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135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 37

A BILL

To amend sections 2903.06, 2929.14, 2929.142,
4510.13, 4510.17, 4510.31, 4510.54, and 4511.19
of the Revised Code to modify the law related to
OVI-related offenses.

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

Section 1. That sections 2903.06, 2929.14, 2929.142,
4510.13, 4510.17, 4510.31, 4510.54, and 4511.19 of the Revised
Code be amended to read as follows:

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

(1) (a) As the proximate result of committing a ~~violation~~
~~of division (A) of section 4511.19 of the Revised Code or of a~~
~~substantially equivalent municipal ordinance~~ low tier OVI
offense;

(b) As the proximate result of committing a ~~violation of~~



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~~division (A) of section 1547.11 of the Revised Code or of a~~ 18
~~substantially equivalent municipal ordinance;~~ 19

~~(c) As the proximate result of committing a violation of~~ 20
~~division (A) (3) of section 4561.15 of the Revised Code or of a~~ 21
~~substantially equivalent municipal ordinance~~high tier OVI 22
offense. 23

(2) In one of the following ways: 24

(a) Recklessly; 25

(b) As the proximate result of committing, while operating 26
or participating in the operation of a motor vehicle or 27
motorcycle in a construction zone, a reckless operation offense, 28
provided that this division applies only if the person whose 29
death is caused or whose pregnancy is unlawfully terminated is 30
in the construction zone at the time of the offender's 31
commission of the reckless operation offense in the construction 32
zone and does not apply as described in division (F) of this 33
section. 34

(3) In one of the following ways: 35

(a) Negligently; 36

(b) As the proximate result of committing, while operating 37
or participating in the operation of a motor vehicle or 38
motorcycle in a construction zone, a speeding offense, provided 39
that this division applies only if the person whose death is 40
caused or whose pregnancy is unlawfully terminated is in the 41
construction zone at the time of the offender's commission of 42
the speeding offense in the construction zone and does not apply 43
as described in division (F) of this section. 44

(4) As the proximate result of committing a violation of 45

any provision of any section contained in Title XLV of the Revised Code that is a minor misdemeanor or of a municipal ordinance that, regardless of the penalty set by ordinance for the violation, is substantially equivalent to any provision of any section contained in Title XLV of the Revised Code that is a minor misdemeanor.

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

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

(b) Except as otherwise provided in division (B) (2) (c), (d), (e), or (f) of this section, aggravated vehicular homicide committed in violation of division ~~(A) (1) (A)~~ (1) (b) of this section is a felony of the first degree, and the court shall impose a mandatory prison term on the offender as described in division (E) of this section.

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

(i) At the time of the offense, the offender was driving

under a suspension or cancellation imposed under Chapter 4510. 75
or any other provision of the Revised Code or was operating a 76
motor vehicle or motorcycle, did not have a valid driver's 77
license, commercial driver's license, temporary instruction 78
permit, probationary license, or nonresident operating 79
privilege, and was not eligible for renewal of the offender's 80
driver's license or commercial driver's license without 81
examination under section 4507.10 of the Revised Code. 82

(ii) The offender previously has been convicted of or 83
pleaded guilty to ~~a one prior violation of this section~~ a low 84
tier OVI offense or a reckless operation offense that involved 85
alcohol, a drug of abuse, or a combination of them within the 86
previous twenty years. 87

(iii) The offender previously has been convicted of or 88
pleaded guilty to ~~any one prior~~ traffic-related homicide, 89
manslaughter, or assault offense within the previous twenty 90
years. 91

~~(c) Aggravated~~ (d) Except as otherwise provided in 92
division (B) (2) (e) or (f) this section, aggravated vehicular 93
homicide committed in violation of division (A) (1) of this 94
section is a felony of the first degree, and the court shall 95
sentence the offender to a mandatory prison term as provided in 96
section 2929.142 of the Revised Code and described in division 97
(E) of this section if any of the following apply: 98

(i) The offender previously has been convicted of or 99
pleaded guilty to ~~three or more one prior violations of division~~ 100
~~(A) of section 4511.19 of the Revised Code or of a substantially~~ 101
equivalent municipal ordinance violation of a high tier OVI 102
offense within the previous ~~ten~~ twenty years. 103

(ii) The offender previously has been convicted of or 104
pleaded guilty to ~~three or more two~~ prior violations of ~~division~~ 105
~~(A) of section 1547.11 of the Revised Code or of a substantially~~ 106
~~equivalent municipal ordinance~~ low tier OVI offenses within the 107
previous ~~ten~~ twenty years. 108

(iii) The offender previously has been convicted of or 109
pleaded guilty to ~~three or more two~~ prior violations of ~~division~~ 110
~~(A) (3) of section 4561.15 of the Revised Code or of a~~ 111
~~substantially equivalent municipal ordinance~~ traffic-related 112
homicide, manslaughter, or assault offenses within the previous 113
~~ten~~ twenty years. 114

(iv) The offender previously has been convicted of or 115
pleaded guilty to ~~three or more two~~ prior violations of ~~division~~ 116
~~(A) (1) of this section~~ any combination of the offenses listed in 117
division (B) (2) (d) (ii) and (iii) of this section within the 118
previous ~~ten~~ twenty years. 119

~~(v) The offender previously has been convicted of or~~ 120
~~pleaded guilty to three or more prior violations of division (A)~~ 121
~~(1) of section 2903.08 of the Revised Code within the previous~~ 122
~~ten years.~~ 123

~~(vi) The offender previously has been convicted of or~~ 124
~~pleaded guilty to three or more prior violations of section~~ 125
~~2903.04 of the Revised Code within the previous ten years in~~ 126
~~circumstances in which division (D) of that section applied~~ 127
~~regarding the violations.~~ 128

~~(vii) The offender previously has been convicted of or~~ 129
~~pleaded guilty to three or more violations of any combination of~~ 130
~~the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv),~~ 131
~~(v), or (vi) of this section within the previous ten years.~~ 132

~~(viii) The offender previously has been convicted of or
pleaded guilty to a second or subsequent felony violation of
division (A) of section 4511.19 of the Revised Code.~~ 133
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~~(d)-(e) Except as otherwise provided in division (B)(2)(f)
of this section, aggravated vehicular homicide committed in
violation of division (A)(1) of this section is a felony of the
first degree, and the court shall sentence the offender to a
mandatory prison term as provided in section 2929.142 of the
Revised Code and described in division (E) of this section if
any of the following apply:~~ 136
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~~(i) The offender previously has been convicted of or
pleaded guilty to one prior violation of a low tier OVI offense
and one prior violation of a high tier OVI offense within the
previous twenty years.~~ 143
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~~(ii) The offender previously has been convicted of or
pleaded guilty to three prior violations of low tier OVI
offenses within the previous twenty years.~~ 147
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~~(iii) The offender previously has been convicted of or
pleaded guilty to three prior traffic-related homicide,
manslaughter, or assault offenses within the previous twenty
years.~~ 150
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~~(iv) The offender previously has been convicted of or
pleaded guilty to three prior violations of any combination of
the offenses listed in divisions (B)(2)(e)(ii) and (iii) of this
section within the previous twenty years.~~ 154
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~~(f) Aggravated vehicular homicide committed in violation
of division (A)(1) of this section is a felony of the first
degree, and the court shall sentence the offender to a mandatory
prison term as provided in section 2929.142 of the Revised Code~~ 158
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and described in division (E) of this section if any of the 162
following apply: 163

(i) The offender previously has been convicted of or 164
pleaded guilty to two prior violations of high tier OVI offenses 165
within the previous twenty years. 166

(ii) The offender previously has been convicted of or 167
pleaded guilty to two prior violations of low tier OVI offenses 168
and one prior violation of a high tier OVI offense within the 169
previous twenty years. 170

(g) In addition to any other sanctions imposed pursuant to 171
division (B) (2) (a), (b), ~~or~~ (c), (d), (e), or (f) of this 172
section for aggravated vehicular homicide committed in violation 173
of division (A) (1) of this section, the court shall impose upon 174
the offender a class one suspension of the offender's driver's 175
license, commercial driver's license, temporary instruction 176
permit, probationary license, or nonresident operating privilege 177
as specified in division (A) (1) of section 4510.02 of the 178
Revised Code. 179

Divisions (A) (1) to (3) of section 4510.54 of the Revised 180
Code apply to a suspension imposed under division ~~(B) (2) (d)~~ (B) 181
(2) (g) of this section. 182

(h) Notwithstanding section 2929.18 of the Revised Code, 183
and in addition to any other sanctions imposed pursuant to 184
division (B) (2) of this section for aggravated vehicular 185
homicide committed in violation of division (A) (1) of this 186
section, the court shall impose upon the offender a fine of not 187
more than twenty-five thousand dollars. 188

(3) Except as otherwise provided in this division, 189
aggravated vehicular homicide committed in violation of division 190

(A) (2) of this section is a felony of the third degree. 191
Aggravated vehicular homicide committed in violation of division 192
(A) (2) of this section is a felony of the second degree if, at 193
the time of the offense, the offender was driving under a 194
suspension or cancellation imposed under Chapter 4510. or any 195
other provision of the Revised Code or was operating a motor 196
vehicle or motorcycle, did not have a valid driver's license, 197
commercial driver's license, temporary instruction permit, 198
probationary license, or nonresident operating privilege, and 199
was not eligible for renewal of the offender's driver's license 200
or commercial driver's license without examination under section 201
4507.10 of the Revised Code or if the offender previously has 202
been convicted of or pleaded guilty to a violation of this 203
section or any traffic-related homicide, manslaughter, or 204
assault offense. The court shall impose a mandatory prison term 205
on the offender when required by division (E) of this section. 206

In addition to any other sanctions imposed pursuant to 207
this division for a violation of division (A) (2) of this 208
section, the court shall impose upon the offender a class two 209
suspension of the offender's driver's license, commercial 210
driver's license, temporary instruction permit, probationary 211
license, or nonresident operating privilege from the range 212
specified in division (A) (2) of section 4510.02 of the Revised 213
Code or, if the offender previously has been convicted of or 214
pleaded guilty to a traffic-related murder, felonious assault, 215
or attempted murder offense, a class one suspension of the 216
offender's driver's license, commercial driver's license, 217
temporary instruction permit, probationary license, or 218
nonresident operating privilege as specified in division (A) (1) 219
of that section. 220

(C) Whoever violates division (A) (3) of this section is 221

guilty of vehicular homicide. Except as otherwise provided in 222
this division, vehicular homicide is a misdemeanor of the first 223
degree. Vehicular homicide committed in violation of division 224
(A) (3) of this section is a felony of the fourth degree if, at 225
the time of the offense, the offender was driving under a 226
suspension or cancellation imposed under Chapter 4510. or any 227
other provision of the Revised Code or was operating a motor 228
vehicle or motorcycle, did not have a valid driver's license, 229
commercial driver's license, temporary instruction permit, 230
probationary license, or nonresident operating privilege, and 231
was not eligible for renewal of the offender's driver's license 232
or commercial driver's license without examination under section 233
4507.10 of the Revised Code or if the offender previously has 234
been convicted of or pleaded guilty to a violation of this 235
section or any traffic-related homicide, manslaughter, or 236
assault offense. The court shall impose a mandatory jail term or 237
a mandatory prison term on the offender when required by 238
division (E) of this section. 239

In addition to any other sanctions imposed pursuant to 240
this division, the court shall impose upon the offender a class 241
four suspension of the offender's driver's license, commercial 242
driver's license, temporary instruction permit, probationary 243
license, or nonresident operating privilege from the range 244
specified in division (A) (4) of section 4510.02 of the Revised 245
Code, or, if the offender previously has been convicted of or 246
pleaded guilty to a violation of this section or any traffic- 247
related homicide, manslaughter, or assault offense, a class 248
three suspension of the offender's driver's license, commercial 249
driver's license, temporary instruction permit, probationary 250
license, or nonresident operating privilege from the range 251
specified in division (A) (3) of that section, or, if the 252

offender previously has been convicted of or pleaded guilty to a 253
traffic-related murder, felonious assault, or attempted murder 254
offense, a class two suspension of the offender's driver's 255
license, commercial driver's license, temporary instruction 256
permit, probationary license, or nonresident operating privilege 257
as specified in division (A) (2) of that section. 258

(D) Whoever violates division (A) (4) of this section is 259
guilty of vehicular manslaughter. Except as otherwise provided 260
in this division, vehicular manslaughter is a misdemeanor of the 261
second degree. Vehicular manslaughter is a misdemeanor of the 262
first degree if, at the time of the offense, the offender was 263
driving under a suspension or cancellation imposed under Chapter 264
4510. or any other provision of the Revised Code or was 265
operating a motor vehicle or motorcycle, did not have a valid 266
driver's license, commercial driver's license, temporary 267
instruction permit, probationary license, or nonresident 268
operating privilege, and was not eligible for renewal of the 269
offender's driver's license or commercial driver's license 270
without examination under section 4507.10 of the Revised Code or 271
if the offender previously has been convicted of or pleaded 272
guilty to a violation of this section or any traffic-related 273
homicide, manslaughter, or assault offense. 274

In addition to any other sanctions imposed pursuant to 275
this division, the court shall impose upon the offender a class 276
six suspension of the offender's driver's license, commercial 277
driver's license, temporary instruction permit, probationary 278
license, or nonresident operating privilege from the range 279
specified in division (A) (6) of section 4510.02 of the Revised 280
Code or, if the offender previously has been convicted of or 281
pleaded guilty to a violation of this section, any traffic- 282
related homicide, manslaughter, or assault offense, or a 283

traffic-related murder, felonious assault, or attempted murder 284
offense, a class four suspension of the offender's driver's 285
license, commercial driver's license, temporary instruction 286
permit, probationary license, or nonresident operating privilege 287
from the range specified in division (A) (4) of that section. 288

(E) (1) The court shall impose a mandatory prison term on 289
an offender who is convicted of or pleads guilty to a violation 290
of division (A) (1) of this section. Except as otherwise provided 291
in this division, the mandatory prison term shall be a definite 292
term from the range of prison terms provided in division (A) (1) 293
(b) of section 2929.14 of the Revised Code for a felony of the 294
first degree or from division (A) (2) (b) of that section for a 295
felony of the second degree, whichever is applicable, except 296
that if the violation is committed on or after March 22, 2019, 297
the court shall impose as the minimum prison term for the 298
offense a mandatory prison term that is one of the minimum terms 299
prescribed for a felony of the first degree in division (A) (1) 300
(a) of section 2929.14 of the Revised Code or one of the terms 301
prescribed for a felony of the second degree in division (A) (2) 302
(a) of that section, whichever is applicable. If division ~~(B) (2)~~ 303
~~(c) (i), (ii), (iii), (iv), (v), (vi), (vii), or (viii)~~ (B) (2) 304
(d), (e), or (f) of this section applies to an offender who is 305
convicted of or pleads guilty to the violation of division (A) 306
(1) of this section, the court shall impose the mandatory prison 307
term pursuant to division (A), (B), or (C) of section 2929.142 308
of the Revised Code, whichever is applicable. The court shall 309
impose a mandatory jail term of at least fifteen days on an 310
offender who is convicted of or pleads guilty to a misdemeanor 311
violation of division (A) (3) (b) of this section and may impose 312
upon the offender a longer jail term as authorized pursuant to 313
section 2929.24 of the Revised Code. 314

(2) The court shall impose a mandatory prison term on an offender who is convicted of or pleads guilty to a violation of division (A) (2) or (3) (a) of this section or a felony violation of division (A) (3) (b) of this section if either division (E) (2) (a) or (b) of this section applies. The mandatory prison term shall be a definite term from the range of prison terms provided in division (A) (3) (a) of section 2929.14 of the Revised Code 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. The court shall impose a mandatory prison term on an offender in a category described in this division 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 2903.08 of the Revised Code.

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

(F) Divisions (A) (2) (b) and (3) (b) of this section do not apply in a particular construction zone unless signs of the type described in section 2903.081 of the Revised Code are erected in that construction zone in accordance with the guidelines and design specifications established by the director of transportation under section 5501.27 of the Revised Code. The

failure to erect signs of the type described in section 2903.081 345
of the Revised Code in a particular construction zone in 346
accordance with those guidelines and design specifications does 347
not limit or affect the application of division (A) (1), (A) (2) 348
(a), (A) (3) (a), or (A) (4) of this section in that construction 349
zone or the prosecution of any person who violates any of those 350
divisions in that construction zone. 351

(G) (1) As used in this section: 352

(a) "Mandatory prison term" and "mandatory jail term" have 353
the same meanings as in section 2929.01 of the Revised Code. 354

(b) "Traffic-related homicide, manslaughter, or assault 355
offense" means a violation of section 2903.04 of the Revised 356
Code in circumstances in which division (D) of that section 357
applies, a violation of section 2903.06 or 2903.08 of the 358
Revised Code, or a violation of section 2903.06, 2903.07, or 359
2903.08 of the Revised Code as they existed prior to March 23, 360
2000. 361

(c) "Construction zone" has the same meaning as in section 362
5501.27 of the Revised Code. 363

(d) "Reckless operation offense" means a violation of 364
section 4511.20 of the Revised Code or a municipal ordinance 365
substantially equivalent to section 4511.20 of the Revised Code. 366

(e) "Speeding offense" means a violation of section 367
4511.21 of the Revised Code or a municipal ordinance pertaining 368
to speed. 369

(f) "Traffic-related murder, felonious assault, or 370
attempted murder offense" means a violation of section 2903.01 371
or 2903.02 of the Revised Code in circumstances in which the 372
offender used a motor vehicle as the means to commit the 373

violation, a violation of division (A) (2) of section 2903.11 of 374
the Revised Code in circumstances in which the deadly weapon 375
used in the commission of the violation is a motor vehicle, or 376
an attempt to commit aggravated murder or murder in violation of 377
section 2923.02 of the Revised Code in circumstances in which 378
the offender used a motor vehicle as the means to attempt to 379
commit the aggravated murder or murder. 380

(g) "Motor vehicle" has the same meaning as in section 381
4501.01 of the Revised Code. 382

(h) "Low tier OVI offense" means a violation of division 383
(A) (1) (a), (b), (c), (d), (e), or (j) of section 4511.19 of the 384
Revised Code, a violation of division (A) of section 1547.11 of 385
the Revised Code, a violation of division (A) (3) of section 386
4561.15 of the Revised Code, or a substantially equivalent 387
municipal ordinance. 388

(i) "High tier OVI offense" means a violation of division 389
(A) (1) (f), (g), (h), or (i) of section 4511.19 of the Revised 390
Code or a substantially equivalent municipal ordinance. 391

(2) For the purposes of this section, when a penalty or 392
suspension is enhanced because of a prior or current violation 393
of a specified law or a prior or current specified offense, the 394
reference to the violation of the specified law or the specified 395
offense includes any violation of any substantially equivalent 396
municipal ordinance, former law of this state, or current or 397
former law of another state or the United States. 398

Sec. 2929.14. (A) Except as provided in division (B) (1), 399
(B) (2), (B) (3), (B) (4), (B) (5), (B) (6), (B) (7), (B) (8), (B) (9), 400
(B) (10), (B) (11), (E), (G), (H), (J), or (K) of this section or 401
in division (D) (6) of section 2919.25 of the Revised Code and 402

except in relation to an offense for which a sentence of death 403
or life imprisonment is to be imposed, if the court imposing a 404
sentence upon an offender for a felony elects or is required to 405
impose a prison term on the offender pursuant to this chapter, 406
the court shall impose a prison term that shall be one of the 407
following: 408

(1) (a) For a felony of the first degree committed on or 409
after March 22, 2019, the prison term shall be an indefinite 410
prison term with a stated minimum term selected by the court of 411
three, four, five, six, seven, eight, nine, ten, or eleven years 412
and a maximum term that is determined pursuant to section 413
2929.144 of the Revised Code, except that if the section that 414
criminalizes the conduct constituting the felony specifies a 415
different minimum term or penalty for the offense, the specific 416
language of that section shall control in determining the 417
minimum term or otherwise sentencing the offender but the 418
minimum term or sentence imposed under that specific language 419
shall be considered for purposes of the Revised Code as if it 420
had been imposed under this division. 421

(b) For a felony of the first degree committed prior to 422
March 22, 2019, the prison term shall be a definite prison term 423
of three, four, five, six, seven, eight, nine, ten, or eleven 424
years. 425

(2) (a) For a felony of the second degree committed on or 426
after March 22, 2019, the prison term shall be an indefinite 427
prison term with a stated minimum term selected by the court of 428
two, three, four, five, six, seven, or eight years and a maximum 429
term that is determined pursuant to section 2929.144 of the 430
Revised Code, except that if the section that criminalizes the 431
conduct constituting the felony specifies a different minimum 432

term or penalty for the offense, the specific language of that 433
section shall control in determining the minimum term or 434
otherwise sentencing the offender but the minimum term or 435
sentence imposed under that specific language shall be 436
considered for purposes of the Revised Code as if it had been 437
imposed under this division. 438

(b) For a felony of the second degree committed prior to 439
March 22, 2019, the prison term shall be a definite term of two, 440
three, four, five, six, seven, or eight years. 441

(3) (a) For a felony of the third degree that is a 442
violation of section 2903.06, 2903.08, 2907.03, 2907.04, 443
2907.05, 2907.321, 2907.322, 2907.323, or 3795.04 of the Revised 444
Code, that is a violation of division (A) of section 4511.19 of 445
the Revised Code if the offender previously has been convicted 446
of or pleaded guilty to a violation of division (A) of that 447
section that was a felony, or that is a violation of section 448
2911.02 or 2911.12 of the Revised Code if the offender 449
previously has been convicted of or pleaded guilty in two or 450
more separate proceedings to two or more violations of section 451
2911.01, 2911.02, 2911.11, or 2911.12 of the Revised Code, the 452
prison term shall be a definite term of twelve, eighteen, 453
twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty- 454
four, or sixty months. 455

(b) For a felony of the third degree that is not an 456
offense for which division (A) (3) (a) of this section applies, 457
the prison term shall be a definite term of nine, twelve, 458
eighteen, twenty-four, thirty, or thirty-six months. 459

(4) For a felony of the fourth degree, the prison term 460
shall be a definite term of six, seven, eight, nine, ten, 461
eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 462

or eighteen months. 463

(5) For a felony of the fifth degree, the prison term 464
shall be a definite term of six, seven, eight, nine, ten, 465
eleven, or twelve months. 466

(B) (1) (a) Except as provided in division (B) (1) (e) of this 467
section, if an offender who is convicted of or pleads guilty to 468
a felony also is convicted of or pleads guilty to a 469
specification of the type described in section 2941.141, 470
2941.144, or 2941.145 of the Revised Code, the court shall 471
impose on the offender one of the following prison terms: 472

(i) A prison term of six years if the specification is of 473
the type described in division (A) of section 2941.144 of the 474
Revised Code that charges the offender with having a firearm 475
that is an automatic firearm or that was equipped with a firearm 476
muffler or suppressor on or about the offender's person or under 477
the offender's control while committing the offense; 478

(ii) A prison term of three years if the specification is 479
of the type described in division (A) of section 2941.145 of the 480
Revised Code that charges the offender with having a firearm on 481
or about the offender's person or under the offender's control 482
while committing the offense and displaying the firearm, 483
brandishing the firearm, indicating that the offender possessed 484
the firearm, or using it to facilitate the offense; 485

(iii) A prison term of one year if the specification is of 486
the type described in division (A) of section 2941.141 of the 487
Revised Code that charges the offender with having a firearm on 488
or about the offender's person or under the offender's control 489
while committing the offense; 490

(iv) A prison term of nine years if the specification is 491

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

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

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

(b) If a court imposes a prison term on an offender under division (B) (1) (a) of this section, the prison term shall not be

reduced pursuant to section 2929.20, division (A)(2) or (3) of 522
section 2967.193 or 2967.194, or any other provision of Chapter 523
2967. or Chapter 5120. of the Revised Code. Except as provided 524
in division (B)(1)(g) of this section, a court shall not impose 525
more than one prison term on an offender under division (B)(1) 526
(a) of this section for felonies committed as part of the same 527
act or transaction. 528

(c)(i) Except as provided in division (B)(1)(e) of this 529
section, if an offender who is convicted of or pleads guilty to 530
a violation of section 2923.161 of the Revised Code or to a 531
felony that includes, as an essential element, purposely or 532
knowingly causing or attempting to cause the death of or 533
physical harm to another, also is convicted of or pleads guilty 534
to a specification of the type described in division (A) of 535
section 2941.146 of the Revised Code that charges the offender 536
with committing the offense by discharging a firearm from a 537
motor vehicle other than a manufactured home, the court, after 538
imposing a prison term on the offender for the violation of 539
section 2923.161 of the Revised Code or for the other felony 540
offense under division (A), (B)(2), or (B)(3) of this section, 541
shall impose an additional prison term of five years upon the 542
offender that shall not be reduced pursuant to section 2929.20, 543
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 544
other provision of Chapter 2967. or Chapter 5120. of the Revised 545
Code. 546

(ii) Except as provided in division (B)(1)(e) of this 547
section, if an offender who is convicted of or pleads guilty to 548
a violation of section 2923.161 of the Revised Code or to a 549
felony that includes, as an essential element, purposely or 550
knowingly causing or attempting to cause the death of or 551
physical harm to another, also is convicted of or pleads guilty 552

to a specification of the type described in division (C) of 553
section 2941.146 of the Revised Code that charges the offender 554
with committing the offense by discharging a firearm from a 555
motor vehicle other than a manufactured home and that the 556
offender previously has been convicted of or pleaded guilty to a 557
specification of the type described in section 2941.141, 558
2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, 559
the court, after imposing a prison term on the offender for the 560
violation of section 2923.161 of the Revised Code or for the 561
other felony offense under division (A), (B) (2), or (3) of this 562
section, shall impose an additional prison term of ninety months 563
upon the offender that shall not be reduced pursuant to section 564
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 565
or any other provision of Chapter 2967. or Chapter 5120. of the 566
Revised Code. 567

(iii) A court shall not impose more than one additional 568
prison term on an offender under division (B) (1) (c) of this 569
section for felonies committed as part of the same act or 570
transaction. If a court imposes an additional prison term on an 571
offender under division (B) (1) (c) of this section relative to an 572
offense, the court also shall impose a prison term under 573
division (B) (1) (a) of this section relative to the same offense, 574
provided the criteria specified in that division for imposing an 575
additional prison term are satisfied relative to the offender 576
and the offense. 577

(d) If an offender who is convicted of or pleads guilty to 578
an offense of violence that is a felony also is convicted of or 579
pleads guilty to a specification of the type described in 580
section 2941.1411 of the Revised Code that charges the offender 581
with wearing or carrying body armor while committing the felony 582
offense of violence, the court shall impose on the offender an 583

additional prison term of two years. The prison term so imposed 584
shall not be reduced pursuant to section 2929.20, division (A) 585
(2) or (3) of section 2967.193 or 2967.194, or any other 586
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 587
A court shall not impose more than one prison term on an 588
offender under division (B)(1)(d) of this section for felonies 589
committed as part of the same act or transaction. If a court 590
imposes an additional prison term under division (B)(1)(a) or 591
(c) of this section, the court is not precluded from imposing an 592
additional prison term under division (B)(1)(d) of this section. 593

(e) The court shall not impose any of the prison terms 594
described in division (B)(1)(a) of this section or any of the 595
additional prison terms described in division (B)(1)(c) of this 596
section upon an offender for a violation of section 2923.12 or 597
2923.123 of the Revised Code. The court shall not impose any of 598
the prison terms described in division (B)(1)(a) or (b) of this 599
section upon an offender for a violation of section 2923.122 600
that involves a deadly weapon that is a firearm other than a 601
dangerous ordnance, section 2923.16, or section 2923.121 of the 602
Revised Code. The court shall not impose any of the prison terms 603
described in division (B)(1)(a) of this section or any of the 604
additional prison terms described in division (B)(1)(c) of this 605
section upon an offender for a violation of section 2923.13 of 606
the Revised Code unless all of the following apply: 607

(i) The offender previously has been convicted of 608
aggravated murder, murder, or any felony of the first or second 609
degree. 610

(ii) Less than five years have passed since the offender 611
was released from prison or post-release control, whichever is 612
later, for the prior offense. 613

(f) (i) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (A) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer as defined in section 2935.01 of the Revised Code or a corrections officer, as defined in section 2941.1412 of the Revised Code, the court, after imposing a prison term on the offender for the felony offense under division (A), (B) (2), or (B) (3) of this section, shall impose an additional prison term of seven years upon the offender that 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. or Chapter 5120. of the Revised Code.

(ii) If an offender is convicted of or pleads guilty to a felony that includes, as an essential element, causing or attempting to cause the death of or physical harm to another and also is convicted of or pleads guilty to a specification of the type described in division (B) of section 2941.1412 of the Revised Code that charges the offender with committing the offense by discharging a firearm at a peace officer, as defined in section 2935.01 of the Revised Code, or a corrections officer, as defined in section 2941.1412 of the Revised Code, and that the offender previously has been convicted of or pleaded guilty to a specification of the type described in section 2941.141, 2941.144, 2941.145, 2941.146, or 2941.1412 of the Revised Code, the court, after imposing a prison term on the offender for the felony offense under division (A), (B) (2), or (3) of this section, shall impose an additional prison term of

one hundred twenty-six months upon the offender that shall not 645
be reduced pursuant to section 2929.20, division (A) (2) or (3) 646
of section 2967.193 or 2967.194, or any other provision of 647
Chapter 2967. or 5120. of the Revised Code. 648

(iii) If an offender is convicted of or pleads guilty to 649
two or more felonies that include, as an essential element, 650
causing or attempting to cause the death or physical harm to 651
another and also is convicted of or pleads guilty to a 652
specification of the type described under division (B) (1) (f) of 653
this section in connection with two or more of the felonies of 654
which the offender is convicted or to which the offender pleads 655
guilty, the sentencing court shall impose on the offender the 656
prison term specified under division (B) (1) (f) of this section 657
for each of two of the specifications of which the offender is 658
convicted or to which the offender pleads guilty and, in its 659
discretion, also may impose on the offender the prison term 660
specified under that division for any or all of the remaining 661
specifications. If a court imposes an additional prison term on 662
an offender under division (B) (1) (f) of this section relative to 663
an offense, the court shall not impose a prison term under 664
division (B) (1) (a) or (c) of this section relative to the same 665
offense. 666

(g) If an offender is convicted of or pleads guilty to two 667
or more felonies, if one or more of those felonies are 668
aggravated murder, murder, attempted aggravated murder, 669
attempted murder, aggravated robbery, felonious assault, or 670
rape, and if the offender is convicted of or pleads guilty to a 671
specification of the type described under division (B) (1) (a) of 672
this section in connection with two or more of the felonies, the 673
sentencing court shall impose on the offender the prison term 674
specified under division (B) (1) (a) of this section for each of 675

the two most serious specifications of which the offender is 676
convicted or to which the offender pleads guilty and, in its 677
discretion, also may impose on the offender the prison term 678
specified under that division for any or all of the remaining 679
specifications. 680

(2) (a) If division (B) (2) (b) of this section does not 681
apply, the court may impose on an offender, in addition to the 682
longest prison term authorized or required for the offense or, 683
for offenses for which division (A) (1) (a) or (2) (a) of this 684
section applies, in addition to the longest minimum prison term 685
authorized or required for the offense, an additional definite 686
prison term of one, two, three, four, five, six, seven, eight, 687
nine, or ten years if all of the following criteria are met: 688

(i) The offender is convicted of or pleads guilty to a 689
specification of the type described in section 2941.149 of the 690
Revised Code that the offender is a repeat violent offender. 691

(ii) The offense of which the offender currently is 692
convicted or to which the offender currently pleads guilty is 693
aggravated murder and the court does not impose a sentence of 694
death or life imprisonment without parole, murder, terrorism and 695
the court does not impose a sentence of life imprisonment 696
without parole, any felony of the first degree that is an 697
offense of violence and the court does not impose a sentence of 698
life imprisonment without parole, or any felony of the second 699
degree that is an offense of violence and the trier of fact 700
finds that the offense involved an attempt to cause or a threat 701
to cause serious physical harm to a person or resulted in 702
serious physical harm to a person. 703

(iii) The court imposes the longest prison term for the 704
offense or the longest minimum prison term for the offense, 705

whichever is applicable, that is not life imprisonment without 706
parole. 707

(iv) The court finds that the prison terms imposed 708
pursuant to division (B)(2)(a)(iii) of this section and, if 709
applicable, division (B)(1) or (3) of this section are 710
inadequate to punish the offender and protect the public from 711
future crime, because the applicable factors under section 712
2929.12 of the Revised Code indicating a greater likelihood of 713
recidivism outweigh the applicable factors under that section 714
indicating a lesser likelihood of recidivism. 715

(v) The court finds that the prison terms imposed pursuant 716
to division (B)(2)(a)(iii) of this section and, if applicable, 717
division (B)(1) or (3) of this section are demeaning to the 718
seriousness of the offense, because one or more of the factors 719
under section 2929.12 of the Revised Code indicating that the 720
offender's conduct is more serious than conduct normally 721
constituting the offense are present, and they outweigh the 722
applicable factors under that section indicating that the 723
offender's conduct is less serious than conduct normally 724
constituting the offense. 725

(b) The court shall impose on an offender the longest 726
prison term authorized or required for the offense or, for 727
offenses for which division (A)(1)(a) or (2)(a) of this section 728
applies, the longest minimum prison term authorized or required 729
for the offense, and shall impose on the offender an additional 730
definite prison term of one, two, three, four, five, six, seven, 731
eight, nine, or ten years if all of the following criteria are 732
met: 733

(i) The offender is convicted of or pleads guilty to a 734
specification of the type described in section 2941.149 of the 735

Revised Code that the offender is a repeat violent offender. 736

(ii) The offender within the preceding twenty years has 737
been convicted of or pleaded guilty to three or more offenses 738
described in division (CC)(1) of section 2929.01 of the Revised 739
Code, including all offenses described in that division of which 740
the offender is convicted or to which the offender pleads guilty 741
in the current prosecution and all offenses described in that 742
division of which the offender previously has been convicted or 743
to which the offender previously pleaded guilty, whether 744
prosecuted together or separately. 745

(iii) The offense or offenses of which the offender 746
currently is convicted or to which the offender currently pleads 747
guilty is aggravated murder and the court does not impose a 748
sentence of death or life imprisonment without parole, murder, 749
terrorism and the court does not impose a sentence of life 750
imprisonment without parole, any felony of the first degree that 751
is an offense of violence and the court does not impose a 752
sentence of life imprisonment without parole, or any felony of 753
the second degree that is an offense of violence and the trier 754
of fact finds that the offense involved an attempt to cause or a 755
threat to cause serious physical harm to a person or resulted in 756
serious physical harm to a person. 757

(c) For purposes of division (B)(2)(b) of this section, 758
two or more offenses committed at the same time or as part of 759
the same act or event shall be considered one offense, and that 760
one offense shall be the offense with the greatest penalty. 761

(d) A sentence imposed under division (B)(2)(a) or (b) of 762
this section shall not be reduced pursuant to section 2929.20, 763
division (A)(2) or (3) of section 2967.193 or 2967.194, or any 764
other provision of Chapter 2967. or Chapter 5120. of the Revised 765

Code. The offender shall serve an additional prison term imposed 766
under division (B) (2) (a) or (b) of this section consecutively to 767
and prior to the prison term imposed for the underlying offense. 768

(e) When imposing a sentence pursuant to division (B) (2) 769
(a) or (b) of this section, the court shall state its findings 770
explaining the imposed sentence. 771

(3) Except when an offender commits a violation of section 772
2903.01 or 2907.02 of the Revised Code and the penalty imposed 773
for the violation is life imprisonment or commits a violation of 774
section 2903.02 of the Revised Code, if the offender commits a 775
violation of section 2925.03 or 2925.11 of the Revised Code and 776
that section classifies the offender as a major drug offender, 777
if the offender commits a violation of section 2925.05 of the 778
Revised Code and division (E) (1) of that section classifies the 779
offender as a major drug offender, if the offender commits a 780
felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 781
3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, 782
division (C) or (D) of section 3719.172, division (E) of section 783
4729.51, or division (J) of section 4729.54 of the Revised Code 784
that includes the sale, offer to sell, or possession of a 785
schedule I or II controlled substance, with the exception of 786
marihuana, and the court imposing sentence upon the offender 787
finds that the offender is guilty of a specification of the type 788
described in division (A) of section 2941.1410 of the Revised 789
Code charging that the offender is a major drug offender, if the 790
court imposing sentence upon an offender for a felony finds that 791
the offender is guilty of corrupt activity with the most serious 792
offense in the pattern of corrupt activity being a felony of the 793
first degree, or if the offender is guilty of an attempted 794
violation of section 2907.02 of the Revised Code and, had the 795
offender completed the violation of section 2907.02 of the 796

Revised Code that was attempted, the offender would have been 797
subject to a sentence of life imprisonment or life imprisonment 798
without parole for the violation of section 2907.02 of the 799
Revised Code, the court shall impose upon the offender for the 800
felony violation a mandatory prison term determined as described 801
in this division that cannot be reduced pursuant to section 802
2929.20, division (A) (2) or (3) of section 2967.193 or 2967.194, 803
or any other provision of Chapter 2967. or 5120. of the Revised 804
Code. The mandatory prison term shall be the maximum definite 805
prison term prescribed in division (A) (1) (b) of this section for 806
a felony of the first degree, except that for offenses for which 807
division (A) (1) (a) of this section applies, the mandatory prison 808
term shall be the longest minimum prison term prescribed in that 809
division for the offense. 810

(4) If the offender is being sentenced for a third or 811
fourth degree felony OVI offense under division (G) (2) of 812
section 2929.13 of the Revised Code, the sentencing court shall 813
impose upon the offender a mandatory prison term in accordance 814
with that division. In addition to the mandatory prison term, if 815
the offender is being sentenced for a fourth degree felony OVI 816
offense, the court, notwithstanding division (A) (4) of this 817
section, may sentence the offender to a definite prison term of 818
not less than six months and not more than thirty months, and if 819
the offender is being sentenced for a third degree felony OVI 820
offense, the sentencing court may sentence the offender to an 821
additional prison term of any duration specified in division (A) 822
(3) of this section. In either case, the additional prison term 823
imposed shall be reduced by the sixty or one hundred twenty days 824
imposed upon the offender as the mandatory prison term. The 825
total of the additional prison term imposed under division (B) 826
(4) of this section plus the sixty or one hundred twenty days 827

imposed as the mandatory prison term shall equal a definite term 828
in the range of six months to thirty months for a fourth degree 829
felony OVI offense and shall equal one of the authorized prison 830
terms specified in division (A) (3) of this section for a third 831
degree felony OVI offense. If the court imposes an additional 832
prison term under division (B) (4) of this section, the offender 833
shall serve the additional prison term after the offender has 834
served the mandatory prison term required for the offense. In 835
addition to the mandatory prison term or mandatory and 836
additional prison term imposed as described in division (B) (4) 837
of this section, the court also may sentence the offender to a 838
community control sanction under section 2929.16 or 2929.17 of 839
the Revised Code, but the offender shall serve all of the prison 840
terms so imposed prior to serving the community control 841
sanction. 842

If the offender is being sentenced for a fourth degree 843
felony OVI offense under division (G) (1) of section 2929.13 of 844
the Revised Code and the court imposes a mandatory term of local 845
incarceration, the court may impose a prison term as described 846
in division (A) (1) of that section. 847

(5) If an offender is convicted of or pleads guilty to a 848
violation of division (A) (1) or (2) of section 2903.06 of the 849
Revised Code and also is convicted of or pleads guilty to a 850
specification of the type described in section 2941.1414 of the 851
Revised Code that charges that the victim of the offense is a 852
peace officer, as defined in section 2935.01 of the Revised 853
Code, an investigator of the bureau of criminal identification 854
and investigation, as defined in section 2903.11 of the Revised 855
Code, or a firefighter or emergency medical worker, both as 856
defined in section 4123.026 of the Revised Code, the court shall 857
impose on the offender a prison term of five years. If a court 858

imposes a prison term on an offender under division (B) (5) of 859
this section, the prison term shall not be reduced pursuant to 860
section 2929.20, division (A) (2) or (3) of section 2967.193 or 861
2967.194, or any other provision of Chapter 2967. or Chapter 862
5120. of the Revised Code. A court shall not impose more than 863
one prison term on an offender under division (B) (5) of this 864
section for felonies committed as part of the same act. 865

(6) If an offender is convicted of or pleads guilty to a 866
violation of division (A) (1) or (2) of section 2903.06 of the 867
Revised Code and also is convicted of or pleads guilty to a 868
specification of the type described in section 2941.1415 of the 869
Revised Code that charges that the offender previously has been 870
convicted of or pleaded guilty to three or more violations of 871
division (A) of section 4511.19 of the Revised Code or an 872
equivalent offense, as defined in section 2941.1415 of the 873
Revised Code, or three or more violations of any combination of 874
those offenses, the court shall impose on the offender a prison 875
term of three years. If a court imposes a prison term on an 876
offender under division (B) (6) of this section, the prison term 877
shall not be reduced pursuant to section 2929.20, division (A) 878
(2) or (3) of section 2967.193 or 2967.194, or any other 879
provision of Chapter 2967. or Chapter 5120. of the Revised Code. 880
A court shall not impose more than one prison term on an 881
offender under division (B) (6) of this section for felonies 882
committed as part of the same act. 883

(7) (a) If an offender is convicted of or pleads guilty to 884
a felony violation of section 2905.01, 2905.02, 2907.21, 885
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323 886
involving a minor, or division (B) (1), (2), (3), (4), or (5) of 887
section 2919.22 of the Revised Code and also is convicted of or 888
pleads guilty to a specification of the type described in 889

section 2941.1422 of the Revised Code that charges that the 890
offender knowingly committed the offense in furtherance of human 891
trafficking, the court shall impose on the offender a mandatory 892
prison term that is one of the following: 893

(i) If the offense is a felony of the first degree, a 894
definite prison term of not less than five years and not greater 895
than eleven years, except that if the offense is a felony of the 896
first degree committed on or after March 22, 2019, the court 897
shall impose as the minimum prison term a mandatory term of not 898
less than five years and not greater than eleven years; 899

(ii) If the offense is a felony of the second or third 900
degree, a definite prison term of not less than three years and 901
not greater than the maximum prison term allowed for the offense 902
by division (A) (2) (b) or (3) of this section, except that if the 903
offense is a felony of the second degree committed on or after 904
March 22, 2019, the court shall impose as the minimum prison 905
term a mandatory term of not less than three years and not 906
greater than eight years; 907

(iii) If the offense is a felony of the fourth or fifth 908
degree, a definite prison term that is the maximum prison term 909
allowed for the offense by division (A) of section 2929.14 of 910
the Revised Code. 911

(b) The prison term imposed under division (B) (7) (a) of 912
this section shall not be reduced pursuant to section 2929.20, 913
division (A) (2) or (3) of section 2967.193 or 2967.194, or any 914
other provision of Chapter 2967. of the Revised Code. A court 915
shall not impose more than one prison term on an offender under 916
division (B) (7) (a) of this section for felonies committed as 917
part of the same act, scheme, or plan. 918

(8) If an offender is convicted of or pleads guilty to a 919
felony violation of section 2903.11, 2903.12, or 2903.13 of the 920
Revised Code and also is convicted of or pleads guilty to a 921
specification of the type described in section 2941.1423 of the 922
Revised Code that charges that the victim of the violation was a 923
woman whom the offender knew was pregnant at the time of the 924
violation, notwithstanding the range prescribed in division (A) 925
of this section as the definite prison term or minimum prison 926
term for felonies of the same degree as the violation, the court 927
shall impose on the offender a mandatory prison term that is 928
either a definite prison term of six months or one of the prison 929
terms prescribed in division (A) of this section for felonies of 930
the same degree as the violation, except that if the violation 931
is a felony of the first or second degree committed on or after 932
arch 22, 2019, the court shall impose as the minimum prison term 933
under division (A) (1) (a) or (2) (a) of this section a mandatory 934
term that is one of the terms prescribed in that division, 935
whichever is applicable, for the offense. 936

(9) (a) If an offender is convicted of or pleads guilty to 937
a violation of division (A) (1) or (2) of section 2903.11 of the 938
Revised Code and also is convicted of or pleads guilty to a 939
specification of the type described in section 2941.1425 of the 940
Revised Code, the court shall impose on the offender a mandatory 941
prison term of six years if either of the following applies: 942

(i) The violation is a violation of division (A) (1) of 943
section 2903.11 of the Revised Code and the specification 944
charges that the offender used an accelerant in committing the 945
violation and the serious physical harm to another or to 946
another's unborn caused by the violation resulted in a 947
permanent, serious disfigurement or permanent, substantial 948
incapacity; 949

(ii) The violation is a violation of division (A) (2) of 950
section 2903.11 of the Revised Code and the specification 951
charges that the offender used an accelerant in committing the 952
violation, that the violation caused physical harm to another or 953
to another's unborn, and that the physical harm resulted in a 954
permanent, serious disfigurement or permanent, substantial 955
incapacity. 956

(b) If a court imposes a prison term on an offender under 957
division (B) (9) (a) of this section, the prison term shall not be 958
reduced pursuant to section 2929.20, division (A) (2) or (3) of 959
section 2967.193 or 2967.194, or any other provision of Chapter 960
2967. or Chapter 5120. of the Revised Code. A court shall not 961
impose more than one prison term on an offender under division 962
(B) (9) of this section for felonies committed as part of the 963
same act. 964

(c) The provisions of divisions (B) (9) and (C) (6) of this 965
section and of division (D) (2) of section 2903.11, division (F) 966
(20) of section 2929.13, and section 2941.1425 of the Revised 967
Code shall be known as "Judy's Law." 968

(10) If an offender is convicted of or pleads guilty to a 969
violation of division (A) of section 2903.11 of the Revised Code 970
and also is convicted of or pleads guilty to a specification of 971
the type described in section 2941.1426 of the Revised Code that 972
charges that the victim of the offense suffered permanent 973
disabling harm as a result of the offense and that the victim 974
was under ten years of age at the time of the offense, 975
regardless of whether the offender knew the age of the victim, 976
the court shall impose upon the offender an additional definite 977
prison term of six years. A prison term imposed on an offender 978
under division (B) (10) of this section shall not be reduced 979

pursuant to section 2929.20, division (A) (2) or (3) of section 980
2967.193 or 2967.194, or any other provision of Chapter 2967. or 981
Chapter 5120. of the Revised Code. If a court imposes an 982
additional prison term on an offender under this division 983
relative to a violation of division (A) of section 2903.11 of 984
the Revised Code, the court shall not impose any other 985
additional prison term on the offender relative to the same 986
offense. 987

(11) If an offender is convicted of or pleads guilty to a 988
felony violation of section 2925.03 or 2925.05 of the Revised 989
Code or a felony violation of section 2925.11 of the Revised 990
Code for which division (C) (11) of that section applies in 991
determining the sentence for the violation, if the drug involved 992
in the violation is a fentanyl-related compound or a compound, 993
mixture, preparation, or substance containing a fentanyl-related 994
compound, and if the offender also is convicted of or pleads 995
guilty to a specification of the type described in division (B) 996
of section 2941.1410 of the Revised Code that charges that the 997
offender is a major drug offender, in addition to any other 998
penalty imposed for the violation, the court shall impose on the 999
offender a mandatory prison term of three, four, five, six, 1000
seven, or eight years. If a court imposes a prison term on an 1001
offender under division (B) (11) of this section, the prison term 1002
shall not be reduced pursuant to section 2929.20, division (A) 1003
(2) or (3) of section 2967.193 or 2967.194, or any other 1004
provision of Chapter 2967. or 5120. of the Revised Code. A court 1005
shall not impose more than one prison term on an offender under 1006
division (B) (11) of this section for felonies committed as part 1007
of the same act. 1008

(C) (1) (a) Subject to division (C) (1) (b) of this section, 1009
if a mandatory prison term is imposed upon an offender pursuant 1010

to division (B) (1) (a) of this section for having a firearm on or 1011
about the offender's person or under the offender's control 1012
while committing a felony, if a mandatory prison term is imposed 1013
upon an offender pursuant to division (B) (1) (c) of this section 1014
for committing a felony specified in that division by 1015
discharging a firearm from a motor vehicle, or if both types of 1016
mandatory prison terms are imposed, the offender shall serve any 1017
mandatory prison term imposed under either division 1018
consecutively to any other mandatory prison term imposed under 1019
either division or under division (B) (1) (d) of this section, 1020
consecutively to and prior to any prison term imposed for the 1021
underlying felony pursuant to division (A), (B) (2), or (B) (3) of 1022
this section or any other section of the Revised Code, and 1023
consecutively to any other prison term or mandatory prison term 1024
previously or subsequently imposed upon the offender. 1025

(b) If a mandatory prison term is imposed upon an offender 1026
pursuant to division (B) (1) (d) of this section for wearing or 1027
carrying body armor while committing an offense of violence that 1028
is a felony, the offender shall serve the mandatory term so 1029
imposed consecutively to any other mandatory prison term imposed 1030
under that division or under division (B) (1) (a) or (c) of this 1031
section, consecutively to and prior to any prison term imposed 1032
for the underlying felony under division (A), (B) (2), or (B) (3) 1033
of this section or any other section of the Revised Code, and 1034
consecutively to any other prison term or mandatory prison term 1035
previously or subsequently imposed upon the offender. 1036

(c) If a mandatory prison term is imposed upon an offender 1037
pursuant to division (B) (1) (f) of this section, the offender 1038
shall serve the mandatory prison term so imposed consecutively 1039
to and prior to any prison term imposed for the underlying 1040
felony under division (A), (B) (2), or (B) (3) of this section or 1041

any other section of the Revised Code, and consecutively to any 1042
other prison term or mandatory prison term previously or 1043
subsequently imposed upon the offender. 1044

(d) If a mandatory prison term is imposed upon an offender 1045
pursuant to division (B)(7) or (8) of this section, the offender 1046
shall serve the mandatory prison term so imposed consecutively 1047
to any other mandatory prison term imposed under that division 1048
or under any other provision of law and consecutively to any 1049
other prison term or mandatory prison term previously or 1050
subsequently imposed upon the offender. 1051

(e) If a mandatory prison term is imposed upon an offender 1052
pursuant to division (B)(11) of this section, the offender shall 1053
serve the mandatory prison term consecutively to any other 1054
mandatory prison term imposed under that division, consecutively 1055
to and prior to any prison term imposed for the underlying 1056
felony, and consecutively to any other prison term or mandatory 1057
prison term previously or subsequently imposed upon the 1058
offender. 1059

(2) If an offender who is an inmate in a jail, prison, or 1060
other residential detention facility violates section 2917.02, 1061
2917.03, or 2921.35 of the Revised Code or division (A)(1) or 1062
(2) of section 2921.34 of the Revised Code, if an offender who 1063
is under detention at a detention facility commits a felony 1064
violation of section 2923.131 of the Revised Code, or if an 1065
offender who is an inmate in a jail, prison, or other 1066
residential detention facility or is under detention at a 1067
detention facility commits another felony while the offender is 1068
an escapee in violation of division (A)(1) or (2) of section 1069
2921.34 of the Revised Code, any prison term imposed upon the 1070
offender for one of those violations shall be served by the 1071

offender consecutively to the prison term or term of 1072
imprisonment the offender was serving when the offender 1073
committed that offense and to any other prison term previously 1074
or subsequently imposed upon the offender. 1075

(3) If a prison term is imposed for a violation of 1076
division (B) of section 2911.01 of the Revised Code, a violation 1077
of division (A) of section 2913.02 of the Revised Code in which 1078
the stolen property is a firearm or dangerous ordnance, or a 1079
felony violation of division (B) of section 2921.331 of the 1080
Revised Code, the offender shall serve that prison term 1081
consecutively to any other prison term or mandatory prison term 1082
previously or subsequently imposed upon the offender. 1083

(4) If multiple prison terms are imposed on an offender 1084
for convictions of multiple offenses, the court may require the 1085
offender to serve the prison terms consecutively if the court 1086
finds that the consecutive service is necessary to protect the 1087
public from future crime or to punish the offender and that 1088
consecutive sentences are not disproportionate to the 1089
seriousness of the offender's conduct and to the danger the 1090
offender poses to the public, and if the court also finds any of 1091
the following: 1092

(a) The offender committed one or more of the multiple 1093
offenses while the offender was awaiting trial or sentencing, 1094
was under a sanction imposed pursuant to section 2929.16, 1095
2929.17, or 2929.18 of the Revised Code, or was under post- 1096
release control for a prior offense. 1097

(b) At least two of the multiple offenses were committed 1098
as part of one or more courses of conduct, and the harm caused 1099
by two or more of the multiple offenses so committed was so 1100
great or unusual that no single prison term for any of the 1101

offenses committed as part of any of the courses of conduct 1102
adequately reflects the seriousness of the offender's conduct. 1103

(c) The offender's history of criminal conduct 1104
demonstrates that consecutive sentences are necessary to protect 1105
the public from future crime by the offender. 1106

(5) If a mandatory prison term is imposed upon an offender 1107
pursuant to division (B) (5) or (6) of this section, the offender 1108
shall serve the mandatory prison term consecutively to and prior 1109
to any prison term imposed for the underlying violation of 1110
division (A) (1) or (2) of section 2903.06 of the Revised Code 1111
pursuant to division (A) of this section or section 2929.142 of 1112
the Revised Code. If a mandatory prison term is imposed upon an 1113
offender pursuant to division (B) (5) of this section, and if a 1114
mandatory prison term also is imposed upon the offender pursuant 1115
to division (B) (6) of this section in relation to the same 1116
violation, the offender shall serve the mandatory prison term 1117
imposed pursuant to division (B) (5) of this section 1118
consecutively to and prior to the mandatory prison term imposed 1119
pursuant to division (B) (6) of this section and consecutively to 1120
and prior to any prison term imposed for the underlying 1121
violation of division (A) (1) or (2) of section 2903.06 of the 1122
Revised Code pursuant to division (A) of this section or section 1123
2929.142 of the Revised Code. 1124

(6) If a mandatory prison term is imposed on an offender 1125
pursuant to division (B) (9) of this section, the offender shall 1126
serve the mandatory prison term consecutively to and prior to 1127
any prison term imposed for the underlying violation of division 1128
(A) (1) or (2) of section 2903.11 of the Revised Code and 1129
consecutively to and prior to any other prison term or mandatory 1130
prison term previously or subsequently imposed on the offender. 1131

(7) If a mandatory prison term is imposed on an offender 1132
pursuant to division (B)(10) of this section, the offender shall 1133
serve that mandatory prison term consecutively to and prior to 1134
any prison term imposed for the underlying felonious assault. 1135
Except as otherwise provided in division (C) of this section, 1136
any other prison term or mandatory prison term previously or 1137
subsequently imposed upon the offender may be served 1138
concurrently with, or consecutively to, the prison term imposed 1139
pursuant to division (B)(10) of this section. 1140

(8) Any prison term imposed for a violation of section 1141
2903.04 of the Revised Code that is based on a violation of 1142
section 2925.03 or 2925.11 of the Revised Code or on a violation 1143
of section 2925.05 of the Revised Code that is not funding of 1144
marihuana trafficking shall run consecutively to any prison term 1145
imposed for the violation of section 2925.03 or 2925.11 of the 1146
Revised Code or for the violation of section 2925.05 of the 1147
Revised Code that is not funding of marihuana trafficking. 1148

(9) When consecutive prison terms are imposed pursuant to 1149
division (C)(1), (2), (3), (4), (5), (6), (7), or (8) or 1150
division (H)(1) or (2) of this section, subject to division (C) 1151
(10) of this section, the term to be served is the aggregate of 1152
all of the terms so imposed. 1153

(10) When a court sentences an offender to a non-life 1154
felony indefinite prison term, any definite prison term or 1155
mandatory definite prison term previously or subsequently 1156
imposed on the offender in addition to that indefinite sentence 1157
that is required to be served consecutively to that indefinite 1158
sentence shall be served prior to the indefinite sentence. 1159

(11) If a court is sentencing an offender for a felony of 1160
the first or second degree, if division (A)(1)(a) or (2)(a) of 1161

this section applies with respect to the sentencing for the 1162
offense, and if the court is required under the Revised Code 1163
section that sets forth the offense or any other Revised Code 1164
provision to impose a mandatory prison term for the offense, the 1165
court shall impose the required mandatory prison term as the 1166
minimum term imposed under division (A)(1)(a) or (2)(a) of this 1167
section, whichever is applicable. 1168

(D)(1) If a court imposes a prison term, other than a term 1169
of life imprisonment, for a felony of the first degree, for a 1170
felony of the second degree, for a felony sex offense, or for a 1171
felony of the third degree that is an offense of violence and 1172
that is not a felony sex offense, it shall include in the 1173
sentence a requirement that the offender be subject to a period 1174
of post-release control after the offender's release from 1175
imprisonment, in accordance with section 2967.28 of the Revised 1176
Code. If a court imposes a sentence including a prison term of a 1177
type described in this division on or after July 11, 2006, the 1178
failure of a court to include a post-release control requirement 1179
in the sentence pursuant to this division does not negate, 1180
limit, or otherwise affect the mandatory period of post-release 1181
control that is required for the offender under division (B) of 1182
section 2967.28 of the Revised Code. Section 2929.191 of the 1183
Revised Code applies if, prior to July 11, 2006, a court imposed 1184
a sentence including a prison term of a type described in this 1185
division and failed to include in the sentence pursuant to this 1186
division a statement regarding post-release control. 1187

(2) If a court imposes a prison term for a felony of the 1188
third, fourth, or fifth degree that is not subject to division 1189
(D)(1) of this section, it shall include in the sentence a 1190
requirement that the offender be subject to a period of post- 1191
release control after the offender's release from imprisonment, 1192

in accordance with that division, if the parole board determines 1193
that a period of post-release control is necessary. Section 1194
2929.191 of the Revised Code applies if, prior to July 11, 2006, 1195
a court imposed a sentence including a prison term of a type 1196
described in this division and failed to include in the sentence 1197
pursuant to this division a statement regarding post-release 1198
control. 1199

(E) The court shall impose sentence upon the offender in 1200
accordance with section 2971.03 of the Revised Code, and Chapter 1201
2971. of the Revised Code applies regarding the prison term or 1202
term of life imprisonment without parole imposed upon the 1203
offender and the service of that term of imprisonment if any of 1204
the following apply: 1205

(1) A person is convicted of or pleads guilty to a violent 1206
sex offense or a designated homicide, assault, or kidnapping 1207
offense, and, in relation to that offense, the offender is 1208
adjudicated a sexually violent predator. 1209

(2) A person is convicted of or pleads guilty to a 1210
violation of division (A) (1) (b) of section 2907.02 of the 1211
Revised Code committed on or after January 2, 2007, and either 1212
the court does not impose a sentence of life without parole when 1213
authorized pursuant to division (B) of section 2907.02 of the 1214
Revised Code, or division (B) of section 2907.02 of the Revised 1215
Code provides that the court shall not sentence the offender 1216
pursuant to section 2971.03 of the Revised Code. 1217

(3) A person is convicted of or pleads guilty to attempted 1218
rape committed on or after January 2, 2007, and a specification 1219
of the type described in section 2941.1418, 2941.1419, or 1220
2941.1420 of the Revised Code. 1221

(4) A person is convicted of or pleads guilty to a 1222
violation of section 2905.01 of the Revised Code committed on or 1223
after January 1, 2008, and that section requires the court to 1224
sentence the offender pursuant to section 2971.03 of the Revised 1225
Code. 1226

(5) A person is convicted of or pleads guilty to 1227
aggravated murder committed on or after January 1, 2008, and 1228
division (A) (2) (b) (ii) of section 2929.022, division (A) (1) (e), 1229
(C) (1) (a) (v), (C) (2) (a) (ii), (D) (2) (b), (D) (3) (a) (iv), or (E) (1) 1230
(a) (iv) of section 2929.03, or division (A) or (B) of section 1231
2929.06 of the Revised Code requires the court to sentence the 1232
offender pursuant to division (B) (3) of section 2971.03 of the 1233
Revised Code. 1234

(6) A person is convicted of or pleads guilty to murder 1235
committed on or after January 1, 2008, and division (B) (2) of 1236
section 2929.02 of the Revised Code requires the court to 1237
sentence the offender pursuant to section 2971.03 of the Revised 1238
Code. 1239

(F) If a person who has been convicted of or pleaded 1240
guilty to a felony is sentenced to a prison term or term of 1241
imprisonment under this section, sections 2929.02 to 2929.06 of 1242
the Revised Code, section 2929.142 of the Revised Code, section 1243
2971.03 of the Revised Code, or any other provision of law, 1244
section 5120.163 of the Revised Code applies regarding the 1245
person while the person is confined in a state correctional 1246
institution. 1247

(G) If an offender who is convicted of or pleads guilty to 1248
a felony that is an offense of violence also is convicted of or 1249
pleads guilty to a specification of the type described in 1250
section 2941.142 of the Revised Code that charges the offender 1251

with having committed the felony while participating in a 1252
criminal gang, the court shall impose upon the offender an 1253
additional prison term of one, two, or three years. 1254

(H) (1) If an offender who is convicted of or pleads guilty 1255
to aggravated murder, murder, or a felony of the first, second, 1256
or third degree that is an offense of violence also is convicted 1257
of or pleads guilty to a specification of the type described in 1258
section 2941.143 of the Revised Code that charges the offender 1259
with having committed the offense in a school safety zone or 1260
towards a person in a school safety zone, the court shall impose 1261
upon the offender an additional prison term of two years. The 1262
offender shall serve the additional two years consecutively to 1263
and prior to the prison term imposed for the underlying offense. 1264

(2) (a) If an offender is convicted of or pleads guilty to 1265
a felony violation of section 2907.22, 2907.24, 2907.241, or 1266
2907.25 of the Revised Code and to a specification of the type 1267
described in section 2941.1421 of the Revised Code and if the 1268
court imposes a prison term on the offender for the felony 1269
violation, the court may impose upon the offender an additional 1270
prison term as follows: 1271

(i) Subject to division (H) (2) (a) (ii) of this section, an 1272
additional prison term of one, two, three, four, five, or six 1273
months; 1274

(ii) If the offender previously has been convicted of or 1275
pleaded guilty to one or more felony or misdemeanor violations 1276
of section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of 1277
the Revised Code and also was convicted of or pleaded guilty to 1278
a specification of the type described in section 2941.1421 of 1279
the Revised Code regarding one or more of those violations, an 1280
additional prison term of one, two, three, four, five, six, 1281

seven, eight, nine, ten, eleven, or twelve months. 1282

(b) In lieu of imposing an additional prison term under 1283
division (H)(2)(a) of this section, the court may directly 1284
impose on the offender a sanction that requires the offender to 1285
wear a real-time processing, continual tracking electronic 1286
monitoring device during the period of time specified by the 1287
court. The period of time specified by the court shall equal the 1288
duration of an additional prison term that the court could have 1289
imposed upon the offender under division (H)(2)(a) of this 1290
section. A sanction imposed under this division shall commence 1291
on the date specified by the court, provided that the sanction 1292
shall not commence until after the offender has served the 1293
prison term imposed for the felony violation of section 2907.22, 1294
2907.24, 2907.241, or 2907.25 of the Revised Code and any 1295
residential sanction imposed for the violation under section 1296
2929.16 of the Revised Code. A sanction imposed under this 1297
division shall be considered to be a community control sanction 1298
for purposes of section 2929.15 of the Revised Code, and all 1299
provisions of the Revised Code that pertain to community control 1300
sanctions shall apply to a sanction imposed under this division, 1301
except to the extent that they would by their nature be clearly 1302
inapplicable. The offender shall pay all costs associated with a 1303
sanction imposed under this division, including the cost of the 1304
use of the monitoring device. 1305

(I) At the time of sentencing, the court may recommend the 1306
offender for placement in a program of shock incarceration under 1307
section 5120.031 of the Revised Code or for placement in an 1308
intensive program prison under section 5120.032 of the Revised 1309
Code, disapprove placement of the offender in a program of shock 1310
incarceration or an intensive program prison of that nature, or 1311
make no recommendation on placement of the offender. In no case 1312

shall the department of rehabilitation and correction place the 1313
offender in a program or prison of that nature unless the 1314
department determines as specified in section 5120.031 or 1315
5120.032 of the Revised Code, whichever is applicable, that the 1316
offender is eligible for the placement. 1317

If the court disapproves placement of the offender in a 1318
program or prison of that nature, the department of 1319
rehabilitation and correction shall not place the offender in 1320
any program of shock incarceration or intensive program prison. 1321

If the court recommends placement of the offender in a 1322
program of shock incarceration or in an intensive program 1323
prison, and if the offender is subsequently placed in the 1324
recommended program or prison, the department shall notify the 1325
court of the placement and shall include with the notice a brief 1326
description of the placement. 1327

If the court recommends placement of the offender in a 1328
program of shock incarceration or in an intensive program prison 1329
and the department does not subsequently place the offender in 1330
the recommended program or prison, the department shall send a 1331
notice to the court indicating why the offender was not placed 1332
in the recommended program or prison. 1333

If the court does not make a recommendation under this 1334
division with respect to an offender and if the department 1335
determines as specified in section 5120.031 or 5120.032 of the 1336
Revised Code, whichever is applicable, that the offender is 1337
eligible for placement in a program or prison of that nature, 1338
the department shall screen the offender and determine if there 1339
is an available program of shock incarceration or an intensive 1340
program prison for which the offender is suited. If there is an 1341
available program of shock incarceration or an intensive program 1342

prison for which the offender is suited, the department shall 1343
notify the court of the proposed placement of the offender as 1344
specified in section 5120.031 or 5120.032 of the Revised Code 1345
and shall include with the notice a brief description of the 1346
placement. The court shall have ten days from receipt of the 1347
notice to disapprove the placement. 1348

(J) If a person is convicted of or pleads guilty to 1349
aggravated vehicular homicide in violation of division (A) (1) of 1350
section 2903.06 of the Revised Code and division ~~(B) (2) (e)~~ (B) 1351
(2) (d), (e), or (f) of that section applies, the person shall be 1352
sentenced pursuant to section 2929.142 of the Revised Code. 1353

(K) (1) The court shall impose an additional mandatory 1354
prison term of two, three, four, five, six, seven, eight, nine, 1355
ten, or eleven years on an offender who is convicted of or 1356
pleads guilty to a violent felony offense if the offender also 1357
is convicted of or pleads guilty to a specification of the type 1358
described in section 2941.1424 of the Revised Code that charges 1359
that the offender is a violent career criminal and had a firearm 1360
on or about the offender's person or under the offender's 1361
control while committing the presently charged violent felony 1362
offense and displayed or brandished the firearm, indicated that 1363
the offender possessed a firearm, or used the firearm to 1364
facilitate the offense. The offender shall serve the prison term 1365
imposed under this division consecutively to and prior to the 1366
prison term imposed for the underlying offense. The prison term 1367
shall not be reduced pursuant to section 2929.20, division (A) 1368
(2) or (3) of section 2967.193 or 2967.194, or any other 1369
provision of Chapter 2967. or 5120. of the Revised Code. A court 1370
may not impose more than one sentence under division (B) (2) (a) 1371
of this section and this division for acts committed as part of 1372
the same act or transaction. 1373

(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. 2929.142. ~~(A)~~ Notwithstanding the definite prison
terms and minimum prison terms specified in divisions (A) (1) (a)
and (b) of section 2929.14 of the Revised Code for a felony of
the first degree, if all of the following apply:

(A) If an offender is convicted of or pleads guilty to
aggravated vehicular homicide in violation of division (A) (1) of
section 2903.06 of the Revised Code and division (B) (2) (d) of
that section applies, the court shall impose upon the offender
as the minimum prison term for the offense under division (A) (1)
(a) of section 2929.14 of the Revised Code a mandatory prison
term of five, six, seven, eight, nine, ten, eleven, twelve,
thirteen, fourteen, or fifteen years, determined as specified in
division (B) of this section, if any of the following apply:

~~(1) The offender previously has been convicted of or
pleaded guilty to three or more prior violations of division (A)
of section 4511.19 of the Revised Code or of a substantially
equivalent municipal ordinance within the previous ten years.~~

~~(2) The offender previously has been convicted of or
pleaded guilty to three or more prior violations of division (A)~~

~~of section 1547.11 of the Revised Code or of a substantially-~~ 1403
~~equivalent municipal ordinance within the previous ten years.~~ 1404

~~(3) The offender previously has been convicted of or~~ 1405
~~pleaded guilty to three or more prior violations of division (A)~~ 1406
~~(3) of section 4561.15 of the Revised Code or of a substantially~~ 1407
~~equivalent municipal ordinance within the previous ten years.~~ 1408

~~(4) The offender previously has been convicted of or~~ 1409
~~pleaded guilty to three or more prior violations of division (A)~~ 1410
~~(1) of section 2903.06 of the Revised Code.~~ 1411

~~(5) The offender previously has been convicted of or~~ 1412
~~pleaded guilty to three or more prior violations of division (A)~~ 1413
~~(1) of section 2903.08 of the Revised Code.~~ 1414

~~(6) The offender previously has been convicted of or~~ 1415
~~pleaded guilty to three or more prior violations of section-~~ 1416
~~2903.04 of the Revised Code in circumstances in which division-~~ 1417
~~(D) of that section applied regarding the violations.~~ 1418

~~(7) The offender previously has been convicted of or~~ 1419
~~pleaded guilty to three or more violations of any combination of~~ 1420
~~the offenses listed in division (A) (1), (2), (3), (4), (5), or~~ 1421
~~(6) of this section.~~ 1422

~~(8) The offender previously has been convicted of or~~ 1423
~~pleaded guilty to a second or subsequent felony violation of-~~ 1424
~~division (A) of section 4511.19 of the Revised Code.~~ 1425

~~(B) The mandatory prison term required under division (A)-~~ 1426
~~of this section shall be a definite term of ten, eleven, twelve,~~ 1427
~~thirteen, fourteen, or fifteen years, except that if the~~ 1428
~~aggravated vehicular homicide is committed on or after March 22,~~ 1429
~~2019, the court shall impose as the minimum prison term for the-~~ 1430
~~offense under division (A) (1) (a) of section 2929.14 of the~~ 1431

~~Revised Code a mandatory prison term that is ten, eleven,
twelve, thirteen, fourteen, or fifteen years.~~ 1432
If an offender is 1433
convicted of or pleads guilty to aggravated vehicular homicide 1434
in violation of division (A)(1) of section 2903.06 of the 1435
Revised Code and division (B)(2)(e) of that section applies, the 1436
court shall impose upon the offender as the minimum prison term 1437
for the offense under division (A)(1)(a) of section 2929.14 of 1438
the Revised Code a mandatory prison term that is ten, eleven, 1439
twelve, thirteen, fourteen, fifteen, sixteen, seventeen, 1440
eighteen, nineteen, or twenty years. 1441

(C) If an offender is convicted of or pleads guilty to 1442
aggravated vehicular homicide in violation of division (A)(1) of 1443
section 2903.06 of the Revised Code and division (B)(2)(f) of 1444
that section applies, the court shall impose upon the offender 1445
as the minimum prison term for the offense under division (A)(1) 1446
(a) of section 2929.14 of the Revised Code a mandatory prison 1447
term that is fifteen, sixteen, seventeen, eighteen, nineteen, or 1448
twenty years. 1449

Sec. 4510.13. (A)(1) Divisions (A)(2) to (9) of this 1450
section apply to a judge or mayor regarding the suspension of, 1451
or the grant of limited driving privileges during a suspension 1452
of, an offender's driver's or commercial driver's license or 1453
permit or nonresident operating privilege imposed under division 1454
(G) or (H) of section 4511.19 of the Revised Code, under 1455
division (B) or (C) of section 4511.191 of the Revised Code, or 1456
under section 4510.07 of the Revised Code for a conviction of a 1457
violation of a municipal OVI ordinance. 1458

(2) No judge or mayor shall suspend the following portions 1459
of the suspension of an offender's driver's or commercial 1460
driver's license or permit or nonresident operating privilege 1461

imposed under division (G) or (H) of section 4511.19 of the Revised Code or under section 4510.07 of the Revised Code for a conviction of a violation of a municipal OVI ordinance, provided that division (A) (2) of this section does not limit a court or mayor in crediting any period of suspension imposed pursuant to division (B) or (C) of section 4511.191 of the Revised Code against any time of judicial suspension imposed pursuant to section 4511.19 or 4510.07 of the Revised Code, as described in divisions (B) (2) and (C) (2) of section 4511.191 of the Revised Code:

(a) The first six months of a suspension imposed under division (G) (1) (a) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code;

(b) The first year of a suspension imposed under division (G) (1) (b) or (c) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code;

(c) The first three years of a suspension imposed under division (G) (1) (d) or (e) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code;

(d) The first sixty days of a suspension imposed under division (H) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code.

(3) ~~No~~ Except as provided under division (A) (5) of this section, no judge or mayor shall grant limited driving privileges to an offender whose driver's or commercial driver's

license or permit or nonresident operating privilege has been 1491
suspended under division (G) or (H) of section 4511.19 of the 1492
Revised Code, under division (C) of section 4511.191 of the 1493
Revised Code, or under section 4510.07 of the Revised Code for a 1494
municipal OVI conviction if the offender, within the preceding 1495
ten years, has been convicted of or pleaded guilty to three or 1496
more violations of ~~one or more of the Revised Code sections,~~ 1497
~~municipal ordinances, statutes of the United States or another~~ 1498
~~state, or municipal ordinances of a municipal corporation of~~ 1499
~~another state that are identified in divisions (G) (2) (b) to (h)~~ 1500
~~of an equivalent offense, as defined in section 2919.22-4511.181~~ 1501
of the Revised Code. 1502

Additionally, except as provided under division (A) (6) of 1503
this section, no judge or mayor shall grant limited driving 1504
privileges to an offender whose driver's or commercial driver's 1505
license or permit or nonresident operating privilege has been 1506
suspended under division (B) of section 4511.191 of the Revised 1507
Code if the offender, within the preceding ten years, has 1508
refused three previous requests to consent to a chemical test of 1509
the person's whole blood, blood serum or plasma, breath, or 1510
urine to determine its alcohol content. 1511

(4) No judge or mayor shall grant limited driving 1512
privileges for employment as a driver of commercial motor 1513
vehicles to an offender whose driver's or commercial driver's 1514
license or permit or nonresident operating privilege has been 1515
suspended under division (G) or (H) of section 4511.19 of the 1516
Revised Code, under division (B) or (C) of section 4511.191 of 1517
the Revised Code, or under section 4510.07 of the Revised Code 1518
for a municipal OVI conviction if the offender is disqualified 1519
from operating a commercial motor vehicle, or whose license or 1520
permit has been suspended, under section 3123.58 or 4506.16 of 1521

the Revised Code. 1522

(5) No judge or mayor shall grant limited driving 1523
privileges to an offender whose driver's or commercial driver's 1524
license or permit or nonresident operating privilege has been 1525
suspended under division (G) or (H) of section 4511.19 of the 1526
Revised Code, under division (C) of section 4511.191 of the 1527
Revised Code, or under section 4510.07 of the Revised Code for a 1528
conviction of a violation of a municipal OVI ordinance during 1529
any of the following periods of time: 1530

~~(a)(a)(i)~~ The first fifteen days of a suspension imposed 1531
under division (G)(1)(a) of section 4511.19 of the Revised Code 1532
or a comparable length suspension imposed under section 4510.07 1533
of the Revised Code, or of a suspension imposed under division 1534
(C)(1)(a) of section 4511.191 of the Revised Code, if the 1535
offender consents to utilize an ignition interlock device during 1536
the term of suspension. ~~On~~ If the offender so consents, on or 1537
after the sixteenth day of the suspension, the court may grant 1538
limited driving privileges, but the court ~~may require that the~~ 1539
~~offender shall not exercise the privileges unless the vehicles~~ 1540
~~the offender operates are equipped with immobilizing or~~ 1541
~~disabling devices that monitor the offender's alcohol~~ 1542
~~consumption or any other type of immobilizing or disabling~~ 1543
~~devices~~ shall issue an order that, except as provided in division 1544
(C) of section 4510.43 of the Revised Code, for the remainder of 1545
the period of suspension the offender shall not exercise the 1546
limited driving privileges unless the vehicles the offender 1547
operates are equipped with a certified ignition interlock 1548
device. 1549

(ii) The first thirty days of suspension imposed under 1550
division (G)(1)(a) of section 4511.19 of the Revised Code or a 1551

comparable length suspension imposed under section 4510.07 of 1552
the Revised Code, or of a suspension imposed under division (C) 1553
(1) (a) of section 4511.191 of the Revised Code, if the offender 1554
does not consent to utilize an ignition interlock device during 1555
the term of suspension. 1556

(b) The first forty-five days of a suspension imposed 1557
under division (C) (1) (b) of section 4511.191 of the Revised 1558
Code. On or after the forty-sixth day of suspension, the court 1559
may grant limited driving privileges, ~~but~~ and either of the 1560
following applies: 1561

(i) If the underlying arrest is alcohol-related, the court 1562
may require that shall issue an order that, except as provided 1563
in division (C) of section 4510.43 of the Revised Code, for the 1564
remainder of the period of suspension the offender shall not 1565
exercise the privileges unless the vehicles the offender 1566
operates are equipped with ~~immobilizing or disabling devices~~ 1567
~~that monitor the offender's alcohol consumption or any other~~ 1568
~~type of immobilizing or disabling devices~~ a certified ignition 1569
interlock device. 1570

(ii) If the underlying arrest is drug related, the court 1571
in its discretion may issue an order that, except as provided in 1572
division (C) of section 4510.43 of the Revised Code, for the 1573
remainder of the period of suspension the offender shall not 1574
exercise the privileges unless the vehicles the offender 1575
operates are equipped with a certified ignition interlock 1576
device. 1577

(c) The first sixty days of a suspension imposed under 1578
division (H) of section 4511.19 of the Revised Code or a 1579
comparable length suspension imposed under section 4510.07 of 1580
the Revised Code. 1581

(d) The first one hundred eighty days of a suspension 1582
imposed under division (C) (1) (c) of section 4511.191 of the 1583
Revised Code. On or after the one hundred eighty-first day of 1584
suspension, the court may grant limited driving privileges, and 1585
either of the following applies: 1586

(i) If the underlying arrest is alcohol-related, the court 1587
shall issue an order that, except as provided in division (C) of 1588
section 4510.43 of the Revised Code, for the remainder of the 1589
period of suspension the offender shall not exercise the 1590
privileges unless the vehicles the offender operates are 1591
equipped with a certified ignition interlock device. 1592

(ii) If the underlying arrest is drug-related, the court 1593
in its discretion may issue an order that, except as provided in 1594
division (C) of section 4510.43 of the Revised Code, for the 1595
remainder of the period of suspension the offender shall not 1596
exercise the privileges unless the vehicles the offender 1597
operates are equipped with a certified ignition interlock 1598
device. 1599

(e) The first forty-five days of a suspension imposed 1600
under division (G) (1) (b) of section 4511.19 of the Revised Code 1601
or a comparable length suspension imposed under section 4510.07 1602
of the Revised Code. On or after the forty-sixth day of the 1603
suspension, the court may grant limited driving privileges, and 1604
either of the following applies: 1605

(i) If the underlying conviction is alcohol-related, the 1606
court shall issue an order that, except as provided in division 1607
(C) of section 4510.43 of the Revised Code, for the remainder of 1608
the period of suspension the offender shall not exercise the 1609
privileges unless the vehicles the offender operates are 1610
equipped with a certified ignition interlock device. 1611

(ii) If the underlying conviction is drug-related, the court in its discretion may issue an order that, except as provided in division (C) of section 4510.43 of the Revised Code, for the remainder of the period of suspension the offender shall not exercise the privileges unless the vehicles the offender operates are equipped with a certified ignition interlock device.

If a court grants limited driving privileges under division (A) (5) (e) of this section, the court may issue an order terminating an immobilization order issued pursuant to division (G) (1) (b) (v) of section 4511.19 of the Revised Code to take effect concurrently with the granting of limited driving privileges. The court shall send notice of the termination of the immobilization order to the registrar of motor vehicles.

Upon receiving information that an offender violated any condition imposed by the court at the time an immobilization order was terminated under this section, the court may hold a hearing and, in its discretion, issue an order reinstating the immobilization order for the balance of the immobilization period that remained when the court originally ordered the termination of the immobilization order. The court may issue the order only upon a showing of good cause that the offender violated any condition imposed by the court. The court shall send notice of the reinstatement of the immobilization order to the registrar.

(f) The first one hundred eighty days of a suspension imposed under division (G) (1) (c) of section 4511.19 of the Revised Code or a comparable length suspension imposed under section 4510.07 of the Revised Code. On or after the one hundred eighty-first day of the suspension if the offender has not

consumed any beer or intoxicating liquor during the required 1642
term of continuous alcohol monitoring, the court may grant 1643
limited driving privileges, and either of the following applies: 1644

(i) If the underlying conviction is alcohol-related, the 1645
court shall issue an order that, except as provided in division 1646
(C) of section 4510.43 of the Revised Code, for the remainder of 1647
the period of suspension the offender shall not exercise the 1648
privileges unless the vehicles the offender operates are 1649
equipped with a certified ignition interlock device. 1650

(ii) If the underlying conviction is drug-related, the 1651
court in its discretion may issue an order that, except as 1652
provided in division (C) of section 4510.43 of the Revised Code, 1653
for the remainder of the period of suspension the offender shall 1654
not exercise the privileges unless the vehicles the offender 1655
operates are equipped with a certified ignition interlock 1656
device. 1657

(g) The first three years of a suspension imposed under 1658
division (G) (1) (d) or (e) of section 4511.19 of the Revised Code 1659
or a comparable length suspension imposed under section 4510.07 1660
of the Revised Code, or of a suspension imposed under division 1661
(C) (1) (d) of section 4511.191 of the Revised Code. On or after 1662
the first three years of suspension if the offender has not 1663
consumed any beer or intoxicating liquor during the required 1664
term of continuous alcohol monitoring, the court may grant 1665
limited driving privileges, and either of the following applies: 1666

(i) If the underlying conviction is alcohol-related, the 1667
court shall issue an order that, except as provided in division 1668
(C) of section 4510.43 of the Revised Code, for the remainder of 1669
the period of suspension the offender shall not exercise the 1670
privileges unless the vehicles the offender operates are 1671

equipped with a certified ignition interlock device. 1672

(ii) If the underlying conviction is drug-related, the 1673
court in its discretion may issue an order that, except as 1674
provided in division (C) of section 4510.43 of the Revised Code, 1675
for the remainder of the period of suspension the offender shall 1676
not exercise the privileges unless the vehicles the offender 1677
operates are equipped with a certified ignition interlock 1678
device. 1679

(6) No judge or mayor shall grant limited driving 1680
privileges to an offender whose driver's or commercial driver's 1681
license or permit or nonresident operating privilege has been 1682
suspended under division (B) of section 4511.191 of the Revised 1683
Code during any of the following periods of time: 1684

~~(a)(a)(i)~~ The first thirty days of suspension imposed 1685
under division (B) (1) (a) of section 4511.191 of the Revised 1686
Code, if the offender consents to the vehicles the offender 1687
operates being equipped with a certified ignition interlock 1688
device. If the offender so consents, on or after the thirty- 1689
first day of suspension, the court may grant limited driving 1690
privileges and the court shall issue an order that, except as 1691
provided in division (C) of section 4510.43 of the Revised Code, 1692
for the remainder of the period of suspension the offender shall 1693
not exercise the privileges unless the vehicles the offender 1694
operates are equipped with a certified ignition interlock 1695
device. 1696

(ii) The first ninety days of suspension imposed under 1697
division (B) (1) (a) of section 4511.191 of the Revised Code if 1698
the offender does not consent to the vehicles the offender 1699
operates being equipped with a certified ignition interlock 1700
device. 1701

(b) The first ~~ninety~~ one hundred eighty days of suspension 1702
imposed under division (B) (1) (b) of section 4511.191 of the 1703
Revised Code~~+~~. On or after the one hundred eighty-first day of 1704
suspension, the court may grant limited driving privileges, and 1705
either of the following applies: 1706

(i) If the underlying arrest is alcohol-related, the court 1707
shall issue an order that, except as provided in division (C) of 1708
section 4510.43 of the Revised Code, for the remainder of the 1709
period of suspension the offender shall not exercise the 1710
privileges unless the vehicles the offender operates are 1711
equipped with a certified ignition interlock device. 1712

(ii) If the underlying arrest is drug-related, the court 1713
in its discretion may issue an order that, except as provided in 1714
division (C) of section 4510.43 of the Revised Code, for the 1715
remainder of the period of suspension the offender shall not 1716
exercise the privileges unless the vehicles the offender 1717
operates are equipped with a certified ignition interlock 1718
device. 1719

(c) The first year of suspension imposed under division 1720
(B) (1) (c) of section 4511.191 of the Revised Code~~+~~. After the 1721
first year of suspension, the court may grant limited driving 1722
privileges, and either of the following applies: 1723

(i) If the underlying arrest is alcohol-related, the court 1724
shall issue an order that, except as provided in division (C) of 1725
section 4510.43 of the Revised Code, for the remainder of the 1726
period of suspension the offender shall not exercise the 1727
privileges unless the vehicles the offender operates are 1728
equipped with a certified ignition interlock device. 1729

(ii) If the underlying arrest is drug-related, the court 1730

in its discretion may issue an order that, except as provided in 1731
division (C) of section 4510.43 of the Revised Code, for the 1732
remainder of the period of suspension the offender shall not 1733
exercise the privileges unless the vehicles the offender 1734
operates are equipped with a certified ignition interlock 1735
device. 1736

(d) The first three years of suspension imposed under 1737
division (B) (1) (d) of section 4511.191 of the Revised Code._ 1738
After the first three years of suspension, the court may grant 1739
limited driving privileges, and either of the following applies: 1740

(i) If the underlying arrest is alcohol-related, the court 1741
shall issue an order that, except as provided in division (C) of 1742
section 4510.43 of the Revised Code, for the remainder of the 1743
period of suspension the offender shall not exercise the 1744
privileges unless the vehicles the offender operates are 1745
equipped with a certified ignition interlock device. 1746

(ii) If the underlying arrest is drug-related, the court 1747
in its discretion may issue an order that, except as provided in 1748
division (C) of section 4510.43 of the Revised Code, for the 1749
remainder of the period of suspension the offender shall not 1750
exercise the privileges unless the vehicles the offender 1751
operates are equipped with a certified ignition interlock 1752
device. 1753

(7) In any case in which a judge or mayor grants limited 1754
driving privileges to an offender whose driver's or commercial 1755
driver's license or permit or nonresident operating privilege 1756
has been suspended under division (G) (1) (c), (d), or (e) of 1757
section 4511.19 of the Revised Code, under division 1758

(G) (1) (a) or (b) of section 4511.19 of the Revised Code 1759

for a violation of division (A) (1) (f), (g), (h), or (i) of that 1760
section, or under section 4510.07 of the Revised Code for a 1761
municipal OVI conviction for which sentence would have been 1762
imposed under division (G) (1) (a) (ii) or (G) (1) (b) (ii) or (G) (1) 1763
(c), (d), or (e) of section 4511.19 of the Revised Code had the 1764
offender been charged with and convicted of a violation of 1765
section 4511.19 of the Revised Code instead of a violation of 1766
the municipal OVI ordinance, the judge or mayor shall impose as 1767
a condition of the privileges that the offender must display on 1768
the vehicle that is driven subject to the privileges restricted 1769
license plates that are issued under section 4503.231 of the 1770
Revised Code, except as provided in division (B) of that 1771
section. 1772

(8) In any case in which an offender is required by a 1773
court under this section to operate a motor vehicle that is 1774
equipped with a certified ignition interlock device and either 1775
the offender commits an ignition interlock device violation as 1776
defined under section 4510.46 of the Revised Code or the 1777
offender operates a motor vehicle that is not equipped with a 1778
certified ignition interlock device, the following applies: 1779

(a) If the offender was sentenced under division (G) (1) (a) 1780
or (b) or division (H) of section 4511.19 of the Revised Code, 1781
on a first instance the court may require the offender to wear a 1782
monitor that provides continuous alcohol monitoring that is 1783
remote. On a second instance, the court shall require the 1784
offender to wear a monitor that provides continuous alcohol 1785
monitoring that is remote for a minimum of forty days. On a 1786
third instance or more, the court shall require the offender to 1787
wear a monitor that provides continuous alcohol monitoring that 1788
is remote for a minimum of sixty days. 1789

(b) If the offender was sentenced under division (G) (1) 1790
(c), (d), or (e) of section 4511.19 of the Revised Code, on a 1791
first instance the court shall require the offender to wear a 1792
monitor that provides continuous alcohol monitoring that is 1793
remote for a minimum of forty days. On a second instance or 1794
more, the court shall require the offender to wear a monitor 1795
that provides continuous alcohol monitoring that is remote for a 1796
minimum of sixty days. 1797

(c) The court may increase the period of suspension of the 1798
offender's driver's or commercial driver's license or permit or 1799
nonresident operating privilege from that originally imposed by 1800
the court by a factor of two and may increase the period of time 1801
during which the offender will be prohibited from exercising any 1802
limited driving privileges granted to the offender unless the 1803
vehicles the offender operates are equipped with a certified 1804
ignition interlock device by a factor of two. The limitation 1805
under division (E) of section 4510.46 of the Revised Code 1806
applies to an increase under division (A) (8) (c) of this section. 1807

(d) If the violation occurred within sixty days of the end 1808
of the suspension of the offender's driver's or commercial 1809
driver's license or permit or nonresident operating privilege 1810
and the court does not impose an increase in the period of the 1811
suspension under division (A) (8) (c) of this section, the court 1812
shall proceed as follows: 1813

(i) Issue an order extending the period of suspension and 1814
the grant of limited driving privileges with a required 1815
certified ignition interlock device so that the suspension 1816
terminates sixty days from the date the offender committed that 1817
violation. 1818

(ii) For each violation subsequent to a violation for 1819

which an extension was ordered under division (A) (8) (d) (i) of 1820
this section, issue an order extending the period of suspension 1821
and the grant of limited driving privileges with a required 1822
certified ignition interlock device so that the suspension 1823
terminates sixty days from the date the offender committed that 1824
violation. 1825

The registrar of motor vehicles is prohibited from 1826
reinstating an offender's license unless the applicable period 1827
of suspension has been served and no ignition interlock device 1828
violations have been committed within the sixty days prior to 1829
the application for reinstatement. 1830

(9) At the time the court issues an order under this 1831
section requiring an offender to use an ignition interlock 1832
device, the court shall provide notice to the offender of each 1833
action the court is authorized or required to take under 1834
division (A) (8) of this section if the offender circumvents or 1835
tamper with the device or in any case in which the court 1836
receives notice pursuant to section 4510.46 of the Revised Code 1837
that a device prevented an offender from starting a motor 1838
vehicle. 1839

(10) In any case in which the court issues an order under 1840
this section prohibiting an offender from exercising limited 1841
driving privileges unless the vehicles the offender operates are 1842
equipped with an immobilizing or disabling device, including a 1843
certified ignition interlock device, or requires an offender to 1844
wear a monitor that provides continuous alcohol monitoring that 1845
is remote, the court shall impose an additional court cost of 1846
two dollars and fifty cents upon the offender. The court shall 1847
not waive the payment of the two dollars and fifty cents unless 1848
the court determines that the offender is indigent and waives 1849

the payment of all court costs imposed upon the indigent 1850
offender. The clerk of court shall transmit one hundred per cent 1851
of this mandatory court cost collected during a month on or 1852
before the twenty-third day of the following month to the state 1853
treasury to be credited to the public safety - highway purposes 1854
fund created under section 4501.06 of the Revised Code, to be 1855
used by the department of public safety to cover costs 1856
associated with maintaining the habitual OVI/OMWI offender 1857
registry created under section 5502.10 of the Revised Code. In 1858
its discretion the court may impose an additional court cost of 1859
two dollars and fifty cents upon the offender. The clerk of 1860
court shall retain this discretionary two dollar and fifty cent 1861
court cost, if imposed, and shall deposit it in the court's 1862
special projects fund that is established under division (E) (1) 1863
of section 2303.201, division (B) (1) of section 1901.26, or 1864
division (B) (1) of section 1907.24 of the Revised Code. 1865

(B) Any person whose driver's or commercial driver's 1866
license or permit or nonresident operating privilege has been 1867
suspended pursuant to section 4511.19 or 4511.191 of the Revised 1868
Code or under section 4510.07 of the Revised Code for a 1869
violation of a municipal OVI ordinance may file a petition for 1870
limited driving privileges during the suspension. The person 1871
shall file the petition in the court that has jurisdiction over 1872
the place of arrest. Subject to division (A) of this section, 1873
the court may grant the person limited driving privileges during 1874
the period during which the suspension otherwise would be 1875
imposed. However, the court shall not grant the privileges for 1876
employment as a driver of a commercial motor vehicle to any 1877
person who is disqualified from operating a commercial motor 1878
vehicle under section 4506.16 of the Revised Code or during any 1879
of the periods prescribed by division (A) of this section. 1880

(C) (1) After a driver's or commercial driver's license or permit or nonresident operating privilege has been suspended pursuant to section 2903.06, 2903.08, 2903.11, 2921.331, 2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 4549.021, or 5743.99 of the Revised Code, any provision of Chapter 2925. of the Revised Code, or section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance, the judge of the court or mayor of the mayor's court that suspended the license, permit, or privilege shall cause the offender to deliver to the court the license or permit. The judge, mayor, or clerk of the court or mayor's court shall forward to the registrar the license or permit together with notice of the action of the court.

(2) A suspension of a commercial driver's license under any section or chapter identified in division (C) (1) of this section shall be concurrent with any period of suspension or disqualification under section 3123.58 or 4506.16 of the Revised Code. No person who is disqualified for life from holding a commercial driver's license under section 4506.16 of the Revised Code shall be issued a driver's license under this chapter during the period for which the commercial driver's license was suspended under this section, and no person whose commercial driver's license is suspended under any section or chapter identified in division (C) (1) of this section shall be issued a driver's license under Chapter 4507. of the Revised Code during the period of the suspension.

(3) No judge or mayor shall suspend any class one suspension, or any portion of any class one suspension, imposed under section 2903.04, 2903.06, 2903.08, or 2921.331 of the Revised Code. No judge or mayor shall suspend the first thirty days of any class two, class three, class four, class five, or

class six suspension imposed under section 2903.06, 2903.08, 1912
2903.11, 2923.02, or 2929.02 of the Revised Code. 1913

(D) The judge of the court or mayor of the mayor's court 1914
shall credit any time during which an offender was subject to an 1915
administrative suspension of the offender's driver's or 1916
commercial driver's license or permit or nonresident operating 1917
privilege imposed pursuant to section 4511.191 or 4511.192 of 1918
the Revised Code or a suspension imposed by a judge, referee, or 1919
mayor pursuant to division (B) (1) or (2) of section 4511.196 of 1920
the Revised Code against the time to be served under a related 1921
suspension imposed pursuant to any section or chapter identified 1922
in division (C) (1) of this section. 1923

(E) The judge or mayor shall notify the bureau of motor 1924
vehicles of any determinations made pursuant to this section and 1925
of any suspension imposed pursuant to any section or chapter 1926
identified in division (C) (1) of this section. 1927

(F) (1) If a court issues an order under this section 1928
granting limited driving privileges and requiring an offender to 1929
use an immobilizing or disabling device, the order shall 1930
authorize the offender during the specified period to operate a 1931
motor vehicle only if it is equipped with such a device, except 1932
as provided in division (C) of section 4510.43 of the Revised 1933
Code. The court shall provide the offender with a copy of the 1934
order for purposes of obtaining a restricted license and shall 1935
submit a copy of the order to the registrar of motor vehicles. 1936

(2) An offender shall present to the registrar or to a 1937
deputy registrar the copy of an immobilizing or disabling device 1938
order issued under this section and a certificate affirming the 1939
installation of an immobilizing or disabling device that is in a 1940
form established by the director of public safety and that is 1941

signed by the person who installed the device. Upon presentation 1942
of the order and certificate to the registrar or a deputy 1943
registrar, the registrar or deputy registrar shall issue the 1944
offender a restricted license, unless the offender's driver's or 1945
commercial driver's license or permit is suspended under any 1946
other provision of law and limited driving privileges have not 1947
been granted with regard to that suspension. A restricted 1948
license issued under this division shall be identical to an Ohio 1949
driver's license, except that it shall have printed on its face 1950
a statement that the offender is prohibited from operating any 1951
motor vehicle that is not equipped with an immobilizing or 1952
disabling device in violation of the order. 1953

(3) (a) No person who has been granted limited driving 1954
privileges subject to an immobilizing or disabling device order 1955
under this section shall operate a motor vehicle prior to 1956
obtaining a restricted license. Any person who violates this 1957
prohibition is subject to the penalties prescribed in section 1958
4510.14 of the Revised Code. 1959

(b) The offense established under division (F) (3) (a) of 1960
this section is a strict liability offense and section 2901.20 1961
of the Revised Code does not apply. 1962

Sec. 4510.17. (A) The registrar of motor vehicles shall 1963
impose a class D suspension of the person's driver's license, 1964
commercial driver's license, temporary instruction permit, 1965
probationary license, or nonresident operating privilege for the 1966
period of time specified in division (B) (4) of section 4510.02 1967
of the Revised Code on any person who is a resident of this 1968
state and is convicted of or pleads guilty to a violation of a 1969
statute of any other state or any federal statute that is 1970
substantially similar to section 2925.02, 2925.03, 2925.04, 1971

2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 1972
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 1973
2925.37 of the Revised Code. Upon receipt of a report from a 1974
court, court clerk, or other official of any other state or from 1975
any federal authority that a resident of this state was 1976
convicted of or pleaded guilty to an offense described in this 1977
division, the registrar shall send a notice by regular first 1978
class mail to the person, at the person's last known address as 1979
shown in the records of the bureau of motor vehicles, informing 1980
the person of the suspension, that the suspension will take 1981
effect twenty-one days from the date of the notice, and that, if 1982
the person wishes to appeal the suspension or denial, the person 1983
must file a notice of appeal within twenty-one days of the date 1984
of the notice requesting a hearing on the matter. If the person 1985
requests a hearing, the registrar shall hold the hearing not 1986
more than forty days after receipt by the registrar of the 1987
notice of appeal. The filing of a notice of appeal does not stay 1988
the operation of the suspension that must be imposed pursuant to 1989
this division. The scope of the hearing shall be limited to 1990
whether the person actually was convicted of or pleaded guilty 1991
to the offense for which the suspension is to be imposed. 1992

The suspension the registrar is required to impose under 1993
this division shall end either on the last day of the class D 1994
suspension period or of the suspension of the person's 1995
nonresident operating privilege imposed by the state or federal 1996
court, whichever is earlier. 1997

The registrar shall subscribe to or otherwise participate 1998
in any information system or register, or enter into reciprocal 1999
and mutual agreements with other states and federal authorities, 2000
in order to facilitate the exchange of information with other 2001
states and the United States government regarding persons who 2002

plead guilty to or are convicted of offenses described in this 2003
division and therefore are subject to the suspension or denial 2004
described in this division. 2005

(B) The registrar shall impose a class D suspension of the 2006
person's driver's license, commercial driver's license, 2007
temporary instruction permit, probationary license, or 2008
nonresident operating privilege for the period of time specified 2009
in division (B) (4) of section 4510.02 of the Revised Code on any 2010
person who is a resident of this state and is convicted of or 2011
pleads guilty to a violation of a statute of any other state or 2012
a municipal ordinance of a municipal corporation located in any 2013
other state that is substantially similar to section 4511.19 of 2014
the Revised Code. Upon receipt of a report from another state 2015
made pursuant to section 4510.61 of the Revised Code indicating 2016
that a resident of this state was convicted of or pleaded guilty 2017
to an offense described in this division, the registrar shall 2018
send a notice by regular first class mail to the person, at the 2019
person's last known address as shown in the records of the 2020
bureau of motor vehicles, informing the person of the 2021
suspension, that the suspension or denial will take effect 2022
twenty-one days from the date of the notice, and that, if the 2023
person wishes to appeal the suspension, the person must file a 2024
notice of appeal within twenty-one days of the date of the 2025
notice requesting a hearing on the matter. If the person 2026
requests a hearing, the registrar shall hold the hearing not 2027
more than forty days after receipt by the registrar of the 2028
notice of appeal. The filing of a notice of appeal does not stay 2029
the operation of the suspension that must be imposed pursuant to 2030
this division. The scope of the hearing shall be limited to 2031
whether the person actually was convicted of or pleaded guilty 2032
to the offense for which the suspension is to be imposed. 2033

The suspension the registrar is required to impose under 2034
this division shall end either on the last day of the class D 2035
suspension period or of the suspension of the person's 2036
nonresident operating privilege imposed by the state or federal 2037
court, whichever is earlier. 2038

(C) The registrar shall impose a class D suspension of the 2039
child's driver's license, commercial driver's license, temporary 2040
instruction permit, or nonresident operating privilege for the 2041
period of time specified in division (B) (4) of section 4510.02 2042
of the Revised Code on any child who is a resident of this state 2043
and is convicted of or pleads guilty to a violation of a statute 2044
of any other state or any federal statute that is substantially 2045
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2046
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 2047
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 2048
Code. Upon receipt of a report from a court, court clerk, or 2049
other official of any other state or from any federal authority 2050
that a child who is a resident of this state was convicted of or 2051
pleaded guilty to an offense described in this division, the 2052
registrar shall send a notice by regular first class mail to the 2053
child, at the child's last known address as shown in the records 2054
of the bureau of motor vehicles, informing the child of the 2055
suspension, that the suspension or denial will take effect 2056
twenty-one days from the date of the notice, and that, if the 2057
child wishes to appeal the suspension, the child must file a 2058
notice of appeal within twenty-one days of the date of the 2059
notice requesting a hearing on the matter. If the child requests 2060
a hearing, the registrar shall hold the hearing not more than 2061
forty days after receipt by the registrar of the notice of 2062
appeal. The filing of a notice of appeal does not stay the 2063
operation of the suspension that must be imposed pursuant to 2064

this division. The scope of the hearing shall be limited to 2065
whether the child actually was convicted of or pleaded guilty to 2066
the offense for which the suspension is to be imposed. 2067

The suspension the registrar is required to impose under 2068
this division shall end either on the last day of the class D 2069
suspension period or of the suspension of the child's 2070
nonresident operating privilege imposed by the state or federal 2071
court, whichever is earlier. If the child is a resident of this 2072
state who is sixteen years of age or older and does not have a 2073
current, valid Ohio driver's or commercial driver's license or 2074
permit, the notice shall inform the child that the child will be 2075
denied issuance of a driver's or commercial driver's license or 2076
permit for six months beginning on the date of the notice. If 2077
the child has not attained the age of sixteen years on the date 2078
of the notice, the notice shall inform the child that the period 2079
of denial of six months shall commence on the date the child 2080
attains the age of sixteen years. 2081

The registrar shall subscribe to or otherwise participate 2082
in any information system or register, or enter into reciprocal 2083
and mutual agreements with other states and federal authorities, 2084
in order to facilitate the exchange of information with other 2085
states and the United States government regarding children who 2086
are residents of this state and plead guilty to or are convicted 2087
of offenses described in this division and therefore are subject 2088
to the suspension or denial described in this division. 2089

(D) The registrar shall impose a class D suspension of the 2090
child's driver's license, commercial driver's license, temporary 2091
instruction permit, probationary license, or nonresident 2092
operating privilege for the period of time specified in division 2093
(B) (4) of section 4510.02 of the Revised Code on any child who 2094

is a resident of this state and is convicted of or pleads guilty 2095
to a violation of a statute of any other state or a municipal 2096
ordinance of a municipal corporation located in any other state 2097
that is substantially similar to section 4511.19 of the Revised 2098
Code. Upon receipt of a report from another state made pursuant 2099
to section 4510.61 of the Revised Code indicating that a child 2100
who is a resident of this state was convicted of or pleaded 2101
guilty to an offense described in this division, the registrar 2102
shall send a notice by regular first class mail to the child, at 2103
the child's last known address as shown in the records of the 2104
bureau of motor vehicles, informing the child of the suspension, 2105
that the suspension will take effect twenty-one days from the 2106
date of the notice, and that, if the child wishes to appeal the 2107
suspension, the child must file a notice of appeal within 2108
twenty-one days of the date of the notice requesting a hearing 2109
on the matter. If the child requests a hearing, the registrar 2110
shall hold the hearing not more than forty days after receipt by 2111
the registrar of the notice of appeal. The filing of a notice of 2112
appeal does not stay the operation of the suspension that must 2113
be imposed pursuant to this division. The scope of the hearing 2114
shall be limited to whether the child actually was convicted of 2115
or pleaded guilty to the offense for which the suspension is to 2116
be imposed. 2117

The suspension the registrar is required to impose under 2118
this division shall end either on the last day of the class D 2119
suspension period or of the suspension of the child's 2120
nonresident operating privilege imposed by the state or federal 2121
court, whichever is earlier. If the child is a resident of this 2122
state who is sixteen years of age or older and does not have a 2123
current, valid Ohio driver's or commercial driver's license or 2124
permit, the notice shall inform the child that the child will be 2125

denied issuance of a driver's or commercial driver's license or 2126
permit for six months beginning on the date of the notice. If 2127
the child has not attained the age of sixteen years on the date 2128
of the notice, the notice shall inform the child that the period 2129
of denial of six months shall commence on the date the child 2130
attains the age of sixteen years. 2131

(E) (1) Any person whose license or permit has been 2132
suspended pursuant to this section may file a petition in the 2133
municipal or county court, or in case the person is under 2134
eighteen years of age, the juvenile court, in whose jurisdiction 2135
the person resides, requesting limited driving privileges and 2136
agreeing to pay the cost of the proceedings. Except as provided 2137
in division (E) (2) or (3) of this section, the judge may grant 2138
the person limited driving privileges during the period during 2139
which the suspension otherwise would be imposed for any of the 2140
purposes set forth in division (A) of section 4510.021 of the 2141
Revised Code. 2142

(2) No judge shall grant limited driving privileges for 2143
employment as a driver of a commercial motor vehicle to any 2144
person who would be disqualified from operating a commercial 2145
motor vehicle under section 4506.16 of the Revised Code if the 2146
violation had occurred in this state. Further, no judge shall 2147
grant limited driving privileges during any of the following 2148
periods of time: 2149

(a) The first fifteen days of a suspension under division 2150
(B) or (D) of this section, if the person has not been convicted 2151
within ten years of the date of the offense giving rise to the 2152
suspension under this section of a violation of any of the 2153
following: 2154

(i) Division (A) of section 4511.19 of the Revised Code, 2155

or a municipal ordinance relating to operating a vehicle while 2156
under the influence of alcohol, a drug of abuse, or alcohol and 2157
a drug of abuse; 2158

(ii) A municipal ordinance relating to operating a motor 2159
vehicle with a prohibited concentration of alcohol, a controlled 2160
substance, or a metabolite of a controlled substance in the 2161
whole blood, blood serum or plasma, breath, or urine; 2162

(iii) Section 2903.04 of the Revised Code in a case in 2163
which the person was subject to the sanctions described in 2164
division (D) of that section; 2165

(iv) Division (A) (1) of section 2903.06 or division (A) (1) 2166
of section 2903.08 of the Revised Code or a municipal ordinance 2167
that is substantially similar to either of those divisions; 2168

(v) Division (A) (2), (3), or (4) of section 2903.06, 2169
division (A) (2) of section 2903.08, or as it existed prior to 2170
March 23, 2000, section 2903.07 of the Revised Code, or a 2171
municipal ordinance that is substantially similar to any of 2172
those divisions or that former section, in a case in which the 2173
jury or judge found that the person was under the influence of 2174
alcohol, a drug of abuse, or alcohol and a drug of abuse. 2175

(b) The first ~~thirty~~forty-five days of a suspension under 2176
division (B) or (D) of this section, if the person has been 2177
convicted one time within ten years of the date of the offense 2178
giving rise to the suspension under this section of any 2179
violation identified in division ~~(E) (1) (a)~~(E) (2) (a) of this 2180
section. 2181

(c) The first one hundred eighty days of a suspension 2182
under division (B) or (D) of this section, if the person has 2183
been convicted two times within ten years of the date of the 2184

offense giving rise to the suspension under this section of any 2185
violation identified in division ~~(E) (1) (a)~~ (E) (2) (a) of this 2186
section. 2187

(3) ~~No limited driving privileges may be granted~~ The first 2188
three years of a suspension under division (B) or (D) of this 2189
section, if the person has been convicted three or more times 2190
within ~~five~~ ten years of the date of the offense giving rise to 2191
a suspension under division (B) or (D) of this section of any 2192
violation identified in division ~~(E) (1) (a)~~ (E) (2) (a) of this 2193
section. 2194

(4) In accordance with section 4510.022 of the Revised 2195
Code, a person may petition for, and a judge may grant, 2196
unlimited driving privileges with a certified ignition interlock 2197
device during the period of suspension imposed under division 2198
(B) or (D) of this section to a person described in division (E) 2199
(2) (a) of this section. 2200

(5) If a person petitions for limited driving privileges 2201
under division (E) (1) of this section or unlimited driving 2202
privileges with a certified ignition interlock device as 2203
provided in division (E) (4) of this section, the registrar shall 2204
be represented by the county prosecutor of the county in which 2205
the person resides if the petition is filed in a juvenile court 2206
or county court, except that if the person resides within a city 2207
or village that is located within the jurisdiction of the county 2208
in which the petition is filed, the city director of law or 2209
village solicitor of that city or village shall represent the 2210
registrar. If the petition is filed in a municipal court, the 2211
registrar shall be represented as provided in section 1901.34 of 2212
the Revised Code. 2213

(6) (a) In issuing an order granting limited driving 2214

privileges under division (E)(1) of this section, the court may 2215
impose any condition it considers reasonable and necessary to 2216
limit the use of a vehicle by the person. The court shall 2217
deliver to the person a copy of the order setting forth the 2218
time, place, and other conditions limiting the person's use of a 2219
motor vehicle. Unless division (E)(6)(b) of this section 2220
applies, the grant of limited driving privileges shall be 2221
conditioned upon the person's having the order in the person's 2222
possession at all times during which the person is operating a 2223
vehicle. 2224

(b) If, under the order, the court requires the use of an 2225
immobilizing or disabling device as a condition of the grant of 2226
limited or unlimited driving privileges, the person shall 2227
present to the registrar or to a deputy registrar the copy of 2228
the order granting limited driving privileges and a certificate 2229
affirming the installation of an immobilizing or disabling 2230
device that is in a form established by the director of public 2231
safety and is signed by the person who installed the device. 2232
Upon presentation of the order and the certificate to the 2233
registrar or a deputy registrar, the registrar or deputy 2234
registrar shall issue to the offender a restricted license, 2235
unless the offender's driver's or commercial driver's license or 2236
permit is suspended under any other provision of law and limited 2237
driving privileges have not been granted with regard to that 2238
suspension. A restricted license issued under this division 2239
shall be identical to an Ohio driver's license, except that it 2240
shall have printed on its face a statement that the offender is 2241
prohibited from operating any motor vehicle that is not equipped 2242
with an immobilizing or disabling device in violation of the 2243
order. 2244

(7)(a) Unless division (E)(7)(b) applies, a person granted 2245

limited driving privileges who operates a vehicle for other than 2246
limited purposes, in violation of any condition imposed by the 2247
court or without having the order in the person's possession, is 2248
guilty of a violation of section 4510.11 of the Revised Code. 2249

(b) No person who has been granted limited or unlimited 2250
driving privileges under division (E) of this section subject to 2251
an immobilizing or disabling device order shall operate a motor 2252
vehicle prior to obtaining a restricted license. Any person who 2253
violates this prohibition is subject to the penalties prescribed 2254
in section 4510.14 of the Revised Code. 2255

(c) The offenses established under division (E) (7) of this 2256
section are strict liability offenses and section 2901.20 of the 2257
Revised Code does not apply. 2258

(F) The provisions of division (A) (8) of section 4510.13 2259
of the Revised Code apply to a person who has been granted 2260
limited or unlimited driving privileges with a certified 2261
ignition interlock device under this section and who either 2262
commits an ignition interlock device violation as defined under 2263
section 4510.46 of the Revised Code or operates a motor vehicle 2264
that is not equipped with a certified ignition interlock device. 2265

(G) Any person whose license or permit has been suspended 2266
under division (A) or (C) of this section may file a petition in 2267
the municipal or county court, or in case the person is under 2268
eighteen years of age, the juvenile court, in whose jurisdiction 2269
the person resides, requesting the termination of the suspension 2270
and agreeing to pay the cost of the proceedings. If the court, 2271
in its discretion, determines that a termination of the 2272
suspension is appropriate, the court shall issue an order to the 2273
registrar to terminate the suspension. Upon receiving such an 2274
order, the registrar shall reinstate the license. 2275

(H) As used in divisions (C) and (D) of this section: 2276

(1) "Child" means a person who is under the age of 2277
eighteen years, except that any person who violates a statute or 2278
ordinance described in division (C) or (D) of this section prior 2279
to attaining eighteen years of age shall be deemed a "child" 2280
irrespective of the person's age at the time the complaint or 2281
other equivalent document is filed in the other state or a 2282
hearing, trial, or other proceeding is held in the other state 2283
on the complaint or other equivalent document, and irrespective 2284
of the person's age when the period of license suspension or 2285
denial prescribed in division (C) or (D) of this section is 2286
imposed. 2287

(2) "Is convicted of or pleads guilty to" means, as it 2288
relates to a child who is a resident of this state, that in a 2289
proceeding conducted in a state or federal court located in 2290
another state for a violation of a statute or ordinance 2291
described in division (C) or (D) of this section, the result of 2292
the proceeding is any of the following: 2293

(a) Under the laws that govern the proceedings of the 2294
court, the child is adjudicated to be or admits to being a 2295
delinquent child or a juvenile traffic offender for a violation 2296
described in division (C) or (D) of this section that would be a 2297
crime if committed by an adult; 2298

(b) Under the laws that govern the proceedings of the 2299
court, the child is convicted of or pleads guilty to a violation 2300
described in division (C) or (D) of this section; 2301

(c) Under the laws that govern the proceedings of the 2302
court, irrespective of the terminology utilized in those laws, 2303
the result of the court's proceedings is the functional 2304

equivalent of division (H) (2) (a) or (b) of this section. 2305

Sec. 4510.31. (A) (1) Except as provided in division (C) (1) 2306
or (2) of this section, the registrar of motor vehicles shall 2307
suspend the probationary driver's license, restricted license, 2308
or temporary instruction permit issued to any person when the 2309
person has been convicted of, pleaded guilty to, or been 2310
adjudicated in juvenile court of having committed, prior to the 2311
person's eighteenth birthday, any of the following: 2312

(a) Three separate violations of section 2903.06, 2903.08, 2313
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 2314
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 2315
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 2316
Revised Code, section 4510.14 of the Revised Code involving a 2317
suspension imposed under section 4511.191 or 4511.196 of the 2318
Revised Code, section 2903.04 of the Revised Code in a case in 2319
which the person would have been subject to the sanctions 2320
described in division (D) of that section had the person been 2321
convicted of the violation of that section, former section 2322
2903.07 of the Revised Code, or any municipal ordinances 2323
similarly relating to the offenses referred to in those 2324
sections; 2325

(b) One violation of section 4511.19 of the Revised Code 2326
or a substantially similar municipal ordinance; 2327

(c) Two separate violations of any of the Revised Code 2328
sections referred to in division (A) (1) (a) of this section, or 2329
any municipal ordinance that is substantially similar to any of 2330
those sections. 2331

(2) Any person whose license or permit is suspended under 2332
division (A) (1) (a), (b), or (c) of this section shall mail or 2333

deliver the person's probationary driver's license, restricted 2334
license, or temporary instruction permit to the registrar within 2335
fourteen days of notification of the suspension. The registrar 2336
shall retain the license or permit during the period of the 2337
suspension. A suspension pursuant to division (A)(1)(a) of this 2338
section shall be a class C suspension, a suspension pursuant to 2339
division (A)(1)(b) of this section shall be a class D 2340
suspension, and a suspension pursuant to division (A)(1)(c) of 2341
this section shall be a class E suspension, all for the periods 2342
of time specified in division (B) of section 4510.02 of the 2343
Revised Code. If the person's probationary driver's license, 2344
restricted license, or temporary instruction permit is under 2345
suspension on the date the court imposes sentence upon the 2346
person for a violation described in division (A)(1)(b) of this 2347
section, the suspension shall take effect on the next day 2348
immediately following the end of that period of suspension. If 2349
the person is sixteen years of age or older and pleads guilty to 2350
or is convicted of a violation described in division (A)(1)(b) 2351
of this section and the person does not have a current, valid 2352
probationary driver's license, restricted license, or temporary 2353
instruction permit, the registrar shall deny the issuance to the 2354
person of a probationary driver's license, restricted license, 2355
driver's license, commercial driver's license, or temporary 2356
instruction permit, as the case may be, for six months beginning 2357
on the date the court imposes sentence upon the person for the 2358
violation. If the person has not attained the age of sixteen 2359
years on the date the court imposes sentence upon the person for 2360
the violation, the period of denial shall commence on the date 2361
the person attains the age of sixteen years. 2362

(3) The registrar shall suspend the person's license or 2363
permit under division (A) of this section regardless of whether 2364

the disposition of the case in juvenile court occurred after the 2365
person's eighteenth birthday. 2366

(B) The registrar also shall impose a class D suspension 2367
for the period of time specified in division (B)(4) of section 2368
4510.02 of the Revised Code of the temporary instruction permit 2369
or probationary driver's license of any person under the age of 2370
eighteen who has been adjudicated an unruly child, delinquent 2371
child, or juvenile traffic offender for having committed any act 2372
that if committed by an adult would be a drug abuse offense or a 2373
violation of division (B) of section 2917.11 of the Revised 2374
Code. The registrar, in the registrar's discretion, may 2375
terminate the suspension if the child, at the discretion of the 2376
court, attends and satisfactorily completes a drug abuse or 2377
alcohol abuse education, intervention, or treatment program 2378
specified by the court. Any person whose temporary instruction 2379
permit or probationary driver's license is suspended under this 2380
division shall mail or deliver the person's permit or license to 2381
the registrar within fourteen days of notification of the 2382
suspension. The registrar shall retain the permit or license 2383
during the period of the suspension. 2384

(C) (1) (a) Except as provided in division (C) (1) (c) of this 2385
section, for any person who is convicted of, pleads guilty to, 2386
or is adjudicated in juvenile court of having committed a second 2387
or third violation of section 4511.12, 4511.13, 4511.20 to 2388
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 2389
4511.75 of the Revised Code or any similar municipal ordinances 2390
and whose license or permit is suspended under division (A) (1) 2391
(a) or (c) of this section, the court in which the second or 2392
third conviction, finding, plea, or adjudication resulting in 2393
the suspension was made, upon petition of the person, may grant 2394
the person limited driving privileges during the period during 2395

which the suspension otherwise would be imposed under division 2396
(A) (1) (a) or (c) of this section for any of the purposes set 2397
forth in division (A) of section 4510.021 of the Revised Code. 2398
In granting the limited driving privileges, the court shall 2399
specify the purposes, times, and places of the privileges and 2400
may impose any other conditions upon the person's driving a 2401
motor vehicle that the court considers reasonable and necessary. 2402

A court that grants limited driving privileges to a person 2403
under this division shall retain the person's probationary 2404
driver's license, restricted license, or temporary instruction 2405
permit during the period the license or permit is suspended and 2406
also during the period for which limited driving privileges are 2407
granted, and shall deliver to the person a permit card, in a 2408
form to be prescribed by the court, setting forth the date on 2409
which the limited driving privileges will become effective, the 2410
purposes for which the person may drive, the times and places at 2411
which the person may drive, and any other conditions imposed 2412
upon the person's use of a motor vehicle. 2413

The court immediately shall notify the registrar, in 2414
writing, of a grant of limited driving privileges under this 2415
division. The notification shall specify the date on which the 2416
limited driving privileges will become effective, the purposes 2417
for which the person may drive, the times and places at which 2418
the person may drive, and any other conditions imposed upon the 2419
person's use of a motor vehicle. The registrar shall not suspend 2420
the probationary driver's license, restricted license, or 2421
temporary instruction permit of any person pursuant to division 2422
(A) of this section during any period for which the person has 2423
been granted limited driving privileges as provided in this 2424
division, if the registrar has received the notification 2425
described in this division from the court. 2426

(b) Except as provided in division (C) (1) (c) of this 2427
section, in any case in which the temporary instruction permit 2428
or probationary driver's license of a person under eighteen 2429
years of age has been suspended under division (A) or (B) of 2430
this section or any other provision of law, the court may grant 2431
the person limited driving privileges for the purpose of the 2432
person's practicing of driving with the person's parent, 2433
guardian, or other custodian during the period of the 2434
suspension. Any grant of limited driving privileges under this 2435
division shall comply with division (D) of section 4510.021 of 2436
the Revised Code. 2437

(c) A court shall not grant limited driving privileges to 2438
a person identified in division (C) (1) (a) or (b) of this section 2439
if the person, ~~within the preceding six years~~prior to the 2440
person's eighteenth birthday, has been convicted of, pleaded 2441
guilty to, or adjudicated in juvenile court of having committed 2442
three or more violations of ~~one or more of the divisions or~~ 2443
~~sections set forth in divisions (G) (2) (b) to (g) of an~~ 2444
equivalent offense, as defined in section 2919.22-4511.181 of 2445
the Revised Code. 2446

(2) (a) In a case in which a person is convicted of, pleads 2447
guilty to, or is adjudicated in juvenile court of having 2448
committed, prior to the person's eighteenth birthday, a second 2449
or third violation of section 4511.12, 4511.13, 4511.20 to 2450
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 2451
4511.75 of the Revised Code or any similar municipal ordinances 2452
and division (A) (1) (a) or (c) of this section requires the 2453
registrar of motor vehicles to suspend the person's license or 2454
permit, the court in which the person is convicted of, pleads 2455
guilty to, or is adjudicated of having committed the second or 2456
third violation may elect to order the registrar of motor 2457

vehicles to waive the suspension if all of the following apply: 2458

(i) Prior to the date on which the court imposes sentence 2459
upon, or makes an order of disposition for, the person for the 2460
second or third violation, the person submits to the court a 2461
petition requesting the court to order the registrar to waive 2462
the prescribed suspension and describing the reasons why the 2463
person believes the suspension, if imposed, would seriously 2464
affect the person's ability to continue in employment, 2465
educational training, vocational training, or treatment. 2466

(ii) Prior to the date specified in division (C) (2) (a) (i) 2467
of this section, the person submits to the court satisfactory 2468
proof showing that the person successfully completed an advanced 2469
juvenile driver improvement program approved by the director of 2470
public safety under division (B) of section 4510.311 of the 2471
Revised Code after the date the person committed that second or 2472
third violation. 2473

(iii) Prior to imposing sentence upon, or making an order 2474
of disposition for, the person for the second or third 2475
violation, the court finds reasonable cause to believe that the 2476
suspension, if imposed, would seriously affect the person's 2477
ability to continue in employment, educational training, 2478
vocational training, or treatment. 2479

(iv) If the court is imposing sentence upon, or making an 2480
order of disposition for, the person for a third violation, the 2481
person did not submit to the court that imposed sentence upon, 2482
or made an order of disposition for, the person for the second 2483
violation a petition of the type described in division (C) (2) (a) 2484
(i) of this section, and the court that imposed sentence upon, 2485
or made an order of disposition for, the person for that second 2486
violation did not order the registrar of motor vehicles to waive 2487

the suspension of the person's license or permit required under 2488
division (A) (1) (c) of this section for the conviction of, plea 2489
of guilty to, or adjudication in juvenile court of having 2490
committed that second violation. 2491

(b) If a court elects pursuant to division (C) (2) (a) of 2492
this section to order the registrar of motor vehicles to waive a 2493
suspension that otherwise is required under division (A) (1) (a) 2494
or (c) of this section, the court immediately shall send a 2495
written copy of the order to the registrar. Upon receipt of the 2496
written copy of the order, the registrar shall not suspend 2497
pursuant to division (A) (1) (a) or (c) of this section the 2498
probationary driver's license, restricted license, or temporary 2499
instruction permit of the person who is the subject of the order 2500
for the second or third violation for which the suspension 2501
otherwise would be imposed under that division. 2502

(D) If a person who has been granted limited driving 2503
privileges under division (C) (1) of this section is convicted 2504
of, pleads guilty to, or is adjudicated in juvenile court of 2505
having committed, a violation of Chapter 4510. of the Revised 2506
Code, or a subsequent violation of any of the sections of the 2507
Revised Code listed in division (A) (1) (a) of this section or any 2508
similar municipal ordinance during the period for which the 2509
person was granted limited driving privileges, the court that 2510
granted the limited driving privileges shall suspend the 2511
person's permit card. The court or the clerk of the court 2512
immediately shall forward the person's probationary driver's 2513
license, restricted license, or temporary instruction permit 2514
together with written notification of the court's action to the 2515
registrar. Upon receipt of the license or permit and 2516
notification, the registrar shall impose a class C suspension of 2517
the person's probationary driver's license, restricted license, 2518

or temporary instruction permit for the period of time specified 2519
in division (B) (3) of section 4510.02 of the Revised Code. The 2520
registrar shall retain the license or permit during the period 2521
of suspension, and no further limited driving privileges shall 2522
be granted during that period. 2523

(E) No application for a driver's or commercial driver's 2524
license shall be received from any person whose probationary 2525
driver's license, restricted license, or temporary instruction 2526
permit has been suspended under this section until each of the 2527
following has occurred: 2528

(1) The suspension period has expired; 2529

(2) A temporary instruction permit or commercial driver's 2530
license temporary instruction permit has been issued; 2531

(3) The person successfully completes a juvenile driver 2532
improvement program approved by the director of public safety 2533
under division (A) of section 4510.311 of the Revised Code; 2534

(4) The applicant has submitted to the examination for a 2535
driver's license as provided for in section 4507.11 or a 2536
commercial driver's license as provided in Chapter 4506. of the 2537
Revised Code. 2538

Sec. 4510.54. (A) Except as provided in division (F) of 2539
this section, a person whose driver's or commercial driver's 2540
license has been suspended for life under a class one suspension 2541
or as otherwise provided by law or has been suspended for a 2542
period in excess of fifteen years under a class two suspension 2543
may file a motion with the sentencing court for modification or 2544
termination of the suspension. The person filing the motion 2545
shall demonstrate all of the following: 2546

(1) (a) If the person's license was suspended as a result 2547

of the person pleading guilty to or being convicted of a felony, 2548
at least fifteen years have elapsed since the suspension began 2549
or, if the person's license was suspended under division ~~(B) (2)~~ 2550
~~(d)~~ (B) (2) (g) of section 2903.06 of the Revised Code, at least 2551
fifteen years have elapsed since the person was released from 2552
prison, and, for the past fifteen years, the person has not been 2553
found guilty of any of the following: 2554

(i) A felony; 2555

(ii) An offense involving a moving violation under federal 2556
law, the law of this state, or the law of any of its political 2557
subdivisions; 2558

(iii) A violation of a suspension under this chapter or a 2559
substantially equivalent municipal ordinance. 2560

(b) If the person's license was suspended as a result of 2561
the person pleading guilty to or being convicted of a 2562
misdemeanor, at least five years have elapsed since the 2563
suspension began, and, for the past five years, the person has 2564
not been found guilty of any of the following: 2565

(i) An offense involving a moving violation under the law 2566
of this state, the law of any of its political subdivisions, or 2567
federal law; 2568

(ii) A violation of section 2903.06 or 2903.08 of the 2569
Revised Code; 2570

(iii) A violation of a suspension under this chapter or a 2571
substantially equivalent municipal ordinance. 2572

(2) The person has proof of financial responsibility, a 2573
policy of liability insurance in effect that meets the minimum 2574
standard set forth in section 4509.51 of the Revised Code, or 2575

proof, to the satisfaction of the registrar of motor vehicles, 2576
that the person is able to respond in damages in an amount at 2577
least equal to the minimum amounts specified in that section. 2578

(3) If the suspension was imposed because the person was 2579
under the influence of alcohol, a drug of abuse, or combination 2580
of them at the time of the offense or because at the time of the 2581
offense the person's whole blood, blood serum or plasma, breath, 2582
or urine contained at least the concentration of alcohol 2583
specified in division (A) (1) (b), (c), (d), or (e) of section 2584
4511.19 of the Revised Code or at least the concentration of a 2585
listed controlled substance or a listed metabolite of a 2586
controlled substance specified in division (A) (1) (j) of section 2587
4511.19 of the Revised Code, all of the following apply to the 2588
person: 2589

(a) The person successfully completed an alcohol, drug, or 2590
alcohol and drug treatment program. 2591

(b) The person has not abused alcohol or other drugs for a 2592
period satisfactory to the court. 2593

(c) For the past fifteen years, the person has not been 2594
found guilty of any alcohol-related or drug-related offense. 2595

(B) Upon receipt of a motion for modification or 2596
termination of the suspension under this section, the court may 2597
schedule a hearing on the motion. The court may deny the motion 2598
without a hearing but shall not grant the motion without a 2599
hearing. If the court denies a motion without a hearing, the 2600
court may consider a subsequent motion filed under this section 2601
by that person. If a court denies the motion after a hearing, 2602
the court shall not consider a subsequent motion for that 2603
person. The court shall hear only one motion filed by a person 2604

under this section. If scheduled, the hearing shall be conducted 2605
in open court within ninety days after the date on which the 2606
motion is filed. 2607

(C) The court shall notify the person whose license was 2608
suspended and the prosecuting attorney of the date, time, and 2609
location of the hearing. Upon receipt of the notice from the 2610
court, the prosecuting attorney shall notify the victim or the 2611
victim's representative of the date, time, and location of the 2612
hearing. 2613

(D) At any hearing under this section, the person who 2614
seeks modification or termination of the suspension has the 2615
burden to demonstrate, under oath, that the person meets the 2616
requirements of division (A) of this section. At the hearing, 2617
the court shall afford the offender or the offender's counsel an 2618
opportunity to present oral or written information relevant to 2619
the motion. The court shall afford a similar opportunity to 2620
provide relevant information to the prosecuting attorney and the 2621
victim or victim's representative. 2622

Before ruling on the motion, the court shall take into 2623
account the person's driving record, the nature of the offense 2624
that led to the suspension, and the impact of the offense on any 2625
victim. In addition, if the offender is eligible for 2626
modification or termination of the suspension under division (A) 2627
(1)(a) of this section, the court shall consider whether the 2628
person committed any other offense while under suspension and 2629
determine whether the offense is relevant to a determination 2630
under this section. The court may modify or terminate the 2631
suspension subject to any considerations it considers proper if 2632
it finds that allowing the person to drive is not likely to 2633
present a danger to the public. After the court makes a ruling 2634

on a motion filed under this section, the prosecuting attorney 2635
shall notify the victim or the victim's representative of the 2636
court's ruling. 2637

(E) If a court modifies a person's license suspension 2638
under this section and the person subsequently is found guilty 2639
of any moving violation or of any substantially equivalent 2640
municipal ordinance that carries as a possible penalty the 2641
suspension of a person's driver's or commercial driver's 2642
license, the court may reimpose the class one or other lifetime 2643
suspension, or the class two suspension, whichever is 2644
applicable. 2645

(F) This section does not apply to any person whose 2646
driver's or commercial driver's license or permit or nonresident 2647
operating privilege has been suspended for life under a class 2648
one suspension imposed under division (B) (3) of section 2903.06 2649
or section 2903.08 of the Revised Code or a class two suspension 2650
imposed under division (C) of section 2903.06 or section 2651
2903.11, 2923.02, or 2929.02 of the Revised Code. 2652

(G) As used in this section, "released from prison" means 2653
a person's physical release from a jail or prison as defined in 2654
section 2929.01 of the Revised Code. 2655

Sec. 4511.19. (A) (1) No person shall operate any vehicle, 2656
streetcar, or trackless trolley within this state, if, at the 2657
time of the operation, any of the following apply: 2658

(a) The person is under the influence of alcohol, a drug 2659
of abuse, or a combination of them. 2660

(b) The person has a concentration of eight-hundredths of 2661
one per cent or more but less than seventeen-hundredths of one 2662
per cent by weight per unit volume of alcohol in the person's 2663

whole blood. 2664

(c) The person has a concentration of ninety-six- 2665
thousandths of one per cent or more but less than two hundred 2666
four-thousandths of one per cent by weight per unit volume of 2667
alcohol in the person's blood serum or plasma. 2668

(d) The person has a concentration of eight-hundredths of 2669
one gram or more but less than seventeen-hundredths of one gram 2670
by weight of alcohol per two hundred ten liters of the person's 2671
breath. 2672

(e) The person has a concentration of eleven-hundredths of 2673
one gram or more but less than two hundred thirty-eight- 2674
thousandths of one gram by weight of alcohol per one hundred 2675
milliliters of the person's urine. 2676

(f) The person has a concentration of seventeen-hundredths 2677
of one per cent or more by weight per unit volume of alcohol in 2678
the person's whole blood. 2679

(g) The person has a concentration of two hundred four- 2680
thousandths of one per cent or more by weight per unit volume of 2681
alcohol in the person's blood serum or plasma. 2682

(h) The person has a concentration of seventeen-hundredths 2683
of one gram or more by weight of alcohol per two hundred ten 2684
liters of the person's breath. 2685

(i) The person has a concentration of two hundred thirty- 2686
eight-thousandths of one gram or more by weight of alcohol per 2687
one hundred milliliters of the person's urine. 2688

(j) Except as provided in division (K) of this section, 2689
the person has a concentration of any of the following 2690
controlled substances or metabolites of a controlled substance 2691

in the person's whole blood, blood serum or plasma, or urine 2692
that equals or exceeds any of the following: 2693

(i) The person has a concentration of amphetamine in the 2694
person's urine of at least five hundred nanograms of amphetamine 2695
per milliliter of the person's urine or has a concentration of 2696
amphetamine in the person's whole blood or blood serum or plasma 2697
of at least one hundred nanograms of amphetamine per milliliter 2698
of the person's whole blood or blood serum or plasma. 2699

(ii) The person has a concentration of cocaine in the 2700
person's urine of at least one hundred fifty nanograms of 2701
cocaine per milliliter of the person's urine or has a 2702
concentration of cocaine in the person's whole blood or blood 2703
serum or plasma of at least fifty nanograms of cocaine per 2704
milliliter of the person's whole blood or blood serum or plasma. 2705

(iii) The person has a concentration of cocaine metabolite 2706
in the person's urine of at least one hundred fifty nanograms of 2707
cocaine metabolite per milliliter of the person's urine or has a 2708
concentration of cocaine metabolite in the person's whole blood 2709
or blood serum or plasma of at least fifty nanograms of cocaine 2710
metabolite per milliliter of the person's whole blood or blood 2711
serum or plasma. 2712

(iv) The person has a concentration of heroin in the 2713
person's urine of at least two thousand nanograms of heroin per 2714
milliliter of the person's urine or has a concentration of 2715
heroin in the person's whole blood or blood serum or plasma of 2716
at least fifty nanograms of heroin per milliliter of the 2717
person's whole blood or blood serum or plasma. 2718

(v) The person has a concentration of heroin metabolite 2719
(6-monoacetyl morphine) in the person's urine of at least ten 2720

nanograms of heroin metabolite (6-monoacetyl morphine) per 2721
milliliter of the person's urine or has a concentration of 2722
heroin metabolite (6-monoacetyl morphine) in the person's whole 2723
blood or blood serum or plasma of at least ten nanograms of 2724
heroin metabolite (6-monoacetyl morphine) per milliliter of the 2725
person's whole blood or blood serum or plasma. 2726

(vi) The person has a concentration of L.S.D. in the 2727
person's urine of at least twenty-five nanograms of L.S.D. per 2728
milliliter of the person's urine or a concentration of L.S.D. in 2729
the person's whole blood or blood serum or plasma of at least 2730
ten nanograms of L.S.D. per milliliter of the person's whole 2731
blood or blood serum or plasma. 2732

(vii) The person has a concentration of marihuana in the 2733
person's urine of at least ten nanograms of marihuana per 2734
milliliter of the person's urine or has a concentration of 2735
marihuana in the person's whole blood or blood serum or plasma 2736
of at least two nanograms of marihuana per milliliter of the 2737
person's whole blood or blood serum or plasma. 2738

(viii) Either of the following applies: 2739

(I) The person is under the influence of alcohol, a drug 2740
of abuse, or a combination of them, and the person has a 2741
concentration of marihuana metabolite in the person's urine of 2742
at least fifteen nanograms of marihuana metabolite per 2743
milliliter of the person's urine or has a concentration of 2744
marihuana metabolite in the person's whole blood or blood serum 2745
or plasma of at least five nanograms of marihuana metabolite per 2746
milliliter of the person's whole blood or blood serum or plasma. 2747

(II) The person has a concentration of marihuana 2748
metabolite in the person's urine of at least thirty-five 2749

nanograms of marihuana metabolite per milliliter of the person's 2750
urine or has a concentration of marihuana metabolite in the 2751
person's whole blood or blood serum or plasma of at least fifty 2752
nanograms of marihuana metabolite per milliliter of the person's 2753
whole blood or blood serum or plasma. 2754

(ix) The person has a concentration of methamphetamine in 2755
the person's urine of at least five hundred nanograms of 2756
methamphetamine per milliliter of the person's urine or has a 2757
concentration of methamphetamine in the person's whole blood or 2758
blood serum or plasma of at least one hundred nanograms of 2759
methamphetamine per milliliter of the person's whole blood or 2760
blood serum or plasma. 2761

(x) The person has a concentration of phencyclidine in the 2762
person's urine of at least twenty-five nanograms of 2763
phencyclidine per milliliter of the person's urine or has a 2764
concentration of phencyclidine in the person's whole blood or 2765
blood serum or plasma of at least ten nanograms of phencyclidine 2766
per milliliter of the person's whole blood or blood serum or 2767
plasma. 2768

(xi) The state board of pharmacy has adopted a rule 2769
pursuant to section 4729.041 of the Revised Code that specifies 2770
the amount of salvia divinorum and the amount of salvinorin A 2771
that constitute concentrations of salvia divinorum and 2772
salvinorin A in a person's urine, in a person's whole blood, or 2773
in a person's blood serum or plasma at or above which the person 2774
is impaired for purposes of operating any vehicle, streetcar, or 2775
trackless trolley within this state, the rule is in effect, and 2776
the person has a concentration of salvia divinorum or salvinorin 2777
A of at least that amount so specified by rule in the person's 2778
urine, in the person's whole blood, or in the person's blood 2779

serum or plasma. 2780

(2) No person who, within twenty years of the conduct 2781
described in division (A) (2) (a) of this section, previously has 2782
been convicted of or pleaded guilty to a violation of this 2783
division, a violation of division (A) (1) of this section, or any 2784
other equivalent offense shall do both of the following: 2785

(a) Operate any vehicle, streetcar, or trackless trolley 2786
within this state while under the influence of alcohol, a drug 2787
of abuse, or a combination of them; 2788

(b) Subsequent to being arrested for operating the 2789
vehicle, streetcar, or trackless trolley as described in 2790
division (A) (2) (a) of this section, being asked by a law 2791
enforcement officer to submit to a chemical test or tests under 2792
section 4511.191 of the Revised Code, and being advised by the 2793
officer in accordance with section 4511.192 of the Revised Code 2794
of the consequences of the person's refusal or submission to the 2795
test or tests, refuse to submit to the test or tests. 2796

(B) No person under twenty-one years of age shall operate 2797
any vehicle, streetcar, or trackless trolley within this state, 2798
if, at the time of the operation, any of the following apply: 2799

(1) The person has a concentration of at least two- 2800
hundredths of one per cent but less than eight-hundredths of one 2801
per cent by weight per unit volume of alcohol in the person's 2802
whole blood. 2803

(2) The person has a concentration of at least three- 2804
hundredths of one per cent but less than ninety-six-thousandths 2805
of one per cent by weight per unit volume of alcohol in the 2806
person's blood serum or plasma. 2807

(3) The person has a concentration of at least two- 2808

hundredths of one gram but less than eight-hundredths of one 2809
gram by weight of alcohol per two hundred ten liters of the 2810
person's breath. 2811

(4) The person has a concentration of at least twenty- 2812
eight one-thousandths of one gram but less than eleven- 2813
hundredths of one gram by weight of alcohol per one hundred 2814
milliliters of the person's urine. 2815

(C) In any proceeding arising out of one incident, a 2816
person may be charged with a violation of division (A) (1) (a) or 2817
(A) (2) and a violation of division (B) (1), (2), or (3) of this 2818
section, but the person may not be convicted of more than one 2819
violation of these divisions. 2820

(D) (1) (a) In any criminal prosecution or juvenile court 2821
proceeding for a violation of division (A) (1) (a) of this section 2822
or for an equivalent offense that is vehicle-related, the result 2823
of any test of any blood or urine withdrawn and analyzed at any 2824
health care provider, as defined in section 2317.02 of the 2825
Revised Code, may be admitted with expert testimony to be 2826
considered with any other relevant and competent evidence in 2827
determining the guilt or innocence of the defendant. 2828

(b) In any criminal prosecution or juvenile court 2829
proceeding for a violation of division (A) or (B) of this 2830
section or for an equivalent offense that is vehicle-related, 2831
the court may admit evidence on the concentration of alcohol, 2832
drugs of abuse, controlled substances, metabolites of a 2833
controlled substance, or a combination of them in the 2834
defendant's whole blood, blood serum or plasma, breath, urine, 2835
or other bodily substance at the time of the alleged violation 2836
as shown by chemical analysis of the substance withdrawn within 2837
three hours of the time of the alleged violation. The three-hour 2838

time limit specified in this division regarding the admission of 2839
evidence does not extend or affect the two-hour time limit 2840
specified in division (A) of section 4511.192 of the Revised 2841
Code as the maximum period of time during which a person may 2842
consent to a chemical test or tests as described in that 2843
section. The court may admit evidence on the concentration of 2844
alcohol, drugs of abuse, or a combination of them as described 2845
in this division when a person submits to a blood, breath, 2846
urine, or other bodily substance test at the request of a law 2847
enforcement officer under section 4511.191 of the Revised Code 2848
or a blood or urine sample is obtained pursuant to a search 2849
warrant. Only a physician, a registered nurse, an emergency 2850
medical technician-intermediate, an emergency medical 2851
technician-paramedic, or a qualified technician, chemist, or 2852
phlebotomist shall withdraw a blood sample for the purpose of 2853
determining the alcohol, drug, controlled substance, metabolite 2854
of a controlled substance, or combination content of the whole 2855
blood, blood serum, or blood plasma. This limitation does not 2856
apply to the taking of breath or urine specimens. A person 2857
authorized to withdraw blood under this division may refuse to 2858
withdraw blood under this division, if in that person's opinion, 2859
the physical welfare of the person would be endangered by the 2860
withdrawing of blood. 2861

The bodily substance withdrawn under division (D) (1) (b) of 2862
this section shall be analyzed in accordance with methods 2863
approved by the director of health by an individual possessing a 2864
valid permit issued by the director pursuant to section 3701.143 2865
of the Revised Code. 2866

(c) As used in division (D) (1) (b) of this section, 2867
"emergency medical technician-intermediate" and "emergency 2868
medical technician-paramedic" have the same meanings as in 2869

section 4765.01 of the Revised Code. 2870

(2) In a criminal prosecution or juvenile court proceeding 2871
for a violation of division (A) of this section or for an 2872
equivalent offense that is vehicle-related, if there was at the 2873
time the bodily substance was withdrawn a concentration of less 2874
than the applicable concentration of alcohol specified in 2875
divisions (A)(1)(b), (c), (d), and (e) of this section or less 2876
than the applicable concentration of a listed controlled 2877
substance or a listed metabolite of a controlled substance 2878
specified for a violation of division (A)(1)(j) of this section, 2879
that fact may be considered with other competent evidence in 2880
determining the guilt or innocence of the defendant. This 2881
division does not limit or affect a criminal prosecution or 2882
juvenile court proceeding for a violation of division (B) of 2883
this section or for an equivalent offense that is substantially 2884
equivalent to that division. 2885

(3) Upon the request of the person who was tested, the 2886
results of the chemical test shall be made available to the 2887
person or the person's attorney, immediately upon the completion 2888
of the chemical test analysis. 2889

If the chemical test was obtained pursuant to division (D) 2890
(1)(b) of this section, the person tested may have a physician, 2891
a registered nurse, or a qualified technician, chemist, or 2892
phlebotomist of the person's own choosing administer a chemical 2893
test or tests, at the person's expense, in addition to any 2894
administered at the request of a law enforcement officer. If the 2895
person was under arrest as described in division (A)(5) of 2896
section 4511.191 of the Revised Code, the arresting officer 2897
shall advise the person at the time of the arrest that the 2898
person may have an independent chemical test taken at the 2899

person's own expense. If the person was under arrest other than 2900
described in division (A) (5) of section 4511.191 of the Revised 2901
Code, the form to be read to the person to be tested, as 2902
required under section 4511.192 of the Revised Code, shall state 2903
that the person may have an independent test performed at the 2904
person's expense. The failure or inability to obtain an 2905
additional chemical test by a person shall not preclude the 2906
admission of evidence relating to the chemical test or tests 2907
taken at the request of a law enforcement officer. 2908

(4) (a) As used in divisions (D) (4) (b) and (c) of this 2909
section, "national highway traffic safety administration" means 2910
the national highway traffic safety administration established 2911
as an administration of the United States department of 2912
transportation under 96 Stat. 2415 (1983), 49 U.S.C.A. 105. 2913

(b) In any criminal prosecution or juvenile court 2914
proceeding for a violation of division (A) or (B) of this 2915
section, of a municipal ordinance relating to operating a 2916
vehicle while under the influence of alcohol, a drug of abuse, 2917
or alcohol and a drug of abuse, or of a municipal ordinance 2918
relating to operating a vehicle with a prohibited concentration 2919
of alcohol, a controlled substance, or a metabolite of a 2920
controlled substance in the whole blood, blood serum or plasma, 2921
breath, or urine, if a law enforcement officer has administered 2922
a field sobriety test to the operator of the vehicle involved in 2923
the violation and if it is shown by clear and convincing 2924
evidence that the officer administered the test in substantial 2925
compliance with the testing standards for any reliable, 2926
credible, and generally accepted field sobriety tests that were 2927
in effect at the time the tests were administered, including, 2928
but not limited to, any testing standards then in effect that 2929
were set by the national highway traffic safety administration, 2930

all of the following apply: 2931

(i) The officer may testify concerning the results of the 2932
field sobriety test so administered. 2933

(ii) The prosecution may introduce the results of the 2934
field sobriety test so administered as evidence in any 2935
proceedings in the criminal prosecution or juvenile court 2936
proceeding. 2937

(iii) If testimony is presented or evidence is introduced 2938
under division (D) (4) (b) (i) or (ii) of this section and if the 2939
testimony or evidence is admissible under the Rules of Evidence, 2940
the court shall admit the testimony or evidence and the trier of 2941
fact shall give it whatever weight the trier of fact considers 2942
to be appropriate. 2943

(c) Division (D) (4) (b) of this section does not limit or 2944
preclude a court, in its determination of whether the arrest of 2945
a person was supported by probable cause or its determination of 2946
any other matter in a criminal prosecution or juvenile court 2947
proceeding of a type described in that division, from 2948
considering evidence or testimony that is not otherwise 2949
disallowed by division (D) (4) (b) of this section. 2950

(E) (1) Subject to division (E) (3) of this section, in any 2951
criminal prosecution or juvenile court proceeding for a 2952
violation of division (A) (1) (b), (c), (d), (e), (f), (g), (h), 2953
(i), or (j) or (B) (1), (2), (3), or (4) of this section or for 2954
an equivalent offense that is substantially equivalent to any of 2955
those divisions, a laboratory report from any laboratory 2956
personnel issued a permit by the department of health 2957
authorizing an analysis as described in this division that 2958
contains an analysis of the whole blood, blood serum or plasma, 2959

breath, urine, or other bodily substance tested and that 2960
contains all of the information specified in this division shall 2961
be admitted as prima-facie evidence of the information and 2962
statements that the report contains. The laboratory report shall 2963
contain all of the following: 2964

(a) The signature, under oath, of any person who performed 2965
the analysis; 2966

(b) Any findings as to the identity and quantity of 2967
alcohol, a drug of abuse, a controlled substance, a metabolite 2968
of a controlled substance, or a combination of them that was 2969
found; 2970

(c) A copy of a notarized statement by the laboratory 2971
director or a designee of the director that contains the name of 2972
each certified analyst or test performer involved with the 2973
report, the analyst's or test performer's employment 2974
relationship with the laboratory that issued the report, and a 2975
notation that performing an analysis of the type involved is 2976
part of the analyst's or test performer's regular duties; 2977

(d) An outline of the analyst's or test performer's 2978
education, training, and experience in performing the type of 2979
analysis involved and a certification that the laboratory 2980
satisfies appropriate quality control standards in general and, 2981
in this particular analysis, under rules of the department of 2982
health. 2983

(2) Notwithstanding any other provision of law regarding 2984
the admission of evidence, a report of the type described in 2985
division (E)(1) of this section is not admissible against the 2986
defendant to whom it pertains in any proceeding, other than a 2987
preliminary hearing or a grand jury proceeding, unless the 2988

prosecutor has served a copy of the report on the defendant's 2989
attorney or, if the defendant has no attorney, on the defendant. 2990

(3) A report of the type described in division (E) (1) of 2991
this section shall not be prima-facie evidence of the contents, 2992
identity, or amount of any substance if, within seven days after 2993
the defendant to whom the report pertains or the defendant's 2994
attorney receives a copy of the report, the defendant or the 2995
defendant's attorney demands the testimony of the person who 2996
signed the report. The judge in the case may extend the seven- 2997
day time limit in the interest of justice. 2998

(F) Except as otherwise provided in this division, any 2999
physician, registered nurse, emergency medical technician- 3000
intermediate, emergency medical technician-paramedic, or 3001
qualified technician, chemist, or phlebotomist who withdraws 3002
blood from a person pursuant to this section or section 4511.191 3003
or 4511.192 of the Revised Code, and any hospital, first-aid 3004
station, or clinic at which blood is withdrawn from a person 3005
pursuant to this section or section 4511.191 or 4511.192 of the 3006
Revised Code, is immune from criminal liability and civil 3007
liability based upon a claim of assault and battery or any other 3008
claim that is not a claim of malpractice, for any act performed 3009
in withdrawing blood from the person. The immunity provided in 3010
this division also extends to an emergency medical service 3011
organization that employs an emergency medical technician- 3012
intermediate or emergency medical technician-paramedic who 3013
withdraws blood under this section. The immunity provided in 3014
this division is not available to a person who withdraws blood 3015
if the person engages in willful or wanton misconduct. 3016

As used in this division, "emergency medical technician- 3017
intermediate" and "emergency medical technician-paramedic" have 3018

the same meanings as in section 4765.01 of the Revised Code. 3019

(G) (1) Whoever violates any provision of divisions (A) (1) 3020
(a) to (i) or (A) (2) of this section is guilty of operating a 3021
vehicle under the influence of alcohol, a drug of abuse, or a 3022
combination of them. Whoever violates division (A) (1) (j) of this 3023
section is guilty of operating a vehicle while under the 3024
influence of a listed controlled substance or a listed 3025
metabolite of a controlled substance. The court shall sentence 3026
the offender for either offense under Chapter 2929. of the 3027
Revised Code, except as otherwise authorized or required by 3028
divisions (G) (1) (a) to (e) of this section: 3029

(a) Except as otherwise provided in division (G) (1) (b), 3030
(c), (d), or (e) of this section, the offender is guilty of a 3031
misdemeanor of the first degree, and the court shall sentence 3032
the offender to all of the following: 3033

(i) If the sentence is being imposed for a violation of 3034
division (A) (1) (a), (b), (c), (d), (e), or (j) of this section, 3035
a mandatory jail term of three consecutive days. As used in this 3036
division, three consecutive days means seventy-two consecutive 3037
hours. The court may sentence an offender to both an 3038
intervention program and a jail term. The court may impose a 3039
jail term in addition to the three-day mandatory jail term or 3040
intervention program. However, in no case shall the cumulative 3041
jail term imposed for the offense exceed six months. 3042

The court may suspend the execution of the three-day jail 3043
term under this division if the court, in lieu of that suspended 3044
term, places the offender under a community control sanction 3045
pursuant to section 2929.25 of the Revised Code and requires the 3046
offender to attend, for three consecutive days, a drivers' 3047
intervention program certified under section 5119.38 of the 3048

Revised Code. The court also may suspend the execution of any 3049
part of the three-day jail term under this division if it places 3050
the offender under a community control sanction pursuant to 3051
section 2929.25 of the Revised Code for part of the three days, 3052
requires the offender to attend for the suspended part of the 3053
term a drivers' intervention program so certified, and sentences 3054
the offender to a jail term equal to the remainder of the three 3055
consecutive days that the offender does not spend attending the 3056
program. The court may require the offender, as a condition of 3057
community control and in addition to the required attendance at 3058
a drivers' intervention program, to attend and satisfactorily 3059
complete any treatment or education programs that comply with 3060
the minimum standards adopted pursuant to Chapter 5119. of the 3061
Revised Code by the director of mental health and addiction 3062
services that the operators of the drivers' intervention program 3063
determine that the offender should attend and to report 3064
periodically to the court on the offender's progress in the 3065
programs. The court also may impose on the offender any other 3066
conditions of community control that it considers necessary. 3067

If the court grants unlimited driving privileges to a 3068
first-time offender under section 4510.022 of the Revised Code, 3069
all penalties imposed upon the offender by the court under 3070
division (G)(1)(a)(i) of this section for the offense apply, 3071
except that the court shall suspend any mandatory or additional 3072
jail term imposed by the court under division (G)(1)(a)(i) of 3073
this section upon granting unlimited driving privileges in 3074
accordance with section 4510.022 of the Revised Code. 3075

(ii) If the sentence is being imposed for a violation of 3076
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 3077
section, except as otherwise provided in this division, a 3078
mandatory jail term of at least three consecutive days and a 3079

requirement that the offender attend, for three consecutive 3080
days, a drivers' intervention program that is certified pursuant 3081
to section 5119.38 of the Revised Code. As used in this 3082
division, three consecutive days means seventy-two consecutive 3083
hours. If the court determines that the offender is not 3084
conducive to treatment in a drivers' intervention program, if 3085
the offender refuses to attend a drivers' intervention program, 3086
or if the jail at which the offender is to serve the jail term 3087
imposed can provide a driver's intervention program, the court 3088
shall sentence the offender to a mandatory jail term of at least 3089
six consecutive days. 3090

If the court grants unlimited driving privileges to a 3091
first-time offender under section 4510.022 of the Revised Code, 3092
all penalties imposed upon the offender by the court under 3093
division (G) (1) (a) (ii) of this section for the offense apply, 3094
except that the court shall suspend any mandatory or additional 3095
jail term imposed by the court under division (G) (1) (a) (ii) of 3096
this section upon granting unlimited driving privileges in 3097
accordance with section 4510.022 of the Revised Code. 3098

The court may require the offender, under a community 3099
control sanction imposed under section 2929.25 of the Revised 3100
Code, to attend and satisfactorily complete any treatment or 3101
education programs that comply with the minimum standards 3102
adopted pursuant to Chapter 5119. of the Revised Code by the 3103
director of mental health and addiction services, in addition to 3104
the required attendance at drivers' intervention program, that 3105
the operators of the drivers' intervention program determine 3106
that the offender should attend and to report periodically to 3107
the court on the offender's progress in the programs. The court 3108
also may impose any other conditions of community control on the 3109
offender that it considers necessary. 3110

(iii) In all cases, a fine of not less than ~~three seven~~ 3111
hundred ~~seventy five fifty~~ and not more than one thousand 3112
seventy-five dollars; 3113

(iv) In all cases, a suspension of the offender's driver's 3114
or commercial driver's license or permit or nonresident 3115
operating privilege for a definite period of one to three years. 3116
The court may grant limited driving privileges relative to the 3117
suspension under sections 4510.021 and 4510.13 of the Revised 3118
Code. The court may grant unlimited driving privileges with an 3119
ignition interlock device relative to the suspension and may 3120
reduce the period of suspension as authorized under section 3121
4510.022 of the Revised Code. 3122

(b) Except as otherwise provided in division (G) (1) (e) of 3123
this section, an offender who, within ten years of the offense, 3124
previously has been convicted of or pleaded guilty to one 3125
violation of division (A) of this section or one other 3126
equivalent offense is guilty of a misdemeanor of the first 3127
degree. The court shall sentence the offender to all of the 3128
following: 3129

(i) If the sentence is being imposed for a violation of 3130
division (A) (1) (a), (b), (c), (d), (e), or (j) of this section, 3131
a mandatory jail term of ten consecutive days. The court shall 3132
impose the ten-day mandatory jail term under this division 3133
unless, subject to division (G) (3) of this section, it instead 3134
imposes a sentence under that division consisting of both a jail 3135
term and a term of house arrest with electronic monitoring, with 3136
continuous alcohol monitoring, or with both electronic 3137
monitoring and continuous alcohol monitoring. The court may 3138
impose a jail term in addition to the ten-day mandatory jail 3139
term. The cumulative jail term imposed for the offense shall not 3140

exceed six months. 3141

In addition to the jail term or the term of house arrest 3142
with electronic monitoring or continuous alcohol monitoring or 3143
both types of monitoring and jail term, the court shall require 3144
the offender to be assessed by a community addiction services 3145
provider that is authorized by section 5119.21 of the Revised 3146
Code, subject to division (I) of this section, and shall order 3147
the offender to follow the treatment recommendations of the 3148
services provider. The purpose of the assessment is to determine 3149
the degree of the offender's alcohol usage and to determine 3150
whether or not treatment is warranted. Upon the request of the 3151
court, the services provider shall submit the results of the 3152
assessment to the court, including all treatment recommendations 3153
and clinical diagnoses related to alcohol use. 3154

(ii) If the sentence is being imposed for a violation of 3155
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 3156
section, except as otherwise provided in this division, a 3157
mandatory jail term of twenty consecutive days. The court shall 3158
impose the twenty-day mandatory jail term under this division 3159
unless, subject to division (G)(3) of this section, it instead 3160
imposes a sentence under that division consisting of both a jail 3161
term and a term of house arrest with electronic monitoring, with 3162
continuous alcohol monitoring, or with both electronic 3163
monitoring and continuous alcohol monitoring. The court may 3164
impose a jail term in addition to the twenty-day mandatory jail 3165
term. The cumulative jail term imposed for the offense shall not 3166
exceed six months. 3167

In addition to the jail term or the term of house arrest 3168
with electronic monitoring or continuous alcohol monitoring or 3169
both types of monitoring and jail term, the court shall require 3170

the offender to be assessed by a community addiction service 3171
provider that is authorized by section 5119.21 of the Revised 3172
Code, subject to division (I) of this section, and shall order 3173
the offender to follow the treatment recommendations of the 3174
services provider. The purpose of the assessment is to determine 3175
the degree of the offender's alcohol usage and to determine 3176
whether or not treatment is warranted. Upon the request of the 3177
court, the services provider shall submit the results of the 3178
assessment to the court, including all treatment recommendations 3179
and clinical diagnoses related to alcohol use. 3180

(iii) In all cases, notwithstanding the fines set forth in 3181
Chapter 2929. of the Revised Code, a fine of not less than ~~five-~~ 3182
nine hundred ~~twenty-five~~ and not more than one thousand six 3183
hundred twenty-five dollars; 3184

(iv) In all cases, a suspension of the offender's driver's 3185
license, commercial driver's license, temporary instruction 3186
permit, probationary license, or nonresident operating privilege 3187
for a definite period of one to seven years. The court may grant 3188
limited driving privileges relative to the suspension under 3189
sections 4510.021 and 4510.13 of the Revised Code. 3190

(v) In all cases, if the vehicle is registered in the 3191
offender's name, immobilization of the vehicle involved in the 3192
offense for ninety days in accordance with section 4503.233 of 3193
the Revised Code and impoundment of the license plates of that 3194
vehicle for ninety days. 3195

(c) Except as otherwise provided in division (G) (1) (e) of 3196
this section, an offender who, within ten years of the offense, 3197
previously has been convicted of or pleaded guilty to two 3198
violations of division (A) of this section or other equivalent 3199
offenses is guilty of a misdemeanor. The court shall sentence 3200

the offender to all of the following: 3201

(i) If the sentence is being imposed for a violation of 3202
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, 3203
a mandatory jail term of thirty consecutive days. The court 3204
shall impose the thirty-day mandatory jail term under this 3205
division unless, subject to division (G)(3) of this section, it 3206
instead imposes a sentence under that division consisting of 3207
both a jail term and a term of house arrest with electronic 3208
monitoring, with continuous alcohol monitoring, or with both 3209
electronic monitoring and continuous alcohol monitoring. The 3210
court may impose a jail term in addition to the thirty-day 3211
mandatory jail term. Notwithstanding the jail terms set forth in 3212
sections 2929.21 to 2929.28 of the Revised Code, the additional 3213
jail term shall not exceed one year, and the cumulative jail 3214
term imposed for the offense shall not exceed one year. 3215

(ii) If the sentence is being imposed for a violation of 3216
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 3217
section, a mandatory jail term of sixty consecutive days. The 3218
court shall impose the sixty-day mandatory jail term under this 3219
division unless, subject to division (G)(3) of this section, it 3220
instead imposes a sentence under that division consisting of 3221
both a jail term and a term of house arrest with electronic 3222
monitoring, with continuous alcohol monitoring, or with both 3223
electronic monitoring and continuous alcohol monitoring. The 3224
court may impose a jail term in addition to the sixty-day 3225
mandatory jail term. Notwithstanding the jail terms set forth in 3226
sections 2929.21 to 2929.28 of the Revised Code, the additional 3227
jail term shall not exceed one year, and the cumulative jail 3228
term imposed for the offense shall not exceed one year. 3229

(iii) In all cases, notwithstanding the fines set forth in 3230

Chapter 2929. of the Revised Code, a fine of not less than ~~eight~~ 3231
~~hundred fifty-one thousand two hundred twenty-five~~ and not more 3232
than two thousand seven hundred fifty dollars; 3233

(iv) In all cases, a suspension of the offender's driver's 3234
license, commercial driver's license, temporary instruction 3235
permit, probationary license, or nonresident operating privilege 3236
for a definite period of two to twelve years. The court may 3237
grant limited driving privileges relative to the suspension 3238
under sections 4510.021 and 4510.13 of the Revised Code. 3239

(v) In all cases, if the vehicle is registered in the 3240
offender's name, criminal forfeiture of the vehicle involved in 3241
the offense in accordance with section 4503.234 of the Revised 3242
Code. Division (G) (6) of this section applies regarding any 3243
vehicle that is subject to an order of criminal forfeiture under 3244
this division. 3245

(vi) In all cases, the court shall order the offender to 3246
participate with a community addiction services provider 3247
authorized by section 5119.21 of the Revised Code, subject to 3248
division (I) of this section, and shall order the offender to 3249
follow the treatment recommendations of the services provider. 3250
The operator of the services provider shall determine and assess 3251
the degree of the offender's alcohol dependency and shall make 3252
recommendations for treatment. Upon the request of the court, 3253
the services provider shall submit the results of the assessment 3254
to the court, including all treatment recommendations and 3255
clinical diagnoses related to alcohol use. 3256

(vii) In all cases, the court shall order the offender to 3257
a term of continuous alcohol monitoring for one hundred eighty 3258
days. The continuous alcohol monitoring term may be served 3259
concurrently with any term of house arrest ordered by the court, 3260

provided the term of house arrest includes continuous alcohol 3261
monitoring. The court shall prohibit the offender from 3262
exercising any limited driving privileges until the offender 3263
serves a complete one hundred eighty days without consuming any 3264
beer or intoxicating liquor. 3265

(d) Except as otherwise provided in division (G)(1)(e) of 3266
this section, an offender who, within ten years of the offense, 3267
previously has been convicted of or pleaded guilty to three or 3268
four violations of division (A) of this section or other 3269
equivalent offenses, an offender who, within twenty years of the 3270
offense, previously has been convicted of or pleaded guilty to 3271
five or more violations of that nature, or an offender who 3272
previously has been convicted of or pleaded guilty to a 3273
specification of the type described in section 2941.1413 of the 3274
Revised Code, is guilty of a felony of the fourth degree. The 3275
court shall sentence the offender to all of the following: 3276

(i) If the sentence is being imposed for a violation of 3277
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, 3278
a mandatory prison term of one, two, three, four, or five years 3279
as required by and in accordance with division (G)(2) of section 3280
2929.13 of the Revised Code if the offender also is convicted of 3281
or also pleads guilty to a specification of the type described 3282
in section 2941.1413 of the Revised Code or, in the discretion 3283
of the court, either a mandatory term of local incarceration of 3284
sixty consecutive days in accordance with division (G)(1) of 3285
section 2929.13 of the Revised Code or a mandatory prison term 3286
of sixty consecutive days in accordance with division (G)(2) of 3287
that section if the offender is not convicted of and does not 3288
plead guilty to a specification of that type. If the court 3289
imposes a mandatory term of local incarceration, it may impose a 3290
jail term in addition to the sixty-day mandatory term, the 3291

cumulative total of the mandatory term and the jail term for the offense shall not exceed one year, and, except as provided in division (A)(1) of section 2929.13 of the Revised Code, no prison term is authorized for the offense. If the court imposes a mandatory prison term, notwithstanding division (A)(4) of section 2929.14 of the Revised Code, it also may sentence the offender to a definite prison term that shall be not less than six months and not more than thirty months and the prison terms shall be imposed as described in division (G)(2) of section 2929.13 of the Revised Code. If the court imposes a mandatory prison term or mandatory prison term and additional prison term, in addition to the term or terms so imposed, the court also may sentence the offender to a community control sanction for the offense, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

(ii) If the sentence is being imposed for a violation of division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this section, a mandatory prison term of one, two, three, four, or five years as required by and in accordance with division (G)(2) of section 2929.13 of the Revised Code if the offender also is convicted of or also pleads guilty to a specification of the type described in section 2941.1413 of the Revised Code or, in the discretion of the court, either a mandatory term of local incarceration of one hundred twenty consecutive days in accordance with division (G)(1) of section 2929.13 of the Revised Code or a mandatory prison term of one hundred twenty consecutive days in accordance with division (G)(2) of that section if the offender is not convicted of and does not plead guilty to a specification of that type. If the court imposes a mandatory term of local incarceration, it may impose a jail term in addition to the one hundred twenty-day mandatory term, the

cumulative total of the mandatory term and the jail term for the offense shall not exceed one year, and, except as provided in division (A) (1) of section 2929.13 of the Revised Code, no prison term is authorized for the offense. If the court imposes a mandatory prison term, notwithstanding division (A) (4) of section 2929.14 of the Revised Code, it also may sentence the offender to a definite prison term that shall be not less than six months and not more than thirty months and the prison terms shall be imposed as described in division (G) (2) of section 2929.13 of the Revised Code. If the court imposes a mandatory prison term or mandatory prison term and additional prison term, in addition to the term or terms so imposed, the court also may sentence the offender to a community control sanction for the offense, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

(iii) In all cases, notwithstanding section 2929.18 of the Revised Code, a fine of not less than one thousand ~~three~~seven hundred ~~fifty~~twenty-five nor more than ten thousand five hundred dollars;

(iv) In all cases, a class two license suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A) (2) of section 4510.02 of the Revised Code. The court may grant limited driving privileges relative to the suspension under sections 4510.021 and 4510.13 of the Revised Code.

(v) In all cases, if the vehicle is registered in the offender's name, criminal forfeiture of the vehicle involved in the offense in accordance with section 4503.234 of the Revised

Code. Division (G) (6) of this section applies regarding any 3353
vehicle that is subject to an order of criminal forfeiture under 3354
this division. 3355

(vi) In all cases, the court shall order the offender to 3356
participate with a community addiction services provider 3357
authorized by section 5119.21 of the Revised Code, subject to 3358
division (I) of this section, and shall order the offender to 3359
follow the treatment recommendations of the services provider. 3360
The operator of the services provider shall determine and assess 3361
the degree of the offender's alcohol dependency and shall make 3362
recommendations for treatment. Upon the request of the court, 3363
the services provider shall submit the results of the assessment 3364
to the court, including all treatment recommendations and 3365
clinical diagnoses related to alcohol use. 3366

(vii) In all cases, if the court sentences the offender to 3367
a mandatory term of local incarceration, in addition to the 3368
mandatory term, the court, pursuant to section 2929.17 of the 3369
Revised Code, may impose a term of house arrest with electronic 3370
monitoring. The term shall not commence until after the offender 3371
has served the mandatory term of local incarceration. 3372

(viii) In all cases, the court shall order the offender to 3373
a term of continuous alcohol monitoring for one hundred eighty 3374
days. The court shall prohibit the offender from exercising any 3375
limited driving privileges until the offender serves a complete 3376
one hundred eighty days without consuming any beer or 3377
intoxicating liquor. 3378

(e) An offender who previously has been convicted of or 3379
pleaded guilty to a violation of division (A) of this section 3380
that was a felony, regardless of when the violation and the 3381
conviction or guilty plea occurred, is guilty of a felony of the 3382

third degree. The court shall sentence the offender to all of 3383
the following: 3384

(i) If the offender is being sentenced for a violation of 3385
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, 3386
a mandatory prison term of one, two, three, four, or five years 3387
as required by and in accordance with division (G)(2) of section 3388
2929.13 of the Revised Code if the offender also is convicted of 3389
or also pleads guilty to a specification of the type described 3390
in section 2941.1413 of the Revised Code or a mandatory prison 3391
term of sixty consecutive days in accordance with division (G) 3392
(2) of section 2929.13 of the Revised Code if the offender is 3393
not convicted of and does not plead guilty to a specification of 3394
that type. The court may impose a prison term in addition to the 3395
mandatory prison term. The cumulative total of a sixty-day 3396
mandatory prison term and the additional prison term for the 3397
offense shall not exceed five years. In addition to the 3398
mandatory prison term or mandatory prison term and additional 3399
prison term the court imposes, the court also may sentence the 3400
offender to a community control sanction for the offense, but 3401
the offender shall serve all of the prison terms so imposed 3402
prior to serving the community control sanction. 3403

(ii) If the sentence is being imposed for a violation of 3404
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 3405
section, a mandatory prison term of one, two, three, four, or 3406
five years as required by and in accordance with division (G)(2) 3407
of section 2929.13 of the Revised Code if the offender also is 3408
convicted of or also pleads guilty to a specification of the 3409
type described in section 2941.1413 of the Revised Code or a 3410
mandatory prison term of one hundred twenty consecutive days in 3411
accordance with division (G)(2) of section 2929.13 of the 3412
Revised Code if the offender is not convicted of and does not 3413

plead guilty to a specification of that type. The court may 3414
impose a prison term in addition to the mandatory prison term. 3415
The cumulative total of a one hundred twenty-day mandatory 3416
prison term and the additional prison term for the offense shall 3417
not exceed five years. In addition to the mandatory prison term 3418
or mandatory prison term and additional prison term the court 3419
imposes, the court also may sentence the offender to a community 3420
control sanction for the offense, but the offender shall serve 3421
all of the prison terms so imposed prior to serving the 3422
community control sanction. 3423

(iii) In all cases, notwithstanding section 2929.18 of the 3424
Revised Code, a fine of not less than one thousand ~~three-seven~~ 3425
hundred ~~fifty-twenty-five~~ nor more than ten thousand five 3426
hundred dollars; 3427

(iv) In all cases, a class two license suspension of the 3428
offender's driver's license, commercial driver's license, 3429
temporary instruction permit, probationary license, or 3430
nonresident operating privilege from the range specified in 3431
division (A)(2) of section 4510.02 of the Revised Code. The 3432
court may grant limited driving privileges relative to the 3433
suspension under sections 4510.021 and 4510.13 of the Revised 3434
Code. 3435

(v) In all cases, if the vehicle is registered in the 3436
offender's name, criminal forfeiture of the vehicle involved in 3437
the offense in accordance with section 4503.234 of the Revised 3438
Code. Division (G)(6) of this section applies regarding any 3439
vehicle that is subject to an order of criminal forfeiture under 3440
this division. 3441

(vi) In all cases, the court shall order the offender to 3442
participate with a community addiction services provider 3443

authorized by section 5119.21 of the Revised Code, subject to 3444
division (I) of this section, and shall order the offender to 3445
follow the treatment recommendations of the services provider. 3446
The operator of the services provider shall determine and assess 3447
the degree of the offender's alcohol dependency and shall make 3448
recommendations for treatment. Upon the request of the court, 3449
the services provider shall submit the results of the assessment 3450
to the court, including all treatment recommendations and 3451
clinical diagnoses related to alcohol use. 3452

(vii) In all cases, the court shall order the offender to 3453
a term of continuous alcohol monitoring for one hundred eighty 3454
days. The court shall prohibit the offender from exercising any 3455
limited driving privileges until the offender serves a complete 3456
one hundred eighty days without consuming any beer or 3457
intoxicating liquor. 3458

(2) An offender who is convicted of or pleads guilty to a 3459
violation of division (A) of this section and who subsequently 3460
seeks reinstatement of the driver's or occupational driver's 3461
license or permit or nonresident operating privilege suspended 3462
under this section as a result of the conviction or guilty plea 3463
shall pay a reinstatement fee as provided in division (F) (2) of 3464
section 4511.191 of the Revised Code. 3465

(3) If an offender is sentenced to a jail term under 3466
division (G) (1) (b) (i) or (ii) or (G) (1) (c) (i) or (ii) of this 3467
section and if, within sixty days of sentencing of the offender, 3468
the court issues a written finding on the record that, due to 3469
the unavailability of space at the jail where the offender is 3470
required to serve the term, the offender will not be able to 3471
begin serving that term within the sixty-day period following 3472
the date of sentencing, the court may impose an alternative 3473

sentence under this division that includes a term of house 3474
arrest with electronic monitoring, with continuous alcohol 3475
monitoring, or with both electronic monitoring and continuous 3476
alcohol monitoring. 3477

As an alternative to a mandatory jail term of ten 3478
consecutive days required by division (G)(1)(b)(i) of this 3479
section, the court, under this division, may sentence the 3480
offender to five consecutive days in jail and not less than 3481
eighteen consecutive days of house arrest with electronic 3482
monitoring, with continuous alcohol monitoring, or with both 3483
electronic monitoring and continuous alcohol monitoring. The 3484
cumulative total of the five consecutive days in jail and the 3485
period of house arrest with electronic monitoring, continuous 3486
alcohol monitoring, or both types of monitoring shall not exceed 3487
six months. The five consecutive days in jail do not have to be 3488
served prior to or consecutively to the period of house arrest. 3489

As an alternative to the mandatory jail term of twenty 3490
consecutive days required by division (G)(1)(b)(ii) of this 3491
section, the court, under this division, may sentence the 3492
offender to ten consecutive days in jail and not less than 3493
thirty-six consecutive days of house arrest with electronic 3494
monitoring, with continuous alcohol monitoring, or with both 3495
electronic monitoring and continuous alcohol monitoring. The 3496
cumulative total of the ten consecutive days in jail and the 3497
period of house arrest with electronic monitoring, continuous 3498
alcohol monitoring, or both types of monitoring shall not exceed 3499
six months. The ten consecutive days in jail do not have to be 3500
served prior to or consecutively to the period of house arrest. 3501

As an alternative to a mandatory jail term of thirty 3502
consecutive days required by division (G)(1)(c)(i) of this 3503

section, the court, under this division, may sentence the 3504
offender to fifteen consecutive days in jail and not less than 3505
~~fifty-five~~ one hundred eighty consecutive days of house arrest 3506
with electronic monitoring, with continuous alcohol monitoring, 3507
or with both electronic monitoring and continuous alcohol 3508
monitoring. The cumulative total of the fifteen consecutive days 3509
in jail and the period of house arrest with electronic 3510
monitoring, continuous alcohol monitoring, or both types of 3511
monitoring shall not exceed one year. The fifteen consecutive 3512
days in jail do not have to be served prior to or consecutively 3513
to the period of house arrest. 3514

As an alternative to the mandatory jail term of sixty 3515
consecutive days required by division (G) (1) (c) (ii) of this 3516
section, the court, under this division, may sentence the 3517
offender to thirty consecutive days in jail and not less than 3518
one hundred ~~ten~~ eighty consecutive days of house arrest with 3519
electronic monitoring, with continuous alcohol monitoring, or 3520
with both electronic monitoring and continuous alcohol 3521
monitoring. The cumulative total of the thirty consecutive days 3522
in jail and the period of house arrest with electronic 3523
monitoring, continuous alcohol monitoring, or both types of 3524
monitoring shall not exceed one year. The thirty consecutive 3525
days in jail do not have to be served prior to or consecutively 3526
to the period of house arrest. 3527

(4) If an offender's driver's or occupational driver's 3528
license or permit or nonresident operating privilege is 3529
suspended under division (G) of this section and if section 3530
4510.13 of the Revised Code permits the court to grant limited 3531
driving privileges, the court may grant the limited driving 3532
privileges in accordance with that section. If division (A) (7) 3533
of that section requires that the court impose as a condition of 3534

the privileges that the offender must display on the vehicle 3535
that is driven subject to the privileges restricted license 3536
plates that are issued under section 4503.231 of the Revised 3537
Code, except as provided in division (B) of that section, the 3538
court shall impose that condition as one of the conditions of 3539
the limited driving privileges granted to the offender, except 3540
as provided in division (B) of section 4503.231 of the Revised 3541
Code. 3542

(5) Fines imposed under this section for a violation of 3543
division (A) of this section shall be distributed as follows: 3544

(a) Twenty-five dollars of the fine imposed under division 3545
(G) (1) (a) (iii), thirty-five dollars of the fine imposed under 3546
division (G) (1) (b) (iii), one hundred twenty-three dollars of the 3547
fine imposed under division (G) (1) (c) (iii), and two hundred ten 3548
dollars of the fine imposed under division (G) (1) (d) (iii) or (e) 3549
(iii) of this section shall be paid to an enforcement and 3550
education fund established by the legislative authority of the 3551
law enforcement agency in this state that primarily was 3552
responsible for the arrest of the offender, as determined by the 3553
court that imposes the fine. The agency shall use this share to 3554
pay only those costs it incurs in enforcing this section or a 3555
municipal OVI ordinance and in informing the public of the laws 3556
governing the operation of a vehicle while under the influence 3557
of alcohol, the dangers of the operation of a vehicle under the 3558
influence of alcohol, and other information relating to the 3559
operation of a vehicle under the influence of alcohol and the 3560
consumption of alcoholic beverages. 3561

(b) Fifty dollars of the fine imposed under division (G) 3562
(1) (a) (iii) of this section shall be paid to the political 3563
subdivision that pays the cost of housing the offender during 3564

the offender's term of incarceration. If the offender is being 3565
sentenced for a violation of division (A) (1) (a), (b), (c), (d), 3566
(e), or (j) of this section and was confined as a result of the 3567
offense prior to being sentenced for the offense but is not 3568
sentenced to a term of incarceration, the fifty dollars shall be 3569
paid to the political subdivision that paid the cost of housing 3570
the offender during that period of confinement. The political 3571
subdivision shall use the share under this division to pay or 3572
reimburse incarceration or treatment costs it incurs in housing 3573
or providing drug and alcohol treatment to persons who violate 3574
this section or a municipal OVI ordinance, costs of any 3575
immobilizing or disabling device used on the offender's vehicle, 3576
and costs of electronic house arrest equipment needed for 3577
persons who violate this section. 3578

(c) Twenty-five dollars of the fine imposed under division 3579
(G) (1) (a) (iii) and fifty dollars of the fine imposed under 3580
division (G) (1) (b) (iii) of this section shall be deposited into 3581
the county or municipal indigent drivers' alcohol treatment fund 3582
under the control of that court, as created by the county or 3583
municipal corporation under division (F) of section 4511.191 of 3584
the Revised Code. 3585

(d) One hundred fifteen dollars of the fine imposed under 3586
division (G) (1) (b) (iii), two hundred seventy-seven dollars of 3587
the fine imposed under division (G) (1) (c) (iii), and four hundred 3588
forty dollars of the fine imposed under division (G) (1) (d) (iii) 3589
or (e) (iii) of this section shall be paid to the political 3590
subdivision that pays the cost of housing the offender during 3591
the offender's term of incarceration. The political subdivision 3592
shall use this share to pay or reimburse incarceration or 3593
treatment costs it incurs in housing or providing drug and 3594
alcohol treatment to persons who violate this section or a 3595

municipal OVI ordinance, costs for any immobilizing or disabling 3596
device used on the offender's vehicle, and costs of electronic 3597
house arrest equipment needed for persons who violate this 3598
section. 3599

(e) Fifty dollars of the fine imposed under divisions (G) 3600
(1) (a) (iii), (G) (1) (b) (iii), (G) (1) (c) (iii), (G) (1) (d) (iii), and 3601
(G) (1) (e) (iii) of this section shall be deposited into the 3602
special projects fund of the court in which the offender was 3603
convicted and that is established under division (E) (1) of 3604
section 2303.201, division (B) (1) of section 1901.26, or 3605
division (B) (1) of section 1907.24 of the Revised Code, to be 3606
used exclusively to cover the cost of immobilizing or disabling 3607
devices, including certified ignition interlock devices, and 3608
remote alcohol monitoring devices for indigent offenders who are 3609
required by a judge to use either of these devices. If the court 3610
in which the offender was convicted does not have a special 3611
projects fund that is established under division (E) (1) of 3612
section 2303.201, division (B) (1) of section 1901.26, or 3613
division (B) (1) of section 1907.24 of the Revised Code, the 3614
fifty dollars shall be deposited into the indigent drivers 3615
interlock and alcohol monitoring fund under division (I) of 3616
section 4511.191 of the Revised Code. 3617

(f) Seventy-five dollars of the fine imposed under 3618
division (G) (1) (a) (iii), one hundred twenty-five dollars of the 3619
fine imposed under division (G) (1) (b) (iii), two hundred fifty 3620
dollars of the fine imposed under division (G) (1) (c) (iii), and 3621
five hundred dollars of the fine imposed under division (G) (1) 3622
(d) (iii) or (e) (iii) of this section shall be transmitted to the 3623
treasurer of state for deposit into the indigent defense support 3624
fund established under section 120.08 of the Revised Code. 3625

(g) Three hundred seventy-five dollars of the fine imposed 3626
under divisions (G) (1) (a) (iii), (G) (1) (b) (iii), (G) (1) (c) (iii), 3627
(G) (1) (d) (iii), and (G) (1) (e) (iii) of this section shall be 3628
deposited into the indigent drivers interlock and alcohol 3629
monitoring fund established under division (I) of section 3630
4511.191 of the Revised Code. 3631

(h) The balance of the fine imposed under division (G) (1) 3632
(a) (iii), (b) (iii), (c) (iii), (d) (iii), or (e) (iii) of this 3633
section shall be disbursed as otherwise provided by law. 3634

(6) If title to a motor vehicle that is subject to an 3635
order of criminal forfeiture under division (G) (1) (c), (d), or 3636
(e) of this section is assigned or transferred and division (B) 3637
(2) or (3) of section 4503.234 of the Revised Code applies, in 3638
addition to or independent of any other penalty established by 3639
law, the court may fine the offender the value of the vehicle as 3640
determined by publications of the national automobile dealers 3641
association. The proceeds of any fine so imposed shall be 3642
distributed in accordance with division (C) (2) of that section. 3643

(7) In all cases in which an offender is sentenced under 3644
division (G) of this section, the offender shall provide the 3645
court with proof of financial responsibility as defined in 3646
section 4509.01 of the Revised Code. If the offender fails to 3647
provide that proof of financial responsibility, the court, in 3648
addition to any other penalties provided by law, may order 3649
restitution pursuant to section 2929.18 or 2929.28 of the 3650
Revised Code in an amount not exceeding five thousand dollars 3651
for any economic loss arising from an accident or collision that 3652
was the direct and proximate result of the offender's operation 3653
of the vehicle before, during, or after committing the offense 3654
for which the offender is sentenced under division (G) of this 3655

section. 3656

(8) A court may order an offender to reimburse a law 3657
enforcement agency for any costs incurred by the agency with 3658
respect to a chemical test or tests administered to the offender 3659
if all of the following apply: 3660

(a) The offender is convicted of or pleads guilty to a 3661
violation of division (A) of this section. 3662

(b) The test or tests were of the offender's whole blood, 3663
blood serum or plasma, or urine. 3664

(c) The test or tests indicated that the offender had a 3665
prohibited concentration of a controlled substance or a 3666
metabolite of a controlled substance in the offender's whole 3667
blood, blood serum or plasma, or urine at the time of the 3668
offense. 3669

(9) A court shall warn any person who is convicted of or 3670
who pleads guilty to a violation of division (A) of this section 3671
or an equivalent offense that a subsequent violation of this 3672
section or an equivalent offense that results in the death of 3673
another or the unlawful termination of another's pregnancy may 3674
result in the person being guilty of aggravated vehicular 3675
homicide under section 2903.06 of the Revised Code. The court 3676
shall warn the person of the applicable penalties for that 3677
violation under sections 2903.06 and 2929.142 of the Revised 3678
Code. 3679

(10) As used in division (G) of this section, "electronic 3680
monitoring," "mandatory prison term," and "mandatory term of 3681
local incarceration" have the same meanings as in section 3682
2929.01 of the Revised Code. 3683

(H) Whoever violates division (B) of this section is 3684

guilty of operating a vehicle after underage alcohol consumption 3685
and shall be punished as follows: 3686

(1) Except as otherwise provided in division (H) (2) of 3687
this section, the offender is guilty of a misdemeanor of the 3688
fourth degree. In addition to any other sanction imposed for the 3689
offense, the court shall impose a class six suspension of the 3690
offender's driver's license, commercial driver's license, 3691
temporary instruction permit, probationary license, or 3692
nonresident operating privilege from the range specified in 3693
division (A) (6) of section 4510.02 of the Revised Code. The 3694
court may grant limited driving privileges relative to the 3695
suspension under sections 4510.021 and 4510.13 of the Revised 3696
Code. The court may grant unlimited driving privileges with an 3697
ignition interlock device relative to the suspension and may 3698
reduce the period of suspension as authorized under section 3699
4510.022 of the Revised Code. If the court grants unlimited 3700
driving privileges under section 4510.022 of the Revised Code, 3701
the court shall suspend any jail term imposed under division (H) 3702
(1) of this section as required under that section. 3703

(2) If, within one year of the offense, the offender 3704
previously has been convicted of or pleaded guilty to one or 3705
more violations of division (A) of this section or other 3706
equivalent offenses, the offender is guilty of a misdemeanor of 3707
the third degree. In addition to any other sanction imposed for 3708
the offense, the court shall impose a class four suspension of 3709
the offender's driver's license, commercial driver's license, 3710
temporary instruction permit, probationary license, or 3711
nonresident operating privilege from the range specified in 3712
division (A) (4) of section 4510.02 of the Revised Code. The 3713
court may grant limited driving privileges relative to the 3714
suspension under sections 4510.021 and 4510.13 of the Revised 3715

Code. 3716

(3) The offender shall provide the court with proof of 3717
financial responsibility as defined in section 4509.01 of the 3718
Revised Code. If the offender fails to provide that proof of 3719
financial responsibility, then, in addition to any other 3720
penalties provided by law, the court may order restitution 3721
pursuant to section 2929.28 of the Revised Code in an amount not 3722
exceeding five thousand dollars for any economic loss arising 3723
from an accident or collision that was the direct and proximate 3724
result of the offender's operation of the vehicle before, 3725
during, or after committing the violation of division (B) of 3726
this section. 3727

(I) (1) No court shall sentence an offender to an alcohol 3728
treatment program under this section unless the treatment 3729
program complies with the minimum standards for alcohol 3730
treatment programs adopted under Chapter 5119. of the Revised 3731
Code by the director of mental health and addiction services. 3732

(2) An offender who stays in a drivers' intervention 3733
program or in an alcohol treatment program under an order issued 3734
under this section shall pay the cost of the stay in the 3735
program. However, if the court determines that an offender who 3736
stays in an alcohol treatment program under an order issued 3737
under this section is unable to pay the cost of the stay in the 3738
program, the court may order that the cost be paid from the 3739
court's indigent drivers' alcohol treatment fund. 3740

(J) If a person whose driver's or commercial driver's 3741
license or permit or nonresident operating privilege is 3742
suspended under this section files an appeal regarding any 3743
aspect of the person's trial or sentence, the appeal itself does 3744
not stay the operation of the suspension. 3745

(K) Division (A) (1) (j) of this section does not apply to a 3746
person who operates a vehicle, streetcar, or trackless trolley 3747
while the person has a concentration of a listed controlled 3748
substance or a listed metabolite of a controlled substance in 3749
the person's whole blood, blood serum or plasma, or urine that 3750
equals or exceeds the amount specified in that division, if both 3751
of the following apply: 3752

(1) The person obtained the controlled substance pursuant 3753
to a prescription issued by a licensed health professional 3754
authorized to prescribe drugs. 3755

(2) The person injected, ingested, or inhaled the 3756
controlled substance in accordance with the health 3757
professional's directions. 3758

(L) The prohibited concentrations of a controlled 3759
substance or a metabolite of a controlled substance listed in 3760
division (A) (1) (j) of this section also apply in a prosecution 3761
of a violation of division (D) of section 2923.16 of the Revised 3762
Code in the same manner as if the offender is being prosecuted 3763
for a prohibited concentration of alcohol. 3764

(M) All terms defined in section 4510.01 of the Revised 3765
Code apply to this section. If the meaning of a term defined in 3766
section 4510.01 of the Revised Code conflicts with the meaning 3767
of the same term as defined in section 4501.01 or 4511.01 of the 3768
Revised Code, the term as defined in section 4510.01 of the 3769
Revised Code applies to this section. 3770

(N) (1) The Ohio Traffic Rules in effect on January 1, 3771
2004, as adopted by the supreme court under authority of section 3772
2937.46 of the Revised Code, do not apply to felony violations 3773
of this section. Subject to division (N) (2) of this section, the 3774

Rules of Criminal Procedure apply to felony violations of this 3775
section. 3776

(2) If, on or after January 1, 2004, the supreme court 3777
modifies the Ohio Traffic Rules to provide procedures to govern 3778
felony violations of this section, the modified rules shall 3779
apply to felony violations of this section. 3780

Section 2. That existing sections 2903.06, 2929.14, 3781
2929.142, 4510.13, 4510.17, 4510.31, 4510.54, and 4511.19 of the 3782
Revised Code are hereby repealed. 3783