

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 134**

**Senator Gavarone**

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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 section 5.501 of the 3  
Revised Code to make changes to the law 4  
governing passing a school bus, to create a new 5  
offense for vehicular homicide and vehicular 6  
assault related to improperly passing a stopped 7  
school bus, to make an appropriation, and to 8  
designate this the School Bus Safety Act. 9

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

**Section 1.** That sections 2743.51, 2903.06, 2903.08, 10  
2929.14, 4510.17, 4511.181, 4511.75, 4511.751, and 4511.76 be 11  
amended and section 5.501 of the Revised Code be enacted to read 12  
as follows: 13

**Sec. 5.501.** The month of August is designated as "School 14  
Bus Safety Awareness Month" to increase public awareness of the 15  
need to properly stop when a stopped school bus is loading and 16  
unloading passengers. 17

**Sec. 2743.51.** As used in sections 2743.51 to 2743.72 of 18  
the Revised Code: 19

(A) "Claimant" means both of the following categories of persons: 20  
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(1) Any of the following persons who claim an award of reparations under sections 2743.51 to 2743.72 of the Revised Code: 22  
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24

(a) A victim who was one of the following at the time of the criminally injurious conduct: 25  
26

(i) A resident of the United States; 27

(ii) A resident of a foreign country the laws of which permit residents of this state to recover compensation as victims of offenses committed in that country. 28  
29  
30

(b) A dependent of a deceased victim who is described in division (A) (1) (a) of this section; 31  
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(c) A third person, other than a collateral source, who legally assumes or voluntarily pays the obligations of a victim, or of a dependent of a victim, who is described in division (A) (1) (a) of this section, which obligations are incurred as a result of the criminally injurious conduct that is the subject of the claim and may include, but are not limited to, medical or burial expenses; 33  
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(d) A person who is authorized to act on behalf of any person who is described in division (A) (1) (a), (b), or (c) of this section; 40  
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(e) The estate of a deceased victim who is described in division (A) (1) (a) of this section. 43  
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(2) Any of the following persons who claim an award of reparations under sections 2743.51 to 2743.72 of the Revised Code: 45  
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(a) A victim who had a permanent place of residence within 48  
this state at the time of the criminally injurious conduct and 49  
who, at the time of the criminally injurious conduct, complied 50  
with any one of the following: 51

(i) Had a permanent place of employment in this state; 52

(ii) Was a member of the regular armed forces of the 53  
United States or of the United States coast guard or was a full- 54  
time member of the Ohio organized militia or of the United 55  
States army reserve, naval reserve, or air force reserve; 56

(iii) Was retired and receiving social security or any 57  
other retirement income; 58

(iv) Was sixty years of age or older; 59

(v) Was temporarily in another state for the purpose of 60  
receiving medical treatment; 61

(vi) Was temporarily in another state for the purpose of 62  
performing employment-related duties required by an employer 63  
located within this state as an express condition of employment 64  
or employee benefits; 65

(vii) Was temporarily in another state for the purpose of 66  
receiving occupational, vocational, or other job-related 67  
training or instruction required by an employer located within 68  
this state as an express condition of employment or employee 69  
benefits; 70

(viii) Was a full-time student at an academic institution, 71  
college, or university located in another state; 72

(ix) Had not departed the geographical boundaries of this 73  
state for a period exceeding thirty days or with the intention 74  
of becoming a citizen of another state or establishing a 75

permanent place of residence in another state. 76

(b) A dependent of a deceased victim who is described in 77  
division (A) (2) (a) of this section; 78

(c) A third person, other than a collateral source, who 79  
legally assumes or voluntarily pays the obligations of a victim, 80  
or of a dependent of a victim, who is described in division (A) 81  
(2) (a) of this section, which obligations are incurred as a 82  
result of the criminally injurious conduct that is the subject 83  
of the claim and may include, but are not limited to, medical or 84  
burial expenses; 85

(d) A person who is authorized to act on behalf of any 86  
person who is described in division (A) (2) (a), (b), or (c) of 87  
this section; 88

(e) The estate of a deceased victim who is described in 89  
division (A) (2) (a) of this section. 90

(B) "Collateral source" means a source of benefits or 91  
advantages for economic loss otherwise reparable that the victim 92  
or claimant has received, or that is readily available to the 93  
victim or claimant, from any of the following sources: 94

(1) The offender; 95

(2) The government of the United States or any of its 96  
agencies, a state or any of its political subdivisions, or an 97  
instrumentality of two or more states, unless the law providing 98  
for the benefits or advantages makes them excess or secondary to 99  
benefits under sections 2743.51 to 2743.72 of the Revised Code; 100

(3) Social security, medicare, and medicaid; 101

(4) State-required, temporary, nonoccupational disability 102  
insurance; 103

(5) Workers' compensation;	104
(6) Wage continuation programs of any employer;	105
(7) Proceeds of a contract of insurance payable to the	106
victim for loss that the victim sustained because of the	107
criminally injurious conduct;	108
(8) A contract providing prepaid hospital and other health	109
care services, or benefits for disability;	110
(9) That portion of the proceeds of all contracts of	111
insurance payable to the claimant on account of the death of the	112
victim that exceeds fifty thousand dollars;	113
(10) Any compensation recovered or recoverable under the	114
laws of another state, district, territory, or foreign country	115
because the victim was the victim of an offense committed in	116
that state, district, territory, or country.	117
"Collateral source" does not include any money, or the	118
monetary value of any property, that is subject to sections	119
2969.01 to 2969.06 of the Revised Code or that is received as a	120
benefit from the Ohio public safety officers death benefit fund	121
created by section 742.62 of the Revised Code.	122
(C) "Criminally injurious conduct" means one of the	123
following:	124
(1) For the purposes of any person described in division	125
(A) (1) of this section, any conduct that occurs or is attempted	126
in this state; poses a substantial threat of personal injury or	127
death; and is punishable by fine, imprisonment, or death, or	128
would be so punishable but for the fact that the person engaging	129
in the conduct lacked capacity to commit the crime under the	130
laws of this state. Criminally injurious conduct does not	131

include conduct arising out of the ownership, maintenance, or 132  
use of a motor vehicle, except when any of the following 133  
applies: 134

(a) The person engaging in the conduct intended to cause 135  
personal injury or death; 136

(b) The person engaging in the conduct was using the 137  
vehicle to flee immediately after committing a felony or an act 138  
that would constitute a felony but for the fact that the person 139  
engaging in the conduct lacked the capacity to commit the felony 140  
under the laws of this state; 141

(c) The person engaging in the conduct was using the 142  
vehicle in a manner that constitutes an OVI violation; 143

(d) The conduct occurred on or after July 25, 1990, and 144  
the person engaging in the conduct was using the vehicle in a 145  
manner that constitutes a violation of section 2903.08 of the 146  
Revised Code; 147

(e) The person engaging in the conduct acted in a manner 148  
that caused serious physical harm to a person and that 149  
constituted a violation of section 4549.02 or 4549.021 of the 150  
Revised Code. 151

(2) For the purposes of any person described in division 152  
(A) (2) of this section, any conduct that occurs or is attempted 153  
in another state, district, territory, or foreign country; poses 154  
a substantial threat of personal injury or death; and is 155  
punishable by fine, imprisonment, or death, or would be so 156  
punishable but for the fact that the person engaging in the 157  
conduct lacked capacity to commit the crime under the laws of 158  
the state, district, territory, or foreign country in which the 159  
conduct occurred or was attempted. Criminally injurious conduct 160

does not include conduct arising out of the ownership, 161  
maintenance, or use of a motor vehicle, except when any of the 162  
following applies: 163

(a) The person engaging in the conduct intended to cause 164  
personal injury or death; 165

(b) The person engaging in the conduct was using the 166  
vehicle to flee immediately after committing a felony or an act 167  
that would constitute a felony but for the fact that the person 168  
engaging in the conduct lacked the capacity to commit the felony 169  
under the laws of the state, district, territory, or foreign 170  
country in which the conduct occurred or was attempted; 171

(c) The person engaging in the conduct was using the 172  
vehicle in a manner that constitutes an OVI violation; 173

(d) The conduct occurred on or after July 25, 1990, the 174  
person engaging in the conduct was using the vehicle in a manner 175  
that constitutes a violation of any law of the state, district, 176  
territory, or foreign country in which the conduct occurred, and 177  
that law is substantially similar to a violation of section 178  
2903.08 of the Revised Code; 179

(e) The person engaging in the conduct acted in a manner 180  
that caused serious physical harm to a person and that 181  
constituted a violation of any law of the state, district, 182  
territory, or foreign country in which the conduct occurred, and 183  
that law is substantially similar to section 4549.02 or 4549.021 184  
of the Revised Code. 185

(3) For the purposes of any person described in division 186  
(A) (1) or (2) of this section, terrorism that occurs within or 187  
outside the territorial jurisdiction of the United States. 188

(D) "Dependent" means an individual wholly or partially 189

dependent upon the victim for care and support, and includes a 190  
child of the victim born after the victim's death. 191

(E) "Economic loss" means economic detriment consisting 192  
only of allowable expense, work loss, funeral expense, 193  
unemployment benefits loss, replacement services loss, cost of 194  
crime scene cleanup, and cost of evidence replacement. If 195  
criminally injurious conduct causes death, economic loss 196  
includes a dependent's economic loss and a dependent's 197  
replacement services loss. Noneconomic detriment is not economic 198  
loss; however, economic loss may be caused by pain and suffering 199  
or physical impairment. 200

(F) (1) "Allowable expense" means reasonable charges 201  
incurred for reasonably needed products, services, and 202  
accommodations, including those for medical care, 203  
rehabilitation, rehabilitative occupational training, and other 204  
remedial treatment and care and including replacement costs for 205  
hearing aids; dentures, retainers, and other dental appliances; 206  
canes, walkers, and other mobility tools; and eyeglasses and 207  
other corrective lenses. It does not include that portion of a 208  
charge for a room in a hospital, clinic, convalescent home, 209  
nursing home, or any other institution engaged in providing 210  
nursing care and related services in excess of a reasonable and 211  
customary charge for semiprivate accommodations, unless 212  
accommodations other than semiprivate accommodations are 213  
medically required. 214

(2) An immediate family member of a victim of criminally 215  
injurious conduct that consists of a homicide, a sexual assault, 216  
domestic violence, or a severe and permanent incapacitating 217  
injury resulting in paraplegia or a similar life-altering 218  
condition, who requires psychiatric care or counseling as a 219



result of the criminally injurious conduct, may be reimbursed 220  
for that care or counseling as an allowable expense through the 221  
victim's application. The cumulative allowable expense for care 222  
or counseling of that nature shall not exceed two thousand five 223  
hundred dollars for each immediate family member of a victim of 224  
that type and seven thousand five hundred dollars in the 225  
aggregate for all immediate family members of a victim of that 226  
type. 227

(3) A family member of a victim who died as a proximate 228  
result of criminally injurious conduct may be reimbursed as an 229  
allowable expense through the victim's application for wages 230  
lost and travel expenses incurred in order to attend criminal 231  
justice proceedings arising from the criminally injurious 232  
conduct. The cumulative allowable expense for wages lost and 233  
travel expenses incurred by a family member to attend criminal 234  
justice proceedings shall not exceed five hundred dollars for 235  
each family member of the victim and two thousand dollars in the 236  
aggregate for all family members of the victim. 237

(4) (a) "Allowable expense" includes reasonable expenses 238  
and fees necessary to obtain a guardian's bond pursuant to 239  
section 2109.04 of the Revised Code when the bond is required to 240  
pay an award to a fiduciary on behalf of a minor or other 241  
incompetent. 242

(b) "Allowable expense" includes attorney's fees not 243  
exceeding one thousand dollars, at a rate not exceeding one 244  
hundred dollars per hour, incurred to successfully obtain a 245  
restraining order, custody order, or other order to physically 246  
separate a victim from an offender. Attorney's fees for the 247  
services described in this division may include an amount for 248  
reasonable travel time incurred to attend court hearings, not 249

exceeding three hours\_ round-trip for each court hearing, 250  
assessed at a rate not exceeding thirty dollars per hour. 251

(G) "Work loss" means loss of income from work that the 252  
injured person would have performed if the person had not been 253  
injured and expenses reasonably incurred by the person to obtain 254  
services in lieu of those the person would have performed for 255  
income, reduced by any income from substitute work actually 256  
performed by the person, or by income the person would have 257  
earned in available appropriate substitute work that the person 258  
was capable of performing but unreasonably failed to undertake. 259

(H) "Replacement services loss" means expenses reasonably 260  
incurred in obtaining ordinary and necessary services in lieu of 261  
those the injured person would have performed, not for income, 262  
but for the benefit of the person's self or family, if the 263  
person had not been injured. 264

(I) "Dependent's economic loss" means loss after a 265  
victim's death of contributions of things of economic value to 266  
the victim's dependents, not including services they would have 267  
received from the victim if the victim had not suffered the 268  
fatal injury, less expenses of the dependents avoided by reason 269  
of the victim's death. If a minor child of a victim is adopted 270  
after the victim's death, the minor child continues after the 271  
adoption to incur a dependent's economic loss as a result of the 272  
victim's death. If the surviving spouse of a victim remarries, 273  
the surviving spouse continues after the remarriage to incur a 274  
dependent's economic loss as a result of the victim's death. 275

(J) "Dependent's replacement services loss" means loss 276  
reasonably incurred by dependents after a victim's death in 277  
obtaining ordinary and necessary services in lieu of those the 278  
victim would have performed for their benefit if the victim had 279

not suffered the fatal injury, less expenses of the dependents 280  
avoided by reason of the victim's death and not subtracted in 281  
calculating the dependent's economic loss. If a minor child of a 282  
victim is adopted after the victim's death, the minor child 283  
continues after the adoption to incur a dependent's replacement 284  
services loss as a result of the victim's death. If the 285  
surviving spouse of a victim remarries, the surviving spouse 286  
continues after the remarriage to incur a dependent's 287  
replacement services loss as a result of the victim's death. 288

(K) "Noneconomic detriment" means pain, suffering, 289  
inconvenience, physical impairment, or other nonpecuniary 290  
damage. 291

(L) "Victim" means a person who suffers personal injury or 292  
death as a result of any of the following: 293

(1) Criminally injurious conduct; 294

(2) The good faith effort of any person to prevent 295  
criminally injurious conduct; 296

(3) The good faith effort of any person to apprehend a 297  
person suspected of engaging in criminally injurious conduct. 298

(M) "Contributory misconduct" means any conduct of the 299  
claimant or of the victim through whom the claimant claims an 300  
award of reparations that is unlawful or intentionally tortious 301  
and that, without regard to the conduct's proximity in time or 302  
space to the criminally injurious conduct, has a causal 303  
relationship to the criminally injurious conduct that is the 304  
basis of the claim. 305

(N) (1) "Funeral expense" means any reasonable charges that 306  
are not in excess of seven thousand five hundred dollars per 307  
funeral and that are incurred for expenses directly related to a 308

victim's funeral, cremation, or burial and any wages lost or 309  
travel expenses incurred by a family member of a victim in order 310  
to attend the victim's funeral, cremation, or burial. 311

(2) An award for funeral expenses shall be applied first 312  
to expenses directly related to the victim's funeral, cremation, 313  
or burial. An award for wages lost or travel expenses incurred 314  
by a family member of the victim shall not exceed five hundred 315  
dollars for each family member and shall not exceed in the 316  
aggregate the difference between seven thousand five hundred 317  
dollars and expenses that are reimbursed by the program and that 318  
are directly related to the victim's funeral, cremation, or 319  
burial. 320

(O) "Unemployment benefits loss" means a loss of 321  
unemployment benefits pursuant to Chapter 4141. of the Revised 322  
Code when the loss arises solely from the inability of a victim 323  
to meet the able to work, available for suitable work, or the 324  
actively seeking suitable work requirements of division (A) (4) 325  
(a) of section 4141.29 of the Revised Code. 326

(P) "OVI violation" means any of the following: 327

(1) A violation of section 4511.19 of the Revised Code, of 328  
any municipal ordinance prohibiting the operation of a vehicle 329  
while under the influence of alcohol, a drug of abuse, or a 330  
combination of them, or of any municipal ordinance prohibiting 331  
the operation of a vehicle with a prohibited concentration of 332  
alcohol, a controlled substance, or a metabolite of a controlled 333  
substance in the whole blood, blood serum or plasma, breath, or 334  
urine; 335

(2) A violation of division (A) (1) of section 2903.06 of 336  
the Revised Code; 337

(3) A violation of division (A) (2), (3), ~~or~~ (4), or (5) of 338  
section 2903.06 of the Revised Code or of a municipal ordinance 339  
substantially similar to any of those divisions, if the offender 340  
was under the influence of alcohol, a drug of abuse, or a 341  
combination of them, at the time of the commission of the 342  
offense; 343

(4) For purposes of any person described in division (A) 344  
(2) of this section, a violation of any law of the state, 345  
district, territory, or foreign country in which the criminally 346  
injurious conduct occurred, if that law is substantially similar 347  
to a violation described in division (P) (1) or (2) of this 348  
section or if that law is substantially similar to a violation 349  
described in division (P) (3) of this section and the offender 350  
was under the influence of alcohol, a drug of abuse, or a 351  
combination of them, at the time of the commission of the 352  
offense. 353

(Q) "Pendency of the claim" for an original reparations 354  
application or supplemental reparations application means the 355  
period of time from the date the criminally injurious conduct 356  
upon which the application is based occurred until the date a 357  
final decision, order, or judgment concerning that original 358  
reparations application or supplemental reparations application 359  
is issued. 360

(R) "Terrorism" means any activity to which all of the 361  
following apply: 362

(1) The activity involves a violent act or an act that is 363  
dangerous to human life. 364

(2) The act described in division (R) (1) of this section 365  
is committed within the territorial jurisdiction of the United 366

States and is a violation of the criminal laws of the United 367  
States, this state, or any other state or the act described in 368  
division (R)(1) of this section is committed outside the 369  
territorial jurisdiction of the United States and would be a 370  
violation of the criminal laws of the United States, this state, 371  
or any other state if committed within the territorial 372  
jurisdiction of the United States. 373

(3) The activity appears to be intended to do any of the 374  
following: 375

(a) Intimidate or coerce a civilian population; 376

(b) Influence the policy of any government by intimidation 377  
or coercion; 378

(c) Affect the conduct of any government by assassination 379  
or kidnapping. 380

(4) The activity occurs primarily outside the territorial 381  
jurisdiction of the United States or transcends the national 382  
boundaries of the United States in terms of the means by which 383  
the activity is accomplished, the person or persons that the 384  
activity appears intended to intimidate or coerce, or the area 385  
or locale in which the perpetrator or perpetrators of the 386  
activity operate or seek asylum. 387

(S) "Transcends the national boundaries of the United 388  
States" means occurring outside the territorial jurisdiction of 389  
the United States in addition to occurring within the 390  
territorial jurisdiction of the United States. 391

(T) "Cost of crime scene cleanup" means any of the 392  
following: 393

(1) The replacement cost for items of clothing removed 394

from a victim in order to make an assessment of possible 395  
physical harm or to treat physical harm; 396

(2) Reasonable and necessary costs of cleaning the scene 397  
and repairing, for the purpose of personal security, property 398  
damaged at the scene where the criminally injurious conduct 399  
occurred, not to exceed seven hundred fifty dollars in the 400  
aggregate per claim. 401

(U) "Cost of evidence replacement" means costs for 402  
replacement of property confiscated for evidentiary purposes 403  
related to the criminally injurious conduct, not to exceed seven 404  
hundred fifty dollars in the aggregate per claim. 405

(V) "Provider" means any person who provides a victim or 406  
claimant with a product, service, or accommodations that are an 407  
allowable expense or a funeral expense. 408

(W) "Immediate family member" means an individual who 409  
resided in the same permanent household as a victim at the time 410  
of the criminally injurious conduct and who is related to the 411  
victim by affinity or consanguinity. 412

(X) "Family member" means an individual who is related to 413  
a victim by affinity or consanguinity. 414

**Sec. 2903.06.** (A) No person, while operating or 415  
participating in the operation of a motor vehicle, motorcycle, 416  
snowmobile, locomotive, watercraft, or aircraft, shall cause the 417  
death of another or the unlawful termination of another's 418  
pregnancy in any of the following ways: 419

(1) (a) As the proximate result of committing a violation 420  
of division (A) of section 4511.19 of the Revised Code or of a 421  
substantially equivalent municipal ordinance; 422

(b) As the proximate result of committing a violation of 423  
division (A) of section 1547.11 of the Revised Code or of a 424  
substantially equivalent municipal ordinance; 425

(c) As the proximate result of committing a violation of 426  
division (A) (3) of section 4561.15 of the Revised Code or of a 427  
substantially equivalent municipal ordinance. 428

(2) In one of the following ways: 429

(a) Recklessly; 430

(b) As the proximate result of committing, while operating 431  
or participating in the operation of a motor vehicle or 432  
motorcycle in a construction zone, a reckless operation offense, 433  
provided that this division applies only if the person whose 434  
death is caused or whose pregnancy is unlawfully terminated is 435  
in the construction zone at the time of the offender's 436  
commission of the reckless operation offense in the construction 437  
zone and does not apply as described in division (F) of this 438  
section. 439

(3) In one of the following ways: 440

(a) Negligently; 441

(b) As the proximate result of committing, while operating 442  
or participating in the operation of a motor vehicle or 443  
motorcycle in a construction zone, a speeding offense, provided 444  
that this division applies only if the person whose death is 445  
caused or whose pregnancy is unlawfully terminated is in the 446  
construction zone at the time of the offender's commission of 447  
the speeding offense in the construction zone and does not apply 448  
as described in division (F) of this section. 449

(4) As the proximate result of committing a violation of 450



any provision of any section contained in Title XLV of the 451  
Revised Code that is a minor misdemeanor or of a municipal 452  
ordinance that, regardless of the penalty set by ordinance for 453  
the violation, is substantially equivalent to any provision of 454  
any section contained in Title XLV of the Revised Code that is a 455  
minor misdemeanor; 456

(5) As the proximate result of recklessly committing a 457  
violation of section 4511.75 of the Revised Code. 458

(B) (1) Whoever violates division (A) (1) ~~or, (2), or (5)~~ 459  
of this section is guilty of aggravated vehicular homicide and 460  
shall be punished as provided in divisions (B) (2) ~~and, (3), and~~ 461  
(4) of this section. 462

(2) (a) Except as otherwise provided in division (B) (2) (b) 463  
or (c) of this section, aggravated vehicular homicide committed 464  
in violation of division (A) (1) of this section is a felony of 465  
the second degree and the court shall impose a mandatory prison 466  
term on the offender as described in division (E) of this 467  
section. 468

(b) Except as otherwise provided in division (B) (2) (c) of 469  
this section, aggravated vehicular homicide committed in 470  
violation of division (A) (1) of this section is a felony of the 471  
first degree, and the court shall impose a mandatory prison term 472  
on the offender as described in division (E) of this section, if 473  
any of the following apply: 474

(i) At the time of the offense, the offender was driving 475  
under a suspension or cancellation imposed under Chapter 4510. 476  
or any other provision of the Revised Code or was operating a 477  
motor vehicle or motorcycle, did not have a valid driver's 478  
license, commercial driver's license, temporary instruction 479

permit, probationary license, or nonresident operating 480  
privilege, and was not eligible for renewal of the offender's 481  
driver's license or commercial driver's license without 482  
examination under section 4507.10 of the Revised Code. 483

(ii) The offender previously has been convicted of or 484  
pleaded guilty to a violation of this section. 485

(iii) The offender previously has been convicted of or 486  
pleaded guilty to any traffic-related homicide, manslaughter, or 487  
assault offense. 488

(c) Aggravated vehicular homicide committed in violation 489  
of division (A) (1) of this section is a felony of the first 490  
degree, and the court shall sentence the offender to a mandatory 491  
prison term as provided in section 2929.142 of the Revised Code 492  
and described in division (E) of this section if any of the 493  
following apply: 494

(i) The offender previously has been convicted of or 495  
pleaded guilty to three or more prior violations of section 496  
4511.19 of the Revised Code or of a substantially equivalent 497  
municipal ordinance within the previous ten years. 498

(ii) The offender previously has been convicted of or 499  
pleaded guilty to three or more prior violations of division (A) 500  
of section 1547.11 of the Revised Code or of a substantially 501  
equivalent municipal ordinance within the previous ten years. 502

(iii) The offender previously has been convicted of or 503  
pleaded guilty to three or more prior violations of division (A) 504  
(3) of section 4561.15 of the Revised Code or of a substantially 505  
equivalent municipal ordinance within the previous ten years. 506

(iv) The offender previously has been convicted of or 507  
pleaded guilty to three or more prior violations of division (A) 508

(1) of this section within the previous ten years. 509

(v) The offender previously has been convicted of or 510  
pleaded guilty to three or more prior violations of division (A) 511  
(1) of section 2903.08 of the Revised Code within the previous 512  
ten years. 513

(vi) The offender previously has been convicted of or 514  
pleaded guilty to three or more prior violations of section 515  
2903.04 of the Revised Code within the previous ten years in 516  
circumstances in which division (D) of that section applied 517  
regarding the violations. 518

(vii) The offender previously has been convicted of or 519  
pleaded guilty to three or more violations of any combination of 520  
the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv), 521  
(v), or (vi) of this section within the previous ten years. 522

(viii) The offender previously has been convicted of or 523  
pleaded guilty to a second or subsequent felony violation of 524  
division (A) of section 4511.19 of the Revised Code. 525

(d) In addition to any other sanctions imposed pursuant to 526  
division (B) (2) (a), (b), or (c) of this section for aggravated 527  
vehicular homicide committed in violation of division (A) (1) of 528  
this section, the court shall impose upon the offender a class 529  
one suspension of the offender's driver's license, commercial 530  
driver's license, temporary instruction permit, probationary 531  
license, or nonresident operating privilege as specified in 532  
division (A) (1) of section 4510.02 of the Revised Code. 533

Divisions (A) (1) to (3) of section 4510.54 of the Revised 534  
Code apply to a suspension imposed under division (B) (2) (d) of 535  
this section. 536

(3) Except as otherwise provided in this division, 537

aggravated vehicular homicide committed in violation of division 538  
(A) (2) of this section is a felony of the third degree. 539  
Aggravated vehicular homicide committed in violation of division 540  
(A) (2) of this section is a felony of the second degree if, at 541  
the time of the offense, the offender was driving under a 542  
suspension or cancellation imposed under Chapter 4510. or any 543  
other provision of the Revised Code or was operating a motor 544  
vehicle or motorcycle, did not have a valid driver's license, 545  
commercial driver's license, temporary instruction permit, 546  
probationary license, or nonresident operating privilege, and 547  
was not eligible for renewal of the offender's driver's license 548  
or commercial driver's license without examination under section 549  
4507.10 of the Revised Code or if the offender previously has 550  
been convicted of or pleaded guilty to a violation of this 551  
section or any traffic-related homicide, manslaughter, or 552  
assault offense. The court shall impose a mandatory prison term 553  
on the offender when required by division (E) of this section. 554

In addition to any other sanctions imposed pursuant to 555  
this division for a violation of division (A) (2) of this 556  
section, the court shall impose upon the offender a class two 557  
suspension of the offender's driver's license, commercial 558  
driver's license, temporary instruction permit, probationary 559  
license, or nonresident operating privilege from the range 560  
specified in division (A) (2) of section 4510.02 of the Revised 561  
Code or, if the offender previously has been convicted of or 562  
pleaded guilty to a traffic-related murder, felonious assault, 563  
or attempted murder offense, a class one suspension of the 564  
offender's driver's license, commercial driver's license, 565  
temporary instruction permit, probationary license, or 566  
nonresident operating privilege as specified in division (A) (1) 567  
of that section. 568

(4) Except as otherwise provided in this division, 569  
aggravated vehicular homicide committed in violation of division 570  
(A) (5) of this section is a felony of the second degree. 571  
Aggravated vehicular homicide committed in violation of division 572  
(A) (5) of this section is a felony of the first degree if, at 573  
the time of the offense, any of the following apply to the 574  
offender: 575

(a) The offender was driving under a suspension or 576  
cancellation imposed under Chapter 4510. or any other provision 577  
of the Revised Code. 578

(b) The offender was operating a motor vehicle or 579  
motorcycle, did not have a valid driver's license, commercial 580  
driver's license, temporary instruction permit, probationary 581  
license, or nonresident operating privilege, and was not 582  
eligible for renewal of the offender's driver's license or 583  
commercial driver's license without examination under section 584  
4507.10 of the Revised Code. 585

(c) The offender previously has been convicted of or 586  
pleaded guilty to a violation of this section or any traffic- 587  
related homicide, manslaughter, or assault offense. 588

The court shall impose a mandatory prison term on the 589  
offender for a violation of division (A) (5) of this section when 590  
required by division (E) of this section. 591

In addition to any other sanctions imposed pursuant to 592  
this division for a violation of division (A) (5) of this 593  
section, the court shall impose upon the offender a class one 594  
suspension of the offender's driver's license, commercial 595  
driver's license, temporary instruction permit, probationary 596  
license, or nonresident operating privilege from the range 597

specified in division (A) (1) of section 4510.02 of the Revised 598  
Code. 599

(C) Whoever violates division (A) (3) of this section is 600  
guilty of vehicular homicide. Except as otherwise provided in 601  
this division, vehicular homicide is a misdemeanor of the first 602  
degree. Vehicular homicide committed in violation of division 603  
(A) (3) of this section is a felony of the fourth degree if, at 604  
the time of the offense, the offender was driving under a 605  
suspension or cancellation imposed under Chapter 4510. or any 606  
other provision of the Revised Code or was operating a motor 607  
vehicle or motorcycle, did not have a valid driver's license, 608  
commercial driver's license, temporary instruction permit, 609  
probationary license, or nonresident operating privilege, and 610  
was not eligible for renewal of the offender's driver's license 611  
or commercial driver's license without examination under section 612  
4507.10 of the Revised Code or if the offender previously has 613  
been convicted of or pleaded guilty to a violation of this 614  
section or any traffic-related homicide, manslaughter, or 615  
assault offense. The court shall impose a mandatory jail term or 616  
a mandatory prison term on the offender when required by 617  
division (E) of this section. 618

In addition to any other sanctions imposed pursuant to 619  
this division, the court shall impose upon the offender a class 620  
four suspension of the offender's driver's license, commercial 621  
driver's license, temporary instruction permit, probationary 622  
license, or nonresident operating privilege from the range 623  
specified in division (A) (4) of section 4510.02 of the Revised 624  
Code, or, if the offender previously has been convicted of or 625  
pleaded guilty to a violation of this section or any traffic- 626  
related homicide, manslaughter, or assault offense, a class 627  
three suspension of the offender's driver's license, commercial 628

driver's license, temporary instruction permit, probationary 629  
license, or nonresident operating privilege from the range 630  
specified in division (A) (3) of that section, or, if the 631  
offender previously has been convicted of or pleaded guilty to a 632  
traffic-related murder, felonious assault, or attempted murder 633  
offense, a class two suspension of the offender's driver's 634  
license, commercial driver's license, temporary instruction 635  
permit, probationary license, or nonresident operating privilege 636  
as specified in division (A) (2) of that section. 637

(D) Whoever violates division (A) (4) of this section is 638  
guilty of vehicular manslaughter. Except as otherwise provided 639  
in this division, vehicular manslaughter is a misdemeanor of the 640  
second degree. Vehicular manslaughter is a misdemeanor of the 641  
first degree if, at the time of the offense, the offender was 642  
driving under a suspension or cancellation imposed under Chapter 643  
4510. or any other provision of the Revised Code or was 644  
operating a motor vehicle or motorcycle, did not have a valid 645  
driver's license, commercial driver's license, temporary 646  
instruction permit, probationary license, or nonresident 647  
operating privilege, and was not eligible for renewal of the 648  
offender's driver's license or commercial driver's license 649  
without examination under section 4507.10 of the Revised Code or 650  
if the offender previously has been convicted of or pleaded 651  
guilty to a violation of this section or any traffic-related 652  
homicide, manslaughter, or assault offense. 653

In addition to any other sanctions imposed pursuant to 654  
this division, the court shall impose upon the offender a class 655  
six suspension of the offender's driver's license, commercial 656  
driver's license, temporary instruction permit, probationary 657  
license, or nonresident operating privilege from the range 658  
specified in division (A) (6) of section 4510.02 of the Revised 659

Code or, if the offender previously has been convicted of or 660  
pleaded guilty to a violation of this section, any traffic- 661  
related homicide, manslaughter, or assault offense, or a 662  
traffic-related murder, felonious assault, or attempted murder 663  
offense, a class four suspension of the offender's driver's 664  
license, commercial driver's license, temporary instruction 665  
permit, probationary license, or nonresident operating privilege 666  
from the range specified in division (A)(4) of that section. 667

(E)(1) The court shall impose a mandatory prison term on 668  
an offender who is convicted of or pleads guilty to a violation 669  
of division (A)(1) of this section. Except as otherwise provided 670  
in this division, the mandatory prison term shall be a definite 671  
term from the range of prison terms provided in division (A)(1) 672  
(b) of section 2929.14 of the Revised Code for a felony of the 673  
first degree or from division (A)(2)(b) of that section for a 674  
felony of the second degree, whichever is applicable, except 675  
that if the violation is committed on or after ~~the effective~~ 676  
~~date of this amendment~~ March 22, 2019, the court shall impose as 677  
the minimum prison term for the offense a mandatory prison term 678  
that is one of the minimum terms prescribed for a felony of the 679  
first degree in division (A)(1)(a) of section 2929.14 of the 680  
Revised Code or one of the terms prescribed for a felony of the 681  
second degree in division (A)(2)(a) of that section, whichever 682  
is applicable. If division (B)(2)(c)(i), (ii), (iii), (iv), (v), 683  
(vi), (vii), or (viii) of this section applies to an offender 684  
who is convicted of or pleads guilty to the violation of 685  
division (A)(1) of this section, the court shall impose the 686  
mandatory prison term pursuant to division (B) of section 687  
2929.142 of the Revised Code. The court shall impose a mandatory 688  
jail term of at least fifteen days on an offender who is 689  
convicted of or pleads guilty to a misdemeanor violation of 690



division (A) (3) (b) of this section and may impose upon the 691  
offender a longer jail term as authorized pursuant to section 692  
2929.24 of the Revised Code. 693

(2) The court shall impose a mandatory prison term on an 694  
offender who is convicted of or pleads guilty to a violation of 695  
division (A) (2) or (3) (a) of this section or a felony violation 696  
of division (A) (3) (b) of this section if either division (E) (2) 697  
(a) or (b) of this section applies. The mandatory prison term 698  
shall be a definite term from the range of prison terms provided 699  
in division (A) (3) (a) of section 2929.14 of the Revised Code for 700  
a felony of the third degree or from division (A) (4) of that 701  
section for a felony of the fourth degree, whichever is 702  
applicable. The court shall impose a mandatory prison term on an 703  
offender in a category described in this division if either of 704  
the following applies: 705

(a) The offender previously has been convicted of or 706  
pleaded guilty to a violation of this section or section 2903.08 707  
of the Revised Code. 708

(b) At the time of the offense, the offender was driving 709  
under suspension or cancellation under Chapter 4510. or any 710  
other provision of the Revised Code or was operating a motor 711  
vehicle or motorcycle, did not have a valid driver's license, 712  
commercial driver's license, temporary instruction permit, 713  
probationary license, or nonresident operating privilege, and 714  
was not eligible for renewal of the offender's driver's license 715  
or commercial driver's license without examination under section 716  
4507.10 of the Revised Code. 717

(3) The court shall impose a mandatory prison term on an 718  
offender who is convicted of or pleads guilty to a violation of 719  
division (A) (5) of this section if either division (E) (2) (a) or 720

(b) of this section applies. The court shall impose as the 721  
minimum prison term for the offense a mandatory prison term that 722  
is one of the minimum terms prescribed for a felony of the first 723  
degree in division (A) (1) (a) of section 2929.14 of the Revised 724  
Code. 725

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 726  
apply in a particular construction zone unless signs of the type 727  
described in section 2903.081 of the Revised Code are erected in 728  
that construction zone in accordance with the guidelines and 729  
design specifications established by the director of 730  
transportation under section 5501.27 of the Revised Code. The 731  
failure to erect signs of the type described in section 2903.081 732  
of the Revised Code in a particular construction zone in 733  
accordance with those guidelines and design specifications does 734  
not limit or affect the application of division (A) (1), (A) (2) 735  
(a), (A) (3) (a), or (A) (4) of this section in that construction 736  
zone or the prosecution of any person who violates any of those 737  
divisions in that construction zone. 738

(G) (1) As used in this section: 739

(a) "Mandatory prison term" and "mandatory jail term" have 740  
the same meanings as in section 2929.01 of the Revised Code. 741

(b) "Traffic-related homicide, manslaughter, or assault 742  
offense" means a violation of section 2903.04 of the Revised 743  
Code in circumstances in which division (D) of that section 744  
applies, a violation of section 2903.06 or 2903.08 of the 745  
Revised Code, or a violation of section 2903.06, 2903.07, or 746  
2903.08 of the Revised Code as they existed prior to March 23, 747  
2000. 748

(c) "Construction zone" has the same meaning as in section 749

5501.27 of the Revised Code. 750

(d) "Reckless operation offense" means a violation of 751  
section 4511.20 of the Revised Code or a municipal ordinance 752  
substantially equivalent to section 4511.20 of the Revised Code. 753

(e) "Speeding offense" means a violation of section 754  
4511.21 of the Revised Code or a municipal ordinance pertaining 755  
to speed. 756

(f) "Traffic-related murder, felonious assault, or 757  
attempted murder offense" means a violation of section 2903.01 758  
or 2903.02 of the Revised Code in circumstances in which the 759  
offender used a motor vehicle as the means to commit the 760  
violation, a violation of division (A) (2) of section 2903.11 of 761  
the Revised Code in circumstances in which the deadly weapon 762  
used in the commission of the violation is a motor vehicle, or 763  
an attempt to commit aggravated murder or murder in violation of 764  
section 2923.02 of the Revised Code in circumstances in which 765  
the offender used a motor vehicle as the means to attempt to 766  
commit the aggravated murder or murder. 767

(g) "Motor vehicle" has the same meaning as in section 768  
4501.01 of the Revised Code. 769

(2) For the purposes of this section, when a penalty or 770  
suspension is enhanced because of a prior or current violation 771  
of a specified law or a prior or current specified offense, the 772  
reference to the violation of the specified law or the specified 773  
offense includes any violation of any substantially equivalent 774  
municipal ordinance, former law of this state, or current or 775  
former law of another state or the United States. 776

**Sec. 2903.08.** (A) No person, while operating or 777  
participating in the operation of a motor vehicle, motorcycle, 778

snowmobile, locomotive, watercraft, or aircraft, shall cause 779  
serious physical harm to another person or another's unborn in 780  
any of the following ways: 781

(1) (a) As the proximate result of committing a violation 782  
of division (A) of section 4511.19 of the Revised Code or of a 783  
substantially equivalent municipal ordinance; 784

(b) As the proximate result of committing a violation of 785  
division (A) of section 1547.11 of the Revised Code or of a 786  
substantially equivalent municipal ordinance; 787

(c) As the proximate result of committing a violation of 788  
division (A) (3) of section 4561.15 of the Revised Code or of a 789  
substantially equivalent municipal ordinance. 790

(2) In one of the following ways: 791

(a) As the proximate result of committing, while operating 792  
or participating in the operation of a motor vehicle or 793  
motorcycle in a construction zone, a reckless operation offense, 794  
provided that this division applies only if the person to whom 795  
the serious physical harm is caused or to whose unborn the 796  
serious physical harm is caused is in the construction zone at 797  
the time of the offender's commission of the reckless operation 798  
offense in the construction zone and does not apply as described 799  
in division (E) of this section; 800

(b) Recklessly. 801

(3) As the proximate result of committing, while operating 802  
or participating in the operation of a motor vehicle or 803  
motorcycle in a construction zone, a speeding offense, provided 804  
that this division applies only if the person to whom the 805  
serious physical harm is caused or to whose unborn the serious 806  
physical harm is caused is in the construction zone at the time 807

of the offender's commission of the speeding offense in the 808  
construction zone and does not apply as described in division 809  
(E) of this section; 810

(4) As the proximate result of recklessly committing a 811  
violation of section 4511.75 of the Revised Code. 812

(B) (1) Whoever violates division (A) (1) of this section is 813  
guilty of aggravated vehicular assault. Except as otherwise 814  
provided in this division, aggravated vehicular assault is a 815  
felony of the third degree. Aggravated vehicular assault is a 816  
felony of the second degree if any of the following apply: 817

(a) At the time of the offense, the offender was driving 818  
under a suspension imposed under Chapter 4510. or any other 819  
provision of the Revised Code. 820

(b) The offender previously has been convicted of or 821  
pleaded guilty to a violation of this section. 822

(c) The offender previously has been convicted of or 823  
pleaded guilty to any traffic-related homicide, manslaughter, or 824  
assault offense. 825

(d) The offender previously has been convicted of or 826  
pleaded guilty to three or more prior violations of section 827  
4511.19 of the Revised Code or a substantially equivalent 828  
municipal ordinance within the previous ten years. 829

(e) The offender previously has been convicted of or 830  
pleaded guilty to three or more prior violations of division (A) 831  
of section 1547.11 of the Revised Code or of a substantially 832  
equivalent municipal ordinance within the previous ten years. 833

(f) The offender previously has been convicted of or 834  
pleaded guilty to three or more prior violations of division (A) 835

(3) of section 4561.15 of the Revised Code or of a substantially  
equivalent municipal ordinance within the previous ten years.

(g) The offender previously has been convicted of or  
pleaded guilty to three or more prior violations of any  
combination of the offenses listed in division (B) (1) (d), (e),  
or (f) of this section.

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

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

(C) (1) Whoever violates division (A) (2) or (3) of this  
section is guilty of vehicular assault and shall be punished as  
provided in divisions (C) (2) and (3) of this section.

(2) Except as otherwise provided in this division, 865  
vehicular assault committed in violation of division (A)(2) of 866  
this section is a felony of the fourth degree. Vehicular assault 867  
committed in violation of division (A)(2) of this section is a 868  
felony of the third degree if, at the time of the offense, the 869  
offender was driving under a suspension imposed under Chapter 870  
4510. or any other provision of the Revised Code, if the 871  
offender previously has been convicted of or pleaded guilty to a 872  
violation of this section or any traffic-related homicide, 873  
manslaughter, or assault offense, or if, in the same course of 874  
conduct that resulted in the violation of division (A)(2) of 875  
this section, the offender also violated section 4549.02, 876  
4549.021, or 4549.03 of the Revised Code. 877

In addition to any other sanctions imposed, the court 878  
shall impose upon the offender a class four suspension of the 879  
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)(4) of section 4510.02 of the Revised Code or, if 883  
the offender previously has been convicted of or pleaded guilty 884  
to a violation of this section, any traffic-related homicide, 885  
manslaughter, or assault offense, or any traffic-related murder, 886  
felonious assault, or attempted murder offense, a class three 887  
suspension of the offender's driver's license, commercial 888  
driver's license, temporary instruction permit, probationary 889  
license, or nonresident operating privilege from the range 890  
specified in division (A)(3) of that section. 891

(3) Except as otherwise provided in this division, 892  
vehicular assault committed in violation of division (A)(3) of 893  
this section is a misdemeanor of the first degree. Vehicular 894  
assault committed in violation of division (A)(3) of this 895

section is a felony of the fourth degree if, at the time of the 896  
offense, the offender was driving under a suspension imposed 897  
under Chapter 4510. or any other provision of the Revised Code 898  
or if the offender previously has been convicted of or pleaded 899  
guilty to a violation of this section or any traffic-related 900  
homicide, manslaughter, or assault offense. 901

In addition to any other sanctions imposed, the court 902  
shall impose upon the offender a class four suspension of the 903  
offender's driver's license, commercial driver's license, 904  
temporary instruction permit, probationary license, or 905  
nonresident operating privilege from the range specified in 906  
division (A)(4) of section 4510.02 of the Revised Code or, if 907  
the offender previously has been convicted of or pleaded guilty 908  
to a violation of this section, any traffic-related homicide, 909  
manslaughter, or assault offense, or any traffic-related murder, 910  
felonious assault, or attempted murder offense, a class three 911  
suspension of the offender's driver's license, commercial 912  
driver's license, temporary instruction permit, probationary 913  
license, or nonresident operating privilege from the range 914  
specified in division (A)(3) of section 4510.02 of the Revised 915  
Code. 916

(4) Except as otherwise provided in this division, 917  
vehicular assault committed in violation of division (A)(4) of 918  
this section is a felony of the third degree. Vehicular assault 919  
committed in violation of division (A)(4) of this section is a 920  
felony of the second degree if, at the time of the offense, the 921  
offender was driving under a suspension imposed under Chapter 922  
4510. or any other provision of the Revised Code, if the 923  
offender previously has been convicted of or pleaded guilty to a 924  
violation of this section or any traffic-related homicide, 925  
manslaughter, or assault offense, or if, in the same course of 926



conduct that resulted in the violation of division (A) (4) of 927  
this section, the offender also violated section 4549.02, 928  
4549.021, or 4549.03 of the Revised Code. 929

In addition to any other sanctions imposed, the court 930  
shall impose upon the offender a class three suspension of the 931  
offender's driver's license, commercial driver's license, 932  
temporary instruction permit, probationary license, or 933  
nonresident operating privilege from the range specified in 934  
division (A) (3) of section 4510.02 of the Revised Code or, if 935  
the offender previously has been convicted of or pleaded guilty 936  
to a violation of this section, any traffic-related homicide, 937  
manslaughter, or assault offense, or any traffic-related murder, 938  
felonious assault, or attempted murder offense, a class two 939  
suspension of the offender's driver's license, commercial 940  
driver's license, temporary instruction permit, probationary 941  
license, or nonresident operating privilege from the range 942  
specified in division (A) (2) of that section. 943

(D) (1) The court shall impose a mandatory prison term, as 944  
described in division (D) (4) of this section, on an offender who 945  
is convicted of or pleads guilty to a violation of division (A) 946  
(1) of this section. 947

(2) The court shall impose a mandatory prison term, as 948  
described in division (D) (4) of this section, on an offender who 949  
is convicted of or pleads guilty to a violation of division (A) 950  
(2) or (4) of this section or a felony violation of division (A) 951  
(3) of this section if either of the following applies: 952

(a) The offender previously has been convicted of or 953  
pleaded guilty to a violation of this section or section 2903.06 954  
of the Revised Code. 955

(b) At the time of the offense, the offender was driving 956  
under suspension under Chapter 4510. or any other provision of 957  
the Revised Code. 958

(3) The court shall impose a mandatory jail term of at 959  
least seven days on an offender who is convicted of or pleads 960  
guilty to a misdemeanor violation of division (A) (3) of this 961  
section and may impose upon the offender a longer jail term as 962  
authorized pursuant to section 2929.24 of the Revised Code. 963

(4) A mandatory prison term required under division (D) (1) 964  
or (2) of this section shall be a definite term from the range 965  
of prison terms provided in division (A) (2) (b) of section 966  
2929.14 of the Revised Code for a felony of the second degree, 967  
from division (A) (3) (a) of that section for a felony of the 968  
third degree, or from division (A) (4) of that section for a 969  
felony of the fourth degree, whichever is applicable, except 970  
that if the violation is a felony of the second degree committed 971  
on or after ~~the effective date of this amendment~~ March 22, 2019, 972  
the court shall impose as the minimum prison term for the 973  
offense a mandatory prison term that is one of the minimum terms 974  
prescribed for a felony of the second degree in division (A) (2) 975  
(a) of section 2929.14 of the Revised Code. 976

(E) Divisions (A) (2) (a) and (3) of this section do not 977  
apply in a particular construction zone unless signs of the type 978  
described in section 2903.081 of the Revised Code are erected in 979  
that construction zone in accordance with the guidelines and 980  
design specifications established by the director of 981  
transportation under section 5501.27 of the Revised Code. The 982  
failure to erect signs of the type described in section 2903.081 983  
of the Revised Code in a particular construction zone in 984  
accordance with those guidelines and design specifications does 985

not limit or affect the application of division (A) (1) or (2) (b) 986  
of this section in that construction zone or the prosecution of 987  
any person who violates either of those divisions in that 988  
construction zone. 989

(F) As used in this section: 990

(1) "Mandatory prison term" and "mandatory jail term" have 991  
the same meanings as in section 2929.01 of the Revised Code. 992

(2) "Traffic-related homicide, manslaughter, or assault 993  
offense" and "traffic-related murder, felonious assault, or 994  
attempted murder offense" have the same meanings as in section 995  
2903.06 of the Revised Code. 996

(3) "Construction zone" has the same meaning as in section 997  
5501.27 of the Revised Code. 998

(4) "Reckless operation offense" and "speeding offense" 999  
have the same meanings as in section 2903.06 of the Revised 1000  
Code. 1001

(G) For the purposes of this section, when a penalty or 1002  
suspension is enhanced because of a prior or current violation 1003  
of a specified law or a prior or current specified offense, the 1004  
reference to the violation of the specified law or the specified 1005  
offense includes any violation of any substantially equivalent 1006  
municipal ordinance, former law of this state, or current or 1007  
former law of another state or the United States. 1008

**Sec. 2929.14.** (A) Except as provided in division (B) (1), 1009  
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 1010  
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 1011  
in division (D) (6) of section 2919.25 of the Revised Code and 1012  
except in relation to an offense for which a sentence of death 1013  
or life imprisonment is to be imposed, if the court imposing a 1014

sentence upon an offender for a felony elects or is required to 1015  
impose a prison term on the offender pursuant to this chapter, 1016  
the court shall impose a prison term that shall be one of the 1017  
following: 1018

(1) (a) For a felony of the first degree committed on or 1019  
after the effective date of this amendment, the prison term 1020  
shall be an indefinite prison term with a stated minimum term 1021  
selected by the court of three, four, five, six, seven, eight, 1022  
nine, ten, or eleven years and a maximum term that is determined 1023  
pursuant to section 2929.144 of the Revised Code, except that if 1024  
the section that criminalizes the conduct constituting the 1025  
felony specifies a different minimum term or penalty for the 1026  
offense, the specific language of that section shall control in 1027  
determining the minimum term or otherwise sentencing the 1028  
offender but the minimum term or sentence imposed under that 1029  
specific language shall be considered for purposes of the 1030  
Revised Code as if it had been imposed under this division. 1031

(b) For a felony of the first degree committed prior to 1032  
the effective date of this amendment, the prison term shall be a 1033  
definite prison term of three, four, five, six, seven, eight, 1034  
nine, ten, or eleven years. 1035

(2) (a) For a felony of the second degree committed on or 1036  
after the effective date of this amendment, the prison term 1037  
shall be an indefinite prison term with a stated minimum term 1038  
selected by the court of two, three, four, five, six, seven, or 1039  
eight years and a maximum term that is determined pursuant to 1040  
section 2929.144 of the Revised Code, except that if the section 1041  
that criminalizes the conduct constituting the felony specifies 1042  
a different minimum term or penalty for the offense, the 1043  
specific language of that section shall control in determining 1044

the minimum term or otherwise sentencing the offender but the 1045  
minimum term or sentence imposed under that specific language 1046  
shall be considered for purposes of the Revised Code as if it 1047  
had been imposed under this division. 1048

(b) For a felony of the second degree committed prior to 1049  
the effective date of this amendment, the prison term shall be a 1050  
definite term of two, three, four, five, six, seven, or eight 1051  
years. 1052

(3) (a) For a felony of the third degree that is a 1053  
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 1054  
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 1055  
Code or that is a violation of section 2911.02 or 2911.12 of the 1056  
Revised Code if the offender previously has been convicted of or 1057  
pleaded guilty in two or more separate proceedings to two or 1058  
more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 1059  
of the Revised Code, the prison term shall be a definite term of 1060  
twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, 1061  
forty-eight, fifty-four, or sixty months. 1062

(b) For a felony of the third degree that is not an 1063  
offense for which division (A) (3) (a) of this section applies, 1064  
the prison term shall be a definite term of nine, twelve, 1065  
eighteen, twenty-four, thirty, or thirty-six months. 1066

(4) For a felony of the fourth degree, the prison term 1067  
shall be a definite term of six, seven, eight, nine, ten, 1068  
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 1069  
or eighteen months. 1070

(5) For a felony of the fifth degree, the prison term 1071  
shall be a definite term of six, seven, eight, nine, ten, 1072  
eleven, or twelve months. 1073

(B) (1) (a) Except as provided in division (B) (1) (e) of this 1074  
section, if an offender who is convicted of or pleads guilty to 1075  
a felony also is convicted of or pleads guilty to a 1076  
specification of the type described in section 2941.141, 1077  
2941.144, or 2941.145 of the Revised Code, the court shall 1078  
impose on the offender one of the following prison terms: 1079

(i) A prison term of six years if the specification is of 1080  
the type described in division (A) of section 2941.144 of the 1081  
Revised Code that charges the offender with having a firearm 1082  
that is an automatic firearm or that was equipped with a firearm 1083  
muffler or suppressor on or about the offender's person or under 1084  
the offender's control while committing the offense; 1085

(ii) A prison term of three years if the specification is 1086  
of the type described in division (A) of section 2941.145 of the 1087  
Revised Code that charges the offender with having a firearm on 1088  
or about the offender's person or under the offender's control 1089  
while committing the offense and displaying the firearm, 1090  
brandishing the firearm, indicating that the offender possessed 1091  
the firearm, or using it to facilitate the offense; 1092

(iii) A prison term of one year if the specification is of 1093  
the type described in division (A) of section 2941.141 of the 1094  
Revised Code that charges the offender with having a firearm on 1095  
or about the offender's person or under the offender's control 1096  
while committing the offense; 1097

(iv) A prison term of nine years if the specification is 1098  
of the type described in division (D) of section 2941.144 of the 1099  
Revised Code that charges the offender with having a firearm 1100  
that is an automatic firearm or that was equipped with a firearm 1101  
muffler or suppressor on or about the offender's person or under 1102  
the offender's control while committing the offense and 1103

specifies that the offender previously has been convicted of or 1104  
pleaded guilty to a specification of the type described in 1105  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1106  
the Revised Code; 1107

(v) A prison term of fifty-four months if the 1108  
specification is of the type described in division (D) of 1109  
section 2941.145 of the Revised Code that charges the offender 1110  
with having a firearm on or about the offender's person or under 1111  
the offender's control while committing the offense and 1112  
displaying the firearm, brandishing the firearm, indicating that 1113  
the offender possessed the firearm, or using the firearm to 1114  
facilitate the offense and that the offender previously has been 1115  
convicted of or pleaded guilty to a specification of the type 1116  
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 1117  
2941.1412 of the Revised Code; 1118

(vi) A prison term of eighteen months if the specification 1119  
is of the type described in division (D) of section 2941.141 of 1120  
the Revised Code that charges the offender with having a firearm 1121  
on or about the offender's person or under the offender's 1122  
control while committing the offense and that the offender 1123  
previously has been convicted of or pleaded guilty to a 1124  
specification of the type described in section 2941.141, 1125  
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 1126

(b) If a court imposes a prison term on an offender under 1127  
division (B)(1)(a) of this section, the prison term shall not be 1128  
reduced pursuant to section 2967.19, section 2929.20, section 1129  
2967.193, or any other provision of Chapter 2967. or Chapter 1130  
5120. of the Revised Code. Except as provided in division (B)(1) 1131  
(g) of this section, a court shall not impose more than one 1132  
prison term on an offender under division (B)(1)(a) of this 1133

section for felonies committed as part of the same act or 1134  
transaction. 1135

(c) (i) Except as provided in division (B) (1) (e) of this 1136  
section, if an offender who is convicted of or pleads guilty to 1137  
a violation of section 2923.161 of the Revised Code or to a 1138  
felony that includes, as an essential element, purposely or 1139  
knowingly causing or attempting to cause the death of or 1140  
physical harm to another, also is convicted of or pleads guilty 1141  
to a specification of the type described in division (A) of 1142  
section 2941.146 of the Revised Code that charges the offender 1143  
with committing the offense by discharging a firearm from a 1144  
motor vehicle other than a manufactured home, the court, after 1145  
imposing a prison term on the offender for the violation of 1146  
section 2923.161 of the Revised Code or for the other felony 1147  
offense under division (A), (B) (2), or (B) (3) of this section, 1148  
shall impose an additional prison term of five years upon the 1149  
offender that shall not be reduced pursuant to section 2929.20, 1150  
section 2967.19, section 2967.193, or any other provision of 1151  
Chapter 2967. or Chapter 5120. of the Revised Code. 1152

(ii) Except as provided in division (B) (1) (e) of this 1153  
section, if an offender who is convicted of or pleads guilty to 1154  
a violation of section 2923.161 of the Revised Code or to a 1155  
felony that includes, as an essential element, purposely or 1156  
knowingly causing or attempting to cause the death of or 1157  
physical harm to another, also is convicted of or pleads guilty 1158  
to a specification of the type described in division (C) of 1159  
section 2941.146 of the Revised Code that charges the offender 1160  
with committing the offense by discharging a firearm from a 1161  
motor vehicle other than a manufactured home and that the 1162  
offender previously has been convicted of or pleaded guilty to a 1163  
specification of the type described in section 2941.141, 1164



2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 1165  
the court, after imposing a prison term on the offender for the 1166  
violation of section 2923.161 of the Revised Code or for the 1167  
other felony offense under division (A), (B)(2), or (3) of this 1168  
section, shall impose an additional prison term of ninety months 1169  
upon the offender that shall not be reduced pursuant to section 1170  
2929.20, 2967.19, 2967.193, or any other provision of Chapter 1171  
2967. or Chapter 5120. of the Revised Code. 1172

(iii) A court shall not impose more than one additional 1173  
prison term on an offender under division (B)(1)(c) of this 1174  
section for felonies committed as part of the same act or 1175  
transaction. If a court imposes an additional prison term on an 1176  
offender under division (B)(1)(c) of this section relative to an 1177  
offense, the court also shall impose a prison term under 1178  
division (B)(1)(a) of this section relative to the same offense, 1179  
provided the criteria specified in that division for imposing an 1180  
additional prison term are satisfied relative to the offender 1181  
and the offense. 1182

(d) If an offender who is convicted of or pleads guilty to 1183  
an offense of violence that is a felony also is convicted of or 1184  
pleads guilty to a specification of the type described in 1185  
section 2941.1411 of the Revised Code that charges the offender 1186  
with wearing or carrying body armor while committing the felony 1187  
offense of violence, the court shall impose on the offender an 1188  
additional prison term of two years. The prison term so imposed, 1189  
subject to divisions (C) to (I) of section 2967.19 of the 1190  
Revised Code, shall not be reduced pursuant to section 2929.20, 1191  
section 2967.19, section 2967.193, or any other provision of 1192  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1193  
shall not impose more than one prison term on an offender under 1194  
division (B)(1)(d) of this section for felonies committed as 1195

part of the same act or transaction. If a court imposes an 1196  
additional prison term under division (B)(1)(a) or (c) of this 1197  
section, the court is not precluded from imposing an additional 1198  
prison term under division (B)(1)(d) of this section. 1199

(e) The court shall not impose any of the prison terms 1200  
described in division (B)(1)(a) of this section or any of the 1201  
additional prison terms described in division (B)(1)(c) of this 1202  
section upon an offender for a violation of section 2923.12 or 1203  
2923.123 of the Revised Code. The court shall not impose any of 1204  
the prison terms described in division (B)(1)(a) or (b) of this 1205  
section upon an offender for a violation of section 2923.122 1206  
that involves a deadly weapon that is a firearm other than a 1207  
dangerous ordnance, section 2923.16, or section 2923.121 of the 1208  
Revised Code. The court shall not impose any of the prison terms 1209  
described in division (B)(1)(a) of this section or any of the 1210  
additional prison terms described in division (B)(1)(c) of this 1211  
section upon an offender for a violation of section 2923.13 of 1212  
the Revised Code unless all of the following apply: 1213

(i) The offender previously has been convicted of 1214  
aggravated murder, murder, or any felony of the first or second 1215  
degree. 1216

(ii) Less than five years have passed since the offender 1217  
was released from prison or post-release control, whichever is 1218  
later, for the prior offense. 1219

(f)(i) If an offender is convicted of or pleads guilty to 1220  
a felony that includes, as an essential element, causing or 1221  
attempting to cause the death of or physical harm to another and 1222  
also is convicted of or pleads guilty to a specification of the 1223  
type described in division (A) of section 2941.1412 of the 1224  
Revised Code that charges the offender with committing the 1225

offense by discharging a firearm at a peace officer as defined 1226  
in section 2935.01 of the Revised Code or a corrections officer, 1227  
as defined in section 2941.1412 of the Revised Code, the court, 1228  
after imposing a prison term on the offender for the felony 1229  
offense under division (A), (B) (2), or (B) (3) of this section, 1230  
shall impose an additional prison term of seven years upon the 1231  
offender that shall not be reduced pursuant to section 2929.20, 1232  
section 2967.19, section 2967.193, or any other provision of 1233  
Chapter 2967. or Chapter 5120. of the Revised Code. 1234

(ii) If an offender is convicted of or pleads guilty to a 1235  
felony that includes, as an essential element, causing or 1236  
attempting to cause the death of or physical harm to another and 1237  
also is convicted of or pleads guilty to a specification of the 1238  
type described in division (B) of section 2941.1412 of the 1239  
Revised Code that charges the offender with committing the 1240  
offense by discharging a firearm at a peace officer, as defined 1241  
in section 2935.01 of the Revised Code, or a corrections 1242  
officer, as defined in section 2941.1412 of the Revised Code, 1243  
and that the offender previously has been convicted of or 1244  
pleaded guilty to a specification of the type described in 1245  
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 1246  
the Revised Code, the court, after imposing a prison term on the 1247  
offender for the felony offense under division (A), (B) (2), or 1248  
(3) of this section, shall impose an additional prison term of 1249  
one hundred twenty-six months upon the offender that shall not 1250  
be reduced pursuant to section 2929.20, 2967.19, 2967.193, or 1251  
any other provision of Chapter 2967. or 5120. of the Revised 1252  
Code. 1253

(iii) If an offender is convicted of or pleads guilty to 1254  
two or more felonies that include, as an essential element, 1255  
causing or attempting to cause the death or physical harm to 1256

another and also is convicted of or pleads guilty to a 1257  
specification of the type described under division (B) (1) (f) of 1258  
this section in connection with two or more of the felonies of 1259  
which the offender is convicted or to which the offender pleads 1260  
guilty, the sentencing court shall impose on the offender the 1261  
prison term specified under division (B) (1) (f) of this section 1262  
for each of two of the specifications of which the offender is 1263  
convicted or to which the offender pleads guilty and, in its 1264  
discretion, also may impose on the offender the prison term 1265  
specified under that division for any or all of the remaining 1266  
specifications. If a court imposes an additional prison term on 1267  
an offender under division (B) (1) (f) of this section relative to 1268  
an offense, the court shall not impose a prison term under 1269  
division (B) (1) (a) or (c) of this section relative to the same 1270  
offense. 1271

(g) If an offender is convicted of or pleads guilty to two 1272  
or more felonies, if one or more of those felonies are 1273  
aggravated murder, murder, attempted aggravated murder, 1274  
attempted murder, aggravated robbery, felonious assault, or 1275  
rape, and if the offender is convicted of or pleads guilty to a 1276  
specification of the type described under division (B) (1) (a) of 1277  
this section in connection with two or more of the felonies, the 1278  
sentencing court shall impose on the offender the prison term 1279  
specified under division (B) (1) (a) of this section for each of 1280  
the two most serious specifications of which the offender is 1281  
convicted or to which the offender pleads guilty and, in its 1282  
discretion, also may impose on the offender the prison term 1283  
specified under that division for any or all of the remaining 1284  
specifications. 1285

(2) (a) If division (B) (2) (b) of this section does not 1286  
apply, the court may impose on an offender, in addition to the 1287

longest prison term authorized or required for the offense or, 1288  
for offenses for which division (A) (1) (a) or (2) (a) of this 1289  
section applies, in addition to the longest minimum prison term 1290  
authorized or required for the offense, an additional definite 1291  
prison term of one, two, three, four, five, six, seven, eight, 1292  
nine, or ten years if all of the following criteria are met: 1293

(i) The offender is convicted of or pleads guilty to a 1294  
specification of the type described in section 2941.149 of the 1295  
Revised Code that the offender is a repeat violent offender. 1296

(ii) The offense of which the offender currently is 1297  
convicted or to which the offender currently pleads guilty is 1298  
aggravated murder and the court does not impose a sentence of 1299  
death or life imprisonment without parole, murder, terrorism and 1300  
the court does not impose a sentence of life imprisonment 1301  
without parole, any felony of the first degree that is an 1302  
offense of violence and the court does not impose a sentence of 1303  
life imprisonment without parole, or any felony of the second 1304  
degree that is an offense of violence and the trier of fact 1305  
finds that the offense involved an attempt to cause or a threat 1306  
to cause serious physical harm to a person or resulted in 1307  
serious physical harm to a person. 1308

(iii) The court imposes the longest prison term for the 1309  
offense or the longest minimum prison term for the offense, 1310  
whichever is applicable, that is not life imprisonment without 1311  
parole. 1312

(iv) The court finds that the prison terms imposed 1313  
pursuant to division (B) (2) (a) (iii) of this section and, if 1314  
applicable, division (B) (1) or (3) of this section are 1315  
inadequate to punish the offender and protect the public from 1316  
future crime, because the applicable factors under section 1317

2929.12 of the Revised Code indicating a greater likelihood of 1318  
recidivism outweigh the applicable factors under that section 1319  
indicating a lesser likelihood of recidivism. 1320

(v) The court finds that the prison terms imposed pursuant 1321  
to division (B)(2)(a)(iii) of this section and, if applicable, 1322  
division (B)(1) or (3) of this section are demeaning to the 1323  
seriousness of the offense, because one or more of the factors 1324  
under section 2929.12 of the Revised Code indicating that the 1325  
offender's conduct is more serious than conduct normally 1326  
constituting the offense are present, and they outweigh the 1327  
applicable factors under that section indicating that the 1328  
offender's conduct is less serious than conduct normally 1329  
constituting the offense. 1330

(b) The court shall impose on an offender the longest 1331  
prison term authorized or required for the offense or, for 1332  
offenses for which division (A)(1)(a) or (2)(a) of this section 1333  
applies, the longest minimum prison term authorized or required 1334  
for the offense, and shall impose on the offender an additional 1335  
definite prison term of one, two, three, four, five, six, seven, 1336  
eight, nine, or ten years if all of the following criteria are 1337  
met: 1338

(i) The offender is convicted of or pleads guilty to a 1339  
specification of the type described in section 2941.149 of the 1340  
Revised Code that the offender is a repeat violent offender. 1341

(ii) The offender within the preceding twenty years has 1342  
been convicted of or pleaded guilty to three or more offenses 1343  
described in division (CC)(1) of section 2929.01 of the Revised 1344  
Code, including all offenses described in that division of which 1345  
the offender is convicted or to which the offender pleads guilty 1346  
in the current prosecution and all offenses described in that 1347

division of which the offender previously has been convicted or 1348  
to which the offender previously pleaded guilty, whether 1349  
prosecuted together or separately. 1350

(iii) The offense or offenses of which the offender 1351  
currently is convicted or to which the offender currently pleads 1352  
guilty is aggravated murder and the court does not impose a 1353  
sentence of death or life imprisonment without parole, murder, 1354  
terrorism and the court does not impose a sentence of life 1355  
imprisonment without parole, any felony of the first degree that 1356  
is an offense of violence and the court does not impose a 1357  
sentence of life imprisonment without parole, or any felony of 1358  
the second degree that is an offense of violence and the trier 1359  
of fact finds that the offense involved an attempt to cause or a 1360  
threat to cause serious physical harm to a person or resulted in 1361  
serious physical harm to a person. 1362

(c) For purposes of division (B) (2) (b) of this section, 1363  
two or more offenses committed at the same time or as part of 1364  
the same act or event shall be considered one offense, and that 1365  
one offense shall be the offense with the greatest penalty. 1366

(d) A sentence imposed under division (B) (2) (a) or (b) of 1367  
this section shall not be reduced pursuant to section 2929.20, 1368  
section 2967.19, or section 2967.193, or any other provision of 1369  
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 1370  
shall serve an additional prison term imposed under division (B) 1371  
(2) (a) or (b) of this section consecutively to and prior to the 1372  
prison term imposed for the underlying offense. 1373

(e) When imposing a sentence pursuant to division (B) (2) 1374  
(a) or (b) of this section, the court shall state its findings 1375  
explaining the imposed sentence. 1376

(3) Except when an offender commits a violation of section 1377  
2903.01 or 2907.02 of the Revised Code and the penalty imposed 1378  
for the violation is life imprisonment or commits a violation of 1379  
section 2903.02 of the Revised Code, if the offender commits a 1380  
violation of section 2925.03 or 2925.11 of the Revised Code and 1381  
that section classifies the offender as a major drug offender, 1382  
if the offender commits a violation of section 2925.05 of the 1383  
Revised Code and division (E)(1) of that section classifies the 1384  
offender as a major drug offender, if the offender commits a 1385  
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 1386  
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 1387  
division (C) or (D) of section 3719.172, division (E) of section 1388  
4729.51, or division (J) of section 4729.54 of the Revised Code 1389  
that includes the sale, offer to sell, or possession of a 1390  
schedule I or II controlled substance, with the exception of 1391  
marihuana, and the court imposing sentence upon the offender 1392  
finds that the offender is guilty of a specification of the type 1393  
described in division (A) of section 2941.1410 of the Revised 1394  
Code charging that the offender is a major drug offender, if the 1395  
court imposing sentence upon an offender for a felony finds that 1396  
the offender is guilty of corrupt activity with the most serious 1397  
offense in the pattern of corrupt activity being a felony of the 1398  
first degree, or if the offender is guilty of an attempted 1399  
violation of section 2907.02 of the Revised Code and, had the 1400  
offender completed the violation of section 2907.02 of the 1401  
Revised Code that was attempted, the offender would have been 1402  
subject to a sentence of life imprisonment or life imprisonment 1403  
without parole for the violation of section 2907.02 of the 1404  
Revised Code, the court shall impose upon the offender for the 1405  
felony violation a mandatory prison term determined as described 1406  
in this division that, subject to divisions (C) to (I) of 1407  
section 2967.19 of the Revised Code, cannot be reduced pursuant 1408



to section 2929.20, section 2967.19, or any other provision of 1409  
Chapter 2967. or 5120. of the Revised Code. The mandatory prison 1410  
term shall be the maximum definite prison term prescribed in 1411  
division (A) (1) (b) of this section for a felony of the first 1412  
degree, except that for offenses for which division (A) (1) (a) of 1413  
this section applies, the mandatory prison term shall be the 1414  
longest minimum prison term prescribed in that division for the 1415  
offense. 1416

(4) If the offender is being sentenced for a third or 1417  
fourth degree felony OVI offense under division (G) (2) of 1418  
section 2929.13 of the Revised Code, the sentencing court shall 1419  
impose upon the offender a mandatory prison term in accordance 1420  
with that division. In addition to the mandatory prison term, if 1421  
the offender is being sentenced for a fourth degree felony OVI 1422  
offense, the court, notwithstanding division (A) (4) of this 1423  
section, may sentence the offender to a definite prison term of 1424  
not less than six months and not more than thirty months, and if 1425  
the offender is being sentenced for a third degree felony OVI 1426  
offense, the sentencing court may sentence the offender to an 1427  
additional prison term of any duration specified in division (A) 1428  
(3) of this section. In either case, the additional prison term 1429  
imposed shall be reduced by the sixty or one hundred twenty days 1430  
imposed upon the offender as the mandatory prison term. The 1431  
total of the additional prison term imposed under division (B) 1432  
(4) of this section plus the sixty or one hundred twenty days 1433  
imposed as the mandatory prison term shall equal a definite term 1434  
in the range of six months to thirty months for a fourth degree 1435  
felony OVI offense and shall equal one of the authorized prison 1436  
terms specified in division (A) (3) of this section for a third 1437  
degree felony OVI offense. If the court imposes an additional 1438  
prison term under division (B) (4) of this section, the offender 1439

shall serve the additional prison term after the offender has 1440  
served the mandatory prison term required for the offense. In 1441  
addition to the mandatory prison term or mandatory and 1442  
additional prison term imposed as described in division (B) (4) 1443  
of this section, the court also may sentence the offender to a 1444  
community control sanction under section 2929.16 or 2929.17 of 1445  
the Revised Code, but the offender shall serve all of the prison 1446  
terms so imposed prior to serving the community control 1447  
sanction. 1448

If the offender is being sentenced for a fourth degree 1449  
felony OVI offense under division (G) (1) of section 2929.13 of 1450  
the Revised Code and the court imposes a mandatory term of local 1451  
incarceration, the court may impose a prison term as described 1452  
in division (A) (1) of that section. 1453

(5) If an offender is convicted of or pleads guilty to a 1454  
violation of division (A) (1) or (2) of section 2903.06 of the 1455  
Revised Code and also is convicted of or pleads guilty to a 1456  
specification of the type described in section 2941.1414 of the 1457  
Revised Code that charges that the victim of the offense is a 1458  
peace officer, as defined in section 2935.01 of the Revised 1459  
Code, or an investigator of the bureau of criminal 1460  
identification and investigation, as defined in section 2903.11 1461  
of the Revised Code, the court shall impose on the offender a 1462  
prison term of five years. If a court imposes a prison term on 1463  
an offender under division (B) (5) of this section, the prison 1464  
term, subject to divisions (C) to (I) of section 2967.19 of the 1465  
Revised Code, shall not be reduced pursuant to section 2929.20, 1466  
section 2967.19, section 2967.193, or any other provision of 1467  
Chapter 2967. or Chapter 5120. of the Revised Code. A court 1468  
shall not impose more than one prison term on an offender under 1469  
division (B) (5) of this section for felonies committed as part 1470

of the same act.

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(6) If an offender is convicted of or pleads guilty to a  
violation of division (A) (1) ~~or~~, (2), or (5) of section 2903.06  
of the Revised Code and also is convicted of or pleads guilty to  
a specification of the type described in section 2941.1415 of  
the Revised Code that charges that the offender previously has  
been convicted of or pleaded guilty to three or more violations  
of division (A) or (B) of section 4511.19 of the Revised Code or  
an equivalent offense, as defined in section 2941.1415 of the  
Revised Code, or three or more violations of any combination of  
those divisions and offenses, the court shall impose on the  
offender a prison term of three years. If a court imposes a  
prison term on an offender under division (B) (6) of this  
section, the prison term, subject to divisions (C) to (I) of  
section 2967.19 of the Revised Code, shall not be reduced  
pursuant to section 2929.20, section 2967.19, section 2967.193,  
or any other provision of Chapter 2967. or Chapter 5120. of the  
Revised Code. A court shall not impose more than one prison term  
on an offender under division (B) (6) of this section for  
felonies committed as part of the same act.

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

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(i) If the offense is a felony of the first degree, a 1501  
definite prison term of not less than five years and not greater 1502  
than eleven years, except that if the offense is a felony of the 1503  
first degree committed on or after the effective date of this 1504  
amendment, the court shall impose as the minimum prison term a 1505  
mandatory term of not less than five years and not greater than 1506  
eleven years; 1507

(ii) If the offense is a felony of the second or third 1508  
degree, a definite prison term of not less than three years and 1509  
not greater than the maximum prison term allowed for the offense 1510  
by division (A) (2) (b) or (3) of this section, except that if the 1511  
offense is a felony of the second degree committed on or after 1512  
the effective date of this amendment, the court shall impose as 1513  
the minimum prison term a mandatory term of not less than three 1514  
years and not greater than eight years; 1515

(iii) If the offense is a felony of the fourth or fifth 1516  
degree, a definite prison term that is the maximum prison term 1517  
allowed for the offense by division (A) of section 2929.14 of 1518  
the Revised Code. 1519

(b) Subject to divisions (C) to (I) of section 2967.19 of 1520  
the Revised Code, the prison term imposed under division (B) (7) 1521  
(a) of this section shall not be reduced pursuant to section 1522  
2929.20, section 2967.19, section 2967.193, or any other 1523  
provision of Chapter 2967. of the Revised Code. A court shall 1524  
not impose more than one prison term on an offender under 1525  
division (B) (7) (a) of this section for felonies committed as 1526  
part of the same act, scheme, or plan. 1527

(8) If an offender is convicted of or pleads guilty to a 1528  
felony violation of section 2903.11, 2903.12, or 2903.13 of the 1529  
Revised Code and also is convicted of or pleads guilty to a 1530

specification of the type described in section 2941.1423 of the Revised Code that charges that the victim of the violation was a woman whom the offender knew was pregnant at the time of the violation, notwithstanding the range prescribed in division (A) of this section as the definite prison term or minimum prison term for felonies of the same degree as the violation, the court shall impose on the offender a mandatory prison term that is either a definite prison term of six months or one of the prison terms prescribed in division (A) of this section for felonies of the same degree as the violation, except that if the violation is a felony of the first or second degree committed on or after the effective date of this amendment, the court shall impose as the minimum prison term under division (A) (1) (a) or (2) (a) of this section a mandatory term that is one of the terms prescribed in that division, whichever is applicable, for the offense.

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

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

(ii) The violation is a violation of division (A) (2) of

section 2903.11 of the Revised Code and the specification 1561  
charges that the offender used an accelerant in committing the 1562  
violation, that the violation caused physical harm to another or 1563  
to another's unborn, and that the physical harm resulted in a 1564  
permanent, serious disfigurement or permanent, substantial 1565  
incapacity. 1566

(b) If a court imposes a prison term on an offender under 1567  
division (B) (9) (a) of this section, the prison term shall not be 1568  
reduced pursuant to section 2929.20, section 2967.19, section 1569  
2967.193, or any other provision of Chapter 2967. or Chapter 1570  
5120. of the Revised Code. A court shall not impose more than 1571  
one prison term on an offender under division (B) (9) of this 1572  
section for felonies committed as part of the same act. 1573

(c) The provisions of divisions (B) (9) and (C) (6) of this 1574  
section and of division (D) (2) of section 2903.11, division (F) 1575  
(20) of section 2929.13, and section 2941.1425 of the Revised 1576  
Code shall be known as "Judy's Law." 1577

(10) If an offender is convicted of or pleads guilty to a 1578  
violation of division (A) of section 2903.11 of the Revised Code 1579  
and also is convicted of or pleads guilty to a specification of 1580  
the type described in section 2941.1426 of the Revised Code that 1581  
charges that the victim of the offense suffered permanent 1582  
disabling harm as a result of the offense and that the victim 1583  
was under ten years of age at the time of the offense, 1584  
regardless of whether the offender knew the age of the victim, 1585  
the court shall impose upon the offender an additional definite 1586  
prison term of six years. A prison term imposed on an offender 1587  
under division (B) (10) of this section shall not be reduced 1588  
pursuant to section 2929.20, section 2967.193, or any other 1589  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 1590

If a court imposes an additional prison term on an offender 1591  
under this division relative to a violation of division (A) of 1592  
section 2903.11 of the Revised Code, the court shall not impose 1593  
any other additional prison term on the offender relative to the 1594  
same offense. 1595

(11) If an offender is convicted of or pleads guilty to a 1596  
felony violation of section 2925.03 or 2925.05 of the Revised 1597  
Code or a felony violation of section 2925.11 of the Revised 1598  
Code for which division (C) (11) of that section applies in 1599  
determining the sentence for the violation, if the drug involved 1600  
in the violation is a fentanyl-related compound or a compound, 1601  
mixture, preparation, or substance containing a fentanyl-related 1602  
compound, and if the offender also is convicted of or pleads 1603  
guilty to a specification of the type described in division (B) 1604  
of section 2941.1410 of the Revised Code that charges that the 1605  
offender is a major drug offender, in addition to any other 1606  
penalty imposed for the violation, the court shall impose on the 1607  
offender a mandatory prison term of three, four, five, six, 1608  
seven, or eight years. If a court imposes a prison term on an 1609  
offender under division (B) (11) of this section, the prison 1610  
term, subject to divisions (C) to (I) of section 2967.19 of the 1611  
Revised Code, shall not be reduced pursuant to section 2929.20, 1612  
2967.19, or 2967.193, or any other provision of Chapter 2967. or 1613  
5120. of the Revised Code. A court shall not impose more than 1614  
one prison term on an offender under division (B) (11) of this 1615  
section for felonies committed as part of the same act. 1616

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1617  
if a mandatory prison term is imposed upon an offender pursuant 1618  
to division (B) (1) (a) of this section for having a firearm on or 1619  
about the offender's person or under the offender's control 1620  
while committing a felony, if a mandatory prison term is imposed 1621

upon an offender pursuant to division (B)(1)(c) of this section 1622  
for committing a felony specified in that division by 1623  
discharging a firearm from a motor vehicle, or if both types of 1624  
mandatory prison terms are imposed, the offender shall serve any 1625  
mandatory prison term imposed under either division 1626  
consecutively to any other mandatory prison term imposed under 1627  
either division or under division (B)(1)(d) of this section, 1628  
consecutively to and prior to any prison term imposed for the 1629  
underlying felony pursuant to division (A), (B)(2), or (B)(3) of 1630  
this section or any other section of the Revised Code, and 1631  
consecutively to any other prison term or mandatory prison term 1632  
previously or subsequently imposed upon the offender. 1633

(b) If a mandatory prison term is imposed upon an offender 1634  
pursuant to division (B)(1)(d) of this section for wearing or 1635  
carrying body armor while committing an offense of violence that 1636  
is a felony, the offender shall serve the mandatory term so 1637  
imposed consecutively to any other mandatory prison term imposed 1638  
under that division or under division (B)(1)(a) or (c) of this 1639  
section, consecutively to and prior to any prison term imposed 1640  
for the underlying felony under division (A), (B)(2), or (B)(3) 1641  
of this section or any other section of the Revised Code, and 1642  
consecutively to any other prison term or mandatory prison term 1643  
previously or subsequently imposed upon the offender. 1644

(c) If a mandatory prison term is imposed upon an offender 1645  
pursuant to division (B)(1)(f) of this section, the offender 1646  
shall serve the mandatory prison term so imposed consecutively 1647  
to and prior to any prison term imposed for the underlying 1648  
felony under division (A), (B)(2), or (B)(3) of this section or 1649  
any other section of the Revised Code, and consecutively to any 1650  
other prison term or mandatory prison term previously or 1651  
subsequently imposed upon the offender. 1652



(d) If a mandatory prison term is imposed upon an offender 1653  
pursuant to division (B) (7) or (8) of this section, the offender 1654  
shall serve the mandatory prison term so imposed consecutively 1655  
to any other mandatory prison term imposed under that division 1656  
or under any other provision of law and consecutively to any 1657  
other prison term or mandatory prison term previously or 1658  
subsequently imposed upon the offender. 1659

(e) If a mandatory prison term is imposed upon an offender 1660  
pursuant to division (B) (11) of this section, the offender shall 1661  
serve the mandatory prison term consecutively to any other 1662  
mandatory prison term imposed under that division, consecutively 1663  
to and prior to any prison term imposed for the underlying 1664  
felony, and consecutively to any other prison term or mandatory 1665  
prison term previously or subsequently imposed upon the 1666  
offender. 1667

(2) If an offender who is an inmate in a jail, prison, or 1668  
other residential detention facility violates section 2917.02, 1669  
2917.03, or 2921.35 of the Revised Code or division (A) (1) or 1670  
(2) of section 2921.34 of the Revised Code, if an offender who 1671  
is under detention at a detention facility commits a felony 1672  
violation of section 2923.131 of the Revised Code, or if an 1673  
offender who is an inmate in a jail, prison, or other 1674  
residential detention facility or is under detention at a 1675  
detention facility commits another felony while the offender is 1676  
an escapee in violation of division (A) (1) or (2) of section 1677  
2921.34 of the Revised Code, any prison term imposed upon the 1678  
offender for one of those violations shall be served by the 1679  
offender consecutively to the prison term or term of 1680  
imprisonment the offender was serving when the offender 1681  
committed that offense and to any other prison term previously 1682  
or subsequently imposed upon the offender. 1683

(3) If a prison term is imposed for a violation of 1684  
division (B) of section 2911.01 of the Revised Code, a violation 1685  
of division (A) of section 2913.02 of the Revised Code in which 1686  
the stolen property is a firearm or dangerous ordnance, or a 1687  
felony violation of division (B) of section 2921.331 of the 1688  
Revised Code, the offender shall serve that prison term 1689  
consecutively to any other prison term or mandatory prison term 1690  
previously or subsequently imposed upon the offender. 1691

(4) If multiple prison terms are imposed on an offender 1692  
for convictions of multiple offenses, the court may require the 1693  
offender to serve the prison terms consecutively if the court 1694  
finds that the consecutive service is necessary to protect the 1695  
public from future crime or to punish the offender and that 1696  
consecutive sentences are not disproportionate to the 1697  
seriousness of the offender's conduct and to the danger the 1698  
offender poses to the public, and if the court also finds any of 1699  
the following: 1700

(a) The offender committed one or more of the multiple 1701  
offenses while the offender was awaiting trial or sentencing, 1702  
was under a sanction imposed pursuant to section 2929.16, 1703  
2929.17, or 2929.18 of the Revised Code, or was under post- 1704  
release control for a prior offense. 1705

(b) At least two of the multiple offenses were committed 1706  
as part of one or more courses of conduct, and the harm caused 1707  
by two or more of the multiple offenses so committed was so 1708  
great or unusual that no single prison term for any of the 1709  
offenses committed as part of any of the courses of conduct 1710  
adequately reflects the seriousness of the offender's conduct. 1711

(c) The offender's history of criminal conduct 1712  
demonstrates that consecutive sentences are necessary to protect 1713

the public from future crime by the offender. 1714

(5) If a mandatory prison term is imposed upon an offender 1715  
pursuant to division (B) (5) or (6) of this section, the offender 1716  
shall serve the mandatory prison term consecutively to and prior 1717  
to any prison term imposed for the underlying violation of 1718  
division (A) (1) ~~or~~, (2), or (5) of section 2903.06 of the 1719  
Revised Code pursuant to division (A) of this section or section 1720  
2929.142 of the Revised Code. If a mandatory prison term is 1721  
imposed upon an offender pursuant to division (B) (5) of this 1722  
section, and if a mandatory prison term also is imposed upon the 1723  
offender pursuant to division (B) (6) of this section in relation 1724  
to the same violation, the offender shall serve the mandatory 1725  
prison term imposed pursuant to division (B) (5) of this section 1726  
consecutively to and prior to the mandatory prison term imposed 1727  
pursuant to division (B) (6) of this section and consecutively to 1728  
and prior to any prison term imposed for the underlying 1729  
violation of division (A) (1) ~~or~~, (2), or (5) of section 2903.06 1730  
of the Revised Code pursuant to division (A) of this section or 1731  
section 2929.142 of the Revised Code. 1732

(6) If a mandatory prison term is imposed on an offender 1733  
pursuant to division (B) (9) of this section, the offender shall 1734  
serve the mandatory prison term consecutively to and prior to 1735  
any prison term imposed for the underlying violation of division 1736  
(A) (1) or (2) of section 2903.11 of the Revised Code and 1737  
consecutively to and prior to any other prison term or mandatory 1738  
prison term previously or subsequently imposed on the offender. 1739

(7) If a mandatory prison term is imposed on an offender 1740  
pursuant to division (B) (10) of this section, the offender shall 1741  
serve that mandatory prison term consecutively to and prior to 1742  
any prison term imposed for the underlying felonious assault. 1743

Except as otherwise provided in division (C) of this section, 1744  
any other prison term or mandatory prison term previously or 1745  
subsequently imposed upon the offender may be served 1746  
concurrently with, or consecutively to, the prison term imposed 1747  
pursuant to division (B)(10) of this section. 1748

(8) Any prison term imposed for a violation of section 1749  
2903.04 of the Revised Code that is based on a violation of 1750  
section 2925.03 or 2925.11 of the Revised Code or on a violation 1751  
of section 2925.05 of the Revised Code that is not funding of 1752  
marihuana trafficking shall run consecutively to any prison term 1753  
imposed for the violation of section 2925.03 or 2925.11 of the 1754  
Revised Code or for the violation of section 2925.05 of the 1755  
Revised Code that is not funding of marihuana trafficking. 1756

(9) When consecutive prison terms are imposed pursuant to 1757  
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1758  
division (H)(1) or (2) of this section, subject to division (C) 1759  
(10) of this section, the term to be served is the aggregate of 1760  
all of the terms so imposed. 1761

(10) When a court sentences an offender to a non-life 1762  
felony indefinite prison term, any definite prison term or 1763  
mandatory definite prison term previously or subsequently 1764  
imposed on the offender in addition to that indefinite sentence 1765  
that is required to be served consecutively to that indefinite 1766  
sentence shall be served prior to the indefinite sentence. 1767

(11) If a court is sentencing an offender for a felony of 1768  
the first or second degree, if division (A)(1)(a) or (2)(a) of 1769  
this section applies with respect to the sentencing for the 1770  
offense, and if the court is required under the Revised Code 1771  
section that sets forth the offense or any other Revised Code 1772  
provision to impose a mandatory prison term for the offense, the 1773

court shall impose the required mandatory prison term as the 1774  
minimum term imposed under division (A) (1) (a) or (2) (a) of this 1775  
section, whichever is applicable. 1776

(D) (1) If a court imposes a prison term, other than a term 1777  
of life imprisonment, for a felony of the first degree, for a 1778  
felony of the second degree, for a felony sex offense, or for a 1779  
felony of the third degree that is an offense of violence and 1780  
that is not a felony sex offense, it shall include in the 1781  
sentence a requirement that the offender be subject to a period 1782  
of post-release control after the offender's release from 1783  
imprisonment, in accordance with section 2967.28 of the Revised 1784  
Code. If a court imposes a sentence including a prison term of a 1785  
type described in this division on or after July 11, 2006, the 1786  
failure of a court to include a post-release control requirement 1787  
in the sentence pursuant to this division does not negate, 1788  
limit, or otherwise affect the mandatory period of post-release 1789  
control that is required for the offender under division (B) of 1790  
section 2967.28 of the Revised Code. Section 2929.191 of the 1791  
Revised Code applies if, prior to July 11, 2006, a court imposed 1792  
a sentence including a prison term of a type described in this 1793  
division and failed to include in the sentence pursuant to this 1794  
division a statement regarding post-release control. 1795

(2) If a court imposes a prison term for a felony of the 1796  
third, fourth, or fifth degree that is not subject to division 1797  
(D) (1) of this section, it shall include in the sentence a 1798  
requirement that the offender be subject to a period of post- 1799  
release control after the offender's release from imprisonment, 1800  
in accordance with that division, if the parole board determines 1801  
that a period of post-release control is necessary. Section 1802  
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1803  
a court imposed a sentence including a prison term of a type 1804

described in this division and failed to include in the sentence 1805  
pursuant to this division a statement regarding post-release 1806  
control. 1807

(E) The court shall impose sentence upon the offender in 1808  
accordance with section 2971.03 of the Revised Code, and Chapter 1809  
2971. of the Revised Code applies regarding the prison term or 1810  
term of life imprisonment without parole imposed upon the 1811  
offender and the service of that term of imprisonment if any of 1812  
the following apply: 1813

(1) A person is convicted of or pleads guilty to a violent 1814  
sex offense or a designated homicide, assault, or kidnapping 1815  
offense, and, in relation to that offense, the offender is 1816  
adjudicated a sexually violent predator. 1817

(2) A person is convicted of or pleads guilty to a 1818  
violation of division (A) (1) (b) of section 2907.02 of the 1819  
Revised Code committed on or after January 2, 2007, and either 1820  
the court does not impose a sentence of life without parole when 1821  
authorized pursuant to division (B) of section 2907.02 of the 1822  
Revised Code, or division (B) of section 2907.02 of the Revised 1823  
Code provides that the court shall not sentence the offender 1824  
pursuant to section 2971.03 of the Revised Code. 1825

(3) A person is convicted of or pleads guilty to attempted 1826  
rape committed on or after January 2, 2007, and a specification 1827  
of the type described in section 2941.1418, 2941.1419, or 1828  
2941.1420 of the Revised Code. 1829

(4) A person is convicted of or pleads guilty to a 1830  
violation of section 2905.01 of the Revised Code committed on or 1831  
after January 1, 2008, and that section requires the court to 1832  
sentence the offender pursuant to section 2971.03 of the Revised 1833

Code. 1834

(5) A person is convicted of or pleads guilty to 1835  
aggravated murder committed on or after January 1, 2008, and 1836  
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1837  
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1838  
(d) of section 2929.03, or division (A) or (B) of section 1839  
2929.06 of the Revised Code requires the court to sentence the 1840  
offender pursuant to division (B) (3) of section 2971.03 of the 1841  
Revised Code. 1842

(6) A person is convicted of or pleads guilty to murder 1843  
committed on or after January 1, 2008, and division (B) (2) of 1844  
section 2929.02 of the Revised Code requires the court to 1845  
sentence the offender pursuant to section 2971.03 of the Revised 1846  
Code. 1847

(F) If a person who has been convicted of or pleaded 1848  
guilty to a felony is sentenced to a prison term or term of 1849  
imprisonment under this section, sections 2929.02 to 2929.06 of 1850  
the Revised Code, section 2929.142 of the Revised Code, section 1851  
2971.03 of the Revised Code, or any other provision of law, 1852  
section 5120.163 of the Revised Code applies regarding the 1853  
person while the person is confined in a state correctional 1854  
institution. 1855

(G) If an offender who is convicted of or pleads guilty to 1856  
a felony that is an offense of violence also is convicted of or 1857  
pleads guilty to a specification of the type described in 1858  
section 2941.142 of the Revised Code that charges the offender 1859  
with having committed the felony while participating in a 1860  
criminal gang, the court shall impose upon the offender an 1861  
additional prison term of one, two, or three years. 1862

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

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

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

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

(b) In lieu of imposing an additional prison term under division (H) (2) (a) of this section, the court may directly



impose on the offender a sanction that requires the offender to 1893  
wear a real-time processing, continual tracking electronic 1894  
monitoring device during the period of time specified by the 1895  
court. The period of time specified by the court shall equal the 1896  
duration of an additional prison term that the court could have 1897  
imposed upon the offender under division (H) (2) (a) of this 1898  
section. A sanction imposed under this division shall commence 1899  
on the date specified by the court, provided that the sanction 1900  
shall not commence until after the offender has served the 1901  
prison term imposed for the felony violation of section 2907.22, 1902  
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1903  
residential sanction imposed for the violation under section 1904  
2929.16 of the Revised Code. A sanction imposed under this 1905  
division shall be considered to be a community control sanction 1906  
for purposes of section 2929.15 of the Revised Code, and all 1907  
provisions of the Revised Code that pertain to community control 1908  
sanctions shall apply to a sanction imposed under this division, 1909  
except to the extent that they would by their nature be clearly 1910  
inapplicable. The offender shall pay all costs associated with a 1911  
sanction imposed under this division, including the cost of the 1912  
use of the monitoring device. 1913

(I) At the time of sentencing, the court may recommend the 1914  
offender for placement in a program of shock incarceration under 1915  
section 5120.031 of the Revised Code or for placement in an 1916  
intensive program prison under section 5120.032 of the Revised 1917  
Code, disapprove placement of the offender in a program of shock 1918  
incarceration or an intensive program prison of that nature, or 1919  
make no recommendation on placement of the offender. In no case 1920  
shall the department of rehabilitation and correction place the 1921  
offender in a program or prison of that nature unless the 1922  
department determines as specified in section 5120.031 or 1923

5120.032 of the Revised Code, whichever is applicable, that the 1924  
offender is eligible for the placement. 1925

If the court disapproves placement of the offender in a 1926  
program or prison of that nature, the department of 1927  
rehabilitation and correction shall not place the offender in 1928  
any program of shock incarceration or intensive program prison. 1929

If the court recommends placement of the offender in a 1930  
program of shock incarceration or in an intensive program 1931  
prison, and if the offender is subsequently placed in the 1932  
recommended program or prison, the department shall notify the 1933  
court of the placement and shall include with the notice a brief 1934  
description of the placement. 1935

If the court recommends placement of the offender in a 1936  
program of shock incarceration or in an intensive program prison 1937  
and the department does not subsequently place the offender in 1938  
the recommended program or prison, the department shall send a 1939  
notice to the court indicating why the offender was not placed 1940  
in the recommended program or prison. 1941

If the court does not make a recommendation under this 1942  
division with respect to an offender and if the department 1943  
determines as specified in section 5120.031 or 5120.032 of the 1944  
Revised Code, whichever is applicable, that the offender is 1945  
eligible for placement in a program or prison of that nature, 1946  
the department shall screen the offender and determine if there 1947  
is an available program of shock incarceration or an intensive 1948  
program prison for which the offender is suited. If there is an 1949  
available program of shock incarceration or an intensive program 1950  
prison for which the offender is suited, the department shall 1951  
notify the court of the proposed placement of the offender as 1952  
specified in section 5120.031 or 5120.032 of the Revised Code 1953

and shall include with the notice a brief description of the 1954  
placement. The court shall have ten days from receipt of the 1955  
notice to disapprove the placement. 1956

(J) If a person is convicted of or pleads guilty to 1957  
aggravated vehicular homicide in violation of division (A) (1) of 1958  
section 2903.06 of the Revised Code and division (B) (2) (c) of 1959  
that section applies, the person shall be sentenced pursuant to 1960  
section 2929.142 of the Revised Code. 1961

(K) (1) The court shall impose an additional mandatory 1962  
prison term of two, three, four, five, six, seven, eight, nine, 1963  
ten, or eleven years on an offender who is convicted of or 1964  
pleads guilty to a violent felony offense if the offender also 1965  
is convicted of or pleads guilty to a specification of the type 1966  
described in section 2941.1424 of the Revised Code that charges 1967  
that the offender is a violent career criminal and had a firearm 1968  
on or about the offender's person or under the offender's 1969  
control while committing the presently charged violent felony 1970  
offense and displayed or brandished the firearm, indicated that 1971  
the offender possessed a firearm, or used the firearm to 1972  
facilitate the offense. The offender shall serve the prison term 1973  
imposed under this division consecutively to and prior to the 1974  
prison term imposed for the underlying offense. The prison term 1975  
shall not be reduced pursuant to section 2929.20 or 2967.19 or 1976  
any other provision of Chapter 2967. or 5120. of the Revised 1977  
Code. A court may not impose more than one sentence under 1978  
division (B) (2) (a) of this section and this division for acts 1979  
committed as part of the same act or transaction. 1980

(2) As used in division (K) (1) of this section, "violent 1981  
career criminal" and "violent felony offense" have the same 1982  
meanings as in section 2923.132 of the Revised Code. 1983

**Sec. 4510.17.** (A) The registrar of motor vehicles shall 1984  
impose a class D suspension of the person's driver's license, 1985  
commercial driver's license, temporary instruction permit, 1986  
probationary license, or nonresident operating privilege for the 1987  
period of time specified in division (B)(4) of section 4510.02 1988  
of the Revised Code on any person who is a resident of this 1989  
state and is convicted of or pleads guilty to a violation of a 1990  
statute of any other state or any federal statute that is 1991  
substantially similar to section 2925.02, 2925.03, 2925.04, 1992  
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 1993  
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 1994  
2925.37 of the Revised Code. Upon receipt of a report from a 1995  
court, court clerk, or other official of any other state or from 1996  
any federal authority that a resident of this state was 1997  
convicted of or pleaded guilty to an offense described in this 1998  
division, the registrar shall send a notice by regular first 1999  
class mail to the person, at the person's last known address as 2000  
shown in the records of the bureau of motor vehicles, informing 2001  
the person of the suspension, that the suspension will take 2002  
effect twenty-one days from the date of the notice, and that, if 2003  
the person wishes to appeal the suspension or denial, the person 2004  
must file a notice of appeal within twenty-one days of the date 2005  
of the notice requesting a hearing on the matter. If the person 2006  
requests a hearing, the registrar shall hold the hearing not 2007  
more than forty days after receipt by the registrar of the 2008  
notice of appeal. The filing of a notice of appeal does not stay 2009  
the operation of the suspension that must be imposed pursuant to 2010  
this division. The scope of the hearing shall be limited to 2011  
whether the person actually was convicted of or pleaded guilty 2012  
to the offense for which the suspension is to be imposed. 2013

The suspension the registrar is required to impose under 2014

this division shall end either on the last day of the class D 2015  
suspension period or of the suspension of the person's 2016  
nonresident operating privilege imposed by the state or federal 2017  
court, whichever is earlier. 2018

The registrar shall subscribe to or otherwise participate 2019  
in any information system or register, or enter into reciprocal 2020  
and mutual agreements with other states and federal authorities, 2021  
in order to facilitate the exchange of information with other 2022  
states and the United States government regarding persons who 2023  
plead guilty to or are convicted of offenses described in this 2024  
division and therefore are subject to the suspension or denial 2025  
described in this division. 2026

(B) The registrar shall impose a class D suspension of the 2027  
person's driver's license, commercial driver's license, 2028  
temporary instruction permit, probationary license, or 2029  
nonresident operating privilege for the period of time specified 2030  
in division (B) (4) of section 4510.02 of the Revised Code on any 2031  
person who is a resident of this state and is convicted of or 2032  
pleads guilty to a violation of a statute of any other state or 2033  
a municipal ordinance of a municipal corporation located in any 2034  
other state that is substantially similar to section 4511.19 of 2035  
the Revised Code. Upon receipt of a report from another state 2036  
made pursuant to section 4510.61 of the Revised Code indicating 2037  
that a resident of this state was convicted of or pleaded guilty 2038  
to an offense described in this division, the registrar shall 2039  
send a notice by regular first class mail to the person, at the 2040  
person's last known address as shown in the records of the 2041  
bureau of motor vehicles, informing the person of the 2042  
suspension, that the suspension or denial will take effect 2043  
twenty-one days from the date of the notice, and that, if the 2044  
person wishes to appeal the suspension, the person must file a 2045

notice of appeal within twenty-one days of the date of the 2046  
notice requesting a hearing on the matter. If the person 2047  
requests a hearing, the registrar shall hold the hearing not 2048  
more than forty days after receipt by the registrar of the 2049  
notice of appeal. The filing of a notice of appeal does not stay 2050  
the operation of the suspension that must be imposed pursuant to 2051  
this division. The scope of the hearing shall be limited to 2052  
whether the person actually was convicted of or pleaded guilty 2053  
to the offense for which the suspension is to be imposed. 2054

The suspension the registrar is required to impose under 2055  
this division shall end either on the last day of the class D 2056  
suspension period or of the suspension of the person's 2057  
nonresident operating privilege imposed by the state or federal 2058  
court, whichever is earlier. 2059

(C) The registrar shall impose a class D suspension of the 2060  
child's driver's license, commercial driver's license, temporary 2061  
instruction permit, or nonresident operating privilege for the 2062  
period of time specified in division (B)(4) of section 4510.02 2063  
of the Revised Code on any child who is a resident of this state 2064  
and is convicted of or pleads guilty to a violation of a statute 2065  
of any other state or any federal statute that is substantially 2066  
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2067  
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 2068  
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 2069  
Code. Upon receipt of a report from a court, court clerk, or 2070  
other official of any other state or from any federal authority 2071  
that a child who is a resident of this state was convicted of or 2072  
pleaded guilty to an offense described in this division, the 2073  
registrar shall send a notice by regular first class mail to the 2074  
child, at the child's last known address as shown in the records 2075  
of the bureau of motor vehicles, informing the child of the 2076

suspension, that the suspension or denial will take effect 2077  
twenty-one days from the date of the notice, and that, if the 2078  
child wishes to appeal the suspension, the child must file a 2079  
notice of appeal within twenty-one days of the date of the 2080  
notice requesting a hearing on the matter. If the child requests 2081  
a hearing, the registrar shall hold the hearing not more than 2082  
forty days after receipt by the registrar of the notice of 2083  
appeal. The filing of a notice of appeal does not stay the 2084  
operation of the suspension that must be imposed pursuant to 2085  
this division. The scope of the hearing shall be limited to 2086  
whether the child actually was convicted of or pleaded guilty to 2087  
the offense for which the suspension is to be imposed. 2088

The suspension the registrar is required to impose under 2089  
this division shall end either on the last day of the class D 2090  
suspension period or of the suspension of the child's 2091  
nonresident operating privilege imposed by the state or federal 2092  
court, whichever is earlier. If the child is a resident of this 2093  
state who is sixteen years of age or older and does not have a 2094  
current, valid Ohio driver's or commercial driver's license or 2095  
permit, the notice shall inform the child that the child will be 2096  
denied issuance of a driver's or commercial driver's license or 2097  
permit for six months beginning on the date of the notice. If 2098  
the child has not attained the age of sixteen years on the date 2099  
of the notice, the notice shall inform the child that the period 2100  
of denial of six months shall commence on the date the child 2101  
attains the age of sixteen years. 2102

The registrar shall subscribe to or otherwise participate 2103  
in any information system or register, or enter into reciprocal 2104  
and mutual agreements with other states and federal authorities, 2105  
in order to facilitate the exchange of information with other 2106  
states and the United States government regarding children who 2107

are residents of this state and plead guilty to or are convicted 2108  
of offenses described in this division and therefore are subject 2109  
to the suspension or denial described in this division. 2110

(D) The registrar shall impose a class D suspension of the 2111  
child's driver's license, commercial driver's license, temporary 2112  
instruction permit, probationary license, or nonresident 2113  
operating privilege for the period of time specified in division 2114  
(B) (4) of section 4510.02 of the Revised Code on any child who 2115  
is a resident of this state and is convicted of or pleads guilty 2116  
to a violation of a statute of any other state or a municipal 2117  
ordinance of a municipal corporation located in any other state 2118  
that is substantially similar to section 4511.19 of the Revised 2119  
Code. Upon receipt of a report from another state made pursuant 2120  
to section 4510.61 of the Revised Code indicating that a child 2121  
who is a resident of this state was convicted of or pleaded 2122  
guilty to an offense described in this division, the registrar 2123  
shall send a notice by regular first class mail to the child, at 2124  
the child's last known address as shown in the records of the 2125  
bureau of motor vehicles, informing the child of the suspension, 2126  
that the suspension will take effect twenty-one days from the 2127  
date of the notice, and that, if the child wishes to appeal the 2128  
suspension, the child must file a notice of appeal within 2129  
twenty-one days of the date of the notice requesting a hearing 2130  
on the matter. If the child requests a hearing, the registrar 2131  
shall hold the hearing not more than forty days after receipt by 2132  
the registrar of the notice of appeal. The filing of a notice of 2133  
appeal does not stay the operation of the suspension that must 2134  
be imposed pursuant to this division. The scope of the hearing 2135  
shall be limited to whether the child actually was convicted of 2136  
or pleaded guilty to the offense for which the suspension is to 2137  
be imposed. 2138



The suspension the registrar is required to impose under 2139  
this division shall end either on the last day of the class D 2140  
suspension period or of the suspension of the child's 2141  
nonresident operating privilege imposed by the state or federal 2142  
court, whichever is earlier. If the child is a resident of this 2143  
state who is sixteen years of age or older and does not have a 2144  
current, valid Ohio driver's or commercial driver's license or 2145  
permit, the notice shall inform the child that the child will be 2146  
denied issuance of a driver's or commercial driver's license or 2147  
permit for six months beginning on the date of the notice. If 2148  
the child has not attained the age of sixteen years on the date 2149  
of the notice, the notice shall inform the child that the period 2150  
of denial of six months shall commence on the date the child 2151  
attains the age of sixteen years. 2152

(E) (1) Any person whose license or permit has been 2153  
suspended pursuant to this section may file a petition in the 2154  
municipal or county court, or in case the person is under 2155  
eighteen years of age, the juvenile court, in whose jurisdiction 2156  
the person resides, requesting limited driving privileges and 2157  
agreeing to pay the cost of the proceedings. Except as provided 2158  
in division (E) (2) or (3) of this section, the judge may grant 2159  
the person limited driving privileges during the period during 2160  
which the suspension otherwise would be imposed for any of the 2161  
purposes set forth in division (A) of section 4510.021 of the 2162  
Revised Code. 2163

(2) No judge shall grant limited driving privileges for 2164  
employment as a driver of a commercial motor vehicle to any 2165  
person who would be disqualified from operating a commercial 2166  
motor vehicle under section 4506.16 of the Revised Code if the 2167  
violation had occurred in this state. Further, no judge shall 2168  
grant limited driving privileges during any of the following 2169

periods of time: 2170

(a) The first fifteen days of a suspension under division 2171  
(B) or (D) of this section, if the person has not been convicted 2172  
within ten years of the date of the offense giving rise to the 2173  
suspension under this section of a violation of any of the 2174  
following: 2175

(i) Section 4511.19 of the Revised Code, or a municipal 2176  
ordinance relating to operating a vehicle while under the 2177  
influence of alcohol, a drug of abuse, or alcohol and a drug of 2178  
abuse; 2179

(ii) A municipal ordinance relating to operating a motor 2180  
vehicle with a prohibited concentration of alcohol, a controlled 2181  
substance, or a metabolite of a controlled substance in the 2182  
whole blood, blood serum or plasma, breath, or urine; 2183

(iii) Section 2903.04 of the Revised Code in a case in 2184  
which the person was subject to the sanctions described in 2185  
division (D) of that section; 2186

(iv) Division (A) (1) of section 2903.06 or division (A) (1) 2187  
of section 2903.08 of the Revised Code or a municipal ordinance 2188  
that is substantially similar to either of those divisions; 2189

(v) Division (A) (2), (3), ~~or~~, (4), or (5) of section 2190  
2903.06, division (A) (2) or (4) of section 2903.08, or as it 2191  
existed prior to March 23, 2000, section 2903.07 of the Revised 2192  
Code, or a municipal ordinance that is substantially similar to 2193  
any of those divisions or that former section, in a case in 2194  
which the jury or judge found that the person was under the 2195  
influence of alcohol, a drug of abuse, or alcohol and a drug of 2196  
abuse. 2197

(b) The first thirty days of a suspension under division 2198

(B) or (D) of this section, if the person has been convicted one 2199  
time within ten years of the date of the offense giving rise to 2200  
the suspension under this section of any violation identified in 2201  
division (E) (1) (a) of this section. 2202

(c) The first one hundred eighty days of a suspension 2203  
under division (B) or (D) of this section, if the person has 2204  
been convicted two times within ten years of the date of the 2205  
offense giving rise to the suspension under this section of any 2206  
violation identified in division (E) (1) (a) of this section. 2207

(3) No limited driving privileges may be granted if the 2208  
person has been convicted three or more times within five years 2209  
of the date of the offense giving rise to a suspension under 2210  
division (B) or (D) of this section of any violation identified 2211  
in division (E) (1) (a) of this section. 2212

(4) In accordance with section 4510.022 of the Revised 2213  
Code, a person may petition for, and a judge may grant, 2214  
unlimited driving privileges with a certified ignition interlock 2215  
device during the period of suspension imposed under division 2216  
(B) or (D) of this section to a person described in division (E) 2217  
(2) (a) of this section. 2218

(5) If a person petitions for limited driving privileges 2219  
under division (E) (1) of this section or unlimited driving 2220  
privileges with a certified ignition interlock device as 2221  
provided in division (E) (4) of this section, the registrar shall 2222  
be represented by the county prosecutor of the county in which 2223  
the person resides if the petition is filed in a juvenile court 2224  
or county court, except that if the person resides within a city 2225  
or village that is located within the jurisdiction of the county 2226  
in which the petition is filed, the city director of law or 2227  
village solicitor of that city or village shall represent the 2228

registrar. If the petition is filed in a municipal court, the 2229  
registrar shall be represented as provided in section 1901.34 of 2230  
the Revised Code. 2231

(6) (a) In issuing an order granting limited driving 2232  
privileges under division (E) (1) of this section, the court may 2233  
impose any condition it considers reasonable and necessary to 2234  
limit the use of a vehicle by the person. The court shall 2235  
deliver to the person a copy of the order setting forth the 2236  
time, place, and other conditions limiting the person's use of a 2237  
motor vehicle. Unless division (E) (6) (b) of this section 2238  
applies, the grant of limited driving privileges shall be 2239  
conditioned upon the person's having the order in the person's 2240  
possession at all times during which the person is operating a 2241  
vehicle. 2242

(b) If, under the order, the court requires the use of an 2243  
immobilizing or disabling device as a condition of the grant of 2244  
limited or unlimited driving privileges, the person shall 2245  
present to the registrar or to a deputy registrar the copy of 2246  
the order granting limited driving privileges and a certificate 2247  
affirming the installation of an immobilizing or disabling 2248  
device that is in a form established by the director of public 2249  
safety and is signed by the person who installed the device. 2250  
Upon presentation of the order and the certificate to the 2251  
registrar or a deputy registrar, the registrar or deputy 2252  
registrar shall issue to the offender a restricted license, 2253  
unless the offender's driver's or commercial driver's license or 2254  
permit is suspended under any other provision of law and limited 2255  
driving privileges have not been granted with regard to that 2256  
suspension. A restricted license issued under this division 2257  
shall be identical to an Ohio driver's license, except that it 2258  
shall have printed on its face a statement that the offender is 2259

prohibited from operating any motor vehicle that is not equipped 2260  
with an immobilizing or disabling device in violation of the 2261  
order. 2262

(7) (a) Unless division (E) (7) (b) applies, a person granted 2263  
limited driving privileges who operates a vehicle for other than 2264  
limited purposes, in violation of any condition imposed by the 2265  
court or without having the order in the person's possession, is 2266  
guilty of a violation of section 4510.11 of the Revised Code. 2267

(b) No person who has been granted limited or unlimited 2268  
driving privileges under division (E) of this section subject to 2269  
an immobilizing or disabling device order shall operate a motor 2270  
vehicle prior to obtaining a restricted license. Any person who 2271  
violates this prohibition is subject to the penalties prescribed 2272  
in section 4510.14 of the Revised Code. 2273

(c) The offenses established under division (E) (7) of this 2274  
section are strict liability offenses and section 2901.20 of the 2275  
Revised Code does not apply. 2276

(F) The provisions of division (A) (8) of section 4510.13 2277  
of the Revised Code apply to a person who has been granted 2278  
limited or unlimited driving privileges with a certified 2279  
ignition interlock device under this section and who either 2280  
commits an ignition interlock device violation as defined under 2281  
section 4510.46 of the Revised Code or operates a motor vehicle 2282  
that is not equipped with a certified ignition interlock device. 2283

(G) Any person whose license or permit has been suspended 2284  
under division (A) or (C) of this section may file a petition in 2285  
the municipal or county court, or in case the person is under 2286  
eighteen years of age, the juvenile court, in whose jurisdiction 2287  
the person resides, requesting the termination of the suspension 2288

and agreeing to pay the cost of the proceedings. If the court, 2289  
in its discretion, determines that a termination of the 2290  
suspension is appropriate, the court shall issue an order to the 2291  
registrar to terminate the suspension. Upon receiving such an 2292  
order, the registrar shall reinstate the license. 2293

(H) As used in divisions (C) and (D) of this section: 2294

(1) "Child" means a person who is under the age of 2295  
eighteen years, except that any person who violates a statute or 2296  
ordinance described in division (C) or (D) of this section prior 2297  
to attaining eighteen years of age shall be deemed a "child" 2298  
irrespective of the person's age at the time the complaint or 2299  
other equivalent document is filed in the other state or a 2300  
hearing, trial, or other proceeding is held in the other state 2301  
on the complaint or other equivalent document, and irrespective 2302  
of the person's age when the period of license suspension or 2303  
denial prescribed in division (C) or (D) of this section is 2304  
imposed. 2305

(2) "Is convicted of or pleads guilty to" means, as it 2306  
relates to a child who is a resident of this state, that in a 2307  
proceeding conducted in a state or federal court located in 2308  
another state for a violation of a statute or ordinance 2309  
described in division (C) or (D) of this section, the result of 2310  
the proceeding is any of the following: 2311

(a) Under the laws that govern the proceedings of the 2312  
court, the child is adjudicated to be or admits to being a 2313  
delinquent child or a juvenile traffic offender for a violation 2314  
described in division (C) or (D) of this section that would be a 2315  
crime if committed by an adult; 2316

(b) Under the laws that govern the proceedings of the 2317

court, the child is convicted of or pleads guilty to a violation 2318  
described in division (C) or (D) of this section; 2319

(c) Under the laws that govern the proceedings of the 2320  
court, irrespective of the terminology utilized in those laws, 2321  
the result of the court's proceedings is the functional 2322  
equivalent of division (H) (2) (a) or (b) of this section. 2323

**Sec. 4511.181.** As used in sections 4511.181 to 4511.198 of 2324  
the Revised Code: 2325

(A) "Equivalent offense" means any of the following: 2326

(1) A violation of division (A) or (B) of section 4511.19 2327  
of the Revised Code; 2328

(2) A violation of a municipal OVI ordinance; 2329

(3) A violation of section 2903.04 of the Revised Code in 2330  
a case in which the offender was subject to the sanctions 2331  
described in division (D) of that section; 2332

(4) A violation of division (A) (1) of section 2903.06 or 2333  
2903.08 of the Revised Code or a municipal ordinance that is 2334  
substantially equivalent to either of those divisions; 2335

(5) A violation of division (A) (2), (3), ~~or (4)~~, or (5) of 2336  
section 2903.06, division (A) (2) or (4) of section 2903.08, or 2337  
former section 2903.07 of the Revised Code, or a municipal 2338  
ordinance that is substantially equivalent to any of those 2339  
divisions or that former section, in a case in which a judge or 2340  
jury as the trier of fact found that the offender was under the 2341  
influence of alcohol, a drug of abuse, or a combination of them; 2342

(6) A violation of division (A) or (B) of section 1547.11 2343  
of the Revised Code; 2344

(7) A violation of a municipal ordinance prohibiting a 2345  
person from operating or being in physical control of any vessel 2346  
underway or from manipulating any water skis, aquaplane, or 2347  
similar device on the waters of this state while under the 2348  
influence of alcohol, a drug of abuse, or a combination of them 2349  
or prohibiting a person from operating or being in physical 2350  
control of any vessel underway or from manipulating any water 2351  
skis, aquaplane, or similar device on the waters of this state 2352  
with a prohibited concentration of alcohol, a controlled 2353  
substance, or a metabolite of a controlled substance in the 2354  
whole blood, blood serum or plasma, breath, or urine; 2355

(8) A violation of an existing or former municipal 2356  
ordinance, law of another state, or law of the United States 2357  
that is substantially equivalent to division (A) or (B) of 2358  
section 4511.19 or division (A) or (B) of section 1547.11 of the 2359  
Revised Code; 2360

(9) A violation of a former law of this state that was 2361  
substantially equivalent to division (A) or (B) of section 2362  
4511.19 or division (A) or (B) of section 1547.11 of the Revised 2363  
Code. 2364

(B) "Mandatory jail term" means the mandatory term in jail 2365  
of three, six, ten, twenty, thirty, or sixty days that must be 2366  
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 2367  
of the Revised Code upon an offender convicted of a violation of 2368  
division (A) of that section and in relation to which all of the 2369  
following apply: 2370

(1) Except as specifically authorized under section 2371  
4511.19 of the Revised Code, the term must be served in a jail. 2372

(2) Except as specifically authorized under section 2373



4511.19 of the Revised Code, the term cannot be suspended, 2374  
reduced, or otherwise modified pursuant to sections 2929.21 to 2375  
2929.28 or any other provision of the Revised Code. 2376

(C) "Municipal OVI ordinance" and "municipal OVI offense" 2377  
mean any municipal ordinance prohibiting a person from operating 2378  
a vehicle while under the influence of alcohol, a drug of abuse, 2379  
or a combination of them or prohibiting a person from operating 2380  
a vehicle with a prohibited concentration of alcohol, a 2381  
controlled substance, or a metabolite of a controlled substance 2382  
in the whole blood, blood serum or plasma, breath, or urine. 2383

(D) "Community residential sanction," "continuous alcohol 2384  
monitoring," "jail," "mandatory prison term," "mandatory term of 2385  
local incarceration," "sanction," and "prison term" have the 2386  
same meanings as in section 2929.01 of the Revised Code. 2387

(E) "Drug of abuse" has the same meaning as in section 2388  
4506.01 of the Revised Code. 2389

(F) "Equivalent offense that is vehicle-related" means an 2390  
equivalent offense that is any of the following: 2391

(1) A violation described in division (A)(1), (2), (3), 2392  
(4), or (5) of this section; 2393

(2) A violation of an existing or former municipal 2394  
ordinance, law of another state, or law of the United States 2395  
that is substantially equivalent to division (A) or (B) of 2396  
section 4511.19 of the Revised Code; 2397

(3) A violation of a former law of this state that was 2398  
substantially equivalent to division (A) or (B) of section 2399  
4511.19 of the Revised Code. 2400

**Sec. 4511.75.** (A) The driver of a vehicle, streetcar, or 2401

trackless trolley upon meeting or overtaking from either 2402  
direction any school bus stopped for the purpose of receiving or 2403  
discharging any school child, person attending programs offered 2404  
by community boards of mental health and county boards of 2405  
developmental disabilities, or child attending a program offered 2406  
by a head start agency, shall stop at least ten feet from the 2407  
front or rear of the school bus and shall not proceed until such 2408  
school bus resumes motion, or until signaled by the school bus 2409  
driver to proceed. 2410

It is no defense to a charge under this division that the 2411  
school bus involved failed to display or be equipped with an 2412  
automatically extended stop warning sign as required by division 2413  
(B) of this section. 2414

(B) Every school bus shall be equipped with amber and red 2415  
visual signals meeting the requirements of section 4511.771 of 2416  
the Revised Code, and an automatically extended stop warning 2417  
sign of a type approved by the state board of education, which 2418  
shall be actuated by the driver of the bus whenever but only 2419  
whenever the bus is stopped or stopping on the roadway for the 2420  
purpose of receiving or discharging school children, persons 2421  
attending programs offered by community boards of mental health 2422  
and county boards of developmental disabilities, or children 2423  
attending programs offered by head start agencies. A school bus 2424  
driver shall not actuate the visual signals or the stop warning 2425  
sign in designated school bus loading areas where the bus is 2426  
entirely off the roadway or at school buildings when children or 2427  
persons attending programs offered by community boards of mental 2428  
health and county boards of developmental disabilities are 2429  
loading or unloading at curbside or at buildings when children 2430  
attending programs offered by head start agencies are loading or 2431  
unloading at curbside. The visual signals and stop warning sign 2432

shall be synchronized or otherwise operated as required by rule 2433  
of the board. 2434

(C) Where a highway has been divided into four or more 2435  
traffic lanes, a driver of a vehicle, streetcar, or trackless 2436  
trolley need not stop for a school bus approaching from the 2437  
opposite direction which has stopped for the purpose of 2438  
receiving or discharging any school child, persons attending 2439  
programs offered by community boards of mental health and county 2440  
boards of developmental disabilities, or children attending 2441  
programs offered by head start agencies. The driver of any 2442  
vehicle, streetcar, or trackless trolley overtaking the school 2443  
bus shall comply with division (A) of this section. 2444

(D) School buses operating on divided highways or on 2445  
highways with four or more traffic lanes shall receive and 2446  
discharge all school children, persons attending programs 2447  
offered by community boards of mental health and county boards 2448  
of developmental disabilities, and children attending programs 2449  
offered by head start agencies on their residence side of the 2450  
highway. 2451

(E) No school bus driver shall start the driver's bus 2452  
until after any child, person attending programs offered by 2453  
community boards of mental health and county boards of 2454  
developmental disabilities, or child attending a program offered 2455  
by a head start agency who may have alighted therefrom has 2456  
reached a place of safety on the child's or person's residence 2457  
side of the road. 2458

(F) (1) ~~Whoever~~ Except as provided in division (F) (2), (3), 2459  
or (4) of this section, the court, including a mayor's court, 2460  
may impose the following on a person who violates division (A) 2461  
of this section may be fined an amount not to exceed five 2462

~~hundred dollars. A:~~ 2463

(a) A fine of up to one thousand dollars; 2464

(b) A class seven suspension of the offender's driver's 2465  
license, commercial driver's license, temporary instruction 2466  
permit, probationary license, or nonresident operating privilege 2467  
from the range specified in division (A) (6) of section 4510.02 2468  
of the Revised Code. 2469

(2) If, within ten years of the offense, the offender has 2470  
been convicted of or pleaded guilty to one violation of division 2471  
(A) of this section, the court, including a mayor's court, shall 2472  
impose either or both of the following on a person who violates 2473  
division (A) of this section: 2474

(a) A fine of up to one thousand two hundred fifty 2475  
dollars; 2476

(b) A class six suspension of the offender's driver's 2477  
license, commercial driver's license, temporary instruction 2478  
permit, probationary license, or nonresident operating privilege 2479  
from the range specified in division (A) (6) of section 4510.02 2480  
of the Revised Code. 2481

(3) If, within ten years of the offense, the offender has 2482  
been convicted of or pleaded guilty to two violations of 2483  
division (A) of this section, the court, including a mayor's 2484  
court, shall impose either or both of the following on a person 2485  
who violates division (A) of this section: 2486

(a) A fine of up to one thousand five hundred dollars; 2487

(b) A class five suspension of the offender's driver's 2488  
license, commercial driver's license, temporary instruction 2489  
permit, probationary license, or nonresident operating privilege 2490

from the range specified in division (A) (5) of section 4510.02 2491  
of the Revised Code. 2492

(4) If, within ten years of the offense, the offender has 2493  
been convicted of or pleaded guilty to three or more violations 2494  
of division (A) of this section, the court, including a mayor's 2495  
court, shall impose either or both of the following on a person 2496  
who violates division (A) of this section: 2497

(a) A fine of up to one thousand seven hundred fifty 2498  
dollars; 2499

(b) A class four suspension of the offender's driver's 2500  
license, commercial driver's license, temporary instruction 2501  
permit, probationary license, or nonresident operating privilege 2502  
from the range specified in division (A) (4) of section 4510.02 2503  
of the Revised Code. 2504

(G) A person who is issued a citation for a violation of 2505  
division (A) of this section is not permitted to enter a written 2506  
plea of guilty and waive the person's right to contest the 2507  
citation in a trial but instead must appear in person in the 2508  
proper court to answer the charge. 2509

~~(2) In addition to and independent of any other penalty~~ 2510  
~~provided by law, the court or mayor may impose upon an offender~~ 2511  
~~who violates this section a class seven suspension of the~~ 2512  
~~offender's driver's license, commercial driver's license,~~ 2513  
~~temporary instruction permit, probationary license, or~~ 2514  
~~nonresident operating privilege from the range specified in~~ 2515  
~~division (A) (7) of section 4510.02 of the Revised Code. When a~~ 2516  
license is suspended under this section, the court or mayor 2517  
shall cause the offender to deliver the license to the court, 2518  
and the court or clerk of the court immediately shall forward 2519

the license to the registrar of motor vehicles, together with 2520  
notice of the court's action. 2521

~~(G)~~ (H) As used in this section: 2522

(1) "Head start agency" has the same meaning as in section 2523  
3301.32 of the Revised Code. 2524

(2) "School bus," as used in relation to children who 2525  
attend a program offered by a head start agency, means a bus 2526  
that is owned and operated by a head start agency, is equipped 2527  
with an automatically extended stop warning sign of a type 2528  
approved by the state board of education, is painted the color 2529  
and displays the markings described in section 4511.77 of the 2530  
Revised Code, and is equipped with amber and red visual signals 2531  
meeting the requirements of section 4511.771 of the Revised 2532  
Code, irrespective of whether or not the bus has fifteen or more 2533  
children aboard at any time. "School bus" does not include a van 2534  
owned and operated by a head start agency, irrespective of its 2535  
color, lights, or markings. 2536

**Sec. 4511.751.** As used in this section, "license plate" 2537  
includes, but is not limited to, any temporary license placard 2538  
issued under section 4503.182 of the Revised Code or similar law 2539  
of another jurisdiction. 2540

When the operator of a school bus believes that a motorist 2541  
has violated division (A) of section 4511.75 of the Revised 2542  
Code, the operator shall report the license plate number and a 2543  
general description of the vehicle and of the operator of the 2544  
vehicle to the law enforcement agency exercising jurisdiction 2545  
over the area where the alleged violation occurred. The 2546  
information contained in the report relating to the license 2547  
plate number and to the general description of the vehicle and 2548

the operator of the vehicle at the time of the alleged violation 2549  
may be supplied by any person with first-hand knowledge of the 2550  
information. Information of which the operator of the school bus 2551  
has first-hand knowledge also may be corroborated by any other 2552  
person, or an image, images, or video provided by a camera 2553  
installed pursuant to section 4511.76 of the Revised Code. 2554

Upon receipt of the report of the alleged violation of 2555  
division (A) of section 4511.75 of the Revised Code, the law 2556  
enforcement agency shall conduct an investigation to attempt to 2557  
determine or confirm the identity of the operator of the vehicle 2558  
at the time of the alleged violation. The law enforcement agency 2559  
may use a sufficiently clear image, images, or video provided by 2560  
a camera installed pursuant to section 4511.76 of the Revised 2561  
Code to determine the identity of the operator of the vehicle at 2562  
the time of the alleged violation of this section. Such images 2563  
or video may be used as evidence in the prosecution of any other 2564  
criminal offense, including a violation of sections 2903.06 and 2565  
2903.08 of the Revised Code. If the identity of the operator at 2566  
the time of the alleged violation is established, the reporting 2567  
of the license plate number of the vehicle shall establish 2568  
probable cause for the law enforcement agency to issue a 2569  
citation for the violation of division (A) of section 4511.75 of 2570  
the Revised Code. However, if the identity of the operator of 2571  
the vehicle at the time of the alleged violation cannot be 2572  
established, the law enforcement agency shall issue a warning to 2573  
the owner of the vehicle at the time of the alleged violation, 2574  
except in the case of a leased or rented vehicle when the 2575  
warning shall be issued to the lessee at the time of the alleged 2576  
violation. 2577

The registrar of motor vehicles and deputy registrars 2578  
shall, at the time of issuing license plates to any person, 2579

include with the license plate a summary of the requirements of 2580  
division (A) of section 4511.75 of the Revised Code and the 2581  
procedures of, and penalty in, division (F) of section 4511.75 2582  
of the Revised Code. 2583

**Sec. 4511.76.** (A) The department of public safety, by and 2584  
with the advice of the superintendent of public instruction, 2585  
shall adopt and enforce rules relating to the construction, 2586  
design, and equipment of all school buses both publicly and 2587  
privately owned and operated in this state, including ~~lighting~~ 2588  
rules governing the following: 2589

(1) Lighting equipment required by section 4511.771 of the 2590  
Revised Code, ~~of all school buses both publicly and privately~~ 2591  
~~owned and operated in this state;~~ 2592

(2) Camera equipment that provides an image, images, or 2593  
video solely for purposes of capturing a violation of section 2594  
4511.75 of the Revised Code. 2595

(B) The department of education, by and with the advice of 2596  
the director of public safety, shall adopt and enforce rules 2597  
relating to the operation of all vehicles used for pupil 2598  
transportation. 2599

(C) No person shall operate a vehicle used for pupil 2600  
transportation within this state in violation of the rules of 2601  
the department of education or the department of public safety. 2602  
No person, being the owner thereof or having the supervisory 2603  
responsibility therefor, shall permit the operation of a vehicle 2604  
used for pupil transportation within this state in violation of 2605  
the rules of the department of education or the department of 2606  
public safety. 2607

(D) The department of public safety shall adopt and 2608



enforce rules relating to the issuance of a license under 2609  
section 4511.763 of the Revised Code. The rules may relate to 2610  
the moral character of the applicant; the condition of the 2611  
equipment to be operated; the liability and property damage 2612  
insurance carried by the applicant; the posting of satisfactory 2613  
and sufficient bond; and such other rules as the director of 2614  
public safety determines reasonably necessary for the safety of 2615  
the pupils to be transported. 2616

(E) A chartered nonpublic school may own and operate, or 2617  
contract with a vendor that supplies, a vehicle originally 2618  
designed for not more than nine passengers, not including the 2619  
driver, to transport students to and from regularly scheduled 2620  
school sessions when one of the following applies: 2621

(1) A student's school district of residence has declared 2622  
the transportation of the student impractical pursuant to 2623  
section 3327.02 of the Revised Code; or 2624

(2) A student does not live within thirty minutes of the 2625  
chartered nonpublic school and the student's school district is 2626  
not required to transport the student under section 3327.01 of 2627  
the Revised Code. 2628

(F) As used in this section, "vehicle used for pupil 2629  
transportation" means any vehicle that is identified as such by 2630  
the department of education by rule and that is subject to 2631  
Chapter 3301-83 of the Administrative Code. 2632

(G) Except as otherwise provided in this division, whoever 2633  
violates this section is guilty of a minor misdemeanor. If the 2634  
offender previously has been convicted of or pleaded guilty to 2635  
one or more violations of this section or section 4511.63, 2636  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 2637

Code or a municipal ordinance that is substantially similar to 2638  
any of those sections, whoever violates this section is guilty 2639  
of a misdemeanor of the fourth degree. 2640

**Section 2.** That existing sections 2743.51, 2903.06, 2641  
2903.08, 2929.14, 4510.17, 4511.181, 4511.75, 4511.751, and 2642  
4511.76 of the Revised Code are hereby repealed. 2643

**Section 3.** All appropriation items in this section are 2644  
hereby appropriated as designated out of any money in the state 2645  
treasury to the credit of the designated fund. For all 2646  
appropriations made in this act, the amounts in the first column 2647  
are for fiscal year 2020 and the amounts in the second column 2648  
are for fiscal year 2021. The appropriations made in this act 2649  
are in addition to any other appropriations made for the FY 2650  
2020-FY 2021 biennium. 2651

DPS DEPARTMENT OF PUBLIC SAFETY 2652

General Revenue Fund 2653

GRF 768433	School Bus Camera Grants	\$250,000	\$250,000	2654
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TOTAL GRF General Revenue Fund		\$250,000	\$250,000	2655
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TOTAL ALL BUDGET FUND GROUPS		\$250,000	\$250,000	2656
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SCHOOL BUS CAMERA GRANTS 2657

(A) The foregoing appropriation item 768433, School Bus 2658  
Camera Grants, shall be used to award grants to community 2659  
schools established under Chapter 3314. of the Revised Code that 2660  
are responsible for providing transportation to students 2661  
enrolled in a school pursuant to section 3314.091 of the Revised 2662  
Code and city, local, and exempted village school districts to 2663  
purchase and install cameras on buses to record images of the 2664  
license plates on, and drivers of, motor vehicles that violate 2665

division (A) of section 4511.75 of the Revised Code by driving 2666  
by a bus while it is stopped and receiving or discharging any 2667  
person. 2668

(B) The Director of Public Safety shall establish 2669  
procedures to implement and distribute the grants, including 2670  
procedures governing an application process. 2671

(C) Not later than ninety days after the end of each of 2672  
fiscal years 2020 and 2021, the Director shall submit a report 2673  
to the Governor and the General Assembly in accordance with 2674  
division (B) of section 101.68 of the Revised Code. The report 2675  
shall include the following: 2676

(1) The number of violations of division (A) of section 2677  
4511.75 of the Revised Code that were captured by cameras 2678  
purchased and installed with monetary aid from a grant in that 2679  
fiscal year. 2680

(2) A comparison of the number of violations identified in 2681  
division (C) (1) of this section and the number of those 2682  
violations that were detected by other means in fiscal years 2683  
2018 and 2019. 2684

(3) An estimate of the amount of money needed to purchase 2685  
and install such cameras on all eligible school buses in the 2686  
state. 2687

**Section 4.** Within the limits set forth in this act, the 2688  
Director of Budget and Management shall establish accounts 2689  
indicating the source and amount of funds for each appropriation 2690  
made in this act and shall determine the form and manner in 2691  
which appropriation accounts shall be maintained. Expenditures 2692  
from appropriations contained in this act shall be accounted for 2693  
as though made in the main operating appropriations act of the 2694

133rd General Assembly. 2695

The appropriations made in this act are subject to all 2696  
provisions of the main operating appropriations act of the 133rd 2697  
General Assembly that are generally applicable to such 2698  
appropriations. 2699

**Section 5.** This act shall be known as the "School Bus 2700  
Safety Act." 2701

**Section 6.** Section 2929.14 of the Revised Code is 2702  
presented in this act as a composite of the section as amended 2703  
by Sub. H.B. 63, Am. Sub. S.B. 1, Sub. S.B. 20, and Am. Sub. 2704  
S.B. 201, all of the 132nd General Assembly. The General 2705  
Assembly, applying the principle stated in division (B) of 2706  
section 1.52 of the Revised Code that amendments are to be 2707  
harmonized if reasonably capable of simultaneous operation, 2708  
finds that the composite is the resulting version of the section 2709  
in effect prior to the effective date of the section as 2710  
presented in this act. 2711

Section 4510.17 of the Revised Code is presented in this 2712  
act as a composite of the section as amended by both Sub. H.B. 2713  
388 and Sub. S.B. 204 of the 131st General Assembly. The General 2714  
Assembly, applying the principle stated in division (B) of 2715  
section 1.52 of the Revised Code that amendments are to be 2716  
harmonized if reasonably capable of simultaneous operation, 2717  
finds that the composite is the resulting version of the section 2718  
in effect prior to the effective date of the section as 2719  
presented in this act. 2720