provision of Chapter 1275  
2967. or Chapter 5120. of the Revised Code. 1276

(iii) A court shall not impose more than one additional 1277  
prison term on an offender under division (B) (1) (c) of this 1278  
section for felonies committed as part of the same act or 1279  
transaction. If a court imposes an additional prison term on an 1280  
offender under division (B) (1) (c) of this section relative to an 1281  
offense, the court also shall impose a prison term under 1282  
division (B) (1) (a) of this section relative to the same offense, 1283  
provided the criteria specified in that division for imposing an 1284  
additional prison term are satisfied relative to the offender 1285  
and the offense. 1286

(d) If an offender who is convicted of or pleads guilty to 1287  
an offense of violence that is a felony also is convicted of or 1288  
pleads guilty to a specification of the type described in 1289  
section 2941.1411 of the Revised Code that charges the offender 1290  
with wearing or carrying body armor while committing the felony 1291  
offense of violence, the court shall impose on the offender an 1292  
additional prison term of two years. The prison term so imposed, 1293  
subject to divisions (C) to (I) of section 2967.19 of the 1294  
Revised Code, shall not be reduced pursuant to section 2929.20, 1295  
section 2967.19, section 2967.193, or any other provision of 1296  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1297  
shall not impose more than one prison term on an offender under 1298  
division (B) (1) (d) of this section for felonies committed as 1299  
part of the same act or transaction. If a court imposes an 1300  
additional prison term under division (B) (1) (a) or (c) of this 1301  
section, the court is not precluded from imposing an additional 1302  
prison term under division (B) (1) (d) of this section. 1303

(e) The court shall not impose any of the prison terms 1304  
described in division (B) (1) (a) of this section or any of the 1305  
additional prison terms described in division (B) (1) (c) of this 1306  
section upon an offender for a violation of section 2923.12 or 1307

2923.123 of the Revised Code. The court shall not impose any of 1308  
the prison terms described in division (B)(1)(a) or (b) of this 1309  
section upon an offender for a violation of section 2923.122 1310  
that involves a deadly weapon that is a firearm other than a 1311  
dangerous ordnance, section 2923.16, or section 2923.121 of the 1312  
Revised Code. The court shall not impose any of the prison terms 1313  
described in division (B)(1)(a) of this section or any of the 1314  
additional prison terms described in division (B)(1)(c) of this 1315  
section upon an offender for a violation of section 2923.13 of 1316  
the Revised Code unless all of the following apply: 1317

(i) The offender previously has been convicted of 1318  
aggravated murder, murder, or any felony of the first or second 1319  
degree. 1320

(ii) Less than five years have passed since the offender 1321  
was released from prison or post-release control, whichever is 1322  
later, for the prior offense. 1323

(f)(i) If an offender is convicted of or pleads guilty to 1324  
a felony that includes, as an essential element, causing or 1325  
attempting to cause the death of or physical harm to another and 1326  
also is convicted of or pleads guilty to a specification of the 1327  
type described in division (A) of section 2941.1412 of the 1328  
Revised Code that charges the offender with committing the 1329  
offense by discharging a firearm at a peace officer as defined 1330  
in section 2935.01 of the Revised Code or a corrections officer, 1331  
as defined in section 2941.1412 of the Revised Code, the court, 1332  
after imposing a prison term on the offender for the felony 1333  
offense under division (A), (B)(2), or (B)(3) of this section, 1334  
shall impose an additional prison term of seven years upon the 1335  
offender that shall not be reduced pursuant to section 2929.20, 1336  
section 2967.19, section 2967.193, or any other provision of 1337

Chapter 2967. or Chapter 5120. of the Revised Code. 1338

(ii) If an offender is convicted of or pleads guilty to a 1339  
felony that includes, as an essential element, causing or 1340  
attempting to cause the death of or physical harm to another and 1341  
also is convicted of or pleads guilty to a specification of the 1342  
type described in division (B) of section 2941.1412 of the 1343  
Revised Code that charges the offender with committing the 1344  
offense by discharging a firearm at a peace officer, as defined 1345  
in section 2935.01 of the Revised Code, or a corrections 1346  
officer, as defined in section 2941.1412 of the Revised Code, 1347  
and that the offender previously has been convicted of or 1348  
pleaded guilty to a specification of the type described in 1349  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1350  
the Revised Code, the court, after imposing a prison term on the 1351  
offender for the felony offense under division (A), (B) (2), or 1352  
(3) of this section, shall impose an additional prison term of 1353  
one hundred twenty-six months upon the offender that shall not 1354  
be reduced pursuant to section 2929.20, 2967.19, 2967.193, or 1355  
any other provision of Chapter 2967. or 5120. of the Revised 1356  
Code. 1357

(iii) If an offender is convicted of or pleads guilty to 1358  
two or more felonies that include, as an essential element, 1359  
causing or attempting to cause the death or physical harm to 1360  
another and also is convicted of or pleads guilty to a 1361  
specification of the type described under division (B) (1) (f) of 1362  
this section in connection with two or more of the felonies of 1363  
which the offender is convicted or to which the offender pleads 1364  
guilty, the sentencing court shall impose on the offender the 1365  
prison term specified under division (B) (1) (f) of this section 1366  
for each of two of the specifications of which the offender is 1367  
convicted or to which the offender pleads guilty and, in its 1368

discretion, also may impose on the offender the prison term 1369  
specified under that division for any or all of the remaining 1370  
specifications. If a court imposes an additional prison term on 1371  
an offender under division (B) (1) (f) of this section relative to 1372  
an offense, the court shall not impose a prison term under 1373  
division (B) (1) (a) or (c) of this section relative to the same 1374  
offense. 1375

(g) If an offender is convicted of or pleads guilty to two 1376  
or more felonies, if one or more of those felonies are 1377  
aggravated murder, murder, attempted aggravated murder, 1378  
attempted murder, aggravated robbery, felonious assault, or 1379  
rape, and if the offender is convicted of or pleads guilty to a 1380  
specification of the type described under division (B) (1) (a) of 1381  
this section in connection with two or more of the felonies, the 1382  
sentencing court shall impose on the offender the prison term 1383  
specified under division (B) (1) (a) of this section for each of 1384  
the two most serious specifications of which the offender is 1385  
convicted or to which the offender pleads guilty and, in its 1386  
discretion, also may impose on the offender the prison term 1387  
specified under that division for any or all of the remaining 1388  
specifications. 1389

(2) (a) If division (B) (2) (b) of this section does not 1390  
apply, the court may impose on an offender, in addition to the 1391  
longest prison term authorized or required for the offense or, 1392  
for offenses for which division (A) (1) (a) or (2) (a) of this 1393  
section applies, in addition to the longest minimum prison term 1394  
authorized or required for the offense, an additional definite 1395  
prison term of one, two, three, four, five, six, seven, eight, 1396  
nine, or ten years if all of the following criteria are met: 1397

(i) The offender is convicted of or pleads guilty to a 1398



specification of the type described in section 2941.149 of the Revised Code that the offender is a repeat violent offender.

(ii) The offense of which the offender currently is convicted or to which the offender currently pleads guilty is aggravated murder and the court does not impose a sentence of death or life imprisonment without parole, murder, terrorism and the court does not impose a sentence of life imprisonment without parole, any felony of the first degree that is an offense of violence and the court does not impose a sentence of life imprisonment without parole, or any felony of the second degree that is an offense of violence and the trier of fact finds that the offense involved an attempt to cause or a threat to cause serious physical harm to a person or resulted in serious physical harm to a person.

(iii) The court imposes the longest prison term for the offense or the longest minimum prison term for the offense, whichever is applicable, that is not life imprisonment without parole.

(iv) The court finds that the prison terms imposed pursuant to division (B) (2) (a) (iii) of this section and, if applicable, division (B) (1) or (3) of this section are inadequate to punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a greater likelihood of recidivism outweigh the applicable factors under that section indicating a lesser likelihood of recidivism.

(v) The court finds that the prison terms imposed pursuant to division (B) (2) (a) (iii) of this section and, if applicable, division (B) (1) or (3) of this section are demeaning to the seriousness of the offense, because one or more of the factors

under section 2929.12 of the Revised Code indicating that the 1429  
offender's conduct is more serious than conduct normally 1430  
constituting the offense are present, and they outweigh the 1431  
applicable factors under that section indicating that the 1432  
offender's conduct is less serious than conduct normally 1433  
constituting the offense. 1434

(b) The court shall impose on an offender the longest 1435  
prison term authorized or required for the offense or, for 1436  
offenses for which division (A) (1) (a) or (2) (a) of this section 1437  
applies, the longest minimum prison term authorized or required 1438  
for the offense, and shall impose on the offender an additional 1439  
definite prison term of one, two, three, four, five, six, seven, 1440  
eight, nine, or ten years if all of the following criteria are 1441  
met: 1442

(i) The offender is convicted of or pleads guilty to a 1443  
specification of the type described in section 2941.149 of the 1444  
Revised Code that the offender is a repeat violent offender. 1445

(ii) The offender within the preceding twenty years has 1446  
been convicted of or pleaded guilty to three or more offenses 1447  
described in division (CC) (1) of section 2929.01 of the Revised 1448  
Code, including all offenses described in that division of which 1449  
the offender is convicted or to which the offender pleads guilty 1450  
in the current prosecution and all offenses described in that 1451  
division of which the offender previously has been convicted or 1452  
to which the offender previously pleaded guilty, whether 1453  
prosecuted together or separately. 1454

(iii) The offense or offenses of which the offender 1455  
currently is convicted or to which the offender currently pleads 1456  
guilty is aggravated murder and the court does not impose a 1457  
sentence of death or life imprisonment without parole, murder, 1458

terrorism and the court does not impose a sentence of life 1459  
imprisonment without parole, any felony of the first degree that 1460  
is an offense of violence and the court does not impose a 1461  
sentence of life imprisonment without parole, or any felony of 1462  
the second degree that is an offense of violence and the trier 1463  
of fact finds that the offense involved an attempt to cause or a 1464  
threat to cause serious physical harm to a person or resulted in 1465  
serious physical harm to a person. 1466

(c) For purposes of division (B) (2) (b) of this section, 1467  
two or more offenses committed at the same time or as part of 1468  
the same act or event shall be considered one offense, and that 1469  
one offense shall be the offense with the greatest penalty. 1470

(d) A sentence imposed under division (B) (2) (a) or (b) of 1471  
this section shall not be reduced pursuant to section 2929.20, 1472  
section 2967.19, or section 2967.193, or any other provision of 1473  
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 1474  
shall serve an additional prison term imposed under division (B) 1475  
(2) (a) or (b) of this section consecutively to and prior to the 1476  
prison term imposed for the underlying offense. 1477

(e) When imposing a sentence pursuant to division (B) (2) 1478  
(a) or (b) of this section, the court shall state its findings 1479  
explaining the imposed sentence. 1480

(3) Except when an offender commits a violation of section 1481  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 1482  
for the violation is life imprisonment or commits a violation of 1483  
section 2903.02 of the Revised Code, if the offender commits a 1484  
violation of section 2925.03 or 2925.11 of the Revised Code and 1485  
that section classifies the offender as a major drug offender, 1486  
if the offender commits a violation of section 2925.05 of the 1487  
Revised Code and division (E) (1) of that section classifies the 1488

offender as a major drug offender, if the offender commits a 1489  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 1490  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 1491  
division (C) or (D) of section 3719.172, division (E) of section 1492  
4729.51, or division (J) of section 4729.54 of the Revised Code 1493  
that includes the sale, offer to sell, or possession of a 1494  
schedule I or II controlled substance, with the exception of 1495  
marihuana, and the court imposing sentence upon the offender 1496  
finds that the offender is guilty of a specification of the type 1497  
described in division (A) of section 2941.1410 of the Revised 1498  
Code charging that the offender is a major drug offender, if the 1499  
court imposing sentence upon an offender for a felony finds that 1500  
the offender is guilty of corrupt activity with the most serious 1501  
offense in the pattern of corrupt activity being a felony of the 1502  
first degree, or if the offender is guilty of an attempted 1503  
violation of section 2907.02 of the Revised Code and, had the 1504  
offender completed the violation of section 2907.02 of the 1505  
Revised Code that was attempted, the offender would have been 1506  
subject to a sentence of life imprisonment or life imprisonment 1507  
without parole for the violation of section 2907.02 of the 1508  
Revised Code, the court shall impose upon the offender for the 1509  
felony violation a mandatory prison term determined as described 1510  
in this division that, subject to divisions (C) to (I) of 1511  
section 2967.19 of the Revised Code, cannot be reduced pursuant 1512  
to section 2929.20, section 2967.19, or any other provision of 1513  
Chapter 2967. or 5120. of the Revised Code. The mandatory prison 1514  
term shall be the maximum definite prison term prescribed in 1515  
division (A)(1)(b) of this section for a felony of the first 1516  
degree, except that for offenses for which division (A)(1)(a) of 1517  
this section applies, the mandatory prison term shall be the 1518  
longest minimum prison term prescribed in that division for the 1519  
offense. 1520

(4) If the offender is being sentenced for a third or 1521  
fourth degree felony OVI offense under division (G) (2) of 1522  
section 2929.13 of the Revised Code, the sentencing court shall 1523  
impose upon the offender a mandatory prison term in accordance 1524  
with that division. In addition to the mandatory prison term, if 1525  
the offender is being sentenced for a fourth degree felony OVI 1526  
offense, the court, notwithstanding division (A) (4) of this 1527  
section, may sentence the offender to a definite prison term of 1528  
not less than six months and not more than thirty months, and if 1529  
the offender is being sentenced for a third degree felony OVI 1530  
offense, the sentencing court may sentence the offender to an 1531  
additional prison term of any duration specified in division (A) 1532  
(3) of this section. In either case, the additional prison term 1533  
imposed shall be reduced by the sixty or one hundred twenty days 1534  
imposed upon the offender as the mandatory prison term. The 1535  
total of the additional prison term imposed under division (B) 1536  
(4) of this section plus the sixty or one hundred twenty days 1537  
imposed as the mandatory prison term shall equal a definite term 1538  
in the range of six months to thirty months for a fourth degree 1539  
felony OVI offense and shall equal one of the authorized prison 1540  
terms specified in division (A) (3) of this section for a third 1541  
degree felony OVI offense. If the court imposes an additional 1542  
prison term under division (B) (4) of this section, the offender 1543  
shall serve the additional prison term after the offender has 1544  
served the mandatory prison term required for the offense. In 1545  
addition to the mandatory prison term or mandatory and 1546  
additional prison term imposed as described in division (B) (4) 1547  
of this section, the court also may sentence the offender to a 1548  
community control sanction under section 2929.16 or 2929.17 of 1549  
the Revised Code, but the offender shall serve all of the prison 1550  
terms so imposed prior to serving the community control 1551  
sanction. 1552

If the offender is being sentenced for a fourth degree 1553  
felony OVI offense under division (G)(1) of section 2929.13 of 1554  
the Revised Code and the court imposes a mandatory term of local 1555  
incarceration, the court may impose a prison term as described 1556  
in division (A)(1) of that section. 1557

(5) If an offender is convicted of or pleads guilty to a 1558  
violation of division (A)(1) or (2) of section 2903.06 of the 1559  
Revised Code and also is convicted of or pleads guilty to a 1560  
specification of the type described in section 2941.1414 of the 1561  
Revised Code that charges that the victim of the offense is a 1562  
peace officer, as defined in section 2935.01 of the Revised 1563  
Code, or an investigator of the bureau of criminal 1564  
identification and investigation, as defined in section 2903.11 1565  
of the Revised Code, the court shall impose on the offender a 1566  
prison term of five years. If a court imposes a prison term on 1567  
an offender under division (B)(5) of this section, the prison 1568  
term, subject to divisions (C) to (I) of section 2967.19 of the 1569  
Revised Code, shall not be reduced pursuant to section 2929.20, 1570  
section 2967.19, section 2967.193, or any other provision of 1571  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1572  
shall not impose more than one prison term on an offender under 1573  
division (B)(5) of this section for felonies committed as part 1574  
of the same act. 1575

(6) If an offender is convicted of or pleads guilty to a 1576  
violation of division (A)(1) ~~or~~, (2), or (5) of section 2903.06 1577  
of the Revised Code and also is convicted of or pleads guilty to 1578  
a specification of the type described in section 2941.1415 of 1579  
the Revised Code that charges that the offender previously has 1580  
been convicted of or pleaded guilty to three or more violations 1581  
of division (A) or (B) of section 4511.19 of the Revised Code or 1582  
an equivalent offense, as defined in section 2941.1415 of the 1583

Revised Code, or three or more violations of any combination of 1584  
those divisions and offenses, the court shall impose on the 1585  
offender a prison term of three years. If a court imposes a 1586  
prison term on an offender under division (B) (6) of this 1587  
section, the prison term, subject to divisions (C) to (I) of 1588  
section 2967.19 of the Revised Code, shall not be reduced 1589  
pursuant to section 2929.20, section 2967.19, section 2967.193, 1590  
or any other provision of Chapter 2967. or Chapter 5120. of the 1591  
Revised Code. A court shall not impose more than one prison term 1592  
on an offender under division (B) (6) of this section for 1593  
felonies committed as part of the same act. 1594

(7) (a) If an offender is convicted of or pleads guilty to 1595  
a felony violation of section 2905.01, 2905.02, 2907.21, 1596  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 1597  
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 1598  
section 2919.22 of the Revised Code and also is convicted of or 1599  
pleads guilty to a specification of the type described in 1600  
section 2941.1422 of the Revised Code that charges that the 1601  
offender knowingly committed the offense in furtherance of human 1602  
trafficking, the court shall impose on the offender a mandatory 1603  
prison term that is one of the following: 1604

(i) If the offense is a felony of the first degree, a 1605  
definite prison term of not less than five years and not greater 1606  
than eleven years, except that if the offense is a felony of the 1607  
first degree committed on or after the effective date of this 1608  
amendment, the court shall impose as the minimum prison term a 1609  
mandatory term of not less than five years and not greater than 1610  
eleven years; 1611

(ii) If the offense is a felony of the second or third 1612  
degree, a definite prison term of not less than three years and 1613

not greater than the maximum prison term allowed for the offense 1614  
by division (A) (2) (b) or (3) of this section, except that if the 1615  
offense is a felony of the second degree committed on or after 1616  
the effective date of this amendment, the court shall impose as 1617  
the minimum prison term a mandatory term of not less than three 1618  
years and not greater than eight years; 1619

(iii) If the offense is a felony of the fourth or fifth 1620  
degree, a definite prison term that is the maximum prison term 1621  
allowed for the offense by division (A) of section 2929.14 of 1622  
the Revised Code. 1623

(b) Subject to divisions (C) to (I) of section 2967.19 of 1624  
the Revised Code, the prison term imposed under division (B) (7) 1625  
(a) of this section shall not be reduced pursuant to section 1626  
2929.20, section 2967.19, section 2967.193, or any other 1627  
provision of Chapter 2967. of the Revised Code. A court shall 1628  
not impose more than one prison term on an offender under 1629  
division (B) (7) (a) of this section for felonies committed as 1630  
part of the same act, scheme, or plan. 1631

(8) If an offender is convicted of or pleads guilty to a 1632  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1633  
Revised Code and also is convicted of or pleads guilty to a 1634  
specification of the type described in section 2941.1423 of the 1635  
Revised Code that charges that the victim of the violation was a 1636  
woman whom the offender knew was pregnant at the time of the 1637  
violation, notwithstanding the range prescribed in division (A) 1638  
of this section as the definite prison term or minimum prison 1639  
term for felonies of the same degree as the violation, the court 1640  
shall impose on the offender a mandatory prison term that is 1641  
either a definite prison term of six months or one of the prison 1642  
terms prescribed in division (A) of this section for felonies of 1643



the same degree as the violation, except that if the violation 1644  
is a felony of the first or second degree committed on or after 1645  
the effective date of this amendment, the court shall impose as 1646  
the minimum prison term under division (A) (1) (a) or (2) (a) of 1647  
this section a mandatory term that is one of the terms 1648  
prescribed in that division, whichever is applicable, for the 1649  
offense. 1650

(9) (a) If an offender is convicted of or pleads guilty to 1651  
a violation of division (A) (1) or (2) of section 2903.11 of the 1652  
Revised Code and also is convicted of or pleads guilty to a 1653  
specification of the type described in section 2941.1425 of the 1654  
Revised Code, the court shall impose on the offender a mandatory 1655  
prison term of six years if either of the following applies: 1656

(i) The violation is a violation of division (A) (1) of 1657  
section 2903.11 of the Revised Code and the specification 1658  
charges that the offender used an accelerant in committing the 1659  
violation and the serious physical harm to another or to 1660  
another's unborn caused by the violation resulted in a 1661  
permanent, serious disfigurement or permanent, substantial 1662  
incapacity; 1663

(ii) The violation is a violation of division (A) (2) of 1664  
section 2903.11 of the Revised Code and the specification 1665  
charges that the offender used an accelerant in committing the 1666  
violation, that the violation caused physical harm to another or 1667  
to another's unborn, and that the physical harm resulted in a 1668  
permanent, serious disfigurement or permanent, substantial 1669  
incapacity. 1670

(b) If a court imposes a prison term on an offender under 1671  
division (B) (9) (a) of this section, the prison term shall not be 1672  
reduced pursuant to section 2929.20, section 2967.19, section 1673

2967.193, or any other provision of Chapter 2967. or Chapter 1674  
5120. of the Revised Code. A court shall not impose more than 1675  
one prison term on an offender under division (B) (9) of this 1676  
section for felonies committed as part of the same act. 1677

(c) The provisions of divisions (B) (9) and (C) (6) of this 1678  
section and of division (D) (2) of section 2903.11, division (F) 1679  
(20) of section 2929.13, and section 2941.1425 of the Revised 1680  
Code shall be known as "Judy's Law." 1681

(10) If an offender is convicted of or pleads guilty to a 1682  
violation of division (A) of section 2903.11 of the Revised Code 1683  
and also is convicted of or pleads guilty to a specification of 1684  
the type described in section 2941.1426 of the Revised Code that 1685  
charges that the victim of the offense suffered permanent 1686  
disabling harm as a result of the offense and that the victim 1687  
was under ten years of age at the time of the offense, 1688  
regardless of whether the offender knew the age of the victim, 1689  
the court shall impose upon the offender an additional definite 1690  
prison term of six years. A prison term imposed on an offender 1691  
under division (B) (10) of this section shall not be reduced 1692  
pursuant to section 2929.20, section 2967.193, or any other 1693  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 1694  
If a court imposes an additional prison term on an offender 1695  
under this division relative to a violation of division (A) of 1696  
section 2903.11 of the Revised Code, the court shall not impose 1697  
any other additional prison term on the offender relative to the 1698  
same offense. 1699

(11) If an offender is convicted of or pleads guilty to a 1700  
felony violation of section 2925.03 or 2925.05 of the Revised 1701  
Code or a felony violation of section 2925.11 of the Revised 1702  
Code for which division (C) (11) of that section applies in 1703

determining the sentence for the violation, if the drug involved 1704  
in the violation is a fentanyl-related compound or a compound, 1705  
mixture, preparation, or substance containing a fentanyl-related 1706  
compound, and if the offender also is convicted of or pleads 1707  
guilty to a specification of the type described in division (B) 1708  
of section 2941.1410 of the Revised Code that charges that the 1709  
offender is a major drug offender, in addition to any other 1710  
penalty imposed for the violation, the court shall impose on the 1711  
offender a mandatory prison term of three, four, five, six, 1712  
seven, or eight years. If a court imposes a prison term on an 1713  
offender under division (B) (11) of this section, the prison 1714  
term, subject to divisions (C) to (I) of section 2967.19 of the 1715  
Revised Code, shall not be reduced pursuant to section 2929.20, 1716  
2967.19, or 2967.193, or any other provision of Chapter 2967. or 1717  
5120. of the Revised Code. A court shall not impose more than 1718  
one prison term on an offender under division (B) (11) of this 1719  
section for felonies committed as part of the same act. 1720

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1721  
if a mandatory prison term is imposed upon an offender pursuant 1722  
to division (B) (1) (a) of this section for having a firearm on or 1723  
about the offender's person or under the offender's control 1724  
while committing a felony, if a mandatory prison term is imposed 1725  
upon an offender pursuant to division (B) (1) (c) of this section 1726  
for committing a felony specified in that division by 1727  
discharging a firearm from a motor vehicle, or if both types of 1728  
mandatory prison terms are imposed, the offender shall serve any 1729  
mandatory prison term imposed under either division 1730  
consecutively to any other mandatory prison term imposed under 1731  
either division or under division (B) (1) (d) of this section, 1732  
consecutively to and prior to any prison term imposed for the 1733  
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1734

this section or any other section of the Revised Code, and 1735  
consecutively to any other prison term or mandatory prison term 1736  
previously or subsequently imposed upon the offender. 1737

(b) If a mandatory prison term is imposed upon an offender 1738  
pursuant to division (B)(1)(d) of this section for wearing or 1739  
carrying body armor while committing an offense of violence that 1740  
is a felony, the offender shall serve the mandatory term so 1741  
imposed consecutively to any other mandatory prison term imposed 1742  
under that division or under division (B)(1)(a) or (c) of this 1743  
section, consecutively to and prior to any prison term imposed 1744  
for the underlying felony under division (A), (B)(2), or (B)(3) 1745  
of this section or any other section of the Revised Code, and 1746  
consecutively to any other prison term or mandatory prison term 1747  
previously or subsequently imposed upon the offender. 1748

(c) If a mandatory prison term is imposed upon an offender 1749  
pursuant to division (B)(1)(f) of this section, the offender 1750  
shall serve the mandatory prison term so imposed consecutively 1751  
to and prior to any prison term imposed for the underlying 1752  
felony under division (A), (B)(2), or (B)(3) of this section or 1753  
any other section of the Revised Code, and consecutively to any 1754  
other prison term or mandatory prison term previously or 1755  
subsequently imposed upon the offender. 1756

(d) If a mandatory prison term is imposed upon an offender 1757  
pursuant to division (B)(7) or (8) of this section, the offender 1758  
shall serve the mandatory prison term so imposed consecutively 1759  
to any other mandatory prison term imposed under that division 1760  
or under any other provision of law and consecutively to any 1761  
other prison term or mandatory prison term previously or 1762  
subsequently imposed upon the offender. 1763

(e) If a mandatory prison term is imposed upon an offender 1764

pursuant to division (B) (11) of this section, the offender shall 1765  
serve the mandatory prison term consecutively to any other 1766  
mandatory prison term imposed under that division, consecutively 1767  
to and prior to any prison term imposed for the underlying 1768  
felony, and consecutively to any other prison term or mandatory 1769  
prison term previously or subsequently imposed upon the 1770  
offender. 1771

(2) If an offender who is an inmate in a jail, prison, or 1772  
other residential detention facility violates section 2917.02, 1773  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 1774  
(2) of section 2921.34 of the Revised Code, if an offender who 1775  
is under detention at a detention facility commits a felony 1776  
violation of section 2923.131 of the Revised Code, or if an 1777  
offender who is an inmate in a jail, prison, or other 1778  
residential detention facility or is under detention at a 1779  
detention facility commits another felony while the offender is 1780  
an escapee in violation of division (A) (1) or (2) of section 1781  
2921.34 of the Revised Code, any prison term imposed upon the 1782  
offender for one of those violations shall be served by the 1783  
offender consecutively to the prison term or term of 1784  
imprisonment the offender was serving when the offender 1785  
committed that offense and to any other prison term previously 1786  
or subsequently imposed upon the offender. 1787

(3) If a prison term is imposed for a violation of 1788  
division (B) of section 2911.01 of the Revised Code, a violation 1789  
of division (A) of section 2913.02 of the Revised Code in which 1790  
the stolen property is a firearm or dangerous ordnance, or a 1791  
felony violation of division (B) of section 2921.331 of the 1792  
Revised Code, the offender shall serve that prison term 1793  
consecutively to any other prison term or mandatory prison term 1794  
previously or subsequently imposed upon the offender. 1795

(4) If multiple prison terms are imposed on an offender 1796  
for convictions of multiple offenses, the court may require the 1797  
offender to serve the prison terms consecutively if the court 1798  
finds that the consecutive service is necessary to protect the 1799  
public from future crime or to punish the offender and that 1800  
consecutive sentences are not disproportionate to the 1801  
seriousness of the offender's conduct and to the danger the 1802  
offender poses to the public, and if the court also finds any of 1803  
the following: 1804

(a) The offender committed one or more of the multiple 1805  
offenses while the offender was awaiting trial or sentencing, 1806  
was under a sanction imposed pursuant to section 2929.16, 1807  
2929.17, or 2929.18 of the Revised Code, or was under post- 1808  
release control for a prior offense. 1809

(b) At least two of the multiple offenses were committed 1810  
as part of one or more courses of conduct, and the harm caused 1811  
by two or more of the multiple offenses so committed was so 1812  
great or unusual that no single prison term for any of the 1813  
offenses committed as part of any of the courses of conduct 1814  
adequately reflects the seriousness of the offender's conduct. 1815

(c) The offender's history of criminal conduct 1816  
demonstrates that consecutive sentences are necessary to protect 1817  
the public from future crime by the offender. 1818

(5) If a mandatory prison term is imposed upon an offender 1819  
pursuant to division (B) (5) or (6) of this section, the offender 1820  
shall serve the mandatory prison term consecutively to and prior 1821  
to any prison term imposed for the underlying violation of 1822  
division (A) (1) ~~or~~, (2), or (5) of section 2903.06 of the 1823  
Revised Code pursuant to division (A) of this section or section 1824  
2929.142 of the Revised Code. If a mandatory prison term is 1825

imposed upon an offender pursuant to division (B) (5) of this 1826  
section, and if a mandatory prison term also is imposed upon the 1827  
offender pursuant to division (B) (6) of this section in relation 1828  
to the same violation, the offender shall serve the mandatory 1829  
prison term imposed pursuant to division (B) (5) of this section 1830  
consecutively to and prior to the mandatory prison term imposed 1831  
pursuant to division (B) (6) of this section and consecutively to 1832  
and prior to any prison term imposed for the underlying 1833  
violation of division (A) (1) ~~or~~, (2), or (5) of section 2903.06 1834  
of the Revised Code pursuant to division (A) of this section or 1835  
section 2929.142 of the Revised Code. 1836

(6) If a mandatory prison term is imposed on an offender 1837  
pursuant to division (B) (9) of this section, the offender shall 1838  
serve the mandatory prison term consecutively to and prior to 1839  
any prison term imposed for the underlying violation of division 1840  
(A) (1) or (2) of section 2903.11 of the Revised Code and 1841  
consecutively to and prior to any other prison term or mandatory 1842  
prison term previously or subsequently imposed on the offender. 1843

(7) If a mandatory prison term is imposed on an offender 1844  
pursuant to division (B) (10) of this section, the offender shall 1845  
serve that mandatory prison term consecutively to and prior to 1846  
any prison term imposed for the underlying felonious assault. 1847  
Except as otherwise provided in division (C) of this section, 1848  
any other prison term or mandatory prison term previously or 1849  
subsequently imposed upon the offender may be served 1850  
concurrently with, or consecutively to, the prison term imposed 1851  
pursuant to division (B) (10) of this section. 1852

(8) Any prison term imposed for a violation of section 1853  
2903.04 of the Revised Code that is based on a violation of 1854  
section 2925.03 or 2925.11 of the Revised Code or on a violation 1855

of section 2925.05 of the Revised Code that is not funding of 1856  
marihuana trafficking shall run consecutively to any prison term 1857  
imposed for the violation of section 2925.03 or 2925.11 of the 1858  
Revised Code or for the violation of section 2925.05 of the 1859  
Revised Code that is not funding of marihuana trafficking. 1860

(9) When consecutive prison terms are imposed pursuant to 1861  
division (C) (1), (2), (3), (4), (5), (6), (7), or (8) or 1862  
division (H) (1) or (2) of this section, subject to division (C) 1863  
(10) of this section, the term to be served is the aggregate of 1864  
all of the terms so imposed. 1865

(10) When a court sentences an offender to a non-life 1866  
felony indefinite prison term, any definite prison term or 1867  
mandatory definite prison term previously or subsequently 1868  
imposed on the offender in addition to that indefinite sentence 1869  
that is required to be served consecutively to that indefinite 1870  
sentence shall be served prior to the indefinite sentence. 1871

(11) If a court is sentencing an offender for a felony of 1872  
the first or second degree, if division (A) (1) (a) or (2) (a) of 1873  
this section applies with respect to the sentencing for the 1874  
offense, and if the court is required under the Revised Code 1875  
section that sets forth the offense or any other Revised Code 1876  
provision to impose a mandatory prison term for the offense, the 1877  
court shall impose the required mandatory prison term as the 1878  
minimum term imposed under division (A) (1) (a) or (2) (a) of this 1879  
section, whichever is applicable. 1880

(D) (1) If a court imposes a prison term, other than a term 1881  
of life imprisonment, for a felony of the first degree, for a 1882  
felony of the second degree, for a felony sex offense, or for a 1883  
felony of the third degree that is an offense of violence and 1884  
that is not a felony sex offense, it shall include in the 1885



sentence a requirement that the offender be subject to a period 1886  
of post-release control after the offender's release from 1887  
imprisonment, in accordance with section 2967.28 of the Revised 1888  
Code. If a court imposes a sentence including a prison term of a 1889  
type described in this division on or after July 11, 2006, the 1890  
failure of a court to include a post-release control requirement 1891  
in the sentence pursuant to this division does not negate, 1892  
limit, or otherwise affect the mandatory period of post-release 1893  
control that is required for the offender under division (B) of 1894  
section 2967.28 of the Revised Code. Section 2929.191 of the 1895  
Revised Code applies if, prior to July 11, 2006, a court imposed 1896  
a sentence including a prison term of a type described in this 1897  
division and failed to include in the sentence pursuant to this 1898  
division a statement regarding post-release control. 1899

(2) If a court imposes a prison term for a felony of the 1900  
third, fourth, or fifth degree that is not subject to division 1901  
(D) (1) of this section, it shall include in the sentence a 1902  
requirement that the offender be subject to a period of post- 1903  
release control after the offender's release from imprisonment, 1904  
in accordance with that division, if the parole board determines 1905  
that a period of post-release control is necessary. Section 1906  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1907  
a court imposed a sentence including a prison term of a type 1908  
described in this division and failed to include in the sentence 1909  
pursuant to this division a statement regarding post-release 1910  
control. 1911

(E) The court shall impose sentence upon the offender in 1912  
accordance with section 2971.03 of the Revised Code, and Chapter 1913  
2971. of the Revised Code applies regarding the prison term or 1914  
term of life imprisonment without parole imposed upon the 1915  
offender and the service of that term of imprisonment if any of 1916

the following apply: 1917

(1) A person is convicted of or pleads guilty to a violent 1918  
sex offense or a designated homicide, assault, or kidnapping 1919  
offense, and, in relation to that offense, the offender is 1920  
adjudicated a sexually violent predator. 1921

(2) A person is convicted of or pleads guilty to a 1922  
violation of division (A) (1) (b) of section 2907.02 of the 1923  
Revised Code committed on or after January 2, 2007, and either 1924  
the court does not impose a sentence of life without parole when 1925  
authorized pursuant to division (B) of section 2907.02 of the 1926  
Revised Code, or division (B) of section 2907.02 of the Revised 1927  
Code provides that the court shall not sentence the offender 1928  
pursuant to section 2971.03 of the Revised Code. 1929

(3) A person is convicted of or pleads guilty to attempted 1930  
rape committed on or after January 2, 2007, and a specification 1931  
of the type described in section 2941.1418, 2941.1419, or 1932  
2941.1420 of the Revised Code. 1933

(4) A person is convicted of or pleads guilty to a 1934  
violation of section 2905.01 of the Revised Code committed on or 1935  
after January 1, 2008, and that section requires the court to 1936  
sentence the offender pursuant to section 2971.03 of the Revised 1937  
Code. 1938

(5) A person is convicted of or pleads guilty to 1939  
aggravated murder committed on or after January 1, 2008, and 1940  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1941  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1942  
(d) of section 2929.03, or division (A) or (B) of section 1943  
2929.06 of the Revised Code requires the court to sentence the 1944  
offender pursuant to division (B) (3) of section 2971.03 of the 1945

Revised Code. 1946

(6) A person is convicted of or pleads guilty to murder 1947  
committed on or after January 1, 2008, and division (B) (2) of 1948  
section 2929.02 of the Revised Code requires the court to 1949  
sentence the offender pursuant to section 2971.03 of the Revised 1950  
Code. 1951

(F) If a person who has been convicted of or pleaded 1952  
guilty to a felony is sentenced to a prison term or term of 1953  
imprisonment under this section, sections 2929.02 to 2929.06 of 1954  
the Revised Code, section 2929.142 of the Revised Code, section 1955  
2971.03 of the Revised Code, or any other provision of law, 1956  
section 5120.163 of the Revised Code applies regarding the 1957  
person while the person is confined in a state correctional 1958  
institution. 1959

(G) If an offender who is convicted of or pleads guilty to 1960  
a felony that is an offense of violence also is convicted of or 1961  
pleads guilty to a specification of the type described in 1962  
section 2941.142 of the Revised Code that charges the offender 1963  
with having committed the felony while participating in a 1964  
criminal gang, the court shall impose upon the offender an 1965  
additional prison term of one, two, or three years. 1966

(H) (1) If an offender who is convicted of or pleads guilty 1967  
to aggravated murder, murder, or a felony of the first, second, 1968  
or third degree that is an offense of violence also is convicted 1969  
of or pleads guilty to a specification of the type described in 1970  
section 2941.143 of the Revised Code that charges the offender 1971  
with having committed the offense in a school safety zone or 1972  
towards a person in a school safety zone, the court shall impose 1973  
upon the offender an additional prison term of two years. The 1974  
offender shall serve the additional two years consecutively to 1975

and prior to the prison term imposed for the underlying offense. 1976

(2) (a) If an offender is convicted of or pleads guilty to 1977  
a felony violation of section 2907.22, 2907.24, 2907.241, or 1978  
2907.25 of the Revised Code and to a specification of the type 1979  
described in section 2941.1421 of the Revised Code and if the 1980  
court imposes a prison term on the offender for the felony 1981  
violation, the court may impose upon the offender an additional 1982  
prison term as follows: 1983

(i) Subject to division (H) (2) (a) (ii) of this section, an 1984  
additional prison term of one, two, three, four, five, or six 1985  
months; 1986

(ii) If the offender previously has been convicted of or 1987  
pleaded guilty to one or more felony or misdemeanor violations 1988  
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1989  
the Revised Code and also was convicted of or pleaded guilty to 1990  
a specification of the type described in section 2941.1421 of 1991  
the Revised Code regarding one or more of those violations, an 1992  
additional prison term of one, two, three, four, five, six, 1993  
seven, eight, nine, ten, eleven, or twelve months. 1994

(b) In lieu of imposing an additional prison term under 1995  
division (H) (2) (a) of this section, the court may directly 1996  
impose on the offender a sanction that requires the offender to 1997  
wear a real-time processing, continual tracking electronic 1998  
monitoring device during the period of time specified by the 1999  
court. The period of time specified by the court shall equal the 2000  
duration of an additional prison term that the court could have 2001  
imposed upon the offender under division (H) (2) (a) of this 2002  
section. A sanction imposed under this division shall commence 2003  
on the date specified by the court, provided that the sanction 2004  
shall not commence until after the offender has served the 2005

prison term imposed for the felony violation of section 2907.22, 2006  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 2007  
residential sanction imposed for the violation under section 2008  
2929.16 of the Revised Code. A sanction imposed under this 2009  
division shall be considered to be a community control sanction 2010  
for purposes of section 2929.15 of the Revised Code, and all 2011  
provisions of the Revised Code that pertain to community control 2012  
sanctions shall apply to a sanction imposed under this division, 2013  
except to the extent that they would by their nature be clearly 2014  
inapplicable. The offender shall pay all costs associated with a 2015  
sanction imposed under this division, including the cost of the 2016  
use of the monitoring device. 2017

(I) At the time of sentencing, the court may recommend the 2018  
offender for placement in a program of shock incarceration under 2019  
section 5120.031 of the Revised Code or for placement in an 2020  
intensive program prison under section 5120.032 of the Revised 2021  
Code, disapprove placement of the offender in a program of shock 2022  
incarceration or an intensive program prison of that nature, or 2023  
make no recommendation on placement of the offender. In no case 2024  
shall the department of rehabilitation and correction place the 2025  
offender in a program or prison of that nature unless the 2026  
department determines as specified in section 5120.031 or 2027  
5120.032 of the Revised Code, whichever is applicable, that the 2028  
offender is eligible for the placement. 2029

If the court disapproves placement of the offender in a 2030  
program or prison of that nature, the department of 2031  
rehabilitation and correction shall not place the offender in 2032  
any program of shock incarceration or intensive program prison. 2033

If the court recommends placement of the offender in a 2034  
program of shock incarceration or in an intensive program 2035

prison, and if the offender is subsequently placed in the 2036  
recommended program or prison, the department shall notify the 2037  
court of the placement and shall include with the notice a brief 2038  
description of the placement. 2039

If the court recommends placement of the offender in a 2040  
program of shock incarceration or in an intensive program prison 2041  
and the department does not subsequently place the offender in 2042  
the recommended program or prison, the department shall send a 2043  
notice to the court indicating why the offender was not placed 2044  
in the recommended program or prison. 2045

If the court does not make a recommendation under this 2046  
division with respect to an offender and if the department 2047  
determines as specified in section 5120.031 or 5120.032 of the 2048  
Revised Code, whichever is applicable, that the offender is 2049  
eligible for placement in a program or prison of that nature, 2050  
the department shall screen the offender and determine if there 2051  
is an available program of shock incarceration or an intensive 2052  
program prison for which the offender is suited. If there is an 2053  
available program of shock incarceration or an intensive program 2054  
prison for which the offender is suited, the department shall 2055  
notify the court of the proposed placement of the offender as 2056  
specified in section 5120.031 or 5120.032 of the Revised Code 2057  
and shall include with the notice a brief description of the 2058  
placement. The court shall have ten days from receipt of the 2059  
notice to disapprove the placement. 2060

(J) If a person is convicted of or pleads guilty to 2061  
aggravated vehicular homicide in violation of division (A) (1) of 2062  
section 2903.06 of the Revised Code and division (B) (2) (c) of 2063  
that section applies, the person shall be sentenced pursuant to 2064  
section 2929.142 of the Revised Code. 2065

(K) (1) The court shall impose an additional mandatory 2066  
prison term of two, three, four, five, six, seven, eight, nine, 2067  
ten, or eleven years on an offender who is convicted of or 2068  
pleads guilty to a violent felony offense if the offender also 2069  
is convicted of or pleads guilty to a specification of the type 2070  
described in section 2941.1424 of the Revised Code that charges 2071  
that the offender is a violent career criminal and had a firearm 2072  
on or about the offender's person or under the offender's 2073  
control while committing the presently charged violent felony 2074  
offense and displayed or brandished the firearm, indicated that 2075  
the offender possessed a firearm, or used the firearm to 2076  
facilitate the offense. The offender shall serve the prison term 2077  
imposed under this division consecutively to and prior to the 2078  
prison term imposed for the underlying offense. The prison term 2079  
shall not be reduced pursuant to section 2929.20 or 2967.19 or 2080  
any other provision of Chapter 2967. or 5120. of the Revised 2081  
Code. A court may not impose more than one sentence under 2082  
division (B) (2) (a) of this section and this division for acts 2083  
committed as part of the same act or transaction. 2084

(2) As used in division (K) (1) of this section, "violent 2085  
career criminal" and "violent felony offense" have the same 2086  
meanings as in section 2923.132 of the Revised Code. 2087

**Sec. 4510.17.** (A) The registrar of motor vehicles shall 2088  
impose a class D suspension of the person's driver's license, 2089  
commercial driver's license, temporary instruction permit, 2090  
probationary license, or nonresident operating privilege for the 2091  
period of time specified in division (B) (4) of section 4510.02 2092  
of the Revised Code on any person who is a resident of this 2093  
state and is convicted of or pleads guilty to a violation of a 2094  
statute of any other state or any federal statute that is 2095  
substantially similar to section 2925.02, 2925.03, 2925.04, 2096

2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2097  
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2098  
2925.37 of the Revised Code. Upon receipt of a report from a 2099  
court, court clerk, or other official of any other state or from 2100  
any federal authority that a resident of this state was 2101  
convicted of or pleaded guilty to an offense described in this 2102  
division, the registrar shall send a notice by regular first 2103  
class mail to the person, at the person's last known address as 2104  
shown in the records of the bureau of motor vehicles, informing 2105  
the person of the suspension, that the suspension will take 2106  
effect twenty-one days from the date of the notice, and that, if 2107  
the person wishes to appeal the suspension or denial, the person 2108  
must file a notice of appeal within twenty-one days of the date 2109  
of the notice requesting a hearing on the matter. If the person 2110  
requests a hearing, the registrar shall hold the hearing not 2111  
more than forty days after receipt by the registrar of the 2112  
notice of appeal. The filing of a notice of appeal does not stay 2113  
the operation of the suspension that must be imposed pursuant to 2114  
this division. The scope of the hearing shall be limited to 2115  
whether the person actually was convicted of or pleaded guilty 2116  
to the offense for which the suspension is to be imposed. 2117

The suspension the registrar is required to impose under 2118  
this division shall end either on the last day of the class D 2119  
suspension period or of the suspension of the person's 2120  
nonresident operating privilege imposed by the state or federal 2121  
court, whichever is earlier. 2122

The registrar shall subscribe to or otherwise participate 2123  
in any information system or register, or enter into reciprocal 2124  
and mutual agreements with other states and federal authorities, 2125  
in order to facilitate the exchange of information with other 2126  
states and the United States government regarding persons who 2127



plead guilty to or are convicted of offenses described in this 2128  
division and therefore are subject to the suspension or denial 2129  
described in this division. 2130

(B) The registrar shall impose a class D suspension of the 2131  
person's driver's license, commercial driver's license, 2132  
temporary instruction permit, probationary license, or 2133  
nonresident operating privilege for the period of time specified 2134  
in division (B) (4) of section 4510.02 of the Revised Code on any 2135  
person who is a resident of this state and is convicted of or 2136  
pleads guilty to a violation of a statute of any other state or 2137  
a municipal ordinance of a municipal corporation located in any 2138  
other state that is substantially similar to section 4511.19 of 2139  
the Revised Code. Upon receipt of a report from another state 2140  
made pursuant to section 4510.61 of the Revised Code indicating 2141  
that a resident of this state was convicted of or pleaded guilty 2142  
to an offense described in this division, the registrar shall 2143  
send a notice by regular first class mail to the person, at the 2144  
person's last known address as shown in the records of the 2145  
bureau of motor vehicles, informing the person of the 2146  
suspension, that the suspension or denial will take effect 2147  
twenty-one days from the date of the notice, and that, if the 2148  
person wishes to appeal the suspension, the person must file a 2149  
notice of appeal within twenty-one days of the date of the 2150  
notice requesting a hearing on the matter. If the person 2151  
requests a hearing, the registrar shall hold the hearing not 2152  
more than forty days after receipt by the registrar of the 2153  
notice of appeal. The filing of a notice of appeal does not stay 2154  
the operation of the suspension that must be imposed pursuant to 2155  
this division. The scope of the hearing shall be limited to 2156  
whether the person actually was convicted of or pleaded guilty 2157  
to the offense for which the suspension is to be imposed. 2158

The suspension the registrar is required to impose under 2159  
this division shall end either on the last day of the class D 2160  
suspension period or of the suspension of the person's 2161  
nonresident operating privilege imposed by the state or federal 2162  
court, whichever is earlier. 2163

(C) The registrar shall impose a class D suspension of the 2164  
child's driver's license, commercial driver's license, temporary 2165  
instruction permit, or nonresident operating privilege for the 2166  
period of time specified in division (B) (4) of section 4510.02 2167  
of the Revised Code on any child who is a resident of this state 2168  
and is convicted of or pleads guilty to a violation of a statute 2169  
of any other state or any federal statute that is substantially 2170  
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2171  
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 2172  
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 2173  
Code. Upon receipt of a report from a court, court clerk, or 2174  
other official of any other state or from any federal authority 2175  
that a child who is a resident of this state was convicted of or 2176  
pleaded guilty to an offense described in this division, the 2177  
registrar shall send a notice by regular first class mail to the 2178  
child, at the child's last known address as shown in the records 2179  
of the bureau of motor vehicles, informing the child of the 2180  
suspension, that the suspension or denial will take effect 2181  
twenty-one days from the date of the notice, and that, if the 2182  
child wishes to appeal the suspension, the child must file a 2183  
notice of appeal within twenty-one days of the date of the 2184  
notice requesting a hearing on the matter. If the child requests 2185  
a hearing, the registrar shall hold the hearing not more than 2186  
forty days after receipt by the registrar of the notice of 2187  
appeal. The filing of a notice of appeal does not stay the 2188  
operation of the suspension that must be imposed pursuant to 2189

this division. The scope of the hearing shall be limited to 2190  
whether the child actually was convicted of or pleaded guilty to 2191  
the offense for which the suspension is to be imposed. 2192

The suspension the registrar is required to impose under 2193  
this division shall end either on the last day of the class D 2194  
suspension period or of the suspension of the child's 2195  
nonresident operating privilege imposed by the state or federal 2196  
court, whichever is earlier. If the child is a resident of this 2197  
state who is sixteen years of age or older and does not have a 2198  
current, valid Ohio driver's or commercial driver's license or 2199  
permit, the notice shall inform the child that the child will be 2200  
denied issuance of a driver's or commercial driver's license or 2201  
permit for six months beginning on the date of the notice. If 2202  
the child has not attained the age of sixteen years on the date 2203  
of the notice, the notice shall inform the child that the period 2204  
of denial of six months shall commence on the date the child 2205  
attains the age of sixteen years. 2206

The registrar shall subscribe to or otherwise participate 2207  
in any information system or register, or enter into reciprocal 2208  
and mutual agreements with other states and federal authorities, 2209  
in order to facilitate the exchange of information with other 2210  
states and the United States government regarding children who 2211  
are residents of this state and plead guilty to or are convicted 2212  
of offenses described in this division and therefore are subject 2213  
to the suspension or denial described in this division. 2214

(D) The registrar shall impose a class D suspension of the 2215  
child's driver's license, commercial driver's license, temporary 2216  
instruction permit, probationary license, or nonresident 2217  
operating privilege for the period of time specified in division 2218  
(B) (4) of section 4510.02 of the Revised Code on any child who 2219

is a resident of this state and is convicted of or pleads guilty 2220  
to a violation of a statute of any other state or a municipal 2221  
ordinance of a municipal corporation located in any other state 2222  
that is substantially similar to section 4511.19 of the Revised 2223  
Code. Upon receipt of a report from another state made pursuant 2224  
to section 4510.61 of the Revised Code indicating that a child 2225  
who is a resident of this state was convicted of or pleaded 2226  
guilty to an offense described in this division, the registrar 2227  
shall send a notice by regular first class mail to the child, at 2228  
the child's last known address as shown in the records of the 2229  
bureau of motor vehicles, informing the child of the suspension, 2230  
that the suspension will take effect twenty-one days from the 2231  
date of the notice, and that, if the child wishes to appeal the 2232  
suspension, the child must file a notice of appeal within 2233  
twenty-one days of the date of the notice requesting a hearing 2234  
on the matter. If the child requests a hearing, the registrar 2235  
shall hold the hearing not more than forty days after receipt by 2236  
the registrar of the notice of appeal. The filing of a notice of 2237  
appeal does not stay the operation of the suspension that must 2238  
be imposed pursuant to this division. The scope of the hearing 2239  
shall be limited to whether the child actually was convicted of 2240  
or pleaded guilty to the offense for which the suspension is to 2241  
be imposed. 2242

The suspension the registrar is required to impose under 2243  
this division shall end either on the last day of the class D 2244  
suspension period or of the suspension of the child's 2245  
nonresident operating privilege imposed by the state or federal 2246  
court, whichever is earlier. If the child is a resident of this 2247  
state who is sixteen years of age or older and does not have a 2248  
current, valid Ohio driver's or commercial driver's license or 2249  
permit, the notice shall inform the child that the child will be 2250

denied issuance of a driver's or commercial driver's license or 2251  
permit for six months beginning on the date of the notice. If 2252  
the child has not attained the age of sixteen years on the date 2253  
of the notice, the notice shall inform the child that the period 2254  
of denial of six months shall commence on the date the child 2255  
attains the age of sixteen years. 2256

(E) (1) Any person whose license or permit has been 2257  
suspended pursuant to this section may file a petition in the 2258  
municipal or county court, or in case the person is under 2259  
eighteen years of age, the juvenile court, in whose jurisdiction 2260  
the person resides, requesting limited driving privileges and 2261  
agreeing to pay the cost of the proceedings. Except as provided 2262  
in division (E) (2) or (3) of this section, the judge may grant 2263  
the person limited driving privileges during the period during 2264  
which the suspension otherwise would be imposed for any of the 2265  
purposes set forth in division (A) of section 4510.021 of the 2266  
Revised Code. 2267

(2) No judge shall grant limited driving privileges for 2268  
employment as a driver of a commercial motor vehicle to any 2269  
person who would be disqualified from operating a commercial 2270  
motor vehicle under section 4506.16 of the Revised Code if the 2271  
violation had occurred in this state. Further, no judge shall 2272  
grant limited driving privileges during any of the following 2273  
periods of time: 2274

(a) The first fifteen days of a suspension under division 2275  
(B) or (D) of this section, if the person has not been convicted 2276  
within ten years of the date of the offense giving rise to the 2277  
suspension under this section of a violation of any of the 2278  
following: 2279

(i) Section 4511.19 of the Revised Code, or a municipal 2280

ordinance relating to operating a vehicle while under the 2281  
influence of alcohol, a drug of abuse, or alcohol and a drug of 2282  
abuse; 2283

(ii) A municipal ordinance relating to operating a motor 2284  
vehicle with a prohibited concentration of alcohol, a controlled 2285  
substance, or a metabolite of a controlled substance in the 2286  
whole blood, blood serum or plasma, breath, or urine; 2287

(iii) Section 2903.04 of the Revised Code in a case in 2288  
which the person was subject to the sanctions described in 2289  
division (D) of that section; 2290

(iv) Division (A)(1) of section 2903.06 or division (A)(1) 2291  
of section 2903.08 of the Revised Code or a municipal ordinance 2292  
that is substantially similar to either of those divisions; 2293

(v) Division (A)(2), (3), ~~or~~, (4), or (5) of section 2294  
2903.06, division (A)(2) or (4) of section 2903.08, or as it 2295  
existed prior to March 23, 2000, section 2903.07 of the Revised 2296  
Code, or a municipal ordinance that is substantially similar to 2297  
any of those divisions or that former section, in a case in 2298  
which the jury or judge found that the person was under the 2299  
influence of alcohol, a drug of abuse, or alcohol and a drug of 2300  
abuse. 2301

(b) The first thirty days of a suspension under division 2302  
(B) or (D) of this section, if the person has been convicted one 2303  
time within ten years of the date of the offense giving rise to 2304  
the suspension under this section of any violation identified in 2305  
division (E)(1)(a) of this section. 2306

(c) The first one hundred eighty days of a suspension 2307  
under division (B) or (D) of this section, if the person has 2308  
been convicted two times within ten years of the date of the 2309

offense giving rise to the suspension under this section of any 2310  
violation identified in division (E) (1) (a) of this section. 2311

(3) No limited driving privileges may be granted if the 2312  
person has been convicted three or more times within five years 2313  
of the date of the offense giving rise to a suspension under 2314  
division (B) or (D) of this section of any violation identified 2315  
in division (E) (1) (a) of this section. 2316

(4) In accordance with section 4510.022 of the Revised 2317  
Code, a person may petition for, and a judge may grant, 2318  
unlimited driving privileges with a certified ignition interlock 2319  
device during the period of suspension imposed under division 2320  
(B) or (D) of this section to a person described in division (E) 2321  
(2) (a) of this section. 2322

(5) If a person petitions for limited driving privileges 2323  
under division (E) (1) of this section or unlimited driving 2324  
privileges with a certified ignition interlock device as 2325  
provided in division (E) (4) of this section, the registrar shall 2326  
be represented by the county prosecutor of the county in which 2327  
the person resides if the petition is filed in a juvenile court 2328  
or county court, except that if the person resides within a city 2329  
or village that is located within the jurisdiction of the county 2330  
in which the petition is filed, the city director of law or 2331  
village solicitor of that city or village shall represent the 2332  
registrar. If the petition is filed in a municipal court, the 2333  
registrar shall be represented as provided in section 1901.34 of 2334  
the Revised Code. 2335

(6) (a) In issuing an order granting limited driving 2336  
privileges under division (E) (1) of this section, the court may 2337  
impose any condition it considers reasonable and necessary to 2338  
limit the use of a vehicle by the person. The court shall 2339

deliver to the person a copy of the order setting forth the 2340  
time, place, and other conditions limiting the person's use of a 2341  
motor vehicle. Unless division (E) (6) (b) of this section 2342  
applies, the grant of limited driving privileges shall be 2343  
conditioned upon the person's having the order in the person's 2344  
possession at all times during which the person is operating a 2345  
vehicle. 2346

(b) If, under the order, the court requires the use of an 2347  
immobilizing or disabling device as a condition of the grant of 2348  
limited or unlimited driving privileges, the person shall 2349  
present to the registrar or to a deputy registrar the copy of 2350  
the order granting limited driving privileges and a certificate 2351  
affirming the installation of an immobilizing or disabling 2352  
device that is in a form established by the director of public 2353  
safety and is signed by the person who installed the device. 2354  
Upon presentation of the order and the certificate to the 2355  
registrar or a deputy registrar, the registrar or deputy 2356  
registrar shall issue to the offender a restricted license, 2357  
unless the offender's driver's or commercial driver's license or 2358  
permit is suspended under any other provision of law and limited 2359  
driving privileges have not been granted with regard to that 2360  
suspension. A restricted license issued under this division 2361  
shall be identical to an Ohio driver's license, except that it 2362  
shall have printed on its face a statement that the offender is 2363  
prohibited from operating any motor vehicle that is not equipped 2364  
with an immobilizing or disabling device in violation of the 2365  
order. 2366

(7) (a) Unless division (E) (7) (b) applies, a person granted 2367  
limited driving privileges who operates a vehicle for other than 2368  
limited purposes, in violation of any condition imposed by the 2369  
court or without having the order in the person's possession, is 2370



guilty of a violation of section 4510.11 of the Revised Code. 2371

(b) No person who has been granted limited or unlimited 2372  
driving privileges under division (E) of this section subject to 2373  
an immobilizing or disabling device order shall operate a motor 2374  
vehicle prior to obtaining a restricted license. Any person who 2375  
violates this prohibition is subject to the penalties prescribed 2376  
in section 4510.14 of the Revised Code. 2377

(c) The offenses established under division (E) (7) of this 2378  
section are strict liability offenses and section 2901.20 of the 2379  
Revised Code does not apply. 2380

(F) The provisions of division (A) (8) of section 4510.13 2381  
of the Revised Code apply to a person who has been granted 2382  
limited or unlimited driving privileges with a certified 2383  
ignition interlock device under this section and who either 2384  
commits an ignition interlock device violation as defined under 2385  
section 4510.46 of the Revised Code or operates a motor vehicle 2386  
that is not equipped with a certified ignition interlock device. 2387

(G) Any person whose license or permit has been suspended 2388  
under division (A) or (C) of this section may file a petition in 2389  
the municipal or county court, or in case the person is under 2390  
eighteen years of age, the juvenile court, in whose jurisdiction 2391  
the person resides, requesting the termination of the suspension 2392  
and agreeing to pay the cost of the proceedings. If the court, 2393  
in its discretion, determines that a termination of the 2394  
suspension is appropriate, the court shall issue an order to the 2395  
registrar to terminate the suspension. Upon receiving such an 2396  
order, the registrar shall reinstate the license. 2397

(H) As used in divisions (C) and (D) of this section: 2398

(1) "Child" means a person who is under the age of 2399

eighteen years, except that any person who violates a statute or ordinance described in division (C) or (D) of this section prior to attaining eighteen years of age shall be deemed a "child" irrespective of the person's age at the time the complaint or other equivalent document is filed in the other state or a hearing, trial, or other proceeding is held in the other state on the complaint or other equivalent document, and irrespective of the person's age when the period of license suspension or denial prescribed in division (C) or (D) of this section is imposed.

(2) "Is convicted of or pleads guilty to" means, as it relates to a child who is a resident of this state, that in a proceeding conducted in a state or federal court located in another state for a violation of a statute or ordinance described in division (C) or (D) of this section, the result of the proceeding is any of the following:

(a) Under the laws that govern the proceedings of the court, the child is adjudicated to be or admits to being a delinquent child or a juvenile traffic offender for a violation described in division (C) or (D) of this section that would be a crime if committed by an adult;

(b) Under the laws that govern the proceedings of the court, the child is convicted of or pleads guilty to a violation described in division (C) or (D) of this section;

(c) Under the laws that govern the proceedings of the court, irrespective of the terminology utilized in those laws, the result of the court's proceedings is the functional equivalent of division (H) (2) (a) or (b) of this section.

**Sec. 4511.181.** As used in sections 4511.181 to 4511.198 of

the Revised Code: 2429

(A) "Equivalent offense" means any of the following: 2430

(1) A violation of division (A) or (B) of section 4511.19 2431  
of the Revised Code; 2432

(2) A violation of a municipal OVI ordinance; 2433

(3) A violation of section 2903.04 of the Revised Code in 2434  
a case in which the offender was subject to the sanctions 2435  
described in division (D) of that section; 2436

(4) A violation of division (A) (1) of section 2903.06 or 2437  
2903.08 of the Revised Code or a municipal ordinance that is 2438  
substantially equivalent to either of those divisions; 2439

(5) A violation of division (A) (2), (3), ~~or (4)~~, or (5) of 2440  
section 2903.06, division (A) (2) or (4) of section 2903.08, or 2441  
former section 2903.07 of the Revised Code, or a municipal 2442  
ordinance that is substantially equivalent to any of those 2443  
divisions or that former section, in a case in which a judge or 2444  
jury as the trier of fact found that the offender was under the 2445  
influence of alcohol, a drug of abuse, or a combination of them; 2446

(6) A violation of division (A) or (B) of section 1547.11 2447  
of the Revised Code; 2448

(7) A violation of a municipal ordinance prohibiting a 2449  
person from operating or being in physical control of any vessel 2450  
underway or from manipulating any water skis, aquaplane, or 2451  
similar device on the waters of this state while under the 2452  
influence of alcohol, a drug of abuse, or a combination of them 2453  
or prohibiting a person from operating or being in physical 2454  
control of any vessel underway or from manipulating any water 2455  
skis, aquaplane, or similar device on the waters of this state 2456

with a prohibited concentration of alcohol, a controlled 2457  
substance, or a metabolite of a controlled substance in the 2458  
whole blood, blood serum or plasma, breath, or urine; 2459

(8) A violation of an existing or former municipal 2460  
ordinance, law of another state, or law of the United States 2461  
that is substantially equivalent to division (A) or (B) of 2462  
section 4511.19 or division (A) or (B) of section 1547.11 of the 2463  
Revised Code; 2464

(9) A violation of a former law of this state that was 2465  
substantially equivalent to division (A) or (B) of section 2466  
4511.19 or division (A) or (B) of section 1547.11 of the Revised 2467  
Code. 2468

(B) "Mandatory jail term" means the mandatory term in jail 2469  
of three, six, ten, twenty, thirty, or sixty days that must be 2470  
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 2471  
of the Revised Code upon an offender convicted of a violation of 2472  
division (A) of that section and in relation to which all of the 2473  
following apply: 2474

(1) Except as specifically authorized under section 2475  
4511.19 of the Revised Code, the term must be served in a jail. 2476

(2) Except as specifically authorized under section 2477  
4511.19 of the Revised Code, the term cannot be suspended, 2478  
reduced, or otherwise modified pursuant to sections 2929.21 to 2479  
2929.28 or any other provision of the Revised Code. 2480

(C) "Municipal OVI ordinance" and "municipal OVI offense" 2481  
mean any municipal ordinance prohibiting a person from operating 2482  
a vehicle while under the influence of alcohol, a drug of abuse, 2483  
or a combination of them or prohibiting a person from operating 2484  
a vehicle with a prohibited concentration of alcohol, a 2485

controlled substance, or a metabolite of a controlled substance 2486  
in the whole blood, blood serum or plasma, breath, or urine. 2487

(D) "Community residential sanction," "continuous alcohol 2488  
monitoring," "jail," "mandatory prison term," "mandatory term of 2489  
local incarceration," "sanction," and "prison term" have the 2490  
same meanings as in section 2929.01 of the Revised Code. 2491

(E) "Drug of abuse" has the same meaning as in section 2492  
4506.01 of the Revised Code. 2493

(F) "Equivalent offense that is vehicle-related" means an 2494  
equivalent offense that is any of the following: 2495

(1) A violation described in division (A)(1), (2), (3), 2496  
(4), or (5) of this section; 2497

(2) A violation of an existing or former municipal 2498  
ordinance, law of another state, or law of the United States 2499  
that is substantially equivalent to division (A) or (B) of 2500  
section 4511.19 of the Revised Code; 2501

(3) A violation of a former law of this state that was 2502  
substantially equivalent to division (A) or (B) of section 2503  
4511.19 of the Revised Code. 2504

**Sec. 4511.75.** (A) The driver of a vehicle, streetcar, or 2505  
trackless trolley upon meeting or overtaking from either 2506  
direction any school bus stopped for the purpose of receiving or 2507  
discharging any school child, person attending programs offered 2508  
by community boards of mental health and county boards of 2509  
developmental disabilities, or child attending a program offered 2510  
by a head start agency, shall stop at least ten feet from the 2511  
front or rear of the school bus and shall not proceed until such 2512  
school bus resumes motion, or until signaled by the school bus 2513  
driver to proceed. 2514

It is no defense to a charge under this division that the school bus involved failed to display or be equipped with an automatically extended stop warning sign as required by division (B) of this section.

(B) Every school bus shall be equipped with amber and red visual signals meeting the requirements of section 4511.771 of the Revised Code, and an automatically extended stop warning sign of a type approved by the state board of education, which shall be actuated by the driver of the bus whenever but only whenever the bus is stopped or stopping on the roadway for the purpose of receiving or discharging school children, persons attending programs offered by community boards of mental health and county boards of developmental disabilities, or children attending programs offered by head start agencies. A school bus driver shall not actuate the visual signals or the stop warning sign in designated school bus loading areas where the bus is entirely off the roadway or at school buildings when children or persons attending programs offered by community boards of mental health and county boards of developmental disabilities are loading or unloading at curbside or at buildings when children attending programs offered by head start agencies are loading or unloading at curbside. The visual signals and stop warning sign shall be synchronized or otherwise operated as required by rule of the board.

(C) Where a highway has been divided into four or more traffic lanes, a driver of a vehicle, streetcar, or trackless trolley need not stop for a school bus approaching from the opposite direction which has stopped for the purpose of receiving or discharging any school child, persons attending programs offered by community boards of mental health and county boards of developmental disabilities, or children attending

programs offered by head start agencies. The driver of any 2546  
vehicle, streetcar, or trackless trolley overtaking the school 2547  
bus shall comply with division (A) of this section. 2548

(D) School buses operating on divided highways or on 2549  
highways with four or more traffic lanes shall receive and 2550  
discharge all school children, persons attending programs 2551  
offered by community boards of mental health and county boards 2552  
of developmental disabilities, and children attending programs 2553  
offered by head start agencies on their residence side of the 2554  
highway. 2555

(E) No school bus driver shall start the driver's bus 2556  
until after any child, person attending programs offered by 2557  
community boards of mental health and county boards of 2558  
developmental disabilities, or child attending a program offered 2559  
by a head start agency who may have alighted therefrom has 2560  
reached a place of safety on the child's or person's residence 2561  
side of the road. 2562

(F) (1) ~~Whoever~~ Except as provided in division (F) (2), (3), 2563  
(4), (5), (6), or (7) of this section, the court, including a 2564  
mayor's court, may impose the following on a person who violates 2565  
division (A) of this section ~~may be fined an amount not to~~ 2566  
~~exceed five hundred dollars. A:~~ 2567

(a) A fine of up to one thousand dollars; 2568

(b) A class seven suspension of the offender's driver's 2569  
license, commercial driver's license, temporary instruction 2570  
permit, probationary license, or nonresident operating privilege 2571  
from the range specified in division (A) (7) of section 4510.02 2572  
of the Revised Code. 2573

(2) If, within ten years of the offense, the offender has 2574

been convicted of or pleaded guilty to one violation of division 2575  
(A) of this section, the court, including a mayor's court, shall 2576  
impose either or both of the following on a person who violates 2577  
division (A) of this section: 2578

(a) A fine of up to one thousand two hundred fifty 2579  
dollars; 2580

(b) A class six suspension of the offender's driver's 2581  
license, commercial driver's license, temporary instruction 2582  
permit, probationary license, or nonresident operating privilege 2583  
from the range specified in division (A) (6) of section 4510.02 2584  
of the Revised Code. 2585

(3) If, within ten years of the offense, the offender has 2586  
been convicted of or pleaded guilty to two violations of 2587  
division (A) of this section, the court, including a mayor's 2588  
court, shall impose either or both of the following on a person 2589  
who violates division (A) of this section: 2590

(a) A fine of up to one thousand five hundred dollars; 2591

(b) A class five suspension of the offender's driver's 2592  
license, commercial driver's license, temporary instruction 2593  
permit, probationary license, or nonresident operating privilege 2594  
from the range specified in division (A) (5) of section 4510.02 2595  
of the Revised Code. 2596

(4) If, within ten years of the offense, the offender has 2597  
been convicted of or pleaded guilty to three violations of 2598  
division (A) of this section, the court, including a mayor's 2599  
court, shall impose either or both of the following on a person 2600  
who violates division (A) of this section: 2601

(a) A fine of up to one thousand seven hundred fifty 2602  
dollars; 2603



(b) A class four suspension of the offender's driver's 2604  
license, commercial driver's license, temporary instruction 2605  
permit, probationary license, or nonresident operating privilege 2606  
from the range specified in division (A) (4) of section 4510.02 2607  
of the Revised Code. 2608

(5) If, within ten years of the offense, the offender has 2609  
been convicted of or pleaded guilty to four violations of 2610  
division (A) of this section, the court, including a mayor's 2611  
court, shall impose either or both of the following on a person 2612  
who violates division (A) of this section: 2613

(a) A fine of up to two thousand dollars; 2614

(b) A class three suspension of the offender's driver's 2615  
license, commercial driver's license, temporary instruction 2616  
permit, probationary license, or nonresident operating privilege 2617  
from the range specified in division (A) (3) of section 4510.02 2618  
of the Revised Code. 2619

(6) If, within ten years of the offense, the offender has 2620  
been convicted of or pleaded guilty to five violations of 2621  
division (A) of this section, the court, including a mayor's 2622  
court, shall impose either or both of the following on a person 2623  
who violates division (A) of this section: 2624

(a) A fine of up to two thousand two hundred fifty 2625  
dollars; 2626

(b) A class two suspension of the offender's driver's 2627  
license, commercial driver's license, temporary instruction 2628  
permit, probationary license, or nonresident operating privilege 2629  
from the range specified in division (A) (2) of section 4510.02 2630  
of the Revised Code. 2631

(7) If, within ten years of the offense, the offender has 2632

been convicted of or pleaded guilty to six or more violations of 2633  
division (A) of this section, the court, including a mayor's 2634  
court, shall impose either or both of the following on a person 2635  
who violates division (A) of this section: 2636

(a) A fine of up to two thousand five hundred dollars; 2637

(b) A class one suspension of the offender's driver's 2638  
license, commercial driver's license, temporary instruction 2639  
permit, probationary license, or nonresident operating privilege 2640  
from the range specified in division (A)(1) of section 4510.02 2641  
of the Revised Code. 2642

(G) A person who is issued a citation for a violation of 2643  
division (A) of this section is not permitted to enter a written 2644  
plea of guilty and waive the person's right to contest the 2645  
citation in a trial but instead must appear in person in the 2646  
proper court to answer the charge. 2647

~~(2) In addition to and independent of any other penalty~~ 2648  
~~provided by law, the court or mayor may impose upon an offender~~ 2649  
~~who violates this section a class seven suspension of the~~ 2650  
~~offender's driver's license, commercial driver's license,~~ 2651  
~~temporary instruction permit, probationary license, or~~ 2652  
~~nonresident operating privilege from the range specified in~~ 2653  
~~division (A)(7) of section 4510.02 of the Revised Code. When a~~ 2654  
license is suspended under this section, the court or mayor 2655  
shall cause the offender to deliver the license to the court, 2656  
and the court or clerk of the court immediately shall forward 2657  
the license to the registrar of motor vehicles, together with 2658  
notice of the court's action. 2659

~~(G)~~ (H) As used in this section: 2660

(1) "Head start agency" has the same meaning as in section 2661

3301.32 of the Revised Code.

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(2) "School bus," as used in relation to children who  
attend a program offered by a head start agency, means a bus  
that is owned and operated by a head start agency, is equipped  
with an automatically extended stop warning sign of a type  
approved by the state board of education, is painted the color  
and displays the markings described in section 4511.77 of the  
Revised Code, and is equipped with amber and red visual signals  
meeting the requirements of section 4511.771 of the Revised  
Code, irrespective of whether or not the bus has fifteen or more  
children aboard at any time. "School bus" does not include a van  
owned and operated by a head start agency, irrespective of its  
color, lights, or markings.

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**Sec. 4511.751.** As used in this section, "license plate"  
includes, but is not limited to, any temporary license placard  
issued under section 4503.182 of the Revised Code or similar law  
of another jurisdiction.

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When the operator of a school bus believes that a motorist  
has violated division (A) of section 4511.75 of the Revised  
Code, the operator shall report the license plate number and a  
general description of the vehicle and of the operator of the  
vehicle to the law enforcement agency exercising jurisdiction  
over the area where the alleged violation occurred. The  
information contained in the report relating to the license  
plate number and to the general description of the vehicle and  
the operator of the vehicle at the time of the alleged violation  
may be supplied by any person with first-hand knowledge of the  
information. Information of which the operator of the school bus  
has first-hand knowledge also may be corroborated by any other  
person, or an image, images, or video provided by a camera

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installed pursuant to section 4511.76 of the Revised Code.

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Upon receipt of the report of the alleged violation of  
division (A) of section 4511.75 of the Revised Code, the law  
enforcement agency shall conduct an investigation to attempt to  
determine or confirm the identity of the operator of the vehicle  
at the time of the alleged violation. The law enforcement agency  
may use a sufficiently clear image, images, or video provided by  
a camera installed pursuant to section 4511.76 of the Revised  
Code to determine the identity of the operator of the vehicle at  
the time of the alleged violation of division (A) of section  
4511.75 of the Revised Code. Such images or video also may be  
used as evidence in the prosecution of any other criminal  
offense, including a violation of sections 2903.06, 2903.08, and  
2903.082 of the Revised Code. ~~If~~

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If the identity of the operator at the time of the alleged  
violation of division (A) of section 4511.75 of the Revised Code  
is established, the reporting of the license plate number of the  
vehicle shall establish probable cause for the law enforcement  
agency to issue a citation for the violation of division (A) of  
section 4511.75 of the Revised Code. However, if the identity of  
the operator of the vehicle at the time of the alleged violation  
cannot be established, the law enforcement agency shall issue a  
warning to the owner of the vehicle at the time of the alleged  
violation, except in the case of a leased or rented vehicle when  
the warning shall be issued to the lessee at the time of the  
alleged violation.

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The registrar of motor vehicles and deputy registrars  
shall, at the time of issuing license plates to any person,  
include with the license plate a summary of the requirements of  
division (A) of section 4511.75 of the Revised Code and the

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procedures of, and penalty in, division (F) of section 4511.75 2722  
of the Revised Code. 2723

**Sec. 4511.76.** (A) The department of public safety, by and 2724  
with the advice of the superintendent of public instruction, 2725  
shall adopt and enforce rules relating to the construction, 2726  
design, and equipment of all school buses both publicly and 2727  
privately owned and operated in this state, including ~~lighting~~ 2728  
rules governing the following: 2729

(1) Lighting equipment required by section 4511.771 of the 2730  
Revised Code, ~~of all school buses both publicly and privately~~ 2731  
~~owned and operated in this state;~~ 2732

(2) Camera equipment that provides an image, images, or 2733  
video solely for purposes of capturing a violation of section 2734  
4511.75 of the Revised Code. 2735

(B) The department of education, by and with the advice of 2736  
the director of public safety, shall adopt and enforce rules 2737  
relating to the operation of all vehicles used for pupil 2738  
transportation. 2739

(C) No person shall operate a vehicle used for pupil 2740  
transportation within this state in violation of the rules of 2741  
the department of education or the department of public safety. 2742  
No person, being the owner thereof or having the supervisory 2743  
responsibility therefor, shall permit the operation of a vehicle 2744  
used for pupil transportation within this state in violation of 2745  
the rules of the department of education or the department of 2746  
public safety. 2747

(D) The department of public safety shall adopt and 2748  
enforce rules relating to the issuance of a license under 2749  
section 4511.763 of the Revised Code. The rules may relate to 2750

the moral character of the applicant; the condition of the 2751  
equipment to be operated; the liability and property damage 2752  
insurance carried by the applicant; the posting of satisfactory 2753  
and sufficient bond; and such other rules as the director of 2754  
public safety determines reasonably necessary for the safety of 2755  
the pupils to be transported. 2756

(E) A chartered nonpublic school may own and operate, or 2757  
contract with a vendor that supplies, a vehicle originally 2758  
designed for not more than nine passengers, not including the 2759  
driver, to transport students to and from regularly scheduled 2760  
school sessions when one of the following applies: 2761

(1) A student's school district of residence has declared 2762  
the transportation of the student impractical pursuant to 2763  
section 3327.02 of the Revised Code; or 2764

(2) A student does not live within thirty minutes of the 2765  
chartered nonpublic school and the student's school district is 2766  
not required to transport the student under section 3327.01 of 2767  
the Revised Code. 2768

(F) As used in this section, "vehicle used for pupil 2769  
transportation" means any vehicle that is identified as such by 2770  
the department of education by rule and that is subject to 2771  
Chapter 3301-83 of the Administrative Code. 2772

(G) Except as otherwise provided in this division, whoever 2773  
violates this section is guilty of a minor misdemeanor. If the 2774  
offender previously has been convicted of or pleaded guilty to 2775  
one or more violations of this section or section 4511.63, 2776  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 2777  
Code or a municipal ordinance that is substantially similar to 2778  
any of those sections, whoever violates this section is guilty 2779

of a misdemeanor of the fourth degree. 2780

**Section 2.** That existing sections 2743.51, 2903.06, 2781  
2903.08, 2929.14, 4510.17, 4511.181, 4511.75, 4511.751, and 2782  
4511.76 of the Revised Code are hereby repealed. 2783

**Section 3.** All appropriation items in this section are 2784  
hereby appropriated as designated out of any moneys in the state 2785  
treasury to the credit of the designated fund. For all 2786  
appropriations made in this act, the amounts in the first column 2787  
are for fiscal year 2020 and the amounts in the second column 2788  
are for fiscal year 2021. The appropriations made in this act 2789  
are in addition to any other appropriations made for the FY 2790  
2020-FY 2021 biennium. 2791

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A	DPS DEPARTMENT OF PUBLIC SAFETY				
B	General Revenue Fund				
C	GRF	768433	School Bus Camera Grants	\$ 250,000	\$ 250,000
D	TOTAL GRF General Revenue Fund			\$ 250,000	\$ 250,000
E	TOTAL ALL BUDGET FUND GROUPS			\$ 250,000	\$ 250,000

SCHOOL BUS CAMERA GRANTS 2793

(A) The foregoing appropriation item 768433, School Bus 2794  
Camera Grants, shall be used to award grants to community 2795  
schools established under Chapter 3314. of the Revised Code that 2796  
are responsible for providing transportation to students 2797

enrolled in a school pursuant to section 3314.091 of the Revised 2798  
Code and city, local, and exempted village school districts to 2799  
purchase and install cameras on buses to record images of the 2800  
license plates on, and drivers of, motor vehicles that violate 2801  
division (A) of section 4511.75 of the Revised Code by driving 2802  
by a bus while it is stopped and receiving or discharging any 2803  
person. 2804

(B) The Director of Public Safety shall establish 2805  
procedures to implement and distribute the grants, including 2806  
procedures governing an application process. 2807

(C) Not later than ninety days after the end of each of 2808  
fiscal years 2020 and 2021, the Director shall submit a report 2809  
to the Governor and the General Assembly in accordance with 2810  
division (B) of section 101.68 of the Revised Code. The report 2811  
shall include the following: 2812

(1) The number of violations of division (A) of section 2813  
4511.75 of the Revised Code that were captured by cameras 2814  
purchased and installed with monetary aid from a grant in that 2815  
fiscal year. 2816

(2) A comparison of the number of violations identified in 2817  
division (C)(1) of this section and the number of those 2818  
violations that were detected by other means in fiscal years 2819  
2018 and 2019. 2820

(3) An estimate of the amount of money needed to purchase 2821  
and install such cameras on all eligible school buses in the 2822  
state. 2823

**Section 4.** Within the limits set forth in this act, the 2824  
Director of Budget and Management shall establish accounts 2825  
indicating the source and amount of funds for each appropriation 2826



made in this act and shall determine the form and manner in 2827  
which appropriation accounts shall be maintained. Expenditures 2828  
from appropriations contained in this act shall be accounted for 2829  
as though made in Am. Sub. H.B. 166 of the 133rd General 2830  
Assembly. 2831

The appropriations made in this act are subject to all 2832  
provisions of Am. Sub. H.B. 166 of the 133rd General Assembly 2833  
that are generally applicable to such appropriations. 2834

**Section 5.** This act shall be known as the "School Bus 2835  
Safety Act." 2836

**Section 6.** Section 2929.14 of the Revised Code is 2837  
presented in this act as a composite of the section as amended 2838  
by Sub. H.B. 63, Am. Sub. S.B. 1, Sub. S.B. 20, and Am. Sub. 2839  
S.B. 201, all of the 132nd General Assembly. The General 2840  
Assembly, applying the principle stated in division (B) of 2841  
section 1.52 of the Revised Code that amendments are to be 2842  
harmonized if reasonably capable of simultaneous operation, 2843  
finds that the composite is the resulting version of the section 2844  
in effect prior to the effective date of the section as 2845  
presented in this act. 2846

Section 4510.17 of the Revised Code is presented in this 2847  
act as a composite of the section as amended by both Sub. H.B. 2848  
388 and Sub. S.B. 204 of the 131st General Assembly. The General 2849  
Assembly, applying the principle stated in division (B) of 2850  
section 1.52 of the Revised Code that amendments are to be 2851  
harmonized if reasonably capable of simultaneous operation, 2852  
finds that the composite is the resulting version of the section 2853  
in effect prior to the effective date of the section as 2854  
presented in this act. 2855