

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 283

Representatives Abrams, Lampton

**Cosponsors: Representatives Jones, Ginter, Carruthers, John, Holmes, Ray,
Pavliga, Richardson, Lanese, Carfagna**

A BILL

To amend sections 3321.141, 4510.036, 4511.043, 1
4511.204, and 4511.991 and to enact section 2
4511.992 of the Revised Code to expand the 3
texting while driving prohibition to a general 4
prohibition against using an electronic wireless 5
communications device while driving, with 6
certain exceptions, and to create data 7
collection requirements based on associated 8
violations of the distracted driving laws. 9

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

Section 1. That sections 3321.141, 4510.036, 4511.043, 10
4511.204, and 4511.991 be amended and section 4511.992 of the 11
Revised Code be enacted to read as follows: 12

Sec. 3321.141. (A) (1) Within one hundred twenty minutes 13
after the beginning of each school day, the attendance officer, 14
attendance officer's assistant for each individual school 15
building, or other person the attendance officer designates to 16
take attendance for each school building shall make at least one 17
attempt to contact, in accordance with division (A) (2) of this 18

section, the parent, guardian, or other person having care of 19
any student who was absent without legitimate excuse from the 20
school the student is required to attend as of the beginning of 21
that school day. 22

(2) An attempt to contact a student's parent, guardian, or 23
other person having care of the student shall be made through 24
one of the following methods: 25

(a) A telephone call placed in person; 26

(b) An automated telephone call via a system that includes 27
verification that each call was actually placed, and either the 28
call was answered by its intended recipient or a voice mail 29
message was left by the automated system relaying the required 30
information; 31

(c) A notification sent through the school's automated 32
student information system; 33

(d) A text-based communication sent to the parent's, 34
guardian's, or other person's electronic wireless communications 35
device, as defined in ~~division (G) (1) of~~ section 4511.204 of the 36
Revised Code; 37

(e) A notification sent to the electronic mail address of 38
the parent, guardian, or other person; 39

(f) A visit, in person, to the student's residence of 40
record; 41

(g) Any other notification procedure that has been adopted 42
by resolution of the board of education of a school district. 43

(B) If the parent, guardian, or other person having care 44
of a student initiates a telephone call or other communication 45
notifying the school or building administration of the student's 46

excused or unexcused absence within one hundred twenty minutes 47
after the beginning of the school day, the school is under no 48
further obligation with respect to the requirement prescribed in 49
division (A) of this section. 50

(C) A school district, or any officer, director, employee, 51
or member of the school district board of education is not 52
liable in damages in a civil action for injury, death, or loss 53
to person or property allegedly arising from an employee's 54
action or inaction in good faith compliance with this section. 55
This section does not eliminate, limit, or reduce any other 56
immunity or defense that a person may be entitled to under 57
Chapter 2744. or any other provision of the Revised Code or 58
under the common law of this state. 59

(D) This section does not apply to either of the 60
following: 61

(1) Students who are in home-based, online, or internet- 62
or computer-based instruction; 63

(2) Instances where a student was not expected to be in 64
attendance at a particular school building due to that student's 65
participation in off-campus activities, including but not 66
limited to participation in the college credit plus program 67
established under Chapter 3365. of the Revised Code. 68

Sec. 4510.036. (A) The bureau of motor vehicles shall 69
record within ten days of conviction or bail ~~forfeiture~~ 70
forfeiture and shall keep at its main office, all abstracts 71
received under this section or section 4510.03, 4510.031, 72
4510.032, or 4510.034 of the Revised Code and shall maintain 73
records of convictions and bond forfeitures for any violation of 74
a state law or a municipal ordinance regulating the operation of 75

vehicles, streetcars, and trackless trolleys on highways and 76
streets, except a violation related to parking a motor vehicle. 77

(B) Every court of record or mayor's court before which a 78
person is charged with a violation for which points are 79
chargeable by this section shall assess and transcribe to the 80
abstract of conviction that is furnished by the bureau to the 81
court the number of points chargeable by this section in the 82
correct space assigned on the reporting form. A United States 83
district court that has jurisdiction within this state and 84
before which a person is charged with a violation for which 85
points are chargeable by this section may assess and transcribe 86
to the abstract of conviction report that is furnished by the 87
bureau the number of points chargeable by this section in the 88
correct space assigned on the reporting form. If the federal 89
court so assesses and transcribes the points chargeable for the 90
offense and furnishes the report to the bureau, the bureau shall 91
record the points in the same manner as those assessed and 92
transcribed by a court of record or mayor's court. 93

(C) A court shall assess the following points for an 94
offense based on the following formula: 95

(1) Aggravated vehicular homicide, vehicular homicide, 96
vehicular manslaughter, aggravated vehicular assault, or 97
vehicular assault when the offense involves the operation of a 98
vehicle, streetcar, or trackless trolley on a highway or street 99
_____ 6 points 100

(2) A violation of section 2921.331 of the Revised Code or 101
any ordinance prohibiting the willful fleeing or eluding of a 102
law enforcement officer _____ 6 points 103

(3) A violation of section 4549.02 or 4549.021 of the 104

Revised Code or any ordinance requiring the driver of a vehicle	105
to stop and disclose identity at the scene of an accident	106
_____ 6 points	107
(4) A violation of section 4511.251 of the Revised Code or	108
any ordinance prohibiting street racing _____ 6 points	109
(5) A violation of section 4510.037 of the Revised Code or	110
any ordinance prohibiting the operation of a motor vehicle while	111
the driver's or commercial driver's license is under a twelve-	112
point suspension _____ 6 points	113
(6) A violation of section 4510.14 of the Revised Code, or	114
any ordinance prohibiting the operation of a motor vehicle upon	115
the public roads or highways within this state while the	116
driver's or commercial driver's license of the person is under	117
suspension and the suspension was imposed under section 4511.19,	118
4511.191, or 4511.196 of the Revised Code or section 4510.07 of	119
the Revised Code due to a conviction for a violation of a	120
municipal OVI ordinance or any ordinance prohibiting the	121
operation of a motor vehicle while the driver's or commercial	122
driver's license is under suspension for an OVI offense	123
_____ 6 points	124
(7) A violation of division (A) of section 4511.19 of the	125
Revised Code, any ordinance prohibiting the operation of a	126
vehicle while under the influence of alcohol, a drug of abuse,	127
or a combination of them, or any ordinance substantially	128
equivalent to division (A) of section 4511.19 of the Revised	129
Code prohibiting the operation of a vehicle with a prohibited	130
concentration of alcohol, a controlled substance, or a	131
metabolite of a controlled substance in the whole blood, blood	132
serum or plasma, breath, or urine _____ 6 points	133

(8) A violation of section 2913.03 of the Revised Code	134
that does not involve an aircraft or motorboat or any ordinance	135
prohibiting the operation of a vehicle without the consent of	136
the owner _____ 6 points	137
(9) Any offense under the motor vehicle laws of this state	138
that is a felony, or any other felony in the commission of which	139
a motor vehicle was used _____ 6 points	140
(10) A violation of division (B) of section 4511.19 of the	141
Revised Code or any ordinance substantially equivalent to that	142
division prohibiting the operation of a vehicle with a	143
prohibited concentration of alcohol in the whole blood, blood	144
serum or plasma, breath, or urine _____ 4 points	145
(11) A violation of section 4511.20 of the Revised Code or	146
any ordinance prohibiting the operation of a motor vehicle in	147
willful or wanton disregard of the safety of persons or property	148
_____ 4 points	149
(12) A violation of any law or ordinance pertaining to	150
speed:	151
(a) Notwithstanding divisions (C) (12) (b) and (c) of this	152
section, when the speed exceeds the lawful speed limit by thirty	153
miles per hour or more _____ 4 points	154
(b) When the speed exceeds the lawful speed limit of	155
fifty-five miles per hour or more by more than ten miles per	156
hour _____ 2 points	157
(c) When the speed exceeds the lawful speed limit of less	158
than fifty-five miles per hour by more than five miles per hour	159
_____ 2 points	160
(d) When the speed does not exceed the amounts set forth	161

in divisions (C) (12) (a), (b), or (c) of this section _____	162
0 points	163
(13) <u>A violation of division (A) of section 4511.204 of</u>	164
<u>the Revised Code or any substantially similar municipal</u>	165
<u>ordinance:</u>	166
<u>(a) For a first offense within any two-year period</u>	167
<u>_____ 2 points</u>	168
<u>(b) For a second offense within any two-year period</u>	169
<u>_____ 3 points</u>	170
<u>(c) For a third or subsequent offense within any two-year</u>	171
<u>period _____ 4 points.</u>	172
<u>(14) Operating a motor vehicle in violation of a</u>	173
restriction imposed by the registrar _____ 2 points	174
(14) <u>(15) A violation of section 4510.11, 4510.111,</u>	175
4510.16, or 4510.21 of the Revised Code or any ordinance	176
prohibiting the operation of a motor vehicle while the driver's	177
or commercial driver's license is under suspension _____ 2	178
points	179
(15) <u>(16) With the exception of violations under section</u>	180
4510.12 of the Revised Code where no points shall be assessed,	181
all other moving violations reported under this section	182
_____ 2 points	183
(D) Upon receiving notification from the proper court,	184
including a United States district court that has jurisdiction	185
within this state, the bureau shall delete any points entered	186
for a bond forfeiture if the driver is acquitted of the offense	187
for which bond was posted.	188
(E) If a person is convicted of or forfeits bail for two	189

or more offenses arising out of the same facts and points are 190
chargeable for each of the offenses, points shall be charged for 191
only the conviction or bond forfeiture for which the greater 192
number of points is chargeable, and, if the number of points 193
chargeable for each offense is equal, only one offense shall be 194
recorded, and points shall be charged only for that offense. 195

Sec. 4511.043. (A) (1) No law enforcement officer who stops 196
the operator of a motor vehicle in the course of an authorized 197
sobriety or other motor vehicle checkpoint operation or a motor 198
vehicle safety inspection shall issue a ticket, citation, or 199
summons for a secondary traffic offense unless in the course of 200
the checkpoint operation or safety inspection the officer first 201
determines that an offense other than a secondary traffic 202
offense has occurred and either places the operator or a vehicle 203
occupant under arrest or issues a ticket, citation, or summons 204
to the operator or a vehicle occupant for an offense other than 205
a secondary offense. 206

(2) A law enforcement agency that operates a motor vehicle 207
checkpoint for an express purpose related to a secondary traffic 208
offense shall not issue a ticket, citation, or summons for any 209
secondary traffic offense at such a checkpoint, but may use such 210
a checkpoint operation to conduct a public awareness campaign 211
and distribute information. 212

(B) As used in this section, "secondary traffic offense" 213
means a violation of division (A) or (F) (2) of section 4507.05, 214
division (B) (1) (a) or (b) or (E) of section 4507.071, ~~division~~ 215
~~(A) of section 4511.204,~~ division (C) or (D) of section 4511.81, 216
division (A) (3) of section 4513.03, or division (B) of section 217
4513.263 of the Revised Code. 218

Sec. 4511.204. (A) No person shall ~~drive~~ operate a motor 219

vehicle, trackless trolley, or streetcar on any street, highway, 220
or property open to the public for vehicular traffic while using 221
~~a handheld, holding, or physically supporting with any part of~~ 222
the person's body an electronic wireless communications device 223
~~to write, send, or read a text-based communication.~~ 224

(B) Division (A) of this section does not apply to any of 225
the following: 226

(1) A person using ~~a handheld~~ an electronic wireless 227
communications device ~~in that manner for emergency purposes,~~ 228
~~including an emergency to make contact, for emergency purposes,~~ 229
with a law enforcement agency, hospital or health care provider, 230
fire department, or other similar emergency agency or entity; 231

(2) A person driving a public safety vehicle ~~who uses a~~ 232
~~handheld~~ while using an electronic wireless communications 233
device ~~in that manner~~ in the course of the person's duties; 234

(3) A person using ~~a handheld~~ an electronic wireless 235
communications device ~~in that manner whose~~ when the person's 236
motor vehicle is in a stationary position and ~~who~~ is outside a 237
lane of travel; 238

(4) A person ~~reading, selecting, or entering a name or~~ 239
~~telephone number in a handheld~~ using an electronic wireless 240
communications device for the purpose of making or receiving a 241
telephone call, provided that the person does not do either of 242
the following during the use: 243

(a) Manually enter letters, numbers, or symbols into the 244
device; 245

(b) Hold or support the device with any part of the 246
person's body; 247

(5) A person receiving wireless messages on ~~a~~an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;

(6) A person ~~receiving wireless messages via radio waves~~using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;

(7) A person using ~~a~~an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body;

(8) A person ~~conducting wireless interpersonal communication with a device that does not require manually entering letters, numbers, or symbols or reading text messages, except to activate, deactivate, or initiate the device or~~using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body;

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;

(11) A person using a handheld an electronic wireless communications device in conjunction with a voice-operated or hands-free device-feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

(12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

~~(C) (1) Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause an operator of an automobile being operated on any street or highway to stop the automobile for the sole purpose of determining whether a violation of division (A) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for a violation of that nature or causing the arrest of or commencing a prosecution of a person for a violation of~~

~~that nature, and no law enforcement officer shall view the~~ 306
~~interior or visually inspect any automobile being operated on~~ 307
~~any street or highway for the sole purpose of determining~~ 308
~~whether a violation of that nature has been or is being~~ 309
~~committed.~~ 310

~~(2)~~ On January 31 of each year, the department of public 311
safety shall issue a report to the general assembly that 312
specifies the number of citations issued for violations of this 313
section during the previous calendar year. 314

(2) If a law enforcement officer issues an offender a 315
ticket, citation, or summons for a violation of division (A) of 316
this section, the officer shall do both of the following: 317

(a) Report the issuance of the ticket, citation, or 318
summons to the officer's law enforcement agency; 319

(b) Ensure that such report indicates the offender's race. 320

(D) (1) Whoever violates division (A) of this section is 321
guilty of operating a minor motor vehicle while using an 322
electronic wireless communication device, an unclassified 323
misdemeanor. 324

(a) Except as provided in divisions (D) (1) (b), (c), (d), 325
and (2) of this section, the court shall impose upon the 326
offender a fine of not more than one hundred fifty dollars. 327

(b) If, within two years of the violation, the offender 328
has been convicted of or pleaded guilty to one prior violation 329
of this section or a substantially equivalent municipal 330
ordinance, the court shall impose upon the offender a fine of 331
not more than two hundred fifty dollars. 332

(c) If, within two years of the violation, the offender 333

has been convicted of or pleaded guilty to two or more prior 334
violations of this section or a substantially equivalent 335
municipal ordinance, the court shall impose upon the offender a 336
fine of not more than five hundred dollars. The court also may 337
impose a suspension of the offender's driver's license, 338
commercial driver's license, temporary instruction permit, 339
probationary license, or nonresident operating privilege for 340
ninety days. 341

(d) Notwithstanding divisions (D) (1) (a) to (c) of this 342
section, if the offender was operating the motor vehicle at the 343
time of the violation in a construction zone where a sign was 344
posted in accordance with section 4511.98 of the Revised Code, 345
the court, in addition to all other penalties provided by law, 346
shall impose upon the offender a fine of two times the amount 347
imposed for the violation under division (D) (1) (a), (b), or (c) 348
of this section, as applicable. 349

(2) In lieu of payment of the fine of one hundred fifty 350
dollars under division (D) (1) (a) of this section, the offender 351
instead may elect to attend the distracted driving safety 352
course, as described in section 4511.991 of the Revised Code. If 353
the offender attends and successfully completes the course, the 354
offender shall be issued written evidence that the offender 355
successfully completed the course. The offender shall not be 356
required to pay the fine if the offender submits the written 357
evidence to the court. 358

(3) The court may impose any other penalty authorized 359
under sections 2929.21 to 2929.28 of the Revised Code. However, 360
the court shall not impose a fine or a suspension not otherwise 361
specified in division (D) (1) of this section. The court also 362
shall not impose a jail term or community residential sanction. 363

(4) Points shall be assessed for a violation of division 364
(A) of this section in accordance with section 4510.036 of the 365
Revised Code. 366

(E) This section shall not be construed as invalidating, 367
preempting, or superseding a substantially equivalent municipal 368
ordinance that prescribes penalties for violations of that 369
ordinance that are greater than the penalties prescribed in this 370
section for violations of this section. 371

(F) A prosecution for ~~a~~an offense in violation of this 372
section does not preclude a prosecution for ~~a~~an offense in 373
violation of a substantially equivalent municipal ordinance 374
based on the same conduct. However, ~~if an offender is convicted~~ 375
~~of or pleads guilty to a violation of this section and is also~~ 376
~~convicted of or pleads guilty to a violation of a substantially~~ 377
~~equivalent municipal ordinance based on the same conduct,~~ 378
the two offenses are allied offenses of similar import under section 379
2941.25 of the Revised Code. 380

(G) A law enforcement officer who stops the operator of a 381
motor vehicle, trackless trolley, or streetcar for a violation 382
of division (A) of this section shall inform the operator that 383
the operator may decline a search of the operator's electronic 384
wireless communications device. The officer shall not do any of 385
the following: 386

(1) Access the device without a warrant, unless the 387
operator voluntarily and unequivocally gives consent for the 388
officer to access the device; 389

(2) Confiscate the device while awaiting the issuance of a 390
warrant to access the device; 391

(3) Obtain consent from the operator to access the device 392

through coercion or any other improper means. Any consent by the 393
operator to access the device shall be voluntary and unequivocal 394
before the officer may access the device without a warrant. 395

(H) As used in this section: 396

(1) "Electronic wireless communications device" includes 397
any of the following: 398

(a) A wireless telephone; 399

(b) A text-messaging device; 400

(c) A personal digital assistant; 401

(d) A computer, including a laptop computer and a computer 402
tablet; 403

(e) Any device capable of displaying a video, movie, 404
broadcast television image, or visual image; 405

(f) Any other substantially similar wireless device that 406
is designed or used to communicate text, initiate or receive 407
communication, or exchange information or data. 408

(2) "Voice-operated or hands-free ~~device~~feature or 409
function" means a ~~device~~feature or function that allows the 410
~~user to vocally compose or send, or to listen to a text-based-~~ 411
~~communication-~~a person to use an electronic wireless 412
communications device without the use of either hand, except to 413
~~activate or, deactivate a,~~ or initiate the feature or function 414
with a single touch or single swipe. 415

(3) ~~"Write, send, or read a text-based communication"~~ 416
~~means to manually write or send, or read a text-based-~~ 417
~~communication using an electronic wireless communications-~~ 418
~~device, including manually writing or sending, or reading-~~ 419

~~communications referred to as text messages, instant messages,~~ 420
~~or electronic mail.~~ "Utility" means an entity specified in 421
division (A), (C), (D), (E), or (G) of section 4905.03 of the 422
Revised Code. 423

(4) "Utility service vehicle" means a vehicle owned or 424
operated by a utility. 425

Sec. 4511.991. (A) As used in this section and each 426
section referenced in division (B) of this section, all of the 427
following apply: 428

(1) "Distracted" means doing either of the following while 429
operating a vehicle: 430

(a) Using ~~a handheld~~ an electronic wireless communications 431
device, as defined in section 4511.204 of the Revised Code, 432
~~except when utilizing any of the following:~~ 433

~~(i) The device's speakerphone function;~~ 434

~~(ii) A wireless technology standard for exchanging data~~ 435
~~over short distances;~~ 436

~~(iii) A "voice operated or hands free" device that allows~~ 437
~~the person to use the electronic wireless communications device~~ 438
~~without the use of either hand except to activate, deactivate,~~ 439
~~or initiate a feature or function;~~ 440

~~(iv) Any device that is physically or electronically~~ 441
~~integrated into the motor vehicle~~ in violation of that section. 442

(b) Engaging in any activity that is not necessary to the 443
operation of a vehicle and impairs, or reasonably would be 444
expected to impair, the ability of the operator to drive the 445
vehicle safely. 446

(2) "Distracted" does not include operating a motor 447
vehicle while wearing an earphone or earplug over or in both 448
ears at the same time. A person who so wears earphones or 449
earplugs may be charged with a violation of section 4511.84 of 450
the Revised Code. 451

(3) "Distracted" does not include conducting any activity 452
while operating a utility service vehicle or a vehicle for or on 453
behalf of a utility, provided that the driver of the vehicle is 454
acting in response to an emergency, power outage, or a 455
circumstance affecting the health or safety of individuals. 456

As used in division (A) (3) of this section: 457

(a) "Utility" means an entity specified in division (A), 458
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 459

(b) "Utility service vehicle" means a vehicle owned or 460
operated by a utility. 461

(B) If an offender violates section 4511.03, 4511.051, 462
4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 463
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 464
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 465
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 466
4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 467
4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 468
4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 469
4511.73 of the Revised Code while distracted and the distracting 470
activity is a contributing factor to the commission of the 471
violation, the offender is subject to the applicable penalty for 472
the violation and, notwithstanding section 2929.28 of the 473
Revised Code, is subject to an additional fine of not more than 474
one hundred dollars as follows: 475

(1) Subject to Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation, or summons for a violation of any of the aforementioned sections of the Revised Code that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation, or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars.

In lieu of payment of the additional fine of one hundred dollars, the offender instead may elect to attend a distracted driving safety course, the duration and contents of which shall be established by the director of public safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars, so long as the offender submits to the court both the offender's payment in full and such written evidence.

(2) If the offender appears in person to contest the ticket, citation, or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars.

If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more

than one hundred dollars, the court shall inform the offender 506
that, in lieu of payment of the additional fine of not more than 507
one hundred dollars, the offender instead may elect to attend 508
the distracted driving safety course described in division (B) 509
(1) of this section. If the offender elects the course option 510
and attends and successfully completes the course, the offender 511
shall be issued written evidence that the offender successfully 512
completed the course. The offender shall be required to pay the 513
total amount of the fine established for the violation, but 514
shall not be required to pay the additional fine of not more 515
than one hundred dollars, so long as the offender submits to the 516
court the offender's payment and such written evidence. 517

(C) If a law enforcement officer issues an offender a 518
ticket, citation, or summons for a violation of any of the 519
sections of the Revised Code listed in division (B) of this 520
section that indicates that the offender was distracted while 521
committing the violation and that the distracting activity was a 522
contributing factor to the commission of the violation, the 523
officer shall do both of the following: 524

(1) Report the issuance of the ticket, citation, or 525
summons to the officer's law enforcement agency; 526

(2) Ensure that such report indicates the offender's race. 527

Sec. 4511.992. (A) A law enforcement agency shall compile 528
the information from reports submitted in accordance with 529
division (C) (2) of section 4511.204 and division (C) of section 530
4511.991 of the Revised Code. Every other month, the agency 531
shall prepare a report that describes the number and race of the 532
offenders who received a ticket, citation, or summons under 533
those sections during the prior two months. Upon completion of 534
the report, the agency shall send the report to the attorney 535

general. 536

(B) The attorney general shall complete an annual report 537
that is based on the reports submitted by law enforcement 538
agencies under division (A) of this section during the prior 539
one-year period. The report shall describe both of the 540
following: 541

(1) The total number of offenders by race who received a 542
ticket, citation, or summons for each of the following: 543

(a) A violation of division (A) of section 4511.204 of the 544
Revised Code that indicates that the offender operated a motor 545
vehicle while using an electronic wireless communication device; 546

(b) A violation of any of the sections of the Revised Code 547
listed in division (B) of section 4511.991 of the Revised Code 548
that indicates that the offender was distracted while committing 549
the violation and that the distracting activity was a 550
contributing factor to the commission of the violation. 551

(2) The information specified under division (B)(1) of 552
this section listed by law enforcement agency. 553

Upon completion of the annual report, the attorney general 554
shall submit it to the governor, the speaker of the house of 555
representatives, and the president of the senate. 556

Section 2. That existing sections 3321.141, 4510.036, 557
4511.043, 4511.204, and 4511.991 of the Revised Code are hereby 558
repealed. 559