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135th General Assembly

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Sub. H. B. No. 56

Representatives Plummer, White

Cosponsors: Representatives Williams, Miller, K., Abrams, Brennan, Carruthers, Claggett, Creech, Cross, Cutrona, Dell'Aquila, Dobos, Hall, Hillyer, Holmes, John, Johnson, Jones, LaRe, Mathews, Mohamed, Oelslager, Patton, Pavliga, Peterson, Richardson, Robb Blasdel, Santucci, Schmidt, Seitz, Stein, Thomas, C., Troy, Willis, Young, T.

Senator Manning

A BILL

To amend sections 325.33, 2903.06, 2903.08, 1
2921.331, 2929.14, 2929.41, 2935.031, 4507.112, 2
4509.101, 4510.036, and 4511.251 of the Revised 3
Code to prohibit causing the death of or serious 4
physical harm to another while operating a 5
utility vehicle or mini-truck, to require law 6
enforcement entities to train officers related 7
to the pursuit of a motor vehicle, to increase 8
penalties for fleeing from law enforcement and 9
forms of stunt driving, and to make changes to 10
the distribution of certain driving-related 11
fees. 12

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

Section 1. That sections 325.33, 2903.06, 2903.08, 13
2921.331, 2929.14, 2929.41, 2935.031, 4507.112, 4509.101, 14
4510.036, and 4511.251 of the Revised Code be amended to read as 15

follows: 16

Sec. 325.33. (A) Notwithstanding sections 325.27 and 17
325.31 of the Revised Code, all fees retained by the clerk of 18
courts under Chapters 1548., 4505., and 4519. of the Revised 19
Code, all fees the clerk of courts receives as a third-party 20
administrator of the motor vehicle skills test under section 21
4507.112 of the Revised Code, and all fees the clerk of courts 22
receives in the capacity of deputy registrar under section 23
4503.03 of the Revised Code shall be paid into the county 24
treasury to the credit of the certificate of title 25
administration fund, which is hereby created. Fees credited to 26
the fund shall be used as follows: 27

(1) To pay the costs incurred by the clerk of courts in 28
processing titles under Chapters 1548., 4505., and 4519. of the 29
Revised Code; 30

(2) To pay the clerk of courts an eight thousand dollar 31
annual pay supplement for performing the duties of a deputy 32
registrar if the clerk is not a limited authority deputy 33
registrar, as described in section 4501:1-6-04 of the Ohio 34
Administrative Code. 35

(B) If the board of county commissioners and the clerk of 36
courts agree that the money in the fund exceeds what is needed 37
to pay the costs specified in division (A) of this section, the 38
excess may be transferred to the county general fund and used 39
for other county purposes. If the board of county commissioners 40
and the clerk of courts are unable to agree on the amount of any 41
such excess, the county budget commission shall determine the 42
amount that will be transferred to the county general fund. 43

Sec. 2903.06. (A) No person, while operating or 44

participating in the operation of a motor vehicle, motorcycle, 45
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 46
or aircraft, shall cause the death of another or the unlawful 47
termination of another's pregnancy in any of the following ways: 48

(1) (a) As the proximate result of committing a violation 49
of division (A) of section 4511.19 of the Revised Code or of a 50
substantially equivalent municipal ordinance; 51

(b) As the proximate result of committing a violation of 52
division (A) of section 1547.11 of the Revised Code or of a 53
substantially equivalent municipal ordinance; 54

(c) As the proximate result of committing a violation of 55
division (A) (3) of section 4561.15 of the Revised Code or of a 56
substantially equivalent municipal ordinance. 57

(2) In one of the following ways: 58

(a) Recklessly; 59

(b) As the proximate result of committing, while operating 60
or participating in the operation of a motor vehicle, utility 61
vehicle, mini-truck, or motorcycle in a construction zone, a 62
reckless operation offense, provided that this division applies 63
only if the person whose death is caused or whose pregnancy is 64
unlawfully terminated is in the construction zone at the time of 65
the offender's commission of the reckless operation offense in 66
the construction zone and does not apply as described in 67
division (F) of this section. 68

(3) In one of the following ways: 69

(a) Negligently; 70

(b) As the proximate result of committing, while operating 71
or participating in the operation of a motor vehicle, utility 72

vehicle, mini-truck, or motorcycle in a construction zone, a 73
speeding offense, provided that this division applies only if 74
the person whose death is caused or whose pregnancy is 75
unlawfully terminated is in the construction zone at the time of 76
the offender's commission of the speeding offense in the 77
construction zone and does not apply as described in division 78
(F) of this section. 79

(4) As the proximate result of committing a violation of 80
any provision of any section contained in Title XLV of the 81
Revised Code that is a minor misdemeanor or of a municipal 82
ordinance that, regardless of the penalty set by ordinance for 83
the violation, is substantially equivalent to any provision of 84
any section contained in Title XLV of the Revised Code that is a 85
minor misdemeanor. 86

(B) (1) Whoever violates division (A) (1) or (2) of this 87
section is guilty of aggravated vehicular homicide and shall be 88
punished as provided in divisions (B) (2) and (3) of this 89
section. 90

(2) (a) Except as otherwise provided in division (B) (2) (b) 91
or (c) of this section, aggravated vehicular homicide committed 92
in violation of division (A) (1) of this section is a felony of 93
the second degree and the court shall impose a mandatory prison 94
term on the offender as described in division (E) of this 95
section. 96

(b) Except as otherwise provided in division (B) (2) (c) of 97
this section, aggravated vehicular homicide committed in 98
violation of division (A) (1) of this section is a felony of the 99
first degree, and the court shall impose a mandatory prison term 100
on the offender as described in division (E) of this section, if 101
any of the following apply: 102

(i) At the time of the offense, the offender was driving	103
under a suspension or cancellation imposed under Chapter 4510.	104
or any other provision of the Revised Code or was operating a	105
motor vehicle or motorcycle, did not have a valid driver's	106
license, commercial driver's license, temporary instruction	107
permit, probationary license, or nonresident operating	108
privilege, and was not eligible for renewal of the offender's	109
driver's license or commercial driver's license without	110
examination under section 4507.10 of the Revised Code.	111
(ii) The offender previously has been convicted of or	112
pleaded guilty to a violation of this section.	113
(iii) The offender previously has been convicted of or	114
pleaded guilty to any traffic-related homicide, manslaughter, or	115
assault offense.	116
(c) Aggravated vehicular homicide committed in violation	117
of division (A) (1) of this section is a felony of the first	118
degree, and the court shall sentence the offender to a mandatory	119
prison term as provided in section 2929.142 of the Revised Code	120
and described in division (E) of this section if any of the	121
following apply:	122
(i) The offender previously has been convicted of or	123
pleaded guilty to three or more prior violations of division (A)	124
of section 4511.19 of the Revised Code or of a substantially	125
equivalent municipal ordinance within the previous ten years.	126
(ii) The offender previously has been convicted of or	127
pleaded guilty to three or more prior violations of division (A)	128
of section 1547.11 of the Revised Code or of a substantially	129
equivalent municipal ordinance within the previous ten years.	130
(iii) The offender previously has been convicted of or	131

pleaded guilty to three or more prior violations of division (A)	132
(3) of section 4561.15 of the Revised Code or of a substantially	133
equivalent municipal ordinance within the previous ten years.	134
(iv) The offender previously has been convicted of or	135
pleaded guilty to three or more prior violations of division (A)	136
(1) of this section within the previous ten years.	137
(v) The offender previously has been convicted of or	138
pleaded guilty to three or more prior violations of division (A)	139
(1) of section 2903.08 of the Revised Code within the previous	140
ten years.	141
(vi) The offender previously has been convicted of or	142
pleaded guilty to three or more prior violations of section	143
2903.04 of the Revised Code within the previous ten years in	144
circumstances in which division (D) of that section applied	145
regarding the violations.	146
(vii) The offender previously has been convicted of or	147
pleaded guilty to three or more violations of any combination of	148
the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv),	149
(v), or (vi) of this section within the previous ten years.	150
(viii) The offender previously has been convicted of or	151
pleaded guilty to a second or subsequent felony violation of	152
division (A) of section 4511.19 of the Revised Code.	153
(d) In addition to any other sanctions imposed pursuant to	154
division (B) (2) (a), (b), or (c) of this section for aggravated	155
vehicular homicide committed in violation of division (A) (1) of	156
this section, the court shall impose upon the offender a class	157
one suspension of the offender's driver's license, commercial	158
driver's license, temporary instruction permit, probationary	159
license, or nonresident operating privilege as specified in	160

division (A) (1) of section 4510.02 of the Revised Code. 161

Divisions (A) (1) to (3) of section 4510.54 of the Revised 162
Code apply to a suspension imposed under division (B) (2) (d) of 163
this section. 164

(3) Except as otherwise provided in this division, 165
aggravated vehicular homicide committed in violation of division 166
(A) (2) of this section is a felony of the third degree. 167
Aggravated vehicular homicide committed in violation of division 168
(A) (2) of this section is a felony of the second degree if, at 169
the time of the offense, the offender was driving under a 170
suspension or cancellation imposed under Chapter 4510. or any 171
other provision of the Revised Code or was operating a motor 172
vehicle or motorcycle, did not have a valid driver's license, 173
commercial driver's license, temporary instruction permit, 174
probationary license, or nonresident operating privilege, and 175
was not eligible for renewal of the offender's driver's license 176
or commercial driver's license without examination under section 177
4507.10 of the Revised Code or if the offender previously has 178
been convicted of or pleaded guilty to a violation of this 179
section or any traffic-related homicide, manslaughter, or 180
assault offense. The court shall impose a mandatory prison term 181
on the offender when required by division (E) of this section. 182

In addition to any other sanctions imposed pursuant to 183
this division for a violation of division (A) (2) of this 184
section, the court shall impose upon the offender a class two 185
suspension of the offender's driver's license, commercial 186
driver's license, temporary instruction permit, probationary 187
license, or nonresident operating privilege from the range 188
specified in division (A) (2) of section 4510.02 of the Revised 189
Code or, if the offender previously has been convicted of or 190

pleaded guilty to a traffic-related murder, felonious assault, 191
or attempted murder offense, a class one suspension of the 192
offender's driver's license, commercial driver's license, 193
temporary instruction permit, probationary license, or 194
nonresident operating privilege as specified in division (A)(1) 195
of that section. 196

(C) Whoever violates division (A)(3) of this section is 197
guilty of vehicular homicide. Except as otherwise provided in 198
this division, vehicular homicide is a misdemeanor of the first 199
degree. Vehicular homicide committed in violation of division 200
(A)(3) of this section is a felony of the fourth degree if, at 201
the time of the offense, the offender was driving under a 202
suspension or cancellation imposed under Chapter 4510. or any 203
other provision of the Revised Code or was operating a motor 204
vehicle or motorcycle, did not have a valid driver's license, 205
commercial driver's license, temporary instruction permit, 206
probationary license, or nonresident operating privilege, and 207
was not eligible for renewal of the offender's driver's license 208
or commercial driver's license without examination under section 209
4507.10 of the Revised Code or if the offender previously has 210
been convicted of or pleaded guilty to a violation of this 211
section or any traffic-related homicide, manslaughter, or 212
assault offense. The court shall impose a mandatory jail term or 213
a mandatory prison term on the offender when required by 214
division (E) of this section. 215

In addition to any other sanctions imposed pursuant to 216
this division, the court shall impose upon the offender a class 217
four suspension of the offender's driver's license, commercial 218
driver's license, temporary instruction permit, probationary 219
license, or nonresident operating privilege from the range 220
specified in division (A)(4) of section 4510.02 of the Revised 221

Code, or, if the offender previously has been convicted of or 222
pleaded guilty to a violation of this section or any traffic- 223
related homicide, manslaughter, or assault offense, a class 224
three suspension of the offender's driver's license, commercial 225
driver's license, temporary instruction permit, probationary 226
license, or nonresident operating privilege from the range 227
specified in division (A)(3) of that section, or, if the 228
offender previously has been convicted of or pleaded guilty to a 229
traffic-related murder, felonious assault, or attempted murder 230
offense, a class two suspension of the offender's driver's 231
license, commercial driver's license, temporary instruction 232
permit, probationary license, or nonresident operating privilege 233
as specified in division (A)(2) of that section. 234

(D) Whoever violates division (A)(4) of this section is 235
guilty of vehicular manslaughter. Except as otherwise provided 236
in this division, vehicular manslaughter is a misdemeanor of the 237
second degree. Vehicular manslaughter is a misdemeanor of the 238
first degree if, at the time of the offense, the offender was 239
driving under a suspension or cancellation imposed under Chapter 240
4510. or any other provision of the Revised Code or was 241
operating a motor vehicle or motorcycle, did not have a valid 242
driver's license, commercial driver's license, temporary 243
instruction permit, probationary license, or nonresident 244
operating privilege, and was not eligible for renewal of the 245
offender's driver's license or commercial driver's license 246
without examination under section 4507.10 of the Revised Code or 247
if the offender previously has been convicted of or pleaded 248
guilty to a violation of this section or any traffic-related 249
homicide, manslaughter, or assault offense. 250

In addition to any other sanctions imposed pursuant to 251
this division, the court shall impose upon the offender a class 252

six suspension of the offender's driver's license, commercial 253
driver's license, temporary instruction permit, probationary 254
license, or nonresident operating privilege from the range 255
specified in division (A) (6) of section 4510.02 of the Revised 256
Code or, if the offender previously has been convicted of or 257
pleaded guilty to a violation of this section, any traffic- 258
related homicide, manslaughter, or assault offense, or a 259
traffic-related murder, felonious assault, or attempted murder 260
offense, a class four suspension of the offender's driver's 261
license, commercial driver's license, temporary instruction 262
permit, probationary license, or nonresident operating privilege 263
from the range specified in division (A) (4) of that section. 264

(E) (1) The court shall impose a mandatory prison term on 265
an offender who is convicted of or pleads guilty to a violation 266
of division (A) (1) of this section. Except as otherwise provided 267
in this division, the mandatory prison term shall be a definite 268
term from the range of prison terms provided in division (A) (1) 269
(b) of section 2929.14 of the Revised Code for a felony of the 270
first degree or from division (A) (2) (b) of that section for a 271
felony of the second degree, whichever is applicable, except 272
that if the violation is committed on or after March 22, 2019, 273
the court shall impose as the minimum prison term for the 274
offense a mandatory prison term that is one of the minimum terms 275
prescribed for a felony of the first degree in division (A) (1) 276
(a) of section 2929.14 of the Revised Code or one of the terms 277
prescribed for a felony of the second degree in division (A) (2) 278
(a) of that section, whichever is applicable. If division (B) (2) 279
(c) (i), (ii), (iii), (iv), (v), (vi), (vii), or (viii) of this 280
section applies to an offender who is convicted of or pleads 281
guilty to the violation of division (A) (1) of this section, the 282
court shall impose the mandatory prison term pursuant to 283

division (B) of section 2929.142 of the Revised Code. The court 284
shall impose a mandatory jail term of at least fifteen days on 285
an offender who is convicted of or pleads guilty to a 286
misdemeanor violation of division (A) (3) (b) of this section and 287
may impose upon the offender a longer jail term as authorized 288
pursuant to section 2929.24 of the Revised Code. 289

(2) The court shall impose a mandatory prison term on an 290
offender who is convicted of or pleads guilty to a violation of 291
division (A) (2) or (3) (a) of this section or a felony violation 292
of division (A) (3) (b) of this section if either division (E) (2) 293
(a) or (b) of this section applies. The mandatory prison term 294
shall be a definite term from the range of prison terms provided 295
in division (A) (3) (a) of section 2929.14 of the Revised Code for 296
a felony of the third degree or from division (A) (4) of that 297
section for a felony of the fourth degree, whichever is 298
applicable. The court shall impose a mandatory prison term on an 299
offender in a category described in this division if either of 300
the following applies: 301

(a) The offender previously has been convicted of or 302
pleaded guilty to a violation of this section or section 2903.08 303
of the Revised Code. 304

(b) At the time of the offense, the offender was driving 305
under suspension or cancellation under Chapter 4510. or any 306
other provision of the Revised Code or was operating a motor 307
vehicle or motorcycle, did not have a valid driver's license, 308
commercial driver's license, temporary instruction permit, 309
probationary license, or nonresident operating privilege, and 310
was not eligible for renewal of the offender's driver's license 311
or commercial driver's license without examination under section 312
4507.10 of the Revised Code. 313

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 314
apply in a particular construction zone unless signs of the type 315
described in section 2903.081 of the Revised Code are erected in 316
that construction zone in accordance with the guidelines and 317
design specifications established by the director of 318
transportation under section 5501.27 of the Revised Code. The 319
failure to erect signs of the type described in section 2903.081 320
of the Revised Code in a particular construction zone in 321
accordance with those guidelines and design specifications does 322
not limit or affect the application of division (A) (1), (A) (2) 323
(a), (A) (3) (a), or (A) (4) of this section in that construction 324
zone or the prosecution of any person who violates any of those 325
divisions in that construction zone. 326

(G) (1) As used in this section: 327

(a) "Mandatory prison term" and "mandatory jail term" have 328
the same meanings as in section 2929.01 of the Revised Code. 329

(b) "Traffic-related homicide, manslaughter, or assault 330
offense" means a violation of section 2903.04 of the Revised 331
Code in circumstances in which division (D) of that section 332
applies, a violation of section 2903.06 or 2903.08 of the 333
Revised Code, or a violation of section 2903.06, 2903.07, or 334
2903.08 of the Revised Code as they existed prior to March 23, 335
2000. 336

(c) "Construction zone" has the same meaning as in section 337
5501.27 of the Revised Code. 338

(d) "Reckless operation offense" means a violation of 339
section 4511.20 of the Revised Code or a municipal ordinance 340
substantially equivalent to section 4511.20 of the Revised Code. 341

(e) "Speeding offense" means a violation of section 342

4511.21 of the Revised Code or a municipal ordinance pertaining 343
to speed. 344

(f) "Traffic-related murder, felonious assault, or 345
attempted murder offense" means a violation of section 2903.01 346
or 2903.02 of the Revised Code in circumstances in which the 347
offender used a motor vehicle as the means to commit the 348
violation, a violation of division (A) (2) of section 2903.11 of 349
the Revised Code in circumstances in which the deadly weapon 350
used in the commission of the violation is a motor vehicle, or 351
an attempt to commit aggravated murder or murder in violation of 352
section 2923.02 of the Revised Code in circumstances in which 353
the offender used a motor vehicle as the means to attempt to 354
commit the aggravated murder or murder. 355

(g) "Motor vehicle," ~~has~~ "mini-truck," and "utility
vehicle" have the same ~~meaning~~ meanings as in section 4501.01 of 356
the Revised Code. 357
358

(2) For the purposes of this section, when a penalty or 359
suspension is enhanced because of a prior or current violation 360
of a specified law or a prior or current specified offense, the 361
reference to the violation of the specified law or the specified 362
offense includes any violation of any substantially equivalent 363
municipal ordinance, former law of this state, or current or 364
former law of another state or the United States. 365

Sec. 2903.08. (A) No person, while operating or 366
participating in the operation of a motor vehicle, motorcycle, 367
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 368
or aircraft, shall cause serious physical harm to another person 369
or another's unborn in any of the following ways: 370

(1) (a) As the proximate result of committing a violation 371

of division (A) of section 4511.19 of the Revised Code or of a 372
substantially equivalent municipal ordinance; 373

(b) As the proximate result of committing a violation of 374
division (A) of section 1547.11 of the Revised Code or of a 375
substantially equivalent municipal ordinance; 376

(c) As the proximate result of committing a violation of 377
division (A) (3) of section 4561.15 of the Revised Code or of a 378
substantially equivalent municipal ordinance. 379

(2) In one of the following ways: 380

(a) As the proximate result of committing, while operating 381
or participating in the operation of a motor vehicle, utility 382
vehicle, mini-truck, or motorcycle in a construction zone, a 383
reckless operation offense, provided that this division applies 384
only if the person to whom the serious physical harm is caused 385
or to whose unborn the serious physical harm is caused is in the 386
construction zone at the time of the offender's commission of 387
the reckless operation offense in the construction zone and does 388
not apply as described in division (E) of this section; 389

(b) Recklessly. 390

(3) As the proximate result of committing, while operating 391
or participating in the operation of a motor vehicle, utility 392
vehicle, mini-truck, or motorcycle in a construction zone, a 393
speeding offense, provided that this division applies only if 394
the person to whom the serious physical harm is caused or to 395
whose unborn the serious physical harm is caused is in the 396
construction zone at the time of the offender's commission of 397
the speeding offense in the construction zone and does not apply 398
as described in division (E) of this section. 399

(B) (1) Whoever violates division (A) (1) of this section is 400

guilty of aggravated vehicular assault. Except as otherwise 401
provided in this division, aggravated vehicular assault is a 402
felony of the third degree. Aggravated vehicular assault is a 403
felony of the second degree if any of the following apply: 404

(a) At the time of the offense, the offender was driving 405
under a suspension imposed under Chapter 4510. or any other 406
provision of the Revised Code. 407

(b) The offender previously has been convicted of or 408
pleaded guilty to a violation of this section. 409

(c) The offender previously has been convicted of or 410
pleaded guilty to any traffic-related homicide, manslaughter, or 411
assault offense. 412

(d) The offender previously has been convicted of or 413
pleaded guilty to three or more prior violations of division (A) 414
of section 4511.19 of the Revised Code or a substantially 415
equivalent municipal ordinance within the previous ten years. 416

(e) The offender previously has been convicted of or 417
pleaded guilty to three or more prior violations of division (A) 418
of section 1547.11 of the Revised Code or of a substantially 419
equivalent municipal ordinance within the previous ten years. 420

(f) The offender previously has been convicted of or 421
pleaded guilty to three or more prior violations of division (A) 422
(3) of section 4561.15 of the Revised Code or of a substantially 423
equivalent municipal ordinance within the previous ten years. 424

(g) The offender previously has been convicted of or 425
pleaded guilty to three or more prior violations of any 426
combination of the offenses listed in division (B) (1) (d), (e), 427
or (f) of this section. 428

(h) The offender previously has been convicted of or 429
pleaded guilty to a second or subsequent felony violation of 430
division (A) of section 4511.19 of the Revised Code. 431

(2) In addition to any other sanctions imposed pursuant to 432
division (B)(1) of this section, except as otherwise provided in 433
this division, the court shall impose upon the offender a class 434
three suspension of the offender's driver's license, commercial 435
driver's license, temporary instruction permit, probationary 436
license, or nonresident operating privilege from the range 437
specified in division (A)(3) of section 4510.02 of the Revised 438
Code. If the offender previously has been convicted of or 439
pleaded guilty to a violation of this section, any traffic- 440
related homicide, manslaughter, or assault offense, or any 441
traffic-related murder, felonious assault, or attempted murder 442
offense, the court shall impose either a class two suspension of 443
the offender's driver's license, commercial driver's license, 444
temporary instruction permit, probationary license, or 445
nonresident operating privilege from the range specified in 446
division (A)(2) of that section or a class one suspension as 447
specified in division (A)(1) of that section. 448

(C)(1) Whoever violates division (A)(2) or (3) of this 449
section is guilty of vehicular assault and shall be punished as 450
provided in divisions (C)(2) and (3) of this section. 451

(2) Except as otherwise provided in this division, 452
vehicular assault committed in violation of division (A)(2) of 453
this section is a felony of the fourth degree. Vehicular assault 454
committed in violation of division (A)(2) of this section is a 455
felony of the third degree if, at the time of the offense, the 456
offender was driving under a suspension imposed under Chapter 457
4510. or any other provision of the Revised Code, if the 458

offender previously has been convicted of or pleaded guilty to a 459
violation of this section or any traffic-related homicide, 460
manslaughter, or assault offense, or if, in the same course of 461
conduct that resulted in the violation of division (A) (2) of 462
this section, the offender also violated section 4549.02, 463
4549.021, or 4549.03 of the Revised Code. 464

In addition to any other sanctions imposed, the court 465
shall impose upon the offender a class four suspension of the 466
offender's driver's license, commercial driver's license, 467
temporary instruction permit, probationary license, or 468
nonresident operating privilege from the range specified in 469
division (A) (4) of section 4510.02 of the Revised Code or, if 470
the offender previously has been convicted of or pleaded guilty 471
to a violation of this section, any traffic-related homicide, 472
manslaughter, or assault offense, or any traffic-related murder, 473
felonious assault, or attempted murder offense, a class three 474
suspension of the offender's driver's license, commercial 475
driver's license, temporary instruction permit, probationary 476
license, or nonresident operating privilege from the range 477
specified in division (A) (3) of that section. 478

(3) Except as otherwise provided in this division, 479
vehicular assault committed in violation of division (A) (3) of 480
this section is a misdemeanor of the first degree. Vehicular 481
assault committed in violation of division (A) (3) of this 482
section is a felony of the fourth degree if, at the time of the 483
offense, the offender was driving under a suspension imposed 484
under Chapter 4510. or any other provision of the Revised Code 485
or if the offender previously has been convicted of or pleaded 486
guilty to a violation of this section or any traffic-related 487
homicide, manslaughter, or assault offense. 488

In addition to any other sanctions imposed, the court shall impose upon the offender a class four 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) (4) of section 4510.02 of the Revised Code or, 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, 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.

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

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

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

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

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

(4) A mandatory prison term required under division (D) (1) or (2) of this section shall be a definite term from the range of prison terms provided in division (A) (2) (b) of section 2929.14 of the Revised Code for a felony of the second degree, from division (A) (3) (a) of that section for a felony of the third degree, or from division (A) (4) of that section for a felony of the fourth degree, whichever is applicable, except that if the violation is a felony of the second degree committed on or after March 22, 2019, the court shall impose as the minimum prison term for the offense a mandatory prison term that is one of the minimum terms prescribed for a felony of the second degree in division (A) (2) (a) of section 2929.14 of the Revised Code.

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

(F) As used in this section:	550
(1) "Mandatory prison term" and "mandatory jail term" have the same meanings as in section 2929.01 of the Revised Code.	551 552
(2) "Traffic-related homicide, manslaughter, or assault offense" and "traffic-related murder, felonious assault, or attempted murder offense" have the same meanings as in section 2903.06 of the Revised Code.	553 554 555 556
(3) "Construction zone" has the same meaning as in section 5501.27 of the Revised Code.	557 558
(4) "Reckless operation offense" and "speeding offense" have the same meanings as in section 2903.06 of the Revised Code.	559 560 561
(G) For the purposes of this section, when a penalty or suspension is enhanced because of a prior or current violation of a specified law or a prior or current specified offense, the reference to the violation of the specified law or the specified offense includes any violation of any substantially equivalent municipal ordinance, former law of this state, or current or former law of another state or the United States.	562 563 564 565 566 567 568
Sec. 2921.331. (A) No person shall fail to comply with any lawful order or direction of any police officer invested with authority to direct, control, or regulate traffic.	569 570 571
(B) No person shall operate a motor vehicle so as willfully to elude or flee a police officer after receiving a visible or audible signal from a police officer to bring the person's motor vehicle to a stop.	572 573 574 575
(C) (1) Whoever violates this section is guilty of failure to comply with an order or signal of a police officer.	576 577

(2) A violation of division (A) of this section is a misdemeanor of the first degree.	578 579
(3) Except as provided in divisions (C) (4) and (5) of this section, a violation of division (B) of this section is a misdemeanor <u>felony</u> of the first <u>fourth</u> degree.	580 581 582
(4) Except as provided in division (C) (5) of this section, a <u>A</u> violation of division (B) of this section is a felony of the fourth <u>third</u> degree if the jury or judge as trier of fact finds by proof beyond a reasonable doubt that, in committing the offense, the offender was fleeing immediately after the commission of a felony.	583 584 585 586 587 588
(5) (a) A violation of division (B) of this section is a felony of the third degree if the jury or judge as trier of fact finds any of the following by proof beyond a reasonable doubt:	589 590 591
(i) The operation of the motor vehicle by the offender was a proximate cause of serious physical harm to persons or property.	592 593 594
(ii) The operation of the motor vehicle by the offender caused a substantial risk of serious physical harm to persons or property.	595 596 597
(b) If a police officer pursues an offender who is violating division (B) of this section and division (C) (5) (a) of this section applies, the sentencing court, in determining the seriousness of an offender's conduct for purposes of sentencing the offender for a violation of division (B) of this section, shall consider, along with the factors set forth in sections 2929.12 and 2929.13 of the Revised Code that are required to be considered, all of the following:	598 599 600 601 602 603 604 605
(i) The duration of the pursuit;	606

(ii) The distance of the pursuit;	607
(iii) The rate of speed at which the offender operated the motor vehicle during the pursuit;	608 609
(iv) Whether the offender failed to stop for traffic lights or stop signs during the pursuit;	610 611
(v) The number of traffic lights or stop signs for which the offender failed to stop during the pursuit;	612 613
(vi) Whether the offender operated the motor vehicle during the pursuit without lighted lights during a time when lighted lights are required;	614 615 616
(vii) Whether the offender committed a moving violation during the pursuit;	617 618
(viii) The number of moving violations the offender committed during the pursuit;	619 620
(ix) Any other relevant factors indicating that the offender's conduct is more serious than conduct normally constituting the offense.	621 622 623
(D) If an offender is sentenced pursuant to division (C) (4) or (5) of this section for a violation of division (B) of this section, and if the offender is sentenced to a prison term for <u>that a violation of division (B) of this section,</u> the offender shall serve the prison term consecutively to any other prison term or mandatory prison term imposed upon the offender.	624 625 626 627 628 629
(E) In addition to any other sanction imposed for a felony violation of division (B) of this section, the court shall impose a class two suspension from the range specified in division (A) (2) of section 4510.02 of the Revised Code. In addition to any other sanction imposed for a violation of	630 631 632 633 634

division (A) of this section ~~or a misdemeanor violation of~~ 635
~~division (B) of this section~~, the court shall impose a class 636
five suspension from the range specified in division (A) (5) of 637
section 4510.02 of the Revised Code. If the offender previously 638
has been found guilty of an offense under this section, in 639
addition to any other sanction imposed for the offense, the 640
court shall impose a class one suspension as described in 641
division (A) (1) of that section. The court shall not grant 642
limited driving privileges to the offender on a suspension 643
imposed for a felony violation of this section. The court may 644
grant limited driving privileges to the offender on a suspension 645
imposed for a misdemeanor violation of this section as set forth 646
in section 4510.021 of the Revised Code. No judge shall suspend 647
the first three years of suspension under a class two suspension 648
of an offender's license, permit, or privilege required by this 649
division ~~on or~~ any portion of the suspension under a class one 650
suspension of an offender's license, permit, or privilege 651
required by this division. 652

(F) As used in this section: 653

(1) "Moving violation" has the same meaning as in section 654
2743.70 of the Revised Code. 655

(2) "Police officer" has the same meaning as in section 656
4511.01 of the Revised Code. 657

Sec. 2929.14. (A) Except as provided in division (B) (1), 658
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 659
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 660
in division (D) (6) of section 2919.25 of the Revised Code and 661
except in relation to an offense for which a sentence of death 662
or life imprisonment is to be imposed, if the court imposing a 663
sentence upon an offender for a felony elects or is required to 664

impose a prison term on the offender pursuant to this chapter, 665
the court shall impose a prison term that shall be one of the 666
following: 667

(1) (a) For a felony of the first degree committed on or 668
after March 22, 2019, the prison term shall be an indefinite 669
prison term with a stated minimum term selected by the court of 670
three, four, five, six, seven, eight, nine, ten, or eleven years 671
and a maximum term that is determined pursuant to section 672
2929.144 of the Revised Code, except that if the section that 673
criminalizes the conduct constituting the felony specifies a 674
different minimum term or penalty for the offense, the specific 675
language of that section shall control in determining the 676
minimum term or otherwise sentencing the offender but the 677
minimum term or sentence imposed under that specific language 678
shall be considered for purposes of the Revised Code as if it 679
had been imposed under this division. 680

(b) For a felony of the first degree committed prior to 681
March 22, 2019, the prison term shall be a definite prison term 682
of three, four, five, six, seven, eight, nine, ten, or eleven 683
years. 684

(2) (a) For a felony of the second degree committed on or 685
after March 22, 2019, the prison term shall be an indefinite 686
prison term with a stated minimum term selected by the court of 687
two, three, four, five, six, seven, or eight years and a maximum 688
term that is determined pursuant to section 2929.144 of the 689
Revised Code, except that if the section that criminalizes the 690
conduct constituting the felony specifies a different minimum 691
term or penalty for the offense, the specific language of that 692
section shall control in determining the minimum term or 693
otherwise sentencing the offender but the minimum term or 694

sentence imposed under that specific language shall be 695
considered for purposes of the Revised Code as if it had been 696
imposed under this division. 697

(b) For a felony of the second degree committed prior to 698
March 22, 2019, the prison term shall be a definite term of two, 699
three, four, five, six, seven, or eight years. 700

(3) (a) For a felony of the third degree that is a 701
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 702
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 703
Code, that is a violation of division (A) of section 4511.19 of 704
the Revised Code if the offender previously has been convicted 705
of or pleaded guilty to a violation of division (A) of that 706
section that was a felony, ~~or~~ that is a violation of section 707
2911.02 or 2911.12 of the Revised Code if the offender 708
previously has been convicted of or pleaded guilty in two or 709
more separate proceedings to two or more violations of section 710
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, or 711
that is a violation of division (B) of section 2921.331 of the 712
Revised Code if division (C) (5) of that section applies, the 713
prison term shall be a definite term of twelve, eighteen, 714
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 715
four, or sixty months. 716

(b) For a felony of the third degree that is not an 717
offense for which division (A) (3) (a) of this section applies, 718
the prison term shall be a definite term of nine, twelve, 719
eighteen, twenty-four, thirty, or thirty-six months. 720

(4) For a felony of the fourth degree, the prison term 721
shall be a definite term of six, seven, eight, nine, ten, 722
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 723
or eighteen months. 724

(5) For a felony of the fifth degree, the prison term 725
shall be a definite term of six, seven, eight, nine, ten, 726
eleven, or twelve months. 727

(B) (1) (a) Except as provided in division (B) (1) (e) of this 728
section, if an offender who is convicted of or pleads guilty to 729
a felony also is convicted of or pleads guilty to a 730
specification of the type described in section 2941.141, 731
2941.144, or 2941.145 of the Revised Code, the court shall 732
impose on the offender one of the following prison terms: 733

(i) A prison term of six years if the specification is of 734
the type described in division (A) of section 2941.144 of the 735
Revised Code that charges the offender with having a firearm 736
that is an automatic firearm or that was equipped with a firearm 737
muffler or suppressor on or about the offender's person or under 738
the offender's control while committing the offense; 739

(ii) A prison term of three years if the specification is 740
of the type described in division (A) of section 2941.145 of the 741
Revised Code that charges the offender with having a firearm on 742
or about the offender's person or under the offender's control 743
while committing the offense and displaying the firearm, 744
brandishing the firearm, indicating that the offender possessed 745
the firearm, or using it to facilitate the offense; 746

(iii) A prison term of one year if the specification is of 747
the type described in division (A) of section 2941.141 of the 748
Revised Code that charges the offender with having a firearm on 749
or about the offender's person or under the offender's control 750
while committing the offense; 751

(iv) A prison term of nine years if the specification is 752
of the type described in division (D) of section 2941.144 of the 753

Revised Code that charges the offender with having a firearm 754
that is an automatic firearm or that was equipped with a firearm 755
muffler or suppressor on or about the offender's person or under 756
the offender's control while committing the offense and 757
specifies that the offender previously has been convicted of or 758
pleaded guilty to a specification of the type described in 759
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 760
the Revised Code; 761

(v) A prison term of fifty-four months if the 762
specification is of the type described in division (D) of 763
section 2941.145 of the Revised Code that charges the offender 764
with having a firearm on or about the offender's person or under 765
the offender's control while committing the offense and 766
displaying the firearm, brandishing the firearm, indicating that 767
the offender possessed the firearm, or using the firearm to 768
facilitate the offense and that the offender previously has been 769
convicted of or pleaded guilty to a specification of the type 770
described in section 2941.141, 2941.144, 2941.145, 2941.146, or 771
2941.1412 of the Revised Code; 772

(vi) A prison term of eighteen months if the specification 773
is of the type described in division (D) of section 2941.141 of 774
the Revised Code that charges the offender with having a firearm 775
on or about the offender's person or under the offender's 776
control while committing the offense and that the offender 777
previously has been convicted of or pleaded guilty to a 778
specification of the type described in section 2941.141, 779
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code. 780

(b) If a court imposes a prison term on an offender under 781
division (B)(1)(a) of this section, the prison term shall not be 782
reduced pursuant to section 2929.20, division (A)(2) or (3) of 783

section 2967.193 or 2967.194, or any other provision of Chapter 784
2967. or Chapter 5120. of the Revised Code. Except as provided 785
in division (B) (1) (g) of this section, a court shall not impose 786
more than one prison term on an offender under division (B) (1) 787
(a) of this section for felonies committed as part of the same 788
act or transaction. 789

(c) (i) Except as provided in division (B) (1) (e) of this 790
section, if an offender who is convicted of or pleads guilty to 791
a violation of section 2923.161 of the Revised Code or to a 792
felony that includes, as an essential element, purposely or 793
knowingly causing or attempting to cause the death of or 794
physical harm to another, also is convicted of or pleads guilty 795
to a specification of the type described in division (A) of 796
section 2941.146 of the Revised Code that charges the offender 797
with committing the offense by discharging a firearm from a 798
motor vehicle other than a manufactured home, the court, after 799
imposing a prison term on the offender for the violation of 800
section 2923.161 of the Revised Code or for the other felony 801
offense under division (A), (B) (2), or (B) (3) of this section, 802
shall impose an additional prison term of five years upon the 803
offender that shall not be reduced pursuant to section 2929.20, 804
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 805
other provision of Chapter 2967. or Chapter 5120. of the Revised 806
Code. 807

(ii) Except as provided in division (B) (1) (e) of this 808
section, if an offender who is convicted of or pleads guilty to 809
a violation of section 2923.161 of the Revised Code or to a 810
felony that includes, as an essential element, purposely or 811
knowingly causing or attempting to cause the death of or 812
physical harm to another, also is convicted of or pleads guilty 813
to a specification of the type described in division (C) of 814

section 2941.146 of the Revised Code that charges the offender 815
with committing the offense by discharging a firearm from a 816
motor vehicle other than a manufactured home and that the 817
offender previously has been convicted of or pleaded guilty to a 818
specification of the type described in section 2941.141, 819
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 820
the court, after imposing a prison term on the offender for the 821
violation of section 2923.161 of the Revised Code or for the 822
other felony offense under division (A), (B) (2), or (3) of this 823
section, shall impose an additional prison term of ninety months 824
upon the offender that shall not be reduced pursuant to section 825
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 826
or any other provision of Chapter 2967. or Chapter 5120. of the 827
Revised Code. 828

(iii) A court shall not impose more than one additional 829
prison term on an offender under division (B) (1) (c) of this 830
section for felonies committed as part of the same act or 831
transaction. If a court imposes an additional prison term on an 832
offender under division (B) (1) (c) of this section relative to an 833
offense, the court also shall impose a prison term under 834
division (B) (1) (a) of this section relative to the same offense, 835
provided the criteria specified in that division for imposing an 836
additional prison term are satisfied relative to the offender 837
and the offense. 838

(d) If an offender who is convicted of or pleads guilty to 839
an offense of violence that is a felony also is convicted of or 840
pleads guilty to a specification of the type described in 841
section 2941.1411 of the Revised Code that charges the offender 842
with wearing or carrying body armor while committing the felony 843
offense of violence, the court shall impose on the offender an 844
additional prison term of two years. The prison term so imposed 845

shall not be reduced pursuant to section 2929.20, division (A) 846
(2) or (3) of section 2967.193 or 2967.194, or any other 847
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 848
A court shall not impose more than one prison term on an 849
offender under division (B)(1)(d) of this section for felonies 850
committed as part of the same act or transaction. If a court 851
imposes an additional prison term under division (B)(1)(a) or 852
(c) of this section, the court is not precluded from imposing an 853
additional prison term under division (B)(1)(d) of this section. 854

(e) The court shall not impose any of the prison terms 855
described in division (B)(1)(a) of this section or any of the 856
additional prison terms described in division (B)(1)(c) of this 857
section upon an offender for a violation of section 2923.12 or 858
2923.123 of the Revised Code. The court shall not impose any of 859
the prison terms described in division (B)(1)(a) or (b) of this 860
section upon an offender for a violation of section 2923.122 861
that involves a deadly weapon that is a firearm other than a 862
dangerous ordnance, section 2923.16, or section 2923.121 of the 863
Revised Code. The court shall not impose any of the prison terms 864
described in division (B)(1)(a) of this section or any of the 865
additional prison terms described in division (B)(1)(c) of this 866
section upon an offender for a violation of section 2923.13 of 867
the Revised Code unless all of the following apply: 868

(i) The offender previously has been convicted of 869
aggravated murder, murder, or any felony of the first or second 870
degree. 871

(ii) Less than five years have passed since the offender 872
was released from prison or post-release control, whichever is 873
later, for the prior offense. 874

(f)(i) If an offender is convicted of or pleads guilty to 875

a felony that includes, as an essential element, causing or 876
attempting to cause the death of or physical harm to another and 877
also is convicted of or pleads guilty to a specification of the 878
type described in division (A) of section 2941.1412 of the 879
Revised Code that charges the offender with committing the 880
offense by discharging a firearm at a peace officer as defined 881
in section 2935.01 of the Revised Code or a corrections officer, 882
as defined in section 2941.1412 of the Revised Code, the court, 883
after imposing a prison term on the offender for the felony 884
offense under division (A), (B) (2), or (B) (3) of this section, 885
shall impose an additional prison term of seven years upon the 886
offender that shall not be reduced pursuant to section 2929.20, 887
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 888
other provision of Chapter 2967. or Chapter 5120. of the Revised 889
Code. 890

(ii) If an offender is convicted of or pleads guilty to a 891
felony that includes, as an essential element, causing or 892
attempting to cause the death of or physical harm to another and 893
also is convicted of or pleads guilty to a specification of the 894
type described in division (B) of section 2941.1412 of the 895
Revised Code that charges the offender with committing the 896
offense by discharging a firearm at a peace officer, as defined 897
in section 2935.01 of the Revised Code, or a corrections 898
officer, as defined in section 2941.1412 of the Revised Code, 899
and that the offender previously has been convicted of or 900
pleaded guilty to a specification of the type described in 901
section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of 902
the Revised Code, the court, after imposing a prison term on the 903
offender for the felony offense under division (A), (B) (2), or 904
(3) of this section, shall impose an additional prison term of 905
one hundred twenty-six months upon the offender that shall not 906

be reduced pursuant to section 2929.20, division (A)(2) or (3) 907
of section 2967.193 or 2967.194, or any other provision of 908
Chapter 2967. or 5120. of the Revised Code. 909

(iii) If an offender is convicted of or pleads guilty to 910
two or more felonies that include, as an essential element, 911
causing or attempting to cause the death or physical harm to 912
another and also is convicted of or pleads guilty to a 913
specification of the type described under division (B)(1)(f) of 914
this section in connection with two or more of the felonies of 915
which the offender is convicted or to which the offender pleads 916
guilty, the sentencing court shall impose on the offender the 917
prison term specified under division (B)(1)(f) of this section 918
for each of two of the specifications of which the offender is 919
convicted or to which the offender pleads guilty and, in its 920
discretion, also may impose on the offender the prison term 921
specified under that division for any or all of the remaining 922
specifications. If a court imposes an additional prison term on 923
an offender under division (B)(1)(f) of this section relative to 924
an offense, the court shall not impose a prison term under 925
division (B)(1)(a) or (c) of this section relative to the same 926
offense. 927

(g) If an offender is convicted of or pleads guilty to two 928
or more felonies, if one or more of those felonies are 929
aggravated murder, murder, attempted aggravated murder, 930
attempted murder, aggravated robbery, felonious assault, or 931
rape, and if the offender is convicted of or pleads guilty to a 932
specification of the type described under division (B)(1)(a) of 933
this section in connection with two or more of the felonies, the 934
sentencing court shall impose on the offender the prison term 935
specified under division (B)(1)(a) of this section for each of 936
the two most serious specifications of which the offender is 937

convicted or to which the offender pleads guilty and, in its discretion, also may impose on the offender the prison term specified under that division for any or all of the remaining specifications.

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

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

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

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

parole. 968

(iv) The court finds that the prison terms imposed 969
pursuant to division (B) (2) (a) (iii) of this section and, if 970
applicable, division (B) (1) or (3) of this section are 971
inadequate to punish the offender and protect the public from 972
future crime, because the applicable factors under section 973
2929.12 of the Revised Code indicating a greater likelihood of 974
recidivism outweigh the applicable factors under that section 975
indicating a lesser likelihood of recidivism. 976

(v) The court finds that the prison terms imposed pursuant 977
to division (B) (2) (a) (iii) of this section and, if applicable, 978
division (B) (1) or (3) of this section are demeaning to the 979
seriousness of the offense, because one or more of the factors 980
under section 2929.12 of the Revised Code indicating that the 981
offender's conduct is more serious than conduct normally 982
constituting the offense are present, and they outweigh the 983
applicable factors under that section indicating that the 984
offender's conduct is less serious than conduct normally 985
constituting the offense. 986

(b) The court shall impose on an offender the longest 987
prison term authorized or required for the offense or, for 988
offenses for which division (A) (1) (a) or (2) (a) of this section 989
applies, the longest minimum prison term authorized or required 990
for the offense, and shall impose on the offender an additional 991
definite prison term of one, two, three, four, five, six, seven, 992
eight, nine, or ten years if all of the following criteria are 993
met: 994

(i) The offender is convicted of or pleads guilty to a 995
specification of the type described in section 2941.149 of the 996
Revised Code that the offender is a repeat violent offender. 997

(ii) The offender within the preceding twenty years has 998
been convicted of or pleaded guilty to three or more offenses 999
described in division (CC) (1) of section 2929.01 of the Revised 1000
Code, including all offenses described in that division of which 1001
the offender is convicted or to which the offender pleads guilty 1002
in the current prosecution and all offenses described in that 1003
division of which the offender previously has been convicted or 1004
to which the offender previously pleaded guilty, whether 1005
prosecuted together or separately. 1006

(iii) The offense or offenses of which the offender 1007
currently is convicted or to which the offender currently pleads 1008
guilty is aggravated murder and the court does not impose a 1009
sentence of death or life imprisonment without parole, murder, 1010
terrorism and the court does not impose a sentence of life 1011
imprisonment without parole, any felony of the first degree that 1012
is an offense of violence and the court does not impose a 1013
sentence of life imprisonment without parole, or any felony of 1014
the second degree that is an offense of violence and the trier 1015
of fact finds that the offense involved an attempt to cause or a 1016
threat to cause serious physical harm to a person or resulted in 1017
serious physical harm to a person. 1018

(c) For purposes of division (B) (2) (b) of this section, 1019
two or more offenses committed at the same time or as part of 1020
the same act or event shall be considered one offense, and that 1021
one offense shall be the offense with the greatest penalty. 1022

(d) A sentence imposed under division (B) (2) (a) or (b) of 1023
this section shall not be reduced pursuant to section 2929.20, 1024
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 1025
other provision of Chapter 2967. or Chapter 5120. of the Revised 1026
Code. The offender shall serve an additional prison term imposed 1027

under division (B) (2) (a) or (b) of this section consecutively to 1028
and prior to the prison term imposed for the underlying offense. 1029

(e) When imposing a sentence pursuant to division (B) (2) 1030
(a) or (b) of this section, the court shall state its findings 1031
explaining the imposed sentence. 1032

(3) Except when an offender commits a violation of section 1033
2903.01 or 2907.02 of the Revised Code and the penalty imposed 1034
for the violation is life imprisonment or commits a violation of 1035
section 2903.02 of the Revised Code, if the offender commits a 1036
violation of section 2925.03 or 2925.11 of the Revised Code and 1037
that section classifies the offender as a major drug offender, 1038
if the offender commits a violation of section 2925.05 of the 1039
Revised Code and division (E) (1) of that section classifies the 1040
offender as a major drug offender, if the offender commits a 1041
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 1042
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 1043
division (C) or (D) of section 3719.172, division (E) of section 1044
4729.51, or division (J) of section 4729.54 of the Revised Code 1045
that includes the sale, offer to sell, or possession of a 1046
schedule I or II controlled substance, with the exception of 1047
marihuana, and the court imposing sentence upon the offender 1048
finds that the offender is guilty of a specification of the type 1049
described in division (A) of section 2941.1410 of the Revised 1050
Code charging that the offender is a major drug offender, if the 1051
court imposing sentence upon an offender for a felony finds that 1052
the offender is guilty of corrupt activity with the most serious 1053
offense in the pattern of corrupt activity being a felony of the 1054
first degree, or if the offender is guilty of an attempted 1055
violation of section 2907.02 of the Revised Code and, had the 1056
offender completed the violation of section 2907.02 of the 1057
Revised Code that was attempted, the offender would have been 1058

subject to a sentence of life imprisonment or life imprisonment 1059
without parole for the violation of section 2907.02 of the 1060
Revised Code, the court shall impose upon the offender for the 1061
felony violation a mandatory prison term determined as described 1062
in this division that cannot be reduced pursuant to section 1063
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 1064
or any other provision of Chapter 2967. or 5120. of the Revised 1065
Code. The mandatory prison term shall be the maximum definite 1066
prison term prescribed in division (A) (1) (b) of this section for 1067
a felony of the first degree, except that for offenses for which 1068
division (A) (1) (a) of this section applies, the mandatory prison 1069
term shall be the longest minimum prison term prescribed in that 1070
division for the offense. 1071

(4) If the offender is being sentenced for a third or 1072
fourth degree felony OVI offense under division (G) (2) of 1073
section 2929.13 of the Revised Code, the sentencing court shall 1074
impose upon the offender a mandatory prison term in accordance 1075
with that division. In addition to the mandatory prison term, if 1076
the offender is being sentenced for a fourth degree felony OVI 1077
offense, the court, notwithstanding division (A) (4) of this 1078
section, may sentence the offender to a definite prison term of 1079
not less than six months and not more than thirty months, and if 1080
the offender is being sentenced for a third degree felony OVI 1081
offense, the sentencing court may sentence the offender to an 1082
additional prison term of any duration specified in division (A) 1083
(3) of this section. In either case, the additional prison term 1084
imposed shall be reduced by the sixty or one hundred twenty days 1085
imposed upon the offender as the mandatory prison term. The 1086
total of the additional prison term imposed under division (B) 1087
(4) of this section plus the sixty or one hundred twenty days 1088
imposed as the mandatory prison term shall equal a definite term 1089

in the range of six months to thirty months for a fourth degree 1090
felony OVI offense and shall equal one of the authorized prison 1091
terms specified in division (A) (3) of this section for a third 1092
degree felony OVI offense. If the court imposes an additional 1093
prison term under division (B) (4) of this section, the offender 1094
shall serve the additional prison term after the offender has 1095
served the mandatory prison term required for the offense. In 1096
addition to the mandatory prison term or mandatory and 1097
additional prison term imposed as described in division (B) (4) 1098
of this section, the court also may sentence the offender to a 1099
community control sanction under section 2929.16 or 2929.17 of 1100
the Revised Code, but the offender shall serve all of the prison 1101
terms so imposed prior to serving the community control 1102
sanction. 1103

If the offender is being sentenced for a fourth degree 1104
felony OVI offense under division (G) (1) of section 2929.13 of 1105
the Revised Code and the court imposes a mandatory term of local 1106
incarceration, the court may impose a prison term as described 1107
in division (A) (1) of that section. 1108

(5) If an offender is convicted of or pleads guilty to a 1109
violation of division (A) (1) or (2) of section 2903.06 of the 1110
Revised Code and also is convicted of or pleads guilty to a 1111
specification of the type described in section 2941.1414 of the 1112
Revised Code that charges that the victim of the offense is a 1113
peace officer, as defined in section 2935.01 of the Revised 1114
Code, an investigator of the bureau of criminal identification 1115
and investigation, as defined in section 2903.11 of the Revised 1116
Code, or a firefighter or emergency medical worker, both as 1117
defined in section 4123.026 of the Revised Code, the court shall 1118
impose on the offender a prison term of five years. If a court 1119
imposes a prison term on an offender under division (B) (5) of 1120

this section, the prison term shall not be reduced pursuant to 1121
section 2929.20, division (A) (2) or (3) of section 2967.193 or 1122
2967.194, or any other provision of Chapter 2967. or Chapter 1123
5120. of the Revised Code. A court shall not impose more than 1124
one prison term on an offender under division (B) (5) of this 1125
section for felonies committed as part of the same act. 1126

(6) If an offender is convicted of or pleads guilty to a 1127
violation of division (A) (1) or (2) of section 2903.06 of the 1128
Revised Code and also is convicted of or pleads guilty to a 1129
specification of the type described in section 2941.1415 of the 1130
Revised Code that charges that the offender previously has been 1131
convicted of or pleaded guilty to three or more violations of 1132
division (A) of section 4511.19 of the Revised Code or an 1133
equivalent offense, as defined in section 2941.1415 of the 1134
Revised Code, or three or more violations of any combination of 1135
those offenses, the court shall impose on the offender a prison 1136
term of three years. If a court imposes a prison term on an 1137
offender under division (B) (6) of this section, the prison term 1138
shall not be reduced pursuant to section 2929.20, division (A) 1139
(2) or (3) of section 2967.193 or 2967.194, or any other 1140
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 1141
A court shall not impose more than one prison term on an 1142
offender under division (B) (6) of this section for felonies 1143
committed as part of the same act. 1144

(7) (a) If an offender is convicted of or pleads guilty to 1145
a felony violation of section 2905.01, 2905.02, 2907.21, 1146
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 1147
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 1148
section 2919.22 of the Revised Code and also is convicted of or 1149
pleads guilty to a specification of the type described in 1150
section 2941.1422 of the Revised Code that charges that the 1151

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:

(i) If the offense is a felony of the first degree, a definite prison term of not less than five years and not greater than eleven years, except that if the offense is a felony of the first degree committed on or after March 22, 2019, the court shall impose as the minimum prison term a mandatory term of not less than five years and not greater than eleven years;

(ii) If the offense is a felony of the second or third degree, a definite prison term of not less than three years and not greater than the maximum prison term allowed for the offense by division (A) (2) (b) or (3) of this section, except that if the offense is a felony of the second degree committed on or after March 22, 2019, the court shall impose as the minimum prison term a mandatory term of not less than three years and not greater than eight years;

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

(b) The prison term imposed under division (B) (7) (a) of this section shall not be reduced pursuant to section 2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, or any other provision of Chapter 2967. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B) (7) (a) of this section for felonies committed as part of the same act, scheme, or plan.

(8) If an offender is convicted of or pleads guilty to a

felony violation of section 2903.11, 2903.12, or 2903.13 of the 1181
Revised Code and also is convicted of or pleads guilty to a 1182
specification of the type described in section 2941.1423 of the 1183
Revised Code that charges that the victim of the violation was a 1184
woman whom the offender knew was pregnant at the time of the 1185
violation, notwithstanding the range prescribed in division (A) 1186
of this section as the definite prison term or minimum prison 1187
term for felonies of the same degree as the violation, the court 1188
shall impose on the offender a mandatory prison term that is 1189
either a definite prison term of six months or one of the prison 1190
terms prescribed in division (A) of this section for felonies of 1191
the same degree as the violation, except that if the violation 1192
is a felony of the first or second degree committed on or after 1193
arch 22, 2019, the court shall impose as the minimum prison term 1194
under division (A) (1) (a) or (2) (a) of this section a mandatory 1195
term that is one of the terms prescribed in that division, 1196
whichever is applicable, for the offense. 1197

(9) (a) If an offender is convicted of or pleads guilty to 1198
a violation of division (A) (1) or (2) of section 2903.11 of the 1199
Revised Code and also is convicted of or pleads guilty to a 1200
specification of the type described in section 2941.1425 of the 1201
Revised Code, the court shall impose on the offender a mandatory 1202
prison term of six years if either of the following applies: 1203

(i) The violation is a violation of division (A) (1) of 1204
section 2903.11 of the Revised Code and the specification 1205
charges that the offender used an accelerant in committing the 1206
violation and the serious physical harm to another or to 1207
another's unborn caused by the violation resulted in a 1208
permanent, serious disfigurement or permanent, substantial 1209
incapacity; 1210

(ii) The violation is a violation of division (A) (2) of 1211
section 2903.11 of the Revised Code and the specification 1212
charges that the offender used an accelerant in committing the 1213
violation, that the violation caused physical harm to another or 1214
to another's unborn, and that the physical harm resulted in a 1215
permanent, serious disfigurement or permanent, substantial 1216
incapacity. 1217

(b) If a court imposes a prison term on an offender under 1218
division (B) (9) (a) of this section, the prison term shall not be 1219
reduced pursuant to section 2929.20, division (A) (2) or (3) of 1220
section 2967.193 or 2967.194, or any other provision of Chapter 1221
2967. or Chapter 5120. of the Revised Code. A court shall not 1222
impose more than one prison term on an offender under division 1223
(B) (9) of this section for felonies committed as part of the 1224
same act. 1225

(c) The provisions of divisions (B) (9) and (C) (6) of this 1226
section and of division (D) (2) of section 2903.11, division (F) 1227
(20) of section 2929.13, and section 2941.1425 of the Revised 1228
Code shall be known as "Judy's Law." 1229

(10) If an offender is convicted of or pleads guilty to a 1230
violation of division (A) of section 2903.11 of the Revised Code 1231
and also is convicted of or pleads guilty to a specification of 1232
the type described in section 2941.1426 of the Revised Code that 1233
charges that the victim of the offense suffered permanent 1234
disabling harm as a result of the offense and that the victim 1235
was under ten years of age at the time of the offense, 1236
regardless of whether the offender knew the age of the victim, 1237
the court shall impose upon the offender an additional definite 1238
prison term of six years. A prison term imposed on an offender 1239
under division (B) (10) of this section shall not be reduced 1240

pursuant to section 2929.20, division (A) (2) or (3) of section 1241
2967.193 or 2967.194, or any other provision of Chapter 2967. or 1242
Chapter 5120. of the Revised Code. If a court imposes an 1243
additional prison term on an offender under this division 1244
relative to a violation of division (A) of section 2903.11 of 1245
the Revised Code, the court shall not impose any other 1246
additional prison term on the offender relative to the same 1247
offense. 1248

(11) If an offender is convicted of or pleads guilty to a 1249
felony violation of section 2925.03 or 2925.05 of the Revised 1250
Code or a felony violation of section 2925.11 of the Revised 1251
Code for which division (C) (11) of that section applies in 1252
determining the sentence for the violation, if the drug involved 1253
in the violation is a fentanyl-related compound or a compound, 1254
mixture, preparation, or substance containing a fentanyl-related 1255
compound, and if the offender also is convicted of or pleads 1256
guilty to a specification of the type described in division (B) 1257
of section 2941.1410 of the Revised Code that charges that the 1258
offender is a major drug offender, in addition to any other 1259
penalty imposed for the violation, the court shall impose on the 1260
offender a mandatory prison term of three, four, five, six, 1261
seven, or eight years. If a court imposes a prison term on an 1262
offender under division (B) (11) of this section, the prison term 1263
shall not be reduced pursuant to section 2929.20, division (A) 1264
(2) or (3) of section 2967.193 or 2967.194, or any other 1265
provision of Chapter 2967. or 5120. of the Revised Code. A court 1266
shall not impose more than one prison term on an offender under 1267
division (B) (11) of this section for felonies committed as part 1268
of the same act. 1269

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1270
if a mandatory prison term is imposed upon an offender pursuant 1271

to division (B) (1) (a) of this section for having a firearm on or 1272
about the offender's person or under the offender's control 1273
while committing a felony, if a mandatory prison term is imposed 1274
upon an offender pursuant to division (B) (1) (c) of this section 1275
for committing a felony specified in that division by 1276
discharging a firearm from a motor vehicle, or if both types of 1277
mandatory prison terms are imposed, the offender shall serve any 1278
mandatory prison term imposed under either division 1279
consecutively to any other mandatory prison term imposed under 1280
either division or under division (B) (1) (d) of this section, 1281
consecutively to and prior to any prison term imposed for the 1282
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1283
this section or any other section of the Revised Code, and 1284
consecutively to any other prison term or mandatory prison term 1285
previously or subsequently imposed upon the offender. 1286

(b) If a mandatory prison term is imposed upon an offender 1287
pursuant to division (B) (1) (d) of this section for wearing or 1288
carrying body armor while committing an offense of violence that 1289
is a felony, the offender shall serve the mandatory term so 1290
imposed consecutively to any other mandatory prison term imposed 1291
under that division or under division (B) (1) (a) or (c) of this 1292
section, consecutively to and prior to any prison term imposed 1293
for the underlying felony under division (A), (B) (2), or (B) (3) 1294
of this section or any other section of the Revised Code, and 1295
consecutively to any other prison term or mandatory prison term 1296
previously or subsequently imposed upon the offender. 1297

(c) If a mandatory prison term is imposed upon an offender 1298
pursuant to division (B) (1) (f) of this section, the offender 1299
shall serve the mandatory prison term so imposed consecutively 1300
to and prior to any prison term imposed for the underlying 1301
felony under division (A), (B) (2), or (B) (3) of this section or 1302

any other section of the Revised Code, and consecutively to any 1303
other prison term or mandatory prison term previously or 1304
subsequently imposed upon the offender. 1305

(d) If a mandatory prison term is imposed upon an offender 1306
pursuant to division (B)(7) or (8) of this section, the offender 1307
shall serve the mandatory prison term so imposed consecutively 1308
to any other mandatory prison term imposed under that division 1309
or under any other provision of law and consecutively to any 1310
other prison term or mandatory prison term previously or 1311
subsequently imposed upon the offender. 1312

(e) If a mandatory prison term is imposed upon an offender 1313
pursuant to division (B)(11) of this section, the offender shall 1314
serve the mandatory prison term consecutively to any other 1315
mandatory prison term imposed under that division, consecutively 1316
to and prior to any prison term imposed for the underlying 1317
felony, and consecutively to any other prison term or mandatory 1318
prison term previously or subsequently imposed upon the 1319
offender. 1320

(2) If an offender who is an inmate in a jail, prison, or 1321
other residential detention facility violates section 2917.02, 1322
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 1323
(2) of section 2921.34 of the Revised Code, if an offender who 1324
is under detention at a detention facility commits a felony 1325
violation of section 2923.131 of the Revised Code, or if an 1326
offender who is an inmate in a jail, prison, or other 1327
residential detention facility or is under detention at a 1328
detention facility commits another felony while the offender is 1329
an escapee in violation of division (A)(1) or (2) of section 1330
2921.34 of the Revised Code, any prison term imposed upon the 1331
offender for one of those violations shall be served by the 1332

offender consecutively to the prison term or term of 1333
imprisonment the offender was serving when the offender 1334
committed that offense and to any other prison term previously 1335
or subsequently imposed upon the offender. 1336

(3) If a prison term is imposed for a violation of 1337
division (B) of section 2911.01 of the Revised Code, a violation 1338
of division (A) of section 2913.02 of the Revised Code in which 1339
the stolen property is a firearm or dangerous ordnance, or a 1340
felony violation of division (B) of section 2921.331 of the 1341
Revised Code, the offender shall serve that prison term 1342
consecutively to any other prison term or mandatory prison term 1343
previously or subsequently imposed upon the offender. 1344

(4) If multiple prison terms are imposed on an offender 1345
for convictions of multiple offenses, the court may require the 1346
offender to serve the prison terms consecutively if the court 1347
finds that the consecutive service is necessary to protect the 1348
public from future crime or to punish the offender and that 1349
consecutive sentences are not disproportionate to the 1350
seriousness of the offender's conduct and to the danger the 1351
offender poses to the public, and if the court also finds any of 1352
the following: 1353

(a) The offender committed one or more of the multiple 1354
offenses while the offender was awaiting trial or sentencing, 1355
was under a sanction imposed pursuant to section 2929.16, 1356
2929.17, or 2929.18 of the Revised Code, or was under post- 1357
release control for a prior offense. 1358

(b) At least two of the multiple offenses were committed 1359
as part of one or more courses of conduct, and the harm caused 1360
by two or more of the multiple offenses so committed was so 1361
great or unusual that no single prison term for any of the 1362

offenses committed as part of any of the courses of conduct 1363
adequately reflects the seriousness of the offender's conduct. 1364

(c) The offender's history of criminal conduct 1365
demonstrates that consecutive sentences are necessary to protect 1366
the public from future crime by the offender. 1367

(5) If a mandatory prison term is imposed upon an offender 1368
pursuant to division (B) (5) or (6) of this section, the offender 1369
shall serve the mandatory prison term consecutively to and prior 1370
to any prison term imposed for the underlying violation of 1371
division (A) (1) or (2) of section 2903.06 of the Revised Code 1372
pursuant to division (A) of this section or section 2929.142 of 1373
the Revised Code. If a mandatory prison term is imposed upon an 1374
offender pursuant to division (B) (5) of this section, and if a 1375
mandatory prison term also is imposed upon the offender pursuant 1376
to division (B) (6) of this section in relation to the same 1377
violation, the offender shall serve the mandatory prison term 1378
imposed pursuant to division (B) (5) of this section 1379
consecutively to and prior to the mandatory prison term imposed 1380
pursuant to division (B) (6) of this section and consecutively to 1381
and prior to any prison term imposed for the underlying 1382
violation of division (A) (1) or (2) of section 2903.06 of the 1383
Revised Code pursuant to division (A) of this section or section 1384
2929.142 of the Revised Code. 1385

(6) If a mandatory prison term is imposed on an offender 1386
pursuant to division (B) (9) of this section, the offender shall 1387
serve the mandatory prison term consecutively to and prior to 1388
any prison term imposed for the underlying violation of division 1389
(A) (1) or (2) of section 2903.11 of the Revised Code and 1390
consecutively to and prior to any other prison term or mandatory 1391
prison term previously or subsequently imposed on the offender. 1392

(7) If a mandatory prison term is imposed on an offender 1393
pursuant to division (B)(10) of this section, the offender shall 1394
serve that mandatory prison term consecutively to and prior to 1395
any prison term imposed for the underlying felonious assault. 1396
Except as otherwise provided in division (C) of this section, 1397
any other prison term or mandatory prison term previously or 1398
subsequently imposed upon the offender may be served 1399
concurrently with, or consecutively to, the prison term imposed 1400
pursuant to division (B)(10) of this section. 1401

(8) Any prison term imposed for a violation of section 1402
2903.04 of the Revised Code that is based on a violation of 1403
section 2925.03 or 2925.11 of the Revised Code or on a violation 1404
of section 2925.05 of the Revised Code that is not funding of 1405
marihuana trafficking shall run consecutively to any prison term 1406
imposed for the violation of section 2925.03 or 2925.11 of the 1407
Revised Code or for the violation of section 2925.05 of the 1408
Revised Code that is not funding of marihuana trafficking. 1409

(9) When consecutive prison terms are imposed pursuant to 1410
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1411
division (H)(1) or (2) of this section, subject to division (C) 1412
(10) of this section, the term to be served is the aggregate of 1413
all of the terms so imposed. 1414

(10) When a court sentences an offender to a non-life 1415
felony indefinite prison term, any definite prison term or 1416
mandatory definite prison term previously or subsequently 1417
imposed on the offender in addition to that indefinite sentence 1418
that is required to be served consecutively to that indefinite 1419
sentence shall be served prior to the indefinite sentence. 1420

(11) If a court is sentencing an offender for a felony of 1421
the first or second degree, if division (A)(1)(a) or (2)(a) of 1422

this section applies with respect to the sentencing for the 1423
offense, and if the court is required under the Revised Code 1424
section that sets forth the offense or any other Revised Code 1425
provision to impose a mandatory prison term for the offense, the 1426
court shall impose the required mandatory prison term as the 1427
minimum term imposed under division (A)(1)(a) or (2)(a) of this 1428
section, whichever is applicable. 1429

(D)(1) If a court imposes a prison term, other than a term 1430
of life imprisonment, for a felony of the first degree, for a 1431
felony of the second degree, for a felony sex offense, or for a 1432
felony of the third degree that is an offense of violence and 1433
that is not a felony sex offense, it shall include in the 1434
sentence a requirement that the offender be subject to a period 1435
of post-release control after the offender's release from 1436
imprisonment, in accordance with section 2967.28 of the Revised 1437
Code. If a court imposes a sentence including a prison term of a 1438
type described in this division on or after July 11, 2006, the 1439
failure of a court to include a post-release control requirement 1440
in the sentence pursuant to this division does not negate, 1441
limit, or otherwise affect the mandatory period of post-release 1442
control that is required for the offender under division (B) of 1443
section 2967.28 of the Revised Code. Section 2929.191 of the 1444
Revised Code applies if, prior to July 11, 2006, a court imposed 1445
a sentence including a prison term of a type described in this 1446
division and failed to include in the sentence pursuant to this 1447
division a statement regarding post-release control. 1448

(2) If a court imposes a prison term for a felony of the 1449
third, fourth, or fifth degree that is not subject to division 1450
(D)(1) of this section, it shall include in the sentence a 1451
requirement that the offender be subject to a period of post- 1452
release control after the offender's release from imprisonment, 1453

in accordance with that division, if the parole board determines 1454
that a period of post-release control is necessary. Section 1455
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1456
a court imposed a sentence including a prison term of a type 1457
described in this division and failed to include in the sentence 1458
pursuant to this division a statement regarding post-release 1459
control. 1460

(E) The court shall impose sentence upon the offender in 1461
accordance with section 2971.03 of the Revised Code, and Chapter 1462
2971. of the Revised Code applies regarding the prison term or 1463
term of life imprisonment without parole imposed upon the 1464
offender and the service of that term of imprisonment if any of 1465
the following apply: 1466

(1) A person is convicted of or pleads guilty to a violent 1467
sex offense or a designated homicide, assault, or kidnapping 1468
offense, and, in relation to that offense, the offender is 1469
adjudicated a sexually violent predator. 1470

(2) A person is convicted of or pleads guilty to a 1471
violation of division (A) (1) (b) of section 2907.02 of the 1472
Revised Code committed on or after January 2, 2007, and either 1473
the court does not impose a sentence of life without parole when 1474
authorized pursuant to division (B) of section 2907.02 of the 1475
Revised Code, or division (B) of section 2907.02 of the Revised 1476
Code provides that the court shall not sentence the offender 1477
pursuant to section 2971.03 of the Revised Code. 1478

(3) A person is convicted of or pleads guilty to attempted 1479
rape committed on or after January 2, 2007, and a specification 1480
of the type described in section 2941.1418, 2941.1419, or 1481
2941.1420 of the Revised Code. 1482

(4) A person is convicted of or pleads guilty to a 1483
violation of section 2905.01 of the Revised Code committed on or 1484
after January 1, 2008, and that section requires the court to 1485
sentence the offender pursuant to section 2971.03 of the Revised 1486
Code. 1487

(5) A person is convicted of or pleads guilty to 1488
aggravated murder committed on or after January 1, 2008, and 1489
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1490
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1491
(a) (iv) of section 2929.03, or division (A) or (B) of section 1492
2929.06 of the Revised Code requires the court to sentence the 1493
offender pursuant to division (B) (3) of section 2971.03 of the 1494
Revised Code. 1495

(6) A person is convicted of or pleads guilty to murder 1496
committed on or after January 1, 2008, and division (B) (2) of 1497
section 2929.02 of the Revised Code requires the court to 1498
sentence the offender pursuant to section 2971.03 of the Revised 1499
Code. 1500

(F) If a person who has been convicted of or pleaded 1501
guilty to a felony is sentenced to a prison term or term of 1502
imprisonment under this section, sections 2929.02 to 2929.06 of 1503
the Revised Code, section 2929.142 of the Revised Code, section 1504
2971.03 of the Revised Code, or any other provision of law, 1505
section 5120.163 of the Revised Code applies regarding the 1506
person while the person is confined in a state correctional 1507
institution. 1508

(G) If an offender who is convicted of or pleads guilty to 1509
a felony that is an offense of violence also is convicted of or 1510
pleads guilty to a specification of the type described in 1511
section 2941.142 of the Revised Code that charges the offender 1512

with having committed the felony while participating in a 1513
criminal gang, the court shall impose upon the offender an 1514
additional prison term of one, two, or three years. 1515

(H) (1) If an offender who is convicted of or pleads guilty 1516
to aggravated murder, murder, or a felony of the first, second, 1517
or third degree that is an offense of violence also is convicted 1518
of or pleads guilty to a specification of the type described in 1519
section 2941.143 of the Revised Code that charges the offender 1520
with having committed the offense in a school safety zone or 1521
towards a person in a school safety zone, the court shall impose 1522
upon the offender an additional prison term of two years. The 1523
offender shall serve the additional two years consecutively to 1524
and prior to the prison term imposed for the underlying offense. 1525

(2) (a) If an offender is convicted of or pleads guilty to 1526
a felony violation of section 2907.22, 2907.24, 2907.241, or 1527
2907.25 of the Revised Code and to a specification of the type 1528
described in section 2941.1421 of the Revised Code and if the 1529
court imposes a prison term on the offender for the felony 1530
violation, the court may impose upon the offender an additional 1531
prison term as follows: 1532

(i) Subject to division (H) (2) (a) (ii) of this section, an 1533
additional prison term of one, two, three, four, five, or six 1534
months; 1535

(ii) If the offender previously has been convicted of or 1536
pleaded guilty to one or more felony or misdemeanor violations 1537
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1538
the Revised Code and also was convicted of or pleaded guilty to 1539
a specification of the type described in section 2941.1421 of 1540
the Revised Code regarding one or more of those violations, an 1541
additional prison term of one, two, three, four, five, six, 1542

seven, eight, nine, ten, eleven, or twelve months. 1543

(b) In lieu of imposing an additional prison term under 1544
division (H) (2) (a) of this section, the court may directly 1545
impose on the offender a sanction that requires the offender to 1546
wear a real-time processing, continual tracking electronic 1547
monitoring device during the period of time specified by the 1548
court. The period of time specified by the court shall equal the 1549
duration of an additional prison term that the court could have 1550
imposed upon the offender under division (H) (2) (a) of this 1551
section. A sanction imposed under this division shall commence 1552
on the date specified by the court, provided that the sanction 1553
shall not commence until after the offender has served the 1554
prison term imposed for the felony violation of section 2907.22, 1555
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1556
residential sanction imposed for the violation under section 1557
2929.16 of the Revised Code. A sanction imposed under this 1558
division shall be considered to be a community control sanction 1559
for purposes of section 2929.15 of the Revised Code, and all 1560
provisions of the Revised Code that pertain to community control 1561
sanctions shall apply to a sanction imposed under this division, 1562
except to the extent that they would by their nature be clearly 1563
inapplicable. The offender shall pay all costs associated with a 1564
sanction imposed under this division, including the cost of the 1565
use of the monitoring device. 1566

(I) At the time of sentencing, the court may recommend the 1567
offender for placement in a program of shock incarceration under 1568
section 5120.031 of the Revised Code or for placement in an 1569
intensive program prison under section 5120.032 of the Revised 1570
Code, disapprove placement of the offender in a program of shock 1571
incarceration or an intensive program prison of that nature, or 1572
make no recommendation on placement of the offender. In no case 1573

shall the department of rehabilitation and correction place the 1574
offender in a program or prison of that nature unless the 1575
department determines as specified in section 5120.031 or 1576
5120.032 of the Revised Code, whichever is applicable, that the 1577
offender is eligible for the placement. 1578

If the court disapproves placement of the offender in a 1579
program or prison of that nature, the department of 1580
rehabilitation and correction shall not place the offender in 1581
any program of shock incarceration or intensive program prison. 1582

If the court recommends placement of the offender in a 1583
program of shock incarceration or in an intensive program 1584
prison, and if the offender is subsequently placed in the 1585
recommended program or prison, the department shall notify the 1586
court of the placement and shall include with the notice a brief 1587
description of the placement. 1588

If the court recommends placement of the offender in a 1589
program of shock incarceration or in an intensive program prison 1590
and the department does not subsequently place the offender in 1591
the recommended program or prison, the department shall send a 1592
notice to the court indicating why the offender was not placed 1593
in the recommended program or prison. 1594

If the court does not make a recommendation under this 1595
division with respect to an offender and if the department 1596
determines as specified in section 5120.031 or 5120.032 of the 1597
Revised Code, whichever is applicable, that the offender is 1598
eligible for placement in a program or prison of that nature, 1599
the department shall screen the offender and determine if there 1600
is an available program of shock incarceration or an intensive 1601
program prison for which the offender is suited. If there is an 1602
available program of shock incarceration or an intensive program 1603

prison for which the offender is suited, the department shall 1604
notify the court of the proposed placement of the offender as 1605
specified in section 5120.031 or 5120.032 of the Revised Code 1606
and shall include with the notice a brief description of the 1607
placement. The court shall have ten days from receipt of the 1608
notice to disapprove the placement. 1609

(J) If a person is convicted of or pleads guilty to 1610
aggravated vehicular homicide in violation of division (A) (1) of 1611
section 2903.06 of the Revised Code and division (B) (2) (c) of 1612
that section applies, the person shall be sentenced pursuant to 1613
section 2929.142 of the Revised Code. 1614

(K) (1) The court shall impose an additional mandatory 1615
prison term of two, three, four, five, six, seven, eight, nine, 1616
ten, or eleven years on an offender who is convicted of or 1617
pleads guilty to a violent felony offense if the offender also 1618
is convicted of or pleads guilty to a specification of the type 1619
described in section 2941.1424 of the Revised Code that charges 1620
that the offender is a violent career criminal and had a firearm 1621
on or about the offender's person or under the offender's 1622
control while committing the presently charged violent felony 1623
offense and displayed or brandished the firearm, indicated that 1624
the offender possessed a firearm, or used the firearm to 1625
facilitate the offense. The offender shall serve the prison term 1626
imposed under this division consecutively to and prior to the 1627
prison term imposed for the underlying offense. The prison term 1628
shall not be reduced pursuant to section 2929.20, division (A) 1629
(2) or (3) of section 2967.193 or 2967.194, or any other 1630
provision of Chapter 2967. or 5120. of the Revised Code. A court 1631
may not impose more than one sentence under division (B) (2) (a) 1632
of this section and this division for acts committed as part of 1633
the same act or transaction. 1634

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

(L) If an offender receives or received a sentence of life imprisonment without parole, a sentence of life imprisonment, a definite sentence, or a sentence to an indefinite prison term under this chapter for a felony offense that was committed when the offender was under eighteen years of age, the offender's parole eligibility shall be determined under section 2967.132 of the Revised Code.

Sec. 2929.41. (A) Except as provided in division (B) of this section, division (C) of section 2929.14, or division (D) or (E) of section 2971.03 of the Revised Code, a prison term, jail term, or sentence of imprisonment shall be served concurrently with any other prison term, jail term, or sentence of imprisonment imposed by a court of this state, another state, or the United States. Except as provided in division (B) (3) of this section, a jail term or sentence of imprisonment for misdemeanor shall be served concurrently with a prison term or sentence of imprisonment for felony served in a state or federal correctional institution.

(B) (1) A jail term or sentence of imprisonment for a misdemeanor shall be served consecutively to any other prison term, jail term, or sentence of imprisonment when the trial court specifies that it is to be served consecutively or when it is imposed for a misdemeanor violation of section 2907.322, 2921.34, or 2923.131 of the Revised Code.

When consecutive sentences are imposed for misdemeanor under this division, the term to be served is the aggregate of the consecutive terms imposed, except that the aggregate term to

be served shall not exceed eighteen months. 1665

(2) If a court of this state imposes a prison term upon 1666
the offender for the commission of a felony and a court of 1667
another state or the United States also has imposed a prison 1668
term upon the offender for the commission of a felony, the court 1669
of this state may order that the offender serve the prison term 1670
it imposes consecutively to any prison term imposed upon the 1671
offender by the court of another state or the United States. 1672

(3) A jail term or sentence of imprisonment imposed for a 1673
misdemeanor violation of section 4510.11, 4510.14, 4510.16, 1674
4510.21, or 4511.19 of the Revised Code shall be served 1675
consecutively to a prison term that is imposed for a felony 1676
violation of section 2903.06, ~~2903.07~~, 2903.08, or 4511.19 of 1677
the Revised Code or a felony violation of section 2903.04 of the 1678
Revised Code involving the operation of a ~~motor~~ vehicle by the 1679
offender and that is served in a state correctional institution 1680
when the trial court specifies that it is to be served 1681
consecutively. 1682

When consecutive jail terms or sentences of imprisonment 1683
and prison terms are imposed for one or more misdemeanors and 1684
one or more felonies under this division, the term to be served 1685
is the aggregate of the consecutive terms imposed, and the 1686
offender shall serve all terms imposed for a felony before 1687
serving any term imposed for a misdemeanor. 1688

Sec. 2935.031. ~~Any~~ (A) As used in this section, "law 1689
enforcement entity" means an agency, instrumentality, or 1690
political subdivision of the state that employs a sheriff, 1691
deputy sheriff, constable, marshal, deputy marshal, police 1692
officer, member of a metropolitan housing authority police 1693
force, state university law enforcement officer, or veterans' 1694

home police officer with arrest authority under section 2935.03 1695
of the Revised Code or that employs other persons with arrest 1696
authority under the Revised Code~~7~~. 1697

(B) Each law enforcement entity shall adopt a written 1698
policy for the pursuit in a motor vehicle of any person who 1699
violates a law of this state or an ordinance of a municipal 1700
corporation. In developing its policy, each law enforcement 1701
entity shall consider pursuit policy standards and best-practice 1702
recommendations as established by the Ohio collaborative 1703
community-police advisory board or a similar law enforcement 1704
accrediting entity. The chief law enforcement officer or other 1705
chief official of the ~~agency, instrumentality, or political~~ 1706
~~subdivision~~ law enforcement entity shall formally advise and 1707
train each peace officer or other person with arrest authority 1708
~~it the entity employs of the on~~ each pursuit policy adopted by 1709
~~that agency, instrumentality, or political subdivision entity~~ 1710
pursuant to this section. 1711

Sec. 4507.112. (A) The director of public safety may 1712
authorize a third party to administer the motor vehicle skills 1713
test specified in division (A) (2) of section 4507.11 of the 1714
Revised Code. A third-party administrator may be any person, any 1715
agency of this state, or any agency, department, or 1716
instrumentality of local government, including a clerk of the 1717
court of common pleas. The third party shall administer the same 1718
skills test as otherwise would be administered by the bureau of 1719
motor vehicles. 1720

(B) For purposes of authorizing a third party to 1721
administer the motor vehicle skills test, the director and the 1722
third party shall enter into an agreement that does all of the 1723
following: 1724

(1) Allows the director or the director's representative	1725
to conduct random examinations, inspections, and audits of the	1726
third party, whether covert or overt, without prior notice;	1727
(2) Requires all examiners of the third party to meet the	1728
same qualification and training standards as examiners of the	1729
department of public safety;	1730
(3) Requires the third party to use designated road test	1731
routes that have been approved by the director;	1732
(4) If the third party also is a driver training school,	1733
prohibits a skills test examiner employed by the school from	1734
administering a skills test to an applicant that the examiner	1735
personally trained;	1736
(5) Establishes appropriate documentation and	1737
communication between the third party and the department	1738
indicating who has attempted the skills test with the third	1739
party and whether the person completed the test successfully;	1740
(6) Reserves to the department the right to take prompt	1741
and appropriate remedial action against the third party and its	1742
skills test examiners if the third party or its skills test	1743
examiners fail to comply with state standards for the testing	1744
program or with any other terms of the agreement.	1745
(C) (1) The director may adopt rules in accordance with	1746
Chapter 119. of the Revised Code establishing reasonable fees	1747
that a third party authorized to administer the motor vehicle	1748
skills test under this section may charge for the skills test.	1749
(2) If the director does not adopt the rules authorized	1750
under division (C) (1) of this section, a third party may charge	1751
a fee to an applicant who attempts the skills test with that	1752
third party. However, a third party shall not charge a fee	1753

greater than the cost of administering the skills test to that 1754
applicant. 1755

Sec. 4509.101. (A) (1) No person shall operate, or permit 1756
the operation of, a motor vehicle in this state, unless proof of 1757
financial responsibility is maintained continuously throughout 1758
the registration period with respect to that vehicle, or, in the 1759
case of a driver who is not the owner, with respect to that 1760
driver's operation of that vehicle. 1761

(2) Whoever violates division (A) (1) of this section shall 1762
be subject to the following civil penalties: 1763

(a) Subject to divisions (A) (2) (b) and (c) of this 1764
section, a class (F) suspension of the person's driver's 1765
license, commercial driver's license, temporary instruction 1766
permit, probationary license, or nonresident operating privilege 1767
for the period of time specified in division (B) (6) of section 1768
4510.02 of the Revised Code and impoundment of the person's 1769
license. The court may grant limited driving privileges to the 1770
person, but only if the person presents proof of financial 1771
responsibility and is enrolled in a reinstatement fee payment 1772
plan pursuant to section 4510.10 of the Revised Code. 1773

(b) If, within five years of the violation, the person's 1774
operating privileges are again suspended and the person's 1775
license again is impounded for a violation of division (A) (1) of 1776
this section, a class C suspension of the person's driver's 1777
license, commercial driver's license, temporary instruction 1778
permit, probationary license, or nonresident operating privilege 1779
for the period of time specified in division (B) (3) of section 1780
4510.02 of the Revised Code. The court may grant limited driving 1781
privileges to the person only if the person presents proof of 1782
financial responsibility and has complied with division (A) (5) 1783

of this section, and no court may grant limited driving 1784
privileges for the first fifteen days of the suspension. 1785

(c) If, within five years of the violation, the person's 1786
operating privileges are suspended and the person's license is 1787
impounded two or more times for a violation of division (A) (1) 1788
of this section, a class B suspension of the person's driver's 1789
license, commercial driver's license, temporary instruction 1790
permit, probationary license, or nonresident operating privilege 1791
for the period of time specified in division (B) (2) of section 1792
4510.02 of the Revised Code. The court may grant limited driving 1793
privileges to the person only if the person presents proof of 1794
financial responsibility and has complied with division (A) (5) 1795
of this section, except that no court may grant limited driving 1796
privileges for the first thirty days of the suspension. 1797

(d) In addition to the suspension of an owner's license 1798
under division (A) (2) (a), (b), or (c) of this section, the 1799
suspension of the rights of the owner to register the motor 1800
vehicle and the impoundment of the owner's certificate of 1801
registration and license plates until the owner complies with 1802
division (A) (5) of this section. 1803

The clerk of court shall waive the cost of filing a 1804
petition for limited driving privileges if, pursuant to section 1805
2323.311 of the Revised Code, the petitioner applies to be 1806
qualified as an indigent litigant and the court approves the 1807
application. 1808

(3) A person to whom this state has issued a certificate 1809
of registration for a motor vehicle or a license to operate a 1810
motor vehicle or who is determined to have operated any motor 1811
vehicle or permitted the operation in this state of a motor 1812
vehicle owned by the person shall be required to verify the 1813

existence of proof of financial responsibility covering the 1814
operation of the motor vehicle or the person's operation of the 1815
motor vehicle under either of the following circumstances: 1816

(a) The person or a motor vehicle owned by the person is 1817
involved in a traffic accident that requires the filing of an 1818
accident report under section 4509.06 of the Revised Code. 1819

(b) The person receives a traffic ticket indicating that 1820
proof of the maintenance of financial responsibility was not 1821
produced upon the request of a peace officer or state highway 1822
patrol trooper made in accordance with division (D) (2) of this 1823
section. 1824

(4) An order of the registrar that suspends and impounds a 1825
license or registration, or both, shall state the date on or 1826
before which the person is required to surrender the person's 1827
license or certificate of registration and license plates. The 1828
person is deemed to have surrendered the license or certificate 1829
of registration and license plates, in compliance with the 1830
order, if the person does either of the following: 1831

(a) On or before the date specified in the order, delivers 1832
the license or certificate of registration and license plates to 1833
the registrar; 1834

(b) Mails the license or certificate of registration and 1835
license plates to the registrar in an envelope or container 1836
bearing a postmark showing a date no later than the date 1837
specified in the order. 1838

(5) Except as provided in division (L) of this section, 1839
the registrar shall not restore any operating privileges or 1840
registration rights suspended under this section, return any 1841
license, certificate of registration, or license plates 1842

impounded under this section, or reissue license plates under 1843
section 4503.232 of the Revised Code, if the registrar destroyed 1844
the impounded license plates under that section, or reissue a 1845
license under section 4510.52 of the Revised Code, if the 1846
registrar destroyed the suspended license under that section, 1847
unless the rights are not subject to suspension or revocation 1848
under any other law and unless the person, in addition to 1849
complying with all other conditions required by law for 1850
reinstatement of the operating privileges or registration 1851
rights, complies with all of the following: 1852

(a) Pays to the registrar or an eligible deputy registrar 1853
a financial responsibility reinstatement fee of forty dollars 1854
for the first violation of division (A)(1) of this section, 1855
three hundred dollars for a second violation of that division, 1856
and six hundred dollars for a third or subsequent violation of 1857
that division; 1858

(b) If the person has not voluntarily surrendered the 1859
license, certificate, or license plates in compliance with the 1860
order, pays to the registrar or an eligible deputy registrar a 1861
financial responsibility nonvoluntary compliance fee in an 1862
amount, not to exceed fifty dollars, determined by the 1863
registrar; 1864

(c) Files and continuously maintains proof of financial 1865
responsibility under sections 4509.44 to 4509.65 of the Revised 1866
Code; 1867

(d) Pays a deputy registrar a service fee of ten dollars 1868
to compensate the deputy registrar for services performed under 1869
this section. The deputy registrar shall retain eight dollars of 1870
the service fee and shall transmit the reinstatement fee, any 1871
nonvoluntary compliance fee, and two dollars of the service fee 1872

to the registrar in the manner the registrar shall determine. 1873

(B) (1) Every party required to file an accident report 1874
under section 4509.06 of the Revised Code also shall include 1875
with the report a document described in division (G) (1) (a) of 1876
this section or shall present proof of financial responsibility 1877
through use of an electronic wireless communications device as 1878
permitted by division (G) (1) (b) of this section. 1879

If the registrar determines, within forty-five days after 1880
the report is filed, that an operator or owner has violated 1881
division (A) (1) of this section, the registrar shall do all of 1882
the following: 1883

(a) Order the impoundment, with respect to the motor 1884
vehicle involved, required under division (A) (2) (d) of this 1885
section, of the certificate of registration and license plates 1886
of any owner who has violated division (A) (1) of this section; 1887

(b) Order the suspension required under division (A) (2) 1888
(a), (b), or (c) of this section of the license of any operator 1889
or owner who has violated division (A) (1) of this section; 1890

(c) Record the name and address of the person whose 1891
certificate of registration and license plates have been 1892
impounded or are under an order of impoundment, or whose license 1893
has been suspended or is under an order of suspension; the 1894
serial number of the person's license; the serial numbers of the 1895
person's certificate of registration and license plates; and the 1896
person's social security account number, if assigned, or, where 1897
the motor vehicle is used for hire or principally in connection 1898
with any established business, the person's federal taxpayer 1899
identification number. The information shall be recorded in such 1900
a manner that it becomes a part of the person's permanent 1901

record, and assists the registrar in monitoring compliance with 1902
the orders of suspension or impoundment. 1903

(d) Send written notification to every person to whom the 1904
order pertains, at the person's last known address as shown on 1905
the records of the bureau. The person, within ten days after the 1906
date of the mailing of the notification, shall surrender to the 1907
registrar, in a manner set forth in division (A) (4) of this 1908
section, any certificate of registration and registration plates 1909
under an order of impoundment, or any license under an order of 1910
suspension. 1911

(2) The registrar shall issue any order under division (B) 1912
(1) of this section without a hearing. Any person adversely 1913
affected by the order, within ten days after the issuance of the 1914
order, may request an administrative hearing before the 1915
registrar, who shall provide the person with an opportunity for 1916
a hearing in accordance with this paragraph. A request for a 1917
hearing does not operate as a suspension of the order. The scope 1918
of the hearing shall be limited to whether the person in fact 1919
demonstrated to the registrar proof of financial responsibility 1920
in accordance with this section. The registrar shall determine 1921
the date, time, and place of any hearing, provided that the 1922
hearing shall be held, and an order issued or findings made, 1923
within thirty days after the registrar receives a request for a 1924
hearing. If requested by the person in writing, the registrar 1925
may designate as the place of hearing the county seat of the 1926
county in which the person resides or a place within fifty miles 1927
of the person's residence. The person shall pay the cost of the 1928
hearing before the registrar, if the registrar's order of 1929
suspension or impoundment is upheld. 1930

(C) Any order of suspension or impoundment issued under 1931

this section or division (B) of section 4509.37 of the Revised Code may be terminated at any time if the registrar determines upon a showing of proof of financial responsibility that the operator or owner of the motor vehicle was in compliance with division (A)(1) of this section at the time of the traffic offense, motor vehicle inspection, or accident that resulted in the order against the person. A determination may be made without a hearing. This division does not apply unless the person shows good cause for the person's failure to present satisfactory proof of financial responsibility to the registrar prior to the issuance of the order.

(D)(1)(a) For the purpose of enforcing this section, every peace officer is deemed an agent of the registrar.

(b) Any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment, pursuant to this section, may confiscate the license, certificate of registration, and license plates, and return them to the registrar.

(2) A peace officer shall request the owner or operator of a motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section at the time the peace officer acts to enforce the traffic laws of this state and during motor vehicle inspections conducted pursuant to section 4513.02 of the Revised Code.

(3) A peace officer shall indicate on every traffic ticket whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the officer's request under division (D)(2) of this section. The

peace officer shall inform every person who receives a traffic 1962
ticket and who has failed to produce proof of the maintenance of 1963
financial responsibility that the person must submit proof to 1964
the traffic violations bureau with any payment of a fine and 1965
costs for the ticketed violation or, if the person is to appear 1966
in court for the violation, the person must submit proof to the 1967
court. 1968

(4) (a) If a person who has failed to produce proof of the 1969
maintenance of financial responsibility appears in court for a 1970
ticketed violation, the court may permit the defendant to 1971
present evidence of proof of financial responsibility to the 1972
court at such time and in such manner as the court determines to 1973
be necessary or appropriate. In a manner prescribed by the 1974
registrar, the clerk of courts shall provide the registrar with 1975
the identity of any person who fails to submit proof of the 1976
maintenance of financial responsibility pursuant to division (D) 1977
(3) of this section. 1978

(b) If a person who has failed to produce proof of the 1979
maintenance of financial responsibility also fails to submit 1980
that proof to the traffic violations bureau with payment of a 1981
fine and costs for the ticketed violation, the traffic 1982
violations bureau, in a manner prescribed by the registrar, 1983
shall notify the registrar of the identity of that person. 1984

(5) (a) Upon receiving notice from a clerk of courts or 1985
traffic violations bureau pursuant to division (D) (4) of this 1986
section, the registrar shall order the suspension of the license 1987
of the person required under division (A) (2) (a), (b), or (c) of 1988
this section and the impoundment of the person's certificate of 1989
registration and license plates required under division (A) (2) 1990
(d) of this section, effective thirty days after the date of the 1991

mailing of notification. The registrar also shall notify the 1992
person that the person must present the registrar with proof of 1993
financial responsibility in accordance with this section, 1994
surrender to the registrar the person's certificate of 1995
registration, license plates, and license, or submit a statement 1996
subject to section 2921.13 of the Revised Code that the person 1997
did not operate or permit the operation of the motor vehicle at 1998
the time of the offense. Notification shall be in writing and 1999
shall be sent to the person at the person's last known address 2000
as shown on the records of the bureau of motor vehicles. The 2001
person, within fifteen days after the date of the mailing of 2002
notification, shall present proof of financial responsibility, 2003
surrender the certificate of registration, license plates, and 2004
license to the registrar in a manner set forth in division (A) 2005
(4) of this section, or submit the statement required under this 2006
section together with other information the person considers 2007
appropriate. 2008

If the registrar does not receive proof or the person does 2009
not surrender the certificate of registration, license plates, 2010
and license, in accordance with this division, the registrar 2011
shall permit the order for the suspension of the license of the 2012
person and the impoundment of the person's certificate of 2013
registration and license plates to take effect. 2014

(b) In the case of a person who presents, within the 2015
fifteen-day period, proof of financial responsibility, the 2016
registrar shall terminate the order of suspension and the 2017
impoundment of the registration and license plates required 2018
under division (A) (2) (d) of this section and shall send written 2019
notification to the person, at the person's last known address 2020
as shown on the records of the bureau. 2021

(c) Any person adversely affected by the order of the registrar under division (D) (5) (a) or (b) of this section, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether, at the time of the hearing, the person presents proof of financial responsibility covering the vehicle and whether the person is eligible for an exemption in accordance with this section or any rule adopted under it. The registrar shall determine the date, time, and place of any hearing; provided, that the hearing shall be held, and an order issued or findings made, within thirty days after the registrar receives a request for a hearing. If requested by the person, the hearing may be held remotely by electronic means. If requested by the person in writing, the registrar may designate as the place of hearing the county seat of the county in which the person resides or a place within fifty miles of the person's residence. Such person shall pay the cost of the hearing before the registrar, if the registrar's order of suspension or impoundment under division (D) (5) (a) or (b) of this section is upheld.

(6) A peace officer may charge an owner or operator of a motor vehicle with a violation of section 4510.16 of the Revised Code when the owner or operator fails to show proof of the maintenance of financial responsibility pursuant to a peace officer's request under division (D) (2) of this section, if a check of the owner or operator's driving record indicates that the owner or operator, at the time of the operation of the motor vehicle, is required to file and maintain proof of financial

responsibility under section 4509.45 of the Revised Code for a 2053
previous violation of this chapter. 2054

(7) Any forms used by law enforcement agencies in 2055
administering this section shall be prescribed, supplied, and 2056
paid for by the registrar. 2057

(8) No peace officer, law enforcement agency employing a 2058
peace officer, or political subdivision or governmental agency 2059
that employs a peace officer shall be liable in a civil action 2060
for damages or loss to persons arising out of the performance of 2061
any duty required or authorized by this section. 2062

(9) As used in this section, "peace officer" has the 2063
meaning set forth in section 2935.01 of the Revised Code. 2064

(E) All fees, except court costs, fees paid to a deputy 2065
registrar, and those portions of the financial responsibility 2066
reinstatement fees as otherwise specified in this division, 2067
collected under this section shall be paid into the state 2068
treasury to the credit of the public safety - highway purposes 2069
fund established in section 4501.06 of the Revised Code and used 2070
to cover costs incurred by the bureau in the administration of 2071
this section and sections 4503.20, 4507.212, and 4509.81 of the 2072
Revised Code, and by any law enforcement agency employing any 2073
peace officer who returns any license, certificate of 2074
registration, and license plates to the registrar pursuant to 2075
division (C) of this section. 2076

Of each financial responsibility reinstatement fee the 2077
registrar collects pursuant to division (A) (5) (a) of this 2078
section or receives from a deputy registrar under division (A) 2079
(5) (d) of this section, the registrar shall deposit ten dollars 2080
of each forty-dollar reinstatement fee, fifty dollars of each 2081

three-hundred-dollar reinstatement fee, and one hundred dollars 2082
of each six-hundred-dollar reinstatement fee into the state 2083
treasury to the credit of the indigent defense support fund 2084
created by section 120.08 of the Revised Code. 2085

(F) Chapter 119. of the Revised Code applies to this 2086
section only to the extent that any provision in that chapter is 2087
not clearly inconsistent with this section. 2088

(G) (1) (a) The registrar, court, traffic violations bureau, 2089
or peace officer may require proof of financial responsibility 2090
to be demonstrated by use of a standard form prescribed by the 2091
registrar. If the use of a standard form is not required, a 2092
person may demonstrate proof of financial responsibility under 2093
this section by presenting to the traffic violations bureau, 2094
court, registrar, or peace officer any of the following 2095
documents or a copy of the documents: 2096

(i) A financial responsibility identification card as 2097
provided in section 4509.103 of the Revised Code; 2098

(ii) A certificate of proof of financial responsibility on 2099
a form provided and approved by the registrar for the filing of 2100
an accident report required to be filed under section 4509.06 of 2101
the Revised Code; 2102

(iii) A policy of liability insurance, a declaration page 2103
of a policy of liability insurance, or liability bond, if the 2104
policy or bond complies with section 4509.20 or sections 4509.49 2105
to 4509.61 of the Revised Code; 2106

(iv) A bond or certification of the issuance of a bond as 2107
provided in section 4509.59 of the Revised Code; 2108

(v) A certificate of deposit of money or securities as 2109
provided in section 4509.62 of the Revised Code; 2110

(vi) A certificate of self-insurance as provided in 2111
section 4509.72 of the Revised Code. 2112

(b) A person also may present proof of financial 2113
responsibility under this section to the traffic violations 2114
bureau, court, registrar, or peace officer through use of an 2115
electronic wireless communications device as specified under 2116
section 4509.103 of the Revised Code. 2117

(2) If a person fails to demonstrate proof of financial 2118
responsibility in a manner described in division (G)(1) of this 2119
section, the person may demonstrate proof of financial 2120
responsibility under this section by any other method that the 2121
court or the bureau, by reason of circumstances in a particular 2122
case, may consider appropriate. 2123

(3) A motor carrier certificated by the interstate 2124
commerce commission or by the public utilities commission may 2125
demonstrate proof of financial responsibility by providing a 2126
statement designating the motor carrier's operating authority 2127
and averring that the insurance coverage required by the 2128
certificating authority is in full force and effect. 2129

(4) (a) A finding by the registrar or court that a person 2130
is covered by proof of financial responsibility in the form of 2131
an insurance policy or surety bond is not binding upon the named 2132
insurer or surety or any of its officers, employees, agents, or 2133
representatives and has no legal effect except for the purpose 2134
of administering this section. 2135

(b) The preparation and delivery of a financial 2136
responsibility identification card or any other document 2137
authorized to be used as proof of financial responsibility and 2138
the generation and delivery of proof of financial responsibility 2139

to an electronic wireless communications device that is 2140
displayed on the device as text or images does not do any of the 2141
following: 2142

(i) Create any liability or estoppel against an insurer or 2143
surety, or any of its officers, employees, agents, or 2144
representatives; 2145

(ii) Constitute an admission of the existence of, or of 2146
any liability or coverage under, any policy or bond; 2147

(iii) Waive any defenses or counterclaims available to an 2148
insurer, surety, agent, employee, or representative in an action 2149
commenced by an insured or third-party claimant upon a cause of 2150
action alleged to have arisen under an insurance policy or 2151
surety bond or by reason of the preparation and delivery of a 2152
document for use as proof of financial responsibility or the 2153
generation and delivery of proof of financial responsibility to 2154
an electronic wireless communications device. 2155

(c) Whenever it is determined by a final judgment in a 2156
judicial proceeding that an insurer or surety, which has been 2157
named on a document or displayed on an electronic wireless 2158
communications device accepted by a court or the registrar as 2159
proof of financial responsibility covering the operation of a 2160
motor vehicle at the time of an accident or offense, is not 2161
liable to pay a judgment for injuries or damages resulting from 2162
such operation, the registrar, notwithstanding any previous 2163
contrary finding, shall forthwith suspend the operating 2164
privileges and registration rights of the person against whom 2165
the judgment was rendered as provided in division (A) (2) of this 2166
section. 2167

(H) In order for any document or display of text or images 2168

on an electronic wireless communications device described in 2169
division (G) (1) of this section to be used for the demonstration 2170
of proof of financial responsibility under this section, the 2171
document or words or images shall state the name of the insured 2172
or obligor, the name of the insurer or surety company, and the 2173
effective and expiration dates of the financial responsibility, 2174
and designate by explicit description or by appropriate 2175
reference all motor vehicles covered which may include a 2176
reference to fleet insurance coverage. 2177

(I) For purposes of this section, "owner" does not include 2178
a licensed motor vehicle leasing dealer as defined in section 2179
4517.01 of the Revised Code, but does include a motor vehicle 2180
renting dealer as defined in section 4549.65 of the Revised 2181
Code. Nothing in this section or in section 4509.51 of the 2182
Revised Code shall be construed to prohibit a motor vehicle 2183
renting dealer from entering into a contractual agreement with a 2184
person whereby the person renting the motor vehicle agrees to be 2185
solely responsible for maintaining proof of financial 2186
responsibility, in accordance with this section, with respect to 2187
the operation, maintenance, or use of the motor vehicle during 2188
the period of the motor vehicle's rental. 2189

(J) The purpose of this section is to require the 2190
maintenance of proof of financial responsibility with respect to 2191
the operation of motor vehicles on the highways of this state, 2192
so as to minimize those situations in which persons are not 2193
compensated for injuries and damages sustained in motor vehicle 2194
accidents. The general assembly finds that this section contains 2195
reasonable civil penalties and procedures for achieving this 2196
purpose. 2197

(K) Nothing in this section shall be construed to be 2198

subject to section 4509.78 of the Revised Code. 2199

(L) (1) The registrar may terminate any suspension imposed 2200
under this section and not require the owner to comply with 2201
divisions (A) (5) (a), (b), and (c) of this section if the 2202
registrar with or without a hearing determines that the owner of 2203
the vehicle has established by clear and convincing evidence 2204
that all of the following apply: 2205

(a) The owner customarily maintains proof of financial 2206
responsibility. 2207

(b) Proof of financial responsibility was not in effect 2208
for the vehicle on the date in question for one of the following 2209
reasons: 2210

(i) The vehicle was inoperable. 2211

(ii) The vehicle is operated only seasonally, and the date 2212
in question was outside the season of operation. 2213

(iii) A person other than the vehicle owner or driver was 2214
at fault for the lapse of proof of financial responsibility 2215
through no fault of the owner or driver. 2216

(iv) The lapse of proof of financial responsibility was 2217
caused by excusable neglect under circumstances that are not 2218
likely to recur and do not suggest a purpose to evade the 2219
requirements of this chapter. 2220

(2) The registrar may grant an owner or driver relief for 2221
a reason specified in division (L) (1) (b) (iii) or (iv) of this 2222
section only if the owner or driver has not previously been 2223
granted relief under division (L) (1) (b) (iii) or (iv) of this 2224
section. 2225

(M) The registrar shall adopt rules in accordance with 2226

Chapter 119. of the Revised Code that are necessary to 2227
administer and enforce this section. The rules shall include 2228
procedures for the surrender of license plates upon failure to 2229
maintain proof of financial responsibility and provisions 2230
relating to reinstatement of registration rights, acceptable 2231
forms of proof of financial responsibility, the use of an 2232
electronic wireless communications device to present proof of 2233
financial responsibility, and verification of the existence of 2234
financial responsibility during the period of registration. 2235

(N) (1) When a person utilizes an electronic wireless 2236
communications device to present proof of financial 2237
responsibility, only the evidence of financial responsibility 2238
displayed on the device shall be viewed by the registrar, peace 2239
officer, employee or official of the traffic violations bureau, 2240
or the court. No other content of the device shall be viewed for 2241
purposes of obtaining proof of financial responsibility. 2242

(2) When a person provides an electronic wireless 2243
communications device to the registrar, a peace officer, an 2244
employee or official of a traffic violations bureau, or the 2245
court, the person assumes the risk of any resulting damage to 2246
the device unless the registrar, peace officer, employee, or 2247
official, or court personnel purposely, knowingly, or recklessly 2248
commits an action that results in damage to the device. 2249

Sec. 4510.036. (A) The bureau of motor vehicles shall 2250
record within ten days of conviction or bail forfeiture and 2251
shall keep at its main office, all abstracts received under this 2252
section or section 4510.03, 4510.031, 4510.032, or 4510.034 of 2253
the Revised Code and shall maintain records of convictions and 2254
bond forfeitures for any violation of a state law or a municipal 2255
ordinance regulating the operation of vehicles, streetcars, and 2256

trackless trolleys on highways and streets, except a violation 2257
related to parking a motor vehicle. 2258

(B) Every court of record or mayor's court before which a 2259
person is charged with a violation for which points are 2260
chargeable by this section shall assess and transcribe to the 2261
abstract of conviction that is furnished by the bureau to the 2262
court the number of points chargeable by this section in the 2263
correct space assigned on the reporting form. A United States 2264
district court that has jurisdiction within this state and 2265
before which a person is charged with a violation for which 2266
points are chargeable by this section may assess and transcribe 2267
to the abstract of conviction report that is furnished by the 2268
bureau the number of points chargeable by this section in the 2269
correct space assigned on the reporting form. If the federal 2270
court so assesses and transcribes the points chargeable for the 2271
offense and furnishes the report to the bureau, the bureau shall 2272
record the points in the same manner as those assessed and 2273
transcribed by a court of record or mayor's court. 2274

(C) A court shall assess the following points for an 2275
offense based on the following formula: 2276

(1) Aggravated vehicular homicide, vehicular homicide, 2277
vehicular manslaughter, aggravated vehicular assault, or 2278
vehicular assault when the offense involves the operation of a 2279
vehicle, streetcar, or trackless trolley on a highway or street 2280
_____ 6 points 2281

(2) A violation of section 2921.331 of the Revised Code or 2282
any ordinance prohibiting the willful fleeing or eluding of a 2283
law enforcement officer _____ 6 points 2284

(3) A violation of section 4549.02 or 4549.021 of the 2285

Revised Code or any ordinance requiring the driver of a vehicle	2286
to stop and disclose identity at the scene of an accident	2287
_____ 6 points	2288
(4) A violation of section 4511.251 of the Revised Code or	2289
any ordinance prohibiting street racing, <u>stunt driving, or</u>	2290
<u>street takeover</u> _____ 6 points	2291
(5) A violation of section 4510.037 of the Revised Code or	2292
any ordinance prohibiting the operation of a motor vehicle while	2293
the driver's or commercial driver's license is under a twelve-	2294
point suspension _____ 6 points	2295
(6) A violation of section 4510.14 of the Revised Code, or	2296
any ordinance prohibiting the operation of a motor vehicle upon	2297
the public roads or highways within this state while the	2298
driver's or commercial driver's license of the person is under	2299
suspension and the suspension was imposed under section 4511.19,	2300
4511.191, or 4511.196 of the Revised Code or section 4510.07 of	2301
the Revised Code due to a conviction for a violation of a	2302
municipal OVI ordinance or any ordinance prohibiting the	2303
operation of a motor vehicle while the driver's or commercial	2304
driver's license is under suspension for an OVI offense	2305
_____ 6 points	2306
(7) A violation of division (A) of section 4511.19 of the	2307
Revised Code, any ordinance prohibiting the operation of a	2308
vehicle while under the influence of alcohol, a drug of abuse,	2309
or a combination of them, or any ordinance substantially	2310
equivalent to division (A) of section 4511.19 of the Revised	2311
Code prohibiting the operation of a vehicle with a prohibited	2312
concentration of alcohol, a controlled substance, or a	2313
metabolite of a controlled substance in the whole blood, blood	2314
serum or plasma, breath, or urine _____ 6 points	2315

(8) A violation of section 2913.03 of the Revised Code	2316
that does not involve an aircraft or motorboat or any ordinance	2317
prohibiting the operation of a vehicle without the consent of	2318
the owner _____ 6 points	2319
(9) Any offense under the motor vehicle laws of this state	2320
that is a felony, or any other felony in the commission of which	2321
a motor vehicle was used _____ 6 points	2322
(10) A violation of division (B) of section 4511.19 of the	2323
Revised Code or any ordinance substantially equivalent to that	2324
division prohibiting the operation of a vehicle with a	2325
prohibited concentration of alcohol in the whole blood, blood	2326
serum or plasma, breath, or urine _____ 4 points	2327
(11) A violation of section 4511.20 of the Revised Code or	2328
any ordinance prohibiting the operation of a motor vehicle in	2329
willful or wanton disregard of the safety of persons or property	2330
_____ 4 points	2331
(12) A violation of any law or ordinance pertaining to	2332
speed:	2333
(a) Notwithstanding divisions (C) (12) (b) and (c) of this	2334
section, when the speed exceeds the lawful speed limit by thirty	2335
miles per hour or more _____ 4 points	2336
(b) When the speed exceeds the lawful speed limit of	2337
fifty-five miles per hour or more by more than ten miles per	2338
hour _____ 2 points	2339
(c) When the speed exceeds the lawful speed limit of less	2340
than fifty-five miles per hour by more than five miles per hour	2341
_____ 2 points	2342
(d) When the speed does not exceed the amounts set forth	2343

in divisions (C) (12) (a), (b), or (c) of this section _____	2344
0 points	2345
(13) A violation of division (A) of section 4511.204 of	2346
the Revised Code or any substantially similar municipal	2347
ordinance:	2348
(a) For a first offense within any two-year period	2349
_____ 2 points	2350
(b) For a second offense within any two-year period	2351
_____ 3 points	2352
(c) For a third or subsequent offense within any two-year	2353
period _____ 4 points.	2354
(14) Operating a motor vehicle in violation of a	2355
restriction imposed by the registrar _____ 2 points	2356
(15) A violation of section 4510.11, 4510.111, 4510.16, or	2357
4510.21 of the Revised Code or any ordinance prohibiting the	2358
operation of a motor vehicle while the driver's or commercial	2359
driver's license is under suspension _____ 2 points	2360
(16) With the exception of violations under section	2361
4510.12 of the Revised Code where no points shall be assessed,	2362
all other moving violations reported under this section	2363
_____ 2 points	2364
(D) Upon receiving notification from the proper court,	2365
including a United States district court that has jurisdiction	2366
within this state, the bureau shall delete any points entered	2367
for a bond forfeiture if the driver is acquitted of the offense	2368
for which bond was posted.	2369
(E) If a person is convicted of or forfeits bail for two	2370
or more offenses arising out of the same facts and points are	2371

chargeable for each of the offenses, points shall be charged for 2372
only the conviction or bond forfeiture for which the greater 2373
number of points is chargeable, and, if the number of points 2374
chargeable for each offense is equal, only one offense shall be 2375
recorded, and points shall be charged only for that offense. 2376

Sec. 4511.251. (A) As used in this section and section 2377
4510.036 of the Revised Code, ~~"street-;~~ 2378

(1) "Street racing" means the operation of two or more 2379
vehicles from a point side by side at accelerating speeds in a 2380
competitive attempt to out-distance each other or the operation 2381
of one or more vehicles over a common selected course, from the 2382
same point to the same point, wherein timing is made of the 2383
participating vehicles involving competitive accelerations or 2384
speeds. ~~Persons rendering assistance in any manner to such~~ 2385
~~competitive use of vehicles shall be equally charged as the~~ 2386
~~participants.~~ The operation of two or more vehicles side by side 2387
either at speeds in excess of prima-facie lawful speeds 2388
established by divisions (B) (1) (a) to (B) (9) of section 4511.21 2389
of the Revised Code or rapidly accelerating from a common 2390
starting point to a speed in excess of such prima-facie lawful 2391
speeds shall be prima-facie evidence of street racing. 2392

(2) "Burnout" means a maneuver performed while operating a 2393
vehicle whereby the vehicle is kept in a stationary position, 2394
but the wheels of the vehicle are spun, which may cause the 2395
tires of the vehicle to become heated and emit smoke from the 2396
friction. 2397

(3) "Doughnut" means a maneuver performed while operating 2398
a vehicle whereby the front or rear of the vehicle is rotated 2399
around the opposite set of wheels in a continuous motion, which 2400
may cause a circular skid-mark pattern of rubber on the driving 2401

surface, or the tires of the vehicle to become heated and emit 2402
smoke from the friction, or both. 2403

(4) "Drifting" means a maneuver performed while operating 2404
a vehicle whereby the vehicle is driven in a manner that causes 2405
a controlled, sideways skid during a turn, with the front wheels 2406
pointing in a direction that is the opposite of the direction of 2407
the turn. 2408

(5) "Wheelie" means a maneuver performed while operating a 2409
vehicle whereby the front wheel or wheels of the vehicle are 2410
raised off of the ground or whereby two wheels that are on the 2411
same side of the vehicle are raised off of the ground. 2412

(6) "Stunt driving" means performing or engaging in 2413
burnouts, doughnuts, drifting, or wheelies, or allowing a 2414
passenger to ride either partially or fully outside of the 2415
vehicle while operating that vehicle. 2416

(7) "Street takeover" means blocking or impeding the 2417
regular flow of vehicle or pedestrian traffic on a public road, 2418
street, or highway or on private property that is open to the 2419
general public for the purpose of street racing or stunt 2420
driving. 2421

(B) No person shall knowingly participate in street 2422
racing, stunt driving, or street takeover upon any public road, 2423
street, or highway ~~in this state, or on private property that is~~ 2424
open to the general public. 2425

(C) Whoever violates this section is guilty of street 2426
racing, stunt driving, or street takeover, a misdemeanor of the 2427
first degree. In addition to any other sanctions, the court 2428
shall suspend the offender's driver's license, commercial 2429
driver's license, temporary instruction permit, probationary 2430

license, or nonresident operating privilege for not less than 2431
thirty days or more than three years. No judge shall suspend the 2432
first thirty days of any suspension of an offender's license, 2433
permit, or privilege imposed under this division. 2434

(D) Persons rendering assistance in any manner to street 2435
racing, stunt driving, or street takeover shall be equally 2436
charged as the participants. 2437

(E) This section does not apply to the competitive 2438
operation of vehicles on public or private property when the 2439
political subdivision with jurisdiction of the location or owner 2440
of the property knowingly permits such operation thereon. 2441

Section 2. That existing sections 325.33, 2903.06, 2442
2903.08, 2921.331, 2929.14, 2929.41, 2935.031, 4507.112, 2443
4509.101, 4510.036, and 4511.251 of the Revised Code are hereby 2444
repealed. 2445

Section 3. Any fees that were collected by a clerk of 2446
court serving as a third-party administrator of a motor vehicle 2447
skills test under section 4507.112 of the Revised Code beginning 2448
on April 12, 2021, until the effective date of this section 2449
shall be paid into the county treasury to the credit of the 2450
certificate of title administration fund, as established in 2451
section 325.33 of the Revised Code. 2452