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135th General Assembly
Regular Session
2023-2024

Sub. S. B. No. 37

A BILL

To amend sections 1901.44, 1905.202, 1907.25, 1
2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 3
2925.22, 2925.23, 2925.31, 2925.32, 2925.36, 4
2925.37, 2935.26, 2935.27, 2937.40, 2947.09, 5
3123.54, 3123.56, 3123.58, 3321.13, 3321.191, 6
4501.06, 4503.10, 4503.102, 4503.12, 4503.20, 7
4503.39, 4507.212, 4509.101, 4509.12, 4509.19, 8
4509.20, 4509.24, 4509.25, 4509.291, 4509.34, 9
4509.35, 4509.36, 4509.42, 4509.45, 4509.66, 10
4509.67, 4509.69, 4509.77, 4510.101, 4510.111, 11
4510.16, 4510.17, and 4510.22; to enact section 12
2929.33; and to repeal sections 2937.221, 13
4509.17, 4509.18, 4509.26, 4509.37, 4509.38, 14
4509.39, 4509.40, 4509.44, 4509.68, and 4510.32 15
of the Revised Code to make changes to the laws 16
governing driver's license suspensions and to 17
the laws governing penalties for failure to 18
provide proof of financial responsibility. 19

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



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Section 1. That sections 1901.44, 1905.202, 1907.25, 20
2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 21
2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 22
2925.36, 2925.37, 2935.26, 2935.27, 2937.40, 2947.09, 3123.54, 23
3123.56, 3123.58, 3321.13, 3321.191, 4501.06, 4503.10, 4503.102, 24
4503.12, 4503.20, 4503.39, 4507.212, 4509.101, 4509.12, 4509.19, 25
4509.20, 4509.24, 4509.25, 4509.291, 4509.34, 4509.35, 4509.36, 26
4509.42, 4509.45, 4509.66, 4509.67, 4509.69, 4509.77, 4510.101, 27
4510.111, 4510.16, 4510.17, and 4510.22 be amended and section 28
2929.33 of the Revised Code be enacted to read as follows: 29

Sec. 1901.44. (A) (1) Notwithstanding any other provision 30
of the Revised Code, if at the time of sentencing or at any time 31
after sentencing a municipal court finds that a person who is 32
found guilty of an offense is unable to pay costs, the court may 33
order the offender to perform community service in lieu of 34
costs. 35

(2) Notwithstanding any other provision of the Revised 36
Code, if at the time of sentencing or at any time after 37
sentencing a municipal court finds that a person who is found 38
guilty of an offense will not be able to pay costs in full when 39
they are due, the court may order the offender to pay the costs 40
in installments according to a schedule set by the court. 41

(B) If a person is charged with an offense in municipal 42
court and ~~either fails to appear in court at the required time~~ 43
and place to answer the charge ~~or pleads guilty to or is found~~ 44
~~guilty of the offense and fails within the time allowed by the~~ 45
~~court to pay any fine or costs imposed by the court,~~ the court 46
may enter information relative to the person's failure to ~~pay~~ 47
~~any outstanding amount of the fine or costs~~ appear on a form 48
prescribed or approved by the registrar of motor vehicles 49

pursuant to division (C) of this section and send the form to 50
the registrar. Upon receipt of the form, the registrar shall 51
take any measures necessary to ensure that neither the registrar 52
nor any deputy registrar accepts any application for the 53
registration or transfer of registration of any motor vehicle 54
owned or leased by the person. However, for a motor vehicle 55
leased by the person, the registrar shall not implement this 56
requirement until the registrar adopts procedures for that 57
implementation under section 4503.39 of the Revised Code. 58

The period of denial relating to the issuance or transfer 59
of a certificate of registration for a motor vehicle imposed 60
under this section remains in effect until the person ~~pays any~~ 61
~~fine or costs imposed by the~~ appears in court relative to the 62
offense. ~~When the fine or costs have been paid in full, the~~ The 63
court shall inform the registrar of the ~~payment~~ appearance by 64
entering information relative to the ~~payment~~ appearance on a 65
~~notice of payment~~ form prescribed or approved by the registrar 66
pursuant to division (C) of this section and sending the form to 67
the registrar. 68

(C) The registrar shall prescribe and make available to 69
municipal courts forms to be used for a notice to the registrar 70
of failure to ~~pay fines or costs~~ appear and a notice to the 71
registrar of ~~payment of fines or costs~~ appearance under division 72
(B) of this section. The registrar may approve the use of other 73
forms for these purposes. 74

The registrar may require that any of the forms prescribed 75
or approved pursuant to this section be transmitted to the 76
registrar electronically. If the registrar requires electronic 77
transmission, the registrar shall not be required to give effect 78
to any form that is not transmitted electronically. 79

Sec. 1905.202. (A) (1) Notwithstanding any other provision 80
of the Revised Code, if at the time of sentencing or at any time 81
after sentencing a mayor's court finds that a person who is 82
found guilty of an offense is unable to pay costs, the court may 83
order the offender to perform community service in lieu of 84
costs. 85

(2) Notwithstanding any other provision of the Revised 86
Code, if at the time of sentencing or at any time after 87
sentencing a mayor's court finds that a person who is found 88
guilty of an offense will not be able to pay costs in full when 89
they are due, the court may order the offender to pay the costs 90
in installments according to a schedule set by the court. 91

(B) If a person is charged with an offense in mayor's 92
court and ~~either~~ fails to appear in court at the required time 93
and place to answer the charge ~~or pleads guilty to or is found~~ 94
~~guilty of the offense and fails within the time allowed by the~~ 95
~~court to pay any fine or costs imposed by the court,~~ the court 96
may enter information relative to the person's failure to ~~pay~~ 97
~~any outstanding amount of the fine or costs~~ appear on a form 98
prescribed or approved by the registrar of motor vehicles 99
pursuant to division (C) of this section and send the form to 100
the registrar. Upon receipt of the form, the registrar shall 101
take any measures necessary to ensure that neither the registrar 102
nor any deputy registrar accepts any application for the 103
registration or transfer of registration of any motor vehicle 104
owned or leased by the person. However, for a motor vehicle 105
leased by the person, the registrar shall not implement this 106
requirement until the registrar adopts procedures for that 107
implementation under section 4503.39 of the Revised Code. 108

The period of denial relating to the issuance or transfer 109

of a certificate of registration for a motor vehicle imposed 110
under this section remains in effect until the person ~~pays any~~ 111
~~fine or costs imposed by the~~ appears in court relative to the 112
offense. ~~When the fine or costs have been paid in full, the~~ The 113
court shall inform the registrar of the ~~payment appearance~~ by 114
entering information relative to the ~~payment appearance~~ on a 115
~~notice of payment~~ form prescribed or approved by the registrar 116
pursuant to division (C) of this section and sending the form to 117
the registrar. 118

(C) The registrar shall prescribe and make available to 119
mayor's courts forms to be used for a notice to the registrar of 120
failure to ~~pay fines or costs~~ appear and a notice to the 121
registrar of ~~payment of fines or costs~~ appearance under division 122
(B) of this section. The registrar may approve the use of other 123
forms for these purposes. 124

The registrar may require that any of the forms prescribed 125
or approved pursuant to this section be transmitted to the 126
registrar electronically. If the registrar requires electronic 127
transmission, the registrar shall not be required to give effect 128
to any form that is not transmitted electronically. 129

Sec. 1907.25. (A) (1) Notwithstanding any other provision 130
of the Revised Code, if at the time of sentencing or at any time 131
after sentencing a county court finds that a person who is found 132
guilty of an offense is unable to pay costs, the court may order 133
the offender to perform community service in lieu of costs. 134

(2) Notwithstanding any other provision of the Revised 135
Code, if at the time of sentencing or at any time after 136
sentencing a county court finds that a person who is found 137
guilty of an offense will not be able to pay costs in full when 138
they are due, the court may order the offender to pay the costs 139

in installments according to a schedule set by the court. 140

(B) If a person is charged with an offense in county court 141
and ~~either~~ fails to appear in court at the required time and 142
place to answer the charge ~~or pleads guilty to or is found~~ 143
~~guilty of the offense and fails within the time allowed by the~~ 144
~~court to pay any fine or costs imposed by the court,~~ the court 145
may enter information relative to the person's failure to ~~pay~~ 146
~~any outstanding amount of the fine or costs~~ appear on a form 147
prescribed or approved by the registrar of motor vehicles 148
pursuant to division (C) of this section and send the form to 149
the registrar. Upon receipt of the form, the registrar shall 150
take any measures necessary to ensure that neither the registrar 151
nor any deputy registrar accepts any application for the 152
registration or transfer of registration of any motor vehicle 153
owned or leased by the person. However, for a motor vehicle 154
leased by the person, the registrar shall not implement this 155
requirement until the registrar adopts procedures for that 156
implementation under section 4503.39 of the Revised Code. 157

The period of denial relating to the issuance or transfer 158
of a certificate of registration for a motor vehicle imposed 159
under this section remains in effect until the person ~~pays any~~ 160
~~fine or costs imposed by~~ appears in the court relative to the 161
offense. ~~When the fine or costs have been paid in full, the~~ The 162
court shall inform the registrar of the ~~payment~~ appearance by 163
entering information relative to the ~~payment~~ appearance on a 164
~~notice of payment~~ form prescribed or approved by the registrar 165
pursuant to division (C) of this section and sending the form to 166
the registrar. 167

(C) The registrar shall prescribe and make available to 168
county courts forms to be used for a notice to the registrar of 169

failure to ~~pay fines or costs~~ appear and a notice to the 170
registrar of ~~payment of fines or costs~~ appearance under division 171
(B) of this section. The registrar may approve the use of other 172
forms for these purposes. 173

The registrar may require that any of the forms prescribed 174
or approved pursuant to this section be transmitted to the 175
registrar electronically. If the registrar requires electronic 176
transmission, the registrar shall not be required to give effect 177
to any form that is not transmitted electronically. 178

Sec. 2925.02. (A) No person shall knowingly do any of the 179
following: 180

(1) By force, threat, or deception, administer to another 181
or induce or cause another to use a controlled substance; 182

(2) By any means, administer or furnish to another or 183
induce or cause another to use a controlled substance with 184
purpose to cause serious physical harm to the other person, or 185
with purpose to cause the other person to become a person with 186
drug dependency; 187

(3) By any means, administer or furnish to another or 188
induce or cause another to use a controlled substance, and 189
thereby cause serious physical harm to the other person, or 190
cause the other person to become a person with drug dependency; 191

(4) By any means, do any of the following: 192

(a) Furnish or administer a controlled substance to a 193
juvenile who is at least two years the offender's junior, when 194
the offender knows the age of the juvenile or is reckless in 195
that regard; 196

(b) Induce or cause a juvenile who is at least two years 197

the offender's junior to use a controlled substance, when the 198
offender knows the age of the juvenile or is reckless in that 199
regard; 200

(c) Induce or cause a juvenile who is at least two years 201
the offender's junior to commit a felony drug abuse offense, 202
when the offender knows the age of the juvenile or is reckless 203
in that regard; 204

(d) Use a juvenile, whether or not the offender knows the 205
age of the juvenile, to perform any surveillance activity that 206
is intended to prevent the detection of the offender or any 207
other person in the commission of a felony drug abuse offense or 208
to prevent the arrest of the offender or any other person for 209
the commission of a felony drug abuse offense. 210

(5) By any means, furnish or administer a controlled 211
substance to a pregnant woman or induce or cause a pregnant 212
woman to use a controlled substance, when the offender knows 213
that the woman is pregnant or is reckless in that regard. 214

(B) Division (A) (1), (3), (4), or (5) of this section does 215
not apply to manufacturers, wholesalers, licensed health 216
professionals authorized to prescribe drugs, pharmacists, owners 217
of pharmacies, and other persons whose conduct is in accordance 218
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 219
4741. of the Revised Code. 220

(C) Whoever violates this section is guilty of corrupting 221
another with drugs. The penalty for the offense shall be 222
determined as follows: 223

(1) If the offense is a violation of division (A) (1), (2), 224
(3), or (4) of this section and the drug involved is any 225
compound, mixture, preparation, or substance included in 226

schedule I or II, with the exception of marihuana, 1-Pentyl-3- 227
(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 228
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 229
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 230
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 231
offender shall be punished as follows: 232

(a) Except as otherwise provided in division (C) (1) (b) of 233
this section, corrupting another with drugs committed in those 234
circumstances is a felony of the second degree and, subject to 235
division (E) of this section, the court shall impose as a 236
mandatory prison term a second degree felony mandatory prison 237
term. 238

(b) If the offense was committed in the vicinity of a 239
school, corrupting another with drugs committed in those 240
circumstances is a felony of the first degree, and, subject to 241
division (E) of this section, the court shall impose as a 242
mandatory prison term a first degree felony mandatory prison 243
term. 244

(2) If the offense is a violation of division (A) (1), (2), 245
(3), or (4) of this section and the drug involved is any 246
compound, mixture, preparation, or substance included in 247
schedule III, IV, or V, the offender shall be punished as 248
follows: 249

(a) Except as otherwise provided in division (C) (2) (b) of 250
this section, corrupting another with drugs committed in those 251
circumstances is a felony of the second degree and there is a 252
presumption for a prison term for the offense. 253

(b) If the offense was committed in the vicinity of a 254
school, corrupting another with drugs committed in those 255

circumstances is a felony of the second degree and the court 256
shall impose as a mandatory prison term a second degree felony 257
mandatory prison term. 258

(3) If the offense is a violation of division (A) (1), (2), 259
(3), or (4) of this section and the drug involved is marihuana, 260
1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 261
1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 262
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 263
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, the 264
offender shall be punished as follows: 265

(a) Except as otherwise provided in division (C) (3) (b) of 266
this section, corrupting another with drugs committed in those 267
circumstances is a felony of the fourth degree and division (C) 268
of section 2929.13 of the Revised Code applies in determining 269
whether to impose a prison term on the offender. 270

(b) If the offense was committed in the vicinity of a 271
school, corrupting another with drugs committed in those 272
circumstances is a felony of the third degree and division (C) 273
of section 2929.13 of the Revised Code applies in determining 274
whether to impose a prison term on the offender. 275

(4) If the offense is a violation of division (A) (5) of 276
this section and the drug involved is any compound, mixture, 277
preparation, or substance included in schedule I or II, with the 278
exception of marihuana, 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl- 279
3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1- 280
naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3- 281
hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)- 282
3-hydroxycyclohexyl]-phenol, corrupting another with drugs is a 283
felony of the first degree and, subject to division (E) of this 284
section, the court shall impose as a mandatory prison term a 285

first degree felony mandatory prison term. 286

(5) If the offense is a violation of division (A) (5) of 287
this section and the drug involved is any compound, mixture, 288
preparation, or substance included in schedule III, IV, or V, 289
corrupting another with drugs is a felony of the second degree 290
and the court shall impose as a mandatory prison term a second 291
degree felony mandatory prison term. 292

(6) If the offense is a violation of division (A) (5) of 293
this section and the drug involved is marihuana, 1-Pentyl-3-(1- 294
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 295
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 296
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5- 297
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, 298
corrupting another with drugs is a felony of the third degree 299
and division (C) of section 2929.13 of the Revised Code applies 300
in determining whether to impose a prison term on the offender. 301

(D) In addition to any prison term authorized or required 302
by division (C) or (E) of this section and sections 2929.13 and 303
2929.14 of the Revised Code and in addition to any other 304
sanction imposed for the offense under this section or sections 305
2929.11 to 2929.18 of the Revised Code, the court that sentences 306
an offender who is convicted of or pleads guilty to a violation 307
of division (A) of this section ~~may suspend for not more than~~ 308
~~five years the offender's driver's or commercial driver's~~ 309
~~license or permit. However, if the offender pleaded guilty to or~~ 310
~~was convicted of a violation of section 4511.19 of the Revised~~ 311
~~Code or a substantially similar municipal ordinance or the law~~ 312
~~of another state or the United States arising out of the same~~ 313
~~set of circumstances as the violation, the court shall suspend~~ 314
~~the offender's driver's or commercial driver's license or permit~~ 315

~~for not more than five years. The court also shall do all of the~~ 316
following that are applicable regarding the offender: 317

(1) (a) If the violation is a felony of the first, second, 318
or third degree, the court shall impose upon the offender the 319
mandatory fine specified for the offense under division (B) (1) 320
of section 2929.18 of the Revised Code unless, as specified in 321
that division, the court determines that the offender is 322
indigent. 323

(b) Notwithstanding any contrary provision of section 324
3719.21 of the Revised Code, any mandatory fine imposed pursuant 325
to division (D) (1) (a) of this section and any fine imposed for a 326
violation of this section pursuant to division (A) of section 327
2929.18 of the Revised Code shall be paid by the clerk of the 328
court in accordance with and subject to the requirements of, and 329
shall be used as specified in, division (F) of section 2925.03 330
of the Revised Code. 331

(c) If a person is charged with any violation of this 332
section that is a felony of the first, second, or third degree, 333
posts bail, and forfeits the bail, the forfeited bail shall be 334
paid by the clerk of the court pursuant to division (D) (1) (b) of 335
this section as if it were a fine imposed for a violation of 336
this section. 337

(2) If the offender is a professionally licensed person, 338
in addition to any other sanction imposed for a violation of 339
this section, the court immediately shall comply with section 340
2925.38 of the Revised Code. 341

(3) If the offender has a driver's or commercial driver's 342
license or permit, section 2929.33 of the Revised Code applies. 343

(E) Notwithstanding the prison term otherwise authorized 344

or required for the offense under division (C) of this section 345
and sections 2929.13 and 2929.14 of the Revised Code, if the 346
violation of division (A) of this section involves the sale, 347
offer to sell, or possession of a schedule I or II controlled 348
substance, with the exception of marihuana, 1-Pentyl-3-(1- 349
naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4- 350
morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- 351
dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5- 352
(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 353
if the court imposing sentence upon the offender finds that the 354
offender as a result of the violation is a major drug offender 355
and is guilty of a specification of the type described in 356
division (A) of section 2941.1410 of the Revised Code, the 357
court, in lieu of the prison term that otherwise is authorized 358
or required, shall impose upon the offender the mandatory prison 359
term specified in division (B) (3) (a) of section 2929.14 of the 360
Revised Code. 361

~~(F) (1) If the sentencing court suspends the offender's 362
driver's or commercial driver's license or permit under division 363
(D) of this section, the offender, at any time after the 364
expiration of two years from the day on which the offender's 365
sentence was imposed or from the day on which the offender 366
finally was released from a prison term under the sentence, 367
whichever is later, may file a motion with the sentencing court 368
requesting termination of the suspension. Upon the filing of the 369
motion and the court's finding of good cause for the 370
determination, the court may terminate the suspension. 371~~

~~(2)~~ (F) Any offender who received a mandatory suspension 372
of the offender's driver's or commercial driver's license or 373
permit under this section prior to September 13, 2016, may file 374
a motion with the sentencing court requesting the termination of 375

the suspension. However, an offender who pleaded guilty to or 376
was convicted of a violation of section 4511.19 of the Revised 377
Code or a substantially similar municipal ordinance or law of 378
another state or the United States that arose out of the same 379
set of circumstances as the violation for which the offender's 380
license or permit was suspended under this section shall not 381
file such a motion. 382

Upon the filing of a motion under division ~~(F)(2)~~ (F) of 383
this section, the sentencing court, in its discretion, may 384
terminate the suspension. 385

Sec. 2925.03. (A) No person shall knowingly do any of the 386
following: 387

(1) Sell or offer to sell a controlled substance or a 388
controlled substance analog; 389

(2) Prepare for shipment, ship, transport, deliver, 390
prepare for distribution, or distribute a controlled substance 391
or a controlled substance analog, when the offender knows or has 392
reasonable cause to believe that the controlled substance or a 393
controlled substance analog is intended for sale or resale by 394
the offender or another person. 395

(B) This section does not apply to any of the following: 396

(1) Manufacturers, licensed health professionals 397
authorized to prescribe drugs, pharmacists, owners of 398
pharmacies, and other persons whose conduct is in accordance 399
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 400
4741. of the Revised Code; 401

(2) If the offense involves an anabolic steroid, any 402
person who is conducting or participating in a research project 403
involving the use of an anabolic steroid if the project has been 404

approved by the United States food and drug administration; 405

(3) Any person who sells, offers for sale, prescribes, 406
dispenses, or administers for livestock or other nonhuman 407
species an anabolic steroid that is expressly intended for 408
administration through implants to livestock or other nonhuman 409
species and approved for that purpose under the "Federal Food, 410
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 411
as amended, and is sold, offered for sale, prescribed, 412
dispensed, or administered for that purpose in accordance with 413
that act. 414

(C) Whoever violates division (A) of this section is 415
guilty of one of the following: 416

(1) If the drug involved in the violation is any compound, 417
mixture, preparation, or substance included in schedule I or 418
schedule II, with the exception of marihuana, cocaine, L.S.D., 419
heroin, any fentanyl-related compound, hashish, and any 420
controlled substance analog, whoever violates division (A) of 421
this section is guilty of aggravated trafficking in drugs. The 422
penalty for the offense shall be determined as follows: 423

(a) Except as otherwise provided in division (C) (1) (b), 424
(c), (d), (e), or (f) of this section, aggravated trafficking in 425
drugs is a felony of the fourth degree, and division (C) of 426
section 2929.13 of the Revised Code applies in determining 427
whether to impose a prison term on the offender. 428

(b) Except as otherwise provided in division (C) (1) (c), 429
(d), (e), or (f) of this section, if the offense was committed 430
in the vicinity of a school, in the vicinity of a juvenile, or 431
in the vicinity of a substance addiction services provider or a 432
recovering addict, aggravated trafficking in drugs is a felony 433

of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, aggravated trafficking in drugs is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If aggravated trafficking in drugs is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a recovering addict, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a recovering addict, aggravated trafficking in drugs

is a felony of the first degree, and the court shall impose as a 465
mandatory prison term a first degree felony mandatory prison 466
term. 467

(e) If the amount of the drug involved equals or exceeds 468
fifty times the bulk amount but is less than one hundred times 469
the bulk amount and regardless of whether the offense was 470
committed in the vicinity of a school, in the vicinity of a 471
juvenile, or in the vicinity of a substance addiction services 472
provider or a recovering addict, aggravated trafficking in drugs 473
is a felony of the first degree, and the court shall impose as a 474
mandatory prison term a first degree felony mandatory prison 475
term. 476

(f) If the amount of the drug involved equals or exceeds 477
one hundred times the bulk amount and regardless of whether the 478
offense was committed in the vicinity of a school, in the 479
vicinity of a juvenile, or in the vicinity of a substance 480
addiction services provider or a recovering addict, aggravated 481
trafficking in drugs is a felony of the first degree, the 482
offender is a major drug offender, and the court shall impose as 483
a mandatory prison term a maximum first degree felony mandatory 484
prison term. 485

(2) If the drug involved in the violation is any compound, 486
mixture, preparation, or substance included in schedule III, IV, 487
or V, whoever violates division (A) of this section is guilty of 488
trafficking in drugs. The penalty for the offense shall be 489
determined as follows: 490

(a) Except as otherwise provided in division (C) (2) (b), 491
(c), (d), or (e) of this section, trafficking in drugs is a 492
felony of the fifth degree, and division (B) of section 2929.13 493
of the Revised Code applies in determining whether to impose a 494

prison term on the offender. 495

(b) Except as otherwise provided in division (C)(2)(c), 496
(d), or (e) of this section, if the offense was committed in the 497
vicinity of a school or in the vicinity of a juvenile, 498
trafficking in drugs is a felony of the fourth degree, and 499
division (C) of section 2929.13 of the Revised Code applies in 500
determining whether to impose a prison term on the offender. 501

(c) Except as otherwise provided in this division, if the 502
amount of the drug involved equals or exceeds the bulk amount 503
but is less than five times the bulk amount, trafficking in 504
drugs is a felony of the fourth degree, and division (B) of 505
section 2929.13 of the Revised Code applies in determining 506
whether to impose a prison term for the offense. If the amount 507
of the drug involved is within that range and if the offense was 508
committed in the vicinity of a school or in the vicinity of a 509
juvenile, trafficking in drugs is a felony of the third degree, 510
and there is a presumption for a prison term for the offense. 511

(d) Except as otherwise provided in this division, if the 512
amount of the drug involved equals or exceeds five times the 513
bulk amount but is less than fifty times the bulk amount, 514
trafficking in drugs is a felony of the third degree, and there 515
is a presumption for a prison term for the offense. If the 516
amount of the drug involved is within that range and if the 517
offense was committed in the vicinity of a school or in the 518
vicinity of a juvenile, trafficking in drugs is a felony of the 519
second degree, and there is a presumption for a prison term for 520
the offense. 521

(e) Except as otherwise provided in this division, if the 522
amount of the drug involved equals or exceeds fifty times the 523
bulk amount, trafficking in drugs is a felony of the second 524

degree, and the court shall impose as a mandatory prison term a 525
second degree felony mandatory prison term. If the amount of the 526
drug involved equals or exceeds fifty times the bulk amount and 527
if the offense was committed in the vicinity of a school or in 528
the vicinity of a juvenile, trafficking in drugs is a felony of 529
the first degree, and the court shall impose as a mandatory 530
prison term a first degree felony mandatory prison term. 531

(3) If the drug involved in the violation is marihuana or 532
a compound, mixture, preparation, or substance containing 533
marihuana other than hashish, whoever violates division (A) of 534
this section is guilty of trafficking in marihuana. The penalty 535
for the offense shall be determined as follows: 536

(a) Except as otherwise provided in division (C) (3) (b), 537
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 538
marihuana is a felony of the fifth degree, and division (B) of 539
section 2929.13 of the Revised Code applies in determining 540
whether to impose a prison term on the offender. 541

(b) Except as otherwise provided in division (C) (3) (c), 542
(d), (e), (f), (g), or (h) of this section, if the offense was 543
committed in the vicinity of a school or in the vicinity of a 544
juvenile, trafficking in marihuana is a felony of the fourth 545
degree, and division (B) of section 2929.13 of the Revised Code 546
applies in determining whether to impose a prison term on the 547
offender. 548

(c) Except as otherwise provided in this division, if the 549
amount of the drug involved equals or exceeds two hundred grams 550
but is less than one thousand grams, trafficking in marihuana is 551
a felony of the fourth degree, and division (B) of section 552
2929.13 of the Revised Code applies in determining whether to 553
impose a prison term on the offender. If the amount of the drug 554

involved is within that range and if the offense was committed 555
in the vicinity of a school or in the vicinity of a juvenile, 556
trafficking in marihuana is a felony of the third degree, and 557
division (C) of section 2929.13 of the Revised Code applies in 558
determining whether to impose a prison term on the offender. 559

(d) Except as otherwise provided in this division, if the 560
amount of the drug involved equals or exceeds one thousand grams 561
but is less than five thousand grams, trafficking in marihuana 562
is a felony of the third degree, and division (C) of section 563
2929.13 of the Revised Code applies in determining whether to 564
impose a prison term on the offender. If the amount of the drug 565
involved is within that range and if the offense was committed 566
in the vicinity of a school or in the vicinity of a juvenile, 567
trafficking in marihuana is a felony of the second degree, and 568
there is a presumption that a prison term shall be imposed for 569
the offense. 570

(e) Except as otherwise provided in this division, if the 571
amount of the drug involved equals or exceeds five thousand 572
grams but is less than twenty thousand grams, trafficking in 573
marihuana is a felony of the third degree, and there is a 574
presumption that a prison term shall be imposed for the offense. 575
If the amount of the drug involved is within that range and if 576
the offense was committed in the vicinity of a school or in the 577
vicinity of a juvenile, trafficking in marihuana is a felony of 578
the second degree, and there is a presumption that a prison term 579
shall be imposed for the offense. 580

(f) Except as otherwise provided in this division, if the 581
amount of the drug involved equals or exceeds twenty thousand 582
grams but is less than forty thousand grams, trafficking in 583
marihuana is a felony of the second degree, and the court shall 584

impose as a mandatory prison term a second degree felony 585
mandatory prison term of five, six, seven, or eight years. If 586
the amount of the drug involved is within that range and if the 587
offense was committed in the vicinity of a school or in the 588
vicinity of a juvenile, trafficking in marihuana is a felony of 589
the first degree, and the court shall impose as a mandatory 590
prison term a maximum first degree felony mandatory prison term. 591

(g) Except as otherwise provided in this division, if the 592
amount of the drug involved equals or exceeds forty thousand 593
grams, trafficking in marihuana is a felony of the second 594
degree, and the court shall impose as a mandatory prison term a 595
maximum second degree felony mandatory prison term. If the 596
amount of the drug involved equals or exceeds forty thousand 597
grams and if the offense was committed in the vicinity of a 598
school or in the vicinity of a juvenile, trafficking in 599
marihuana is a felony of the first degree, and the court shall 600
impose as a mandatory prison term a maximum first degree felony 601
mandatory prison term. 602

(h) Except as otherwise provided in this division, if the 603
offense involves a gift of twenty grams or less of marihuana, 604
trafficking in marihuana is a minor misdemeanor upon a first 605
offense and a misdemeanor of the third degree upon a subsequent 606
offense. If the offense involves a gift of twenty grams or less 607
of marihuana and if the offense was committed in the vicinity of 608
a school or in the vicinity of a juvenile, trafficking in 609
marihuana is a misdemeanor of the third degree. 610

(4) If the drug involved in the violation is cocaine or a 611
compound, mixture, preparation, or substance containing cocaine, 612
whoever violates division (A) of this section is guilty of 613
trafficking in cocaine. The penalty for the offense shall be 614

determined as follows: 615

(a) Except as otherwise provided in division (C) (4) (b), 616
(c), (d), (e), (f), or (g) of this section, trafficking in 617
cocaine is a felony of the fifth degree, and division (B) of 618
section 2929.13 of the Revised Code applies in determining 619
whether to impose a prison term on the offender. 620

(b) Except as otherwise provided in division (C) (4) (c), 621
(d), (e), (f), or (g) of this section, if the offense was 622
committed in the vicinity of a school, in the vicinity of a 623
juvenile, or in the vicinity of a substance addiction services 624
provider or a recovering addict, trafficking in cocaine is a 625
felony of the fourth degree, and division (C) of section 2929.13 626
of the Revised Code applies in determining whether to impose a 627
prison term on the offender. 628

(c) Except as otherwise provided in this division, if the 629
amount of the drug involved equals or exceeds five grams but is 630
less than ten grams of cocaine, trafficking in cocaine is a 631
felony of the fourth degree, and division (B) of section 2929.13 632
of the Revised Code applies in determining whether to impose a 633
prison term for the offense. If the amount of the drug involved 634
is within that range and if the offense was committed in the 635
vicinity of a school, in the vicinity of a juvenile, or in the 636
vicinity of a substance addiction services provider or a 637
recovering addict, trafficking in cocaine is a felony of the 638
third degree, and there is a presumption for a prison term for 639
the offense. 640

(d) Except as otherwise provided in this division, if the 641
amount of the drug involved equals or exceeds ten grams but is 642
less than twenty grams of cocaine, trafficking in cocaine is a 643
felony of the third degree, and, except as otherwise provided in 644

this division, there is a presumption for a prison term for the 645
offense. If trafficking in cocaine is a felony of the third 646
degree under this division and if the offender two or more times 647
previously has been convicted of or pleaded guilty to a felony 648
drug abuse offense, the court shall impose as a mandatory prison 649
term one of the prison terms prescribed for a felony of the 650
third degree. If the amount of the drug involved is within that 651
range and if the offense was committed in the vicinity of a 652
school, in the vicinity of a juvenile, or in the vicinity of a 653
substance addiction services provider or a recovering addict, 654
trafficking in cocaine is a felony of the second degree, and the 655
court shall impose as a mandatory prison term a second degree 656
felony mandatory prison term. 657

(e) Except as otherwise provided in this division, if the 658
amount of the drug involved equals or exceeds twenty grams but 659
is less than twenty-seven grams of cocaine, trafficking in 660
cocaine is a felony of the second degree, and the court shall 661
impose as a mandatory prison term a second degree felony 662
mandatory prison term. If the amount of the drug involved is 663
within that range and if the offense was committed in the 664
vicinity of a school, in the vicinity of a juvenile, or in the 665
vicinity of a substance addiction services provider or a 666
recovering addict, trafficking in cocaine is a felony of the 667
first degree, and the court shall impose as a mandatory prison 668
term a first degree felony mandatory prison term. 669

(f) If the amount of the drug involved equals or exceeds 670
twenty-seven grams but is less than one hundred grams of cocaine 671
and regardless of whether the offense was committed in the 672
vicinity of a school, in the vicinity of a juvenile, or in the 673
vicinity of a substance addiction services provider or a 674
recovering addict, trafficking in cocaine is a felony of the 675

first degree, and the court shall impose as a mandatory prison 676
term a first degree felony mandatory prison term. 677

(g) If the amount of the drug involved equals or exceeds 678
one hundred grams of cocaine and regardless of whether the 679
offense was committed in the vicinity of a school, in the 680
vicinity of a juvenile, or in the vicinity of a substance 681
addiction services provider or a recovering addict, trafficking 682
in cocaine is a felony of the first degree, the offender is a 683
major drug offender, and the court shall impose as a mandatory 684
prison term a maximum first degree felony mandatory prison term. 685

(5) If the drug involved in the violation is L.S.D. or a 686
compound, mixture, preparation, or substance containing L.S.D., 687
whoever violates division (A) of this section is guilty of 688
trafficking in L.S.D. The penalty for the offense shall be 689
determined as follows: 690

(a) Except as otherwise provided in division (C) (5) (b), 691
(c), (d), (e), (f), or (g) of this section, trafficking in 692
L.S.D. is a felony of the fifth degree, and division (B) of 693
section 2929.13 of the Revised Code applies in determining 694
whether to impose a prison term on the offender. 695

(b) Except as otherwise provided in division (C) (5) (c), 696
(d), (e), (f), or (g) of this section, if the offense was 697
committed in the vicinity of a school, in the vicinity of a 698
juvenile, or in the vicinity of a substance addiction services 699
provider or a recovering addict, trafficking in L.S.D. is a 700
felony of the fourth degree, and division (C) of section 2929.13 701
of the Revised Code applies in determining whether to impose a 702
prison term on the offender. 703

(c) Except as otherwise provided in this division, if the 704

amount of the drug involved equals or exceeds ten unit doses but 705
is less than fifty unit doses of L.S.D. in a solid form or 706
equals or exceeds one gram but is less than five grams of L.S.D. 707
in a liquid concentrate, liquid extract, or liquid distillate 708
form, trafficking in L.S.D. is a felony of the fourth degree, 709
and division (B) of section 2929.13 of the Revised Code applies 710
in determining whether to impose a prison term for the offense. 711
If the amount of the drug involved is within that range and if 712
the offense was committed in the vicinity of a school, in the 713
vicinity of a juvenile, or in the vicinity of a substance 714
addiction services provider or a recovering addict, trafficking 715
in L.S.D. is a felony of the third degree, and there is a 716
presumption for a prison term for the offense. 717

(d) Except as otherwise provided in this division, if the 718
amount of the drug involved equals or exceeds fifty unit doses 719
but is less than two hundred fifty unit doses of L.S.D. in a 720
solid form or equals or exceeds five grams but is less than 721
twenty-five grams of L.S.D. in a liquid concentrate, liquid 722
extract, or liquid distillate form, trafficking in L.S.D. is a 723
felony of the third degree, and, except as otherwise provided in 724
this division, there is a presumption for a prison term for the 725
offense. If trafficking in L.S.D. is a felony of the third 726
degree under this division and if the offender two or more times 727
previously has been convicted of or pleaded guilty to a felony 728
drug abuse offense, the court shall impose as a mandatory prison 729
term one of the prison terms prescribed for a felony of the 730
third degree. If the amount of the drug involved is within that 731
range and if the offense was committed in the vicinity of a 732
school, in the vicinity of a juvenile, or in the vicinity of a 733
substance addiction services provider or a recovering addict, 734
trafficking in L.S.D. is a felony of the second degree, and the 735

court shall impose as a mandatory prison term a second degree 736
felony mandatory prison term. 737

(e) Except as otherwise provided in this division, if the 738
amount of the drug involved equals or exceeds two hundred fifty 739
unit doses but is less than one thousand unit doses of L.S.D. in 740
a solid form or equals or exceeds twenty-five grams but is less 741
than one hundred grams of L.S.D. in a liquid concentrate, liquid 742
extract, or liquid distillate form, trafficking in L.S.D. is a 743
felony of the second degree, and the court shall impose as a 744
mandatory prison term a second degree felony mandatory prison 745
term. If the amount of the drug involved is within that range 746
and if the offense was committed in the vicinity of a school, in 747
the vicinity of a juvenile, or in the vicinity of a substance 748
addiction services provider or a recovering addict, trafficking 749
in L.S.D. is a felony of the first degree, and the court shall 750
impose as a mandatory prison term a first degree felony 751
mandatory prison term. 752

(f) If the amount of the drug involved equals or exceeds 753
one thousand unit doses but is less than five thousand unit 754
doses of L.S.D. in a solid form or equals or exceeds one hundred 755
grams but is less than five hundred grams of L.S.D. in a liquid 756
concentrate, liquid extract, or liquid distillate form and 757
regardless of whether the offense was committed in the vicinity 758
of a school, in the vicinity of a juvenile, or in the vicinity 759
of a substance addiction services provider or a recovering 760
addict, trafficking in L.S.D. is a felony of the first degree, 761
and the court shall impose as a mandatory prison term a first 762
degree felony mandatory prison term. 763

(g) If the amount of the drug involved equals or exceeds 764
five thousand unit doses of L.S.D. in a solid form or equals or 765

exceeds five hundred grams of L.S.D. in a liquid concentrate, 766
liquid extract, or liquid distillate form and regardless of 767
whether the offense was committed in the vicinity of a school, 768
in the vicinity of a juvenile, or in the vicinity of a substance 769
addiction services provider or a recovering addict, trafficking 770
in L.S.D. is a felony of the first degree, the offender is a 771
major drug offender, and the court shall impose as a mandatory 772
prison term a maximum first degree felony mandatory prison term. 773

(6) If the drug involved in the violation is heroin or a 774
compound, mixture, preparation, or substance containing heroin, 775
whoever violates division (A) of this section is guilty of 776
trafficking in heroin. The penalty for the offense shall be 777
determined as follows: 778

(a) Except as otherwise provided in division (C) (6) (b), 779
(c), (d), (e), (f), or (g) of this section, trafficking in 780
heroin is a felony of the fifth degree, and division (B) of 781
section 2929.13 of the Revised Code applies in determining 782
whether to impose a prison term on the offender. 783

(b) Except as otherwise provided in division (C) (6) (c), 784
(d), (e), (f), or (g) of this section, if the offense was 785
committed in the vicinity of a school, in the vicinity of a 786
juvenile, or in the vicinity of a substance addiction services 787
provider or a recovering addict, trafficking in heroin is a 788
felony of the fourth degree, and division (C) of section 2929.13 789
of the Revised Code applies in determining whether to impose a 790
prison term on the offender. 791

(c) Except as otherwise provided in this division, if the 792
amount of the drug involved equals or exceeds ten unit doses but 793
is less than fifty unit doses or equals or exceeds one gram but 794
is less than five grams, trafficking in heroin is a felony of 795

the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a recovering addict, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a recovering addict, trafficking in heroin is a felony of the second degree, and there is a presumption for a prison term for the offense.

(e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one hundred unit doses but is less than five hundred unit doses or equals or exceeds ten grams but is less than fifty grams, trafficking in heroin is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school, in the vicinity of a juvenile, or in the vicinity of a substance addiction services provider or a

recovering addict, trafficking in heroin is a felony of the 827
first degree, and the court shall impose as a mandatory prison 828
term a first degree felony mandatory prison term. 829

(f) If the amount of the drug involved equals or exceeds 830
five hundred unit doses but is less than one thousand unit doses 831
or equals or exceeds fifty grams but is less than one hundred 832
grams and regardless of whether the offense was committed in the 833
vicinity of a school, in the vicinity of a juvenile, or in the 834
vicinity of a substance addiction services provider or a 835
recovering addict, trafficking in heroin is a felony of the 836
first degree, and the court shall impose as a mandatory prison 837
term a first degree felony mandatory prison term. 838

(g) If the amount of the drug involved equals or exceeds 839
one thousand unit doses or equals or exceeds one hundred grams 840
and regardless of whether the offense was committed in the 841
vicinity of a school, in the vicinity of a juvenile, or in the 842
vicinity of a substance addiction services provider or a 843
recovering addict, trafficking in heroin is a felony of the 844
first degree, the offender is a major drug offender, and the 845
court shall impose as a mandatory prison term a maximum first 846
degree felony mandatory prison term. 847

(7) If the drug involved in the violation is hashish or a 848
compound, mixture, preparation, or substance containing hashish, 849
whoever violates division (A) of this section is guilty of 850
trafficking in hashish. The penalty for the offense shall be 851
determined as follows: 852

(a) Except as otherwise provided in division (C) (7) (b), 853
(c), (d), (e), (f), or (g) of this section, trafficking in 854
hashish is a felony of the fifth degree, and division (B) of 855
section 2929.13 of the Revised Code applies in determining 856

whether to impose a prison term on the offender. 857

(b) Except as otherwise provided in division (C) (7) (c), 858
(d), (e), (f), or (g) of this section, if the offense was 859
committed in the vicinity of a school, in the vicinity of a 860
juvenile, or in the vicinity of a substance addiction services 861
provider or a recovering addict, trafficking in hashish is a 862
felony of the fourth degree, and division (B) of section 2929.13 863
of the Revised Code applies in determining whether to impose a 864
prison term on the offender. 865

(c) Except as otherwise provided in this division, if the 866
amount of the drug involved equals or exceeds ten grams but is 867
less than fifty grams of hashish in a solid form or equals or 868
exceeds two grams but is less than ten grams of hashish in a 869
liquid concentrate, liquid extract, or liquid distillate form, 870
trafficking in hashish is a felony of the fourth degree, and 871
division (B) of section 2929.13 of the Revised Code applies in 872
determining whether to impose a prison term on the offender. If 873
the amount of the drug involved is within that range and if the 874
offense was committed in the vicinity of a school, in the 875
vicinity of a juvenile, or in the vicinity of a substance 876
addiction services provider or a recovering addict, trafficking 877
in hashish is a felony of the third degree, and division (C) of 878
section 2929.13 of the Revised Code applies in determining 879
whether to impose a prison term on the offender. 880

(d) Except as otherwise provided in this division, if the 881
amount of the drug involved equals or exceeds fifty grams but is 882
less than two hundred fifty grams of hashish in a solid form or 883
equals or exceeds ten grams but is less than fifty grams of 884
hashish in a liquid concentrate, liquid extract, or liquid 885
distillate form, trafficking in hashish is a felony of the third 886

degree, and division (C) of section 2929.13 of the Revised Code 887
applies in determining whether to impose a prison term on the 888
offender. If the amount of the drug involved is within that 889
range and if the offense was committed in the vicinity of a 890
school, in the vicinity of a juvenile, or in the vicinity of a 891
substance addiction services provider or a recovering addict, 892
trafficking in hashish is a felony of the second degree, and 893
there is a presumption that a prison term shall be imposed for 894
the offense. 895

(e) Except as otherwise provided in this division, if the 896
amount of the drug involved equals or exceeds two hundred fifty 897
grams but is less than one thousand grams of hashish in a solid 898
form or equals or exceeds fifty grams but is less than two 899
hundred grams of hashish in a liquid concentrate, liquid 900
extract, or liquid distillate form, trafficking in hashish is a 901
felony of the third degree, and there is a presumption that a 902
prison term shall be imposed for the offense. If the amount of 903
the drug involved is within that range and if the offense was 904
committed in the vicinity of a school, in the vicinity of a 905
juvenile, or in the vicinity of a substance addiction services 906
provider or a recovering addict, trafficking in hashish is a 907
felony of the second degree, and there is a presumption that a 908
prison term shall be imposed for the offense. 909

(f) Except as otherwise provided in this division, if the 910
amount of the drug involved equals or exceeds one thousand grams 911
but is less than two thousand grams of hashish in a solid form 912
or equals or exceeds two hundred grams but is less than four 913
hundred grams of hashish in a liquid concentrate, liquid 914
extract, or liquid distillate form, trafficking in hashish is a 915
felony of the second degree, and the court shall impose as a 916
mandatory prison term a second degree felony mandatory prison 917

term of five, six, seven, or eight years. If the amount of the 918
drug involved is within that range and if the offense was 919
committed in the vicinity of a school, in the vicinity of a 920
juvenile, or in the vicinity of a substance addiction services 921
provider or a recovering addict, trafficking in hashish is a 922
felony of the first degree, and the court shall impose as a 923
mandatory prison term a maximum first degree felony mandatory 924
prison term. 925

(g) Except as otherwise provided in this division, if the 926
amount of the drug involved equals or exceeds two thousand grams 927
of hashish in a solid form or equals or exceeds four hundred 928
grams of hashish in a liquid concentrate, liquid extract, or 929
liquid distillate form, trafficking in hashish is a felony of 930
the second degree, and the court shall impose as a mandatory 931
prison term a maximum second degree felony mandatory prison 932
term. If the amount of the drug involved equals or exceeds two 933
thousand grams of hashish in a solid form or equals or exceeds 934
four hundred grams of hashish in a liquid concentrate, liquid 935
extract, or liquid distillate form and if the offense was 936
committed in the vicinity of a school, in the vicinity of a 937
juvenile, or in the vicinity of a substance addiction services 938
provider or a recovering addict, trafficking in hashish is a 939
felony of the first degree, and the court shall impose as a 940
mandatory prison term a maximum first degree felony mandatory 941
prison term. 942

(8) If the drug involved in the violation is a controlled 943
substance analog or compound, mixture, preparation, or substance 944
that contains a controlled substance analog, whoever violates 945
division (A) of this section is guilty of trafficking in a 946
controlled substance analog. The penalty for the offense shall 947
be determined as follows: 948

(a) Except as otherwise provided in division (C) (8) (b), 949
(c), (d), (e), (f), or (g) of this section, trafficking in a 950
controlled substance analog is a felony of the fifth degree, and 951
division (C) of section 2929.13 of the Revised Code applies in 952
determining whether to impose a prison term on the offender. 953

(b) Except as otherwise provided in division (C) (8) (c), 954
(d), (e), (f), or (g) of this section, if the offense was 955
committed in the vicinity of a school, in the vicinity of a 956
juvenile, or in the vicinity of a substance addiction services 957
provider or a recovering addict, trafficking in a controlled 958
substance analog is a felony of the fourth degree, and division 959
(C) of section 2929.13 of the Revised Code applies in 960
determining whether to impose a prison term on the offender. 961

(c) Except as otherwise provided in this division, if the 962
amount of the drug involved equals or exceeds ten grams but is 963
less than twenty grams, trafficking in a controlled substance 964
analog is a felony of the fourth degree, and division (B) of 965
section 2929.13 of the Revised Code applies in determining 966
whether to impose a prison term for the offense. If the amount 967
of the drug involved is within that range and if the offense was 968
committed in the vicinity of a school, in the vicinity of a 969
juvenile, or in the vicinity of a substance addiction services 970
provider or a recovering addict, trafficking in a controlled 971
substance analog is a felony of the third degree, and there is a 972
presumption for a prison term for the offense. 973

(d) Except as otherwise provided in this division, if the 974
amount of the drug involved equals or exceeds twenty grams but 975
is less than thirty grams, trafficking in a controlled substance 976
analog is a felony of the third degree, and there is a 977
presumption for a prison term for the offense. If the amount of 978

the drug involved is within that range and if the offense was 979
committed in the vicinity of a school, in the vicinity of a 980
juvenile, or in the vicinity of a substance addiction services 981
provider or a recovering addict, trafficking in a controlled 982
substance analog is a felony of the second degree, and there is 983
a presumption for a prison term for the offense. 984

(e) Except as otherwise provided in this division, if the 985
amount of the drug involved equals or exceeds thirty grams but 986
is less than forty grams, trafficking in a controlled substance 987
analog is a felony of the second degree, and the court shall 988
impose as a mandatory prison term a second degree felony 989
mandatory prison term. If the amount of the drug involved is 990
within that range and if the offense was committed in the 991
vicinity of a school, in the vicinity of a juvenile, or in the 992
vicinity of a substance addiction services provider or a 993
recovering addict, trafficking in a controlled substance analog 994
is a felony of the first degree, and the court shall impose as a 995
mandatory prison term a first degree felony mandatory prison 996
term. 997

(f) If the amount of the drug involved equals or exceeds 998
forty grams but is less than fifty grams and regardless of 999
whether the offense was committed in the vicinity of a school, 1000
in the vicinity of a juvenile, or in the vicinity of a substance 1001
addiction services provider or a recovering addict, trafficking 1002
in a controlled substance analog is a felony of the first 1003
degree, and the court shall impose as a mandatory prison term a 1004
first degree felony mandatory prison term. 1005

(g) If the amount of the drug involved equals or exceeds 1006
fifty grams and regardless of whether the offense was committed 1007
in the vicinity of a school, in the vicinity of a juvenile, or 1008

in the vicinity of a substance addiction services provider or a 1009
recovering addict, trafficking in a controlled substance analog 1010
is a felony of the first degree, the offender is a major drug 1011
offender, and the court shall impose as a mandatory prison term 1012
a maximum first degree felony mandatory prison term. 1013

(9) If the drug involved in the violation is a fentanyl- 1014
related compound or a compound, mixture, preparation, or 1015
substance containing a fentanyl-related compound and division 1016
(C) (10) (a) of this section does not apply to the drug involved, 1017
whoever violates division (A) of this section is guilty of 1018
trafficking in a fentanyl-related compound. The penalty for the 1019
offense shall be determined as follows: 1020

(a) Except as otherwise provided in division (C) (9) (b), 1021
(c), (d), (e), (f), (g), or (h) of this section, trafficking in 1022
a fentanyl-related compound is a felony of the fifth degree, and 1023
division (B) of section 2929.13 of the Revised Code applies in 1024
determining whether to impose a prison term on the offender. 1025

(b) Except as otherwise provided in division (C) (9) (c), 1026
(d), (e), (f), (g), or (h) of this section, if the offense was 1027
committed in the vicinity of a school, in the vicinity of a 1028
juvenile, or in the vicinity of a substance addiction services 1029
provider or a recovering addict, trafficking in a fentanyl- 1030
related compound is a felony of the fourth degree, and division 1031
(C) of section 2929.13 of the Revised Code applies in 1032
determining whether to impose a prison term on the offender. 1033

(c) Except as otherwise provided in this division, if the 1034
amount of the drug involved equals or exceeds ten unit doses but 1035
is less than fifty unit doses or equals or exceeds one gram but 1036
is less than five grams, trafficking in a fentanyl-related 1037
compound is a felony of the fourth degree, and division (B) of 1038

section 2929.13 of the Revised Code applies in determining 1039
whether to impose a prison term for the offense. If the amount 1040
of the drug involved is within that range and if the offense was 1041
committed in the vicinity of a school, in the vicinity of a 1042
juvenile, or in the vicinity of a substance addiction services 1043
provider or a recovering addict, trafficking in a fentanyl- 1044
related compound is a felony of the third degree, and there is a 1045
presumption for a prison term for the offense. 1046

(d) Except as otherwise provided in this division, if the 1047
amount of the drug involved equals or exceeds fifty unit doses 1048
but is less than one hundred unit doses or equals or exceeds 1049
five grams but is less than ten grams, trafficking in a 1050
fentanyl-related compound is a felony of the third degree, and 1051
there is a presumption for a prison term for the offense. If the 1052
amount of the drug involved is within that range and if the 1053
offense was committed in the vicinity of a school, in the 1054
vicinity of a juvenile, or in the vicinity of a substance 1055
addiction services provider or a recovering addict, trafficking 1056
in a fentanyl-related compound is a felony of the second degree, 1057
and there is a presumption for a prison term for the offense. 1058

(e) Except as otherwise provided in this division, if the 1059
amount of the drug involved equals or exceeds one hundred unit 1060
doses but is less than two hundred unit doses or equals or 1061
exceeds ten grams but is less than twenty grams, trafficking in 1062
a fentanyl-related compound is a felony of the second degree, 1063
and the court shall impose as a mandatory prison term one of the 1064
prison terms prescribed for a felony of the second degree. If 1065
the amount of the drug involved is within that range and if the 1066
offense was committed in the vicinity of a school, in the 1067
vicinity of a juvenile, or in the vicinity of a substance 1068
addiction services provider or a recovering addict, trafficking 1069

in a fentanyl-related compound is a felony of the first degree, 1070
and the court shall impose as a mandatory prison term one of the 1071
prison terms prescribed for a felony of the first degree. 1072

(f) If the amount of the drug involved equals or exceeds 1073
two hundred unit doses but is less than five hundred unit doses 1074
or equals or exceeds twenty grams but is less than fifty grams 1075
and regardless of whether the offense was committed in the 1076
vicinity of a school, in the vicinity of a juvenile, or in the 1077
vicinity of a substance addiction services provider or a 1078
recovering addict, trafficking in a fentanyl-related compound is 1079
a felony of the first degree, and the court shall impose as a 1080
mandatory prison term one of the prison terms prescribed for a 1081
felony of the first degree. 1082

(g) If the amount of the drug involved equals or exceeds 1083
five hundred unit doses but is less than one thousand unit doses 1084
or equals or exceeds fifty grams but is less than one hundred 1085
grams and regardless of whether the offense was committed in the 1086
vicinity of a school, in the vicinity of a juvenile, or in the 1087
vicinity of a substance addiction services provider or a 1088
recovering addict, trafficking in a fentanyl-related compound is 1089
a felony of the first degree, and the court shall impose as a 1090
mandatory prison term the maximum prison term prescribed for a 1091
felony of the first degree. 1092

(h) If the amount of the drug involved equals or exceeds 1093
one thousand unit doses or equals or exceeds one hundred grams 1094
and regardless of whether the offense was committed in the 1095
vicinity of a school, in the vicinity of a juvenile, or in the 1096
vicinity of a substance addiction services provider or a 1097
recovering addict, trafficking in a fentanyl-related compound is 1098
a felony of the first degree, the offender is a major drug 1099

offender, and the court shall impose as a mandatory prison term 1100
the maximum prison term prescribed for a felony of the first 1101
degree. 1102

(10) If the drug involved in the violation is a compound, 1103
mixture, preparation, or substance that is a combination of a 1104
fentanyl-related compound and marihuana, one of the following 1105
applies: 1106

(a) Except as otherwise provided in division (C)(10)(b) of 1107
this section, the offender is guilty of trafficking in marihuana 1108
and shall be punished under division (C)(3) of this section. The 1109
offender is not guilty of trafficking in a fentanyl-related 1110
compound and shall not be charged with, convicted of, or 1111
punished under division (C)(9) of this section for trafficking 1112
in a fentanyl-related compound. 1113

(b) If the offender knows or has reason to know that the 1114
compound, mixture, preparation, or substance that is the drug 1115
involved contains a fentanyl-related compound, the offender is 1116
guilty of trafficking in a fentanyl-related compound and shall 1117
be punished under division (C)(9) of this section. 1118

(D) In addition to any prison term authorized or required 1119
by division (C) of this section and sections 2929.13 and 2929.14 1120
of the Revised Code, and in addition to any other sanction 1121
imposed for the offense under this section or sections 2929.11 1122
to 2929.18 of the Revised Code, ~~the court that sentences an~~ 1123
~~offender who is convicted of or pleads guilty to a violation of~~ 1124
~~division (A) of this section may suspend the driver's or~~ 1125
~~commercial driver's license or permit of the offender in~~ 1126
~~accordance with division (G) of this section. However, if the~~ 1127
~~offender pleaded guilty to or was convicted of a violation of~~ 1128
~~section 4511.19 of the Revised Code or a substantially similar~~ 1129

~~municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (C) of this section. If if applicable, the court also shall do the following:~~

(1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B) (1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. Except as otherwise provided in division (H) (1) of this section, a mandatory fine or any other fine imposed for a violation of this section is subject to division (F) of this section. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk of the court shall pay the forfeited bail pursuant to divisions (D) (1) and (F) of this section, as if the forfeited bail was a fine imposed for a violation of this section. If any amount of the forfeited bail remains after that payment and if a fine is imposed under division (H) (1) of this section, the clerk of the court shall pay the remaining amount of the forfeited bail pursuant to divisions (H) (2) and (3) of this section, as if that remaining amount was a fine imposed under division (H) (1) of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code.

(3) If the offender has a driver's or commercial driver's

license or permit, section 2929.33 of the Revised Code applies. 1160

(E) When a person is charged with the sale of or offer to 1161
sell a bulk amount or a multiple of a bulk amount of a 1162
controlled substance, the jury, or the court trying the accused, 1163
shall determine the amount of the controlled substance involved 1164
at the time of the offense and, if a guilty verdict is returned, 1165
shall return the findings as part of the verdict. In any such 1166
case, it is unnecessary to find and return the exact amount of 1167
the controlled substance involved, and it is sufficient if the 1168
finding and return is to the effect that the amount of the 1169
controlled substance involved is the requisite amount, or that 1170
the amount of the controlled substance involved is less than the 1171
requisite amount. 1172

(F) (1) Notwithstanding any contrary provision of section 1173
3719.21 of the Revised Code and except as provided in division 1174
(H) of this section, the clerk of the court shall pay any 1175
mandatory fine imposed pursuant to division (D) (1) of this 1176
section and any fine other than a mandatory fine that is imposed 1177
for a violation of this section pursuant to division (A) or (B) 1178
(5) of section 2929.18 of the Revised Code to the county, 1179
township, municipal corporation, park district, as created 1180
pursuant to section 511.18 or 1545.04 of the Revised Code, or 1181
state law enforcement agencies in this state that primarily were 1182
responsible for or involved in making the arrest of, and in 1183
prosecuting, the offender. However, the clerk shall not pay a 1184
mandatory fine so imposed to a law enforcement agency unless the 1185
agency has adopted a written internal control policy under 1186
division (F) (2) of this section that addresses the use of the 1187
fine moneys that it receives. Each agency shall use the 1188
mandatory fines so paid to subsidize the agency's law 1189
enforcement efforts that pertain to drug offenses, in accordance 1190

with the written internal control policy adopted by the 1191
recipient agency under division (F) (2) of this section. 1192

(2) Prior to receiving any fine moneys under division (F) 1193
(1) of this section or division (B) of section 2925.42 of the 1194
Revised Code, a law enforcement agency shall adopt a written 1195
internal control policy that addresses the agency's use and 1196
disposition of all fine moneys so received and that provides for 1197
the keeping of detailed financial records of the receipts of 1198
those fine moneys, the general types of expenditures made out of 1199
those fine moneys, and the specific amount of each general type 1200
of expenditure. The policy shall not provide for or permit the 1201
identification of any specific expenditure that is made in an 1202
ongoing investigation. All financial records of the receipts of 1203
those fine moneys, the general types of expenditures made out of 1204
those fine moneys, and the specific amount of each general type 1205
of expenditure by an agency are public records open for 1206
inspection under section 149.43 of the Revised Code. 1207
Additionally, a written internal control policy adopted under 1208
this division is such a public record, and the agency that 1209
adopted it shall comply with it. 1210

(3) As used in division (F) of this section: 1211

(a) "Law enforcement agencies" includes, but is not 1212
limited to, the state board of pharmacy and the office of a 1213
prosecutor. 1214

(b) "Prosecutor" has the same meaning as in section 1215
2935.01 of the Revised Code. 1216

~~(G) (1) If the sentencing court suspends the offender's~~ 1217
~~driver's or commercial driver's license or permit under division~~ 1218
~~(D) of this section or any other provision of this chapter, the~~ 1219

~~court shall suspend the license, by order, for not more than
five years. If an offender's driver's or commercial driver's
license or permit is suspended pursuant to this division, the
offender, at any time after the expiration of two years from the
day on which the offender's sentence was imposed or from the day
on which the offender finally was released from a prison term
under the sentence, whichever is later, may file a motion with
the sentencing court requesting termination of the suspension;
upon the filing of such a motion and the court's finding of good
cause for the termination, the court may terminate the
suspension.~~

~~(2)~~ (G) Any offender who received a mandatory suspension
of the offender's driver's or commercial driver's license or
permit under this section prior to September 13, 2016, may file
a motion with the sentencing court requesting the termination of
the suspension. However, an offender who pleaded guilty to or
was convicted of a violation of section 4511.19 of the Revised
Code or a substantially similar municipal ordinance or law of
another state or the United States that arose out of the same
set of circumstances as the violation for which the offender's
license or permit was suspended under this section shall not
file such a motion.

Upon the filing of a motion under division ~~(G) (2)~~ (G) of
this section, the sentencing court, in its discretion, may
terminate the suspension.

(H) (1) In addition to any prison term authorized or
required by division (C) of this section and sections 2929.13
and 2929.14 of the Revised Code, in addition to any other
penalty or sanction imposed for the offense under this section
or sections 2929.11 to 2929.18 of the Revised Code, and in

addition to the forfeiture of property in connection with the 1250
offense as prescribed in Chapter 2981. of the Revised Code, the 1251
court that sentences an offender who is convicted of or pleads 1252
guilty to a violation of division (A) of this section may impose 1253
upon the offender an additional fine specified for the offense 1254
in division (B) (4) of section 2929.18 of the Revised Code. A 1255
fine imposed under division (H) (1) of this section is not 1256
subject to division (F) of this section and shall be used solely 1257
for the support of one or more eligible community addiction 1258
services providers in accordance with divisions (H) (2) and (3) 1259
of this section. 1260

(2) The court that imposes a fine under division (H) (1) of 1261
this section shall specify in the judgment that imposes the fine 1262
one or more eligible community addiction services providers for 1263
the support of which the fine money is to be used. No community 1264
addiction services provider shall receive or use money paid or 1265
collected in satisfaction of a fine imposed under division (H) 1266
(1) of this section unless the services provider is specified in 1267
the judgment that imposes the fine. No community addiction 1268
services provider shall be specified in the judgment unless the 1269
services provider is an eligible community addiction services 1270
provider and, except as otherwise provided in division (H) (2) of 1271
this section, unless the services provider is located in the 1272
county in which the court that imposes the fine is located or in 1273
a county that is immediately contiguous to the county in which 1274
that court is located. If no eligible community addiction 1275
services provider is located in any of those counties, the 1276
judgment may specify an eligible community addiction services 1277
provider that is located anywhere within this state. 1278

(3) Notwithstanding any contrary provision of section 1279
3719.21 of the Revised Code, the clerk of the court shall pay 1280

any fine imposed under division (H) (1) of this section to the 1281
eligible community addiction services provider specified 1282
pursuant to division (H) (2) of this section in the judgment. The 1283
eligible community addiction services provider that receives the 1284
fine moneys shall use the moneys only for the alcohol and drug 1285
addiction services identified in the application for 1286
certification of services under section 5119.36 of the Revised 1287
Code or in the application for a license under section 5119.37 1288
of the Revised Code filed with the department of mental health 1289
and addiction services by the community addiction services 1290
provider specified in the judgment. 1291

(4) Each community addiction services provider that 1292
receives in a calendar year any fine moneys under division (H) 1293
(3) of this section shall file an annual report covering that 1294
calendar year with the court of common pleas and the board of 1295
county commissioners of the county in which the services 1296
provider is located, with the court of common pleas and the 1297
board of county commissioners of each county from which the 1298
services provider received the moneys if that county is 1299
different from the county in which the services provider is 1300
located, and with the attorney general. The community addiction 1301
services provider shall file the report no later than the first 1302
day of March in the calendar year following the calendar year in 1303
which the services provider received the fine moneys. The report 1304
shall include statistics on the number of persons served by the 1305
community addiction services provider, identify the types of 1306
alcohol and drug addiction services provided to those persons, 1307
and include a specific accounting of the purposes for which the 1308
fine moneys received were used. No information contained in the 1309
report shall identify, or enable a person to determine the 1310
identity of, any person served by the community addiction 1311

services provider. Each report received by a court of common 1312
pleas, a board of county commissioners, or the attorney general 1313
is a public record open for inspection under section 149.43 of 1314
the Revised Code. 1315

(5) As used in divisions (H) (1) to (5) of this section: 1316

(a) "Community addiction services provider" and "alcohol 1317
and drug addiction services" have the same meanings as in 1318
section 5119.01 of the Revised Code. 1319

(b) "Eligible community addiction services provider" means 1320
a community addiction services provider, including a community 1321
addiction services provider that operates an opioid treatment 1322
program licensed under section 5119.37 of the Revised Code. 1323

(I) As used in this section, "drug" includes any substance 1324
that is represented to be a drug. 1325

(J) It is an affirmative defense to a charge of 1326
trafficking in a controlled substance analog under division (C) 1327
(8) of this section that the person charged with violating that 1328
offense sold or offered to sell, or prepared for shipment, 1329
shipped, transported, delivered, prepared for distribution, or 1330
distributed one of the following items that are excluded from 1331
the meaning of "controlled substance analog" under section 1332
3719.01 of the Revised Code: 1333

(1) A controlled substance; 1334

(2) Any substance for which there is an approved new drug 1335
application; 1336

(3) With respect to a particular person, any substance if 1337
an exemption is in effect for investigational use for that 1338
person pursuant to federal law to the extent that conduct with 1339

respect to that substance is pursuant to that exemption. 1340

Sec. 2925.04. (A) No person shall knowingly cultivate 1341
marihuana or knowingly manufacture or otherwise engage in any 1342
part of the production of a controlled substance. 1343

(B) This section does not apply to any person listed in 1344
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1345
Code to the extent and under the circumstances described in 1346
those divisions. 1347

(C) (1) Whoever commits a violation of division (A) of this 1348
section that involves any drug other than marihuana is guilty of 1349
illegal manufacture of drugs, and whoever commits a violation of 1350
division (A) of this section that involves marihuana is guilty 1351
of illegal cultivation of marihuana. 1352

(2) Except as otherwise provided in this division, if the 1353
drug involved in the violation of division (A) of this section 1354
is any compound, mixture, preparation, or substance included in 1355
schedule I or II, with the exception of methamphetamine or 1356
marihuana, illegal manufacture of drugs is a felony of the 1357
second degree, and, subject to division (E) of this section, the 1358
court shall impose as a mandatory prison term a second degree 1359
felony mandatory prison term. 1360

If the drug involved in the violation is any compound, 1361
mixture, preparation, or substance included in schedule I or II, 1362
with the exception of methamphetamine or marihuana, and if the 1363
offense was committed in the vicinity of a juvenile or in the 1364
vicinity of a school, illegal manufacture of drugs is a felony 1365
of the first degree, and, subject to division (E) of this 1366
section, the court shall impose as a mandatory prison term a 1367
first degree felony mandatory prison term. 1368

(3) If the drug involved in the violation of division (A) 1369
of this section is methamphetamine, the penalty for the 1370
violation shall be determined as follows: 1371

(a) Except as otherwise provided in division (C) (3) (b) of 1372
this section, if the drug involved in the violation is 1373
methamphetamine, illegal manufacture of drugs is a felony of the 1374
second degree, and, subject to division (E) of this section, the 1375
court shall impose a mandatory prison term on the offender 1376
determined in accordance with this division. Except as otherwise 1377
provided in this division, the court shall impose as a mandatory 1378
prison term a second degree felony mandatory prison term that is 1379
not less than three years. If the offender previously has been 1380
convicted of or pleaded guilty to a violation of division (A) of 1381
this section, a violation of division (B) (6) of section 2919.22 1382
of the Revised Code, or a violation of division (A) of section 1383
2925.041 of the Revised Code, the court shall impose as a 1384
mandatory prison term a second degree felony mandatory prison 1385
term that is not less than five years. 1386

(b) If the drug involved in the violation is 1387
methamphetamine and if the offense was committed in the vicinity 1388
of a juvenile, in the vicinity of a school, or on public 1389
premises, illegal manufacture of drugs is a felony of the first 1390
degree, and, subject to division (E) of this section, the court 1391
shall impose a mandatory prison term on the offender determined 1392
in accordance with this division. Except as otherwise provided 1393
in this division, the court shall impose as a mandatory prison 1394
term a first degree felony mandatory prison term that is not 1395
less than four years. If the offender previously has been 1396
convicted of or pleaded guilty to a violation of division (A) of 1397
this section, a violation of division (B) (6) of section 2919.22 1398
of the Revised Code, or a violation of division (A) of section 1399

2925.041 of the Revised Code, the court shall impose as a 1400
mandatory prison term a first degree felony mandatory prison 1401
term that is not less than five years. 1402

(4) If the drug involved in the violation of division (A) 1403
of this section is any compound, mixture, preparation, or 1404
substance included in schedule III, IV, or V, illegal 1405
manufacture of drugs is a felony of the third degree or, if the 1406
offense was committed in the vicinity of a school or in the 1407
vicinity of a juvenile, a felony of the second degree, and there 1408
is a presumption for a prison term for the offense. 1409

(5) If the drug involved in the violation is marihuana, 1410
the penalty for the offense shall be determined as follows: 1411

(a) Except as otherwise provided in division (C) (5) (b), 1412
(c), (d), (e), or (f) of this section, illegal cultivation of 1413
marihuana is a minor misdemeanor or, if the offense was 1414
committed in the vicinity of a school or in the vicinity of a 1415
juvenile, a misdemeanor of the fourth degree. 1416

(b) If the amount of marihuana involved equals or exceeds 1417
one hundred grams but is less than two hundred grams, illegal 1418
cultivation of marihuana is a misdemeanor of the fourth degree 1419
or, if the offense was committed in the vicinity of a school or 1420
in the vicinity of a juvenile, a misdemeanor of the third 1421
degree. 1422

(c) If the amount of marihuana involved equals or exceeds 1423
two hundred grams but is less than one thousand grams, illegal 1424
cultivation of marihuana is a felony of the fifth degree or, if 1425
the offense was committed in the vicinity of a school or in the 1426
vicinity of a juvenile, a felony of the fourth degree, and 1427
division (B) of section 2929.13 of the Revised Code applies in 1428

determining whether to impose a prison term on the offender. 1429

(d) If the amount of marihuana involved equals or exceeds 1430
one thousand grams but is less than five thousand grams, illegal 1431
cultivation of marihuana is a felony of the third degree or, if 1432
the offense was committed in the vicinity of a school or in the 1433
vicinity of a juvenile, a felony of the second degree, and 1434
division (C) of section 2929.13 of the Revised Code applies in 1435
determining whether to impose a prison term on the offender. 1436

(e) If the amount of marihuana involved equals or exceeds 1437
five thousand grams but is less than twenty thousand grams, 1438
illegal cultivation of marihuana is a felony of the third degree 1439
or, if the offense was committed in the vicinity of a school or 1440
in the vicinity of a juvenile, a felony of the second degree, 1441
and there is a presumption for a prison term for the offense. 1442

(f) Except as otherwise provided in this division, if the 1443
amount of marihuana involved equals or exceeds twenty thousand 1444
grams, illegal cultivation of marihuana is a felony of the 1445
second degree, and the court shall impose as a mandatory prison 1446
term a maximum second degree felony mandatory prison term. If 1447
the amount of the drug involved equals or exceeds twenty 1448
thousand grams and if the offense was committed in the vicinity 1449
of a school or in the vicinity of a juvenile, illegal 1450
cultivation of marihuana is a felony of the first degree, and 1451
the court shall impose as a mandatory prison term a maximum 1452
first degree felony mandatory prison term. 1453

(D) In addition to any prison term authorized or required 1454
by division (C) or (E) of this section and sections 2929.13 and 1455
2929.14 of the Revised Code and in addition to any other 1456
sanction imposed for the offense under this section or sections 1457
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 1458

~~an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If if applicable, the court also shall do the following:~~

(1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code.

(3) If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies. 1490
1491

(E) Notwithstanding the prison term otherwise authorized 1492
or required for the offense under division (C) of this section 1493
and sections 2929.13 and 2929.14 of the Revised Code, if the 1494
violation of division (A) of this section involves the sale, 1495
offer to sell, or possession of a schedule I or II controlled 1496
substance, with the exception of marihuana, and if the court 1497
imposing sentence upon the offender finds that the offender as a 1498
result of the violation is a major drug offender and is guilty 1499
of a specification of the type described in division (A) of 1500
section 2941.1410 of the Revised Code, the court, in lieu of the 1501
prison term otherwise authorized or required, shall impose upon 1502
the offender the mandatory prison term specified in division (B) 1503
(3) of section 2929.14 of the Revised Code. 1504

(F) It is an affirmative defense, as provided in section 1505
2901.05 of the Revised Code, to a charge under this section for 1506
a fifth degree felony violation of illegal cultivation of 1507
marihuana that the marihuana that gave rise to the charge is in 1508
an amount, is in a form, is prepared, compounded, or mixed with 1509
substances that are not controlled substances in a manner, or is 1510
possessed or cultivated under any other circumstances that 1511
indicate that the marihuana was solely for personal use. 1512

Notwithstanding any contrary provision of division (F) of 1513
this section, if, in accordance with section 2901.05 of the 1514
Revised Code, a person who is charged with a violation of 1515
illegal cultivation of marihuana that is a felony of the fifth 1516
degree sustains the burden of going forward with evidence of and 1517
establishes by a preponderance of the evidence the affirmative 1518
defense described in this division, the person may be prosecuted 1519

for and may be convicted of or plead guilty to a misdemeanor 1520
violation of illegal cultivation of marihuana. 1521

(G) Arrest or conviction for a minor misdemeanor violation 1522
of this section does not constitute a criminal record and need 1523
not be reported by the person so arrested or convicted in 1524
response to any inquiries about the person's criminal record, 1525
including any inquiries contained in an application for 1526
employment, a license, or any other right or privilege or made 1527
in connection with the person's appearance as a witness. 1528

~~(H) (1) If the sentencing court suspends the offender's 1529
driver's or commercial driver's license or permit under this 1530
section in accordance with division (G) of section 2925.03 of 1531
the Revised Code, the offender may request termination of, and 1532
the court may terminate, the suspension of the offender in 1533
accordance with that division. 1534~~

~~(2)~~ (H) Any offender who received a mandatory suspension 1535
of the offender's driver's or commercial driver's license or 1536
permit under this section prior to September 13, 2016, may file 1537
a motion with the sentencing court requesting the termination of 1538
the suspension. However, an offender who pleaded guilty to or 1539
was convicted of a violation of section 4511.19 of the Revised 1540
Code or a substantially similar municipal ordinance or law of 1541
another state or the United States that arose out of the same 1542
set of circumstances as the violation for which the offender's 1543
license or permit was suspended under this section shall not 1544
file such a motion. 1545

Upon the filing of a motion under division ~~(H) (2)~~ (H) of 1546
this section, the sentencing court, in its discretion, may 1547
terminate the suspension. 1548

Sec. 2925.041. (A) No person shall knowingly assemble or 1549
possess one or more chemicals that may be used to manufacture a 1550
controlled substance in schedule I or II with the intent to 1551
manufacture a controlled substance in schedule I or II in 1552
violation of section 2925.04 of the Revised Code. 1553

(B) In a prosecution under this section, it is not 1554
necessary to allege or prove that the offender assembled or 1555
possessed all chemicals necessary to manufacture a controlled 1556
substance in schedule I or II. The assembly or possession of a 1557
single chemical that may be used in the manufacture of a 1558
controlled substance in schedule I or II, with the intent to 1559
manufacture a controlled substance in either schedule, is 1560
sufficient to violate this section. 1561

(C) Whoever violates this section is guilty of illegal 1562
assembly or possession of chemicals for the manufacture of 1563
drugs. Except as otherwise provided in this division, illegal 1564
assembly or possession of chemicals for the manufacture of drugs 1565
is a felony of the third degree, and, except as otherwise 1566
provided in division (C)(1) or (2) of this section, division (C) 1567
of section 2929.13 of the Revised Code applies in determining 1568
whether to impose a prison term on the offender. If the offense 1569
was committed in the vicinity of a juvenile or in the vicinity 1570
of a school, illegal assembly or possession of chemicals for the 1571
manufacture of drugs is a felony of the second degree, and, 1572
except as otherwise provided in division (C)(1) or (2) of this 1573
section, division (C) of section 2929.13 of the Revised Code 1574
applies in determining whether to impose a prison term on the 1575
offender. If the violation of division (A) of this section is a 1576
felony of the third degree under this division and if the 1577
chemical or chemicals assembled or possessed in violation of 1578
division (A) of this section may be used to manufacture 1579

methamphetamine, there either is a presumption for a prison term 1580
for the offense or the court shall impose a mandatory prison 1581
term on the offender, determined as follows: 1582

(1) Except as otherwise provided in this division, there 1583
is a presumption for a prison term for the offense. If the 1584
offender two or more times previously has been convicted of or 1585
pleaded guilty to a felony drug abuse offense, except as 1586
otherwise provided in this division, the court shall impose as a 1587
mandatory prison term one of the prison terms prescribed for a 1588
felony of the third degree that is not less than two years. If 1589
the offender two or more times previously has been convicted of 1590
or pleaded guilty to a felony drug abuse offense and if at least 1591
one of those previous convictions or guilty pleas was to a 1592
violation of division (A) of this section, a violation of 1593
division (B) (6) of section 2919.22 of the Revised Code, or a 1594
violation of division (A) of section 2925.04 of the Revised 1595
Code, the court shall impose as a mandatory prison term one of 1596
the prison terms prescribed for a felony of the third degree 1597
that is not less than five years. 1598

(2) If the violation of division (A) of this section is a 1599
felony of the second degree under division (C) of this section 1600
and the chemical or chemicals assembled or possessed in 1601
committing the violation may be used to manufacture 1602
methamphetamine, the court shall impose as a mandatory prison 1603
term a second degree felony mandatory prison term that is not 1604
less than three years. If the violation of division (A) of this 1605
section is a felony of the second degree under division (C) of 1606
this section, if the chemical or chemicals assembled or 1607
possessed in committing the violation may be used to manufacture 1608
methamphetamine, and if the offender previously has been 1609
convicted of or pleaded guilty to a violation of division (A) of 1610

this section, a violation of division (B) (6) of section 2919.22 1611
of the Revised Code, or a violation of division (A) of section 1612
2925.04 of the Revised Code, the court shall impose as a 1613
mandatory prison term a second degree felony mandatory prison 1614
term that is not less than five years. 1615

(D) In addition to any prison term authorized by division 1616
(C) of this section and sections 2929.13 and 2929.14 of the 1617
Revised Code and in addition to any other sanction imposed for 1618
the offense under this section or sections 2929.11 to 2929.18 of 1619
the Revised Code, ~~the court that sentences an offender who is~~ 1620
~~convicted of or pleads guilty to a violation of this section may~~ 1621
~~suspend the offender's driver's or commercial driver's license~~ 1622
~~or permit in accordance with division (G) of section 2925.03 of~~ 1623
~~the Revised Code. However, if the offender pleaded guilty to or~~ 1624
~~was convicted of a violation of section 4511.19 of the Revised~~ 1625
~~Code or a substantially similar municipal ordinance or the law~~ 1626
~~of another state or the United States arising out of the same~~ 1627
~~set of circumstances as the violation, the court shall suspend~~ 1628
~~the offender's driver's or commercial driver's license or permit~~ 1629
~~in accordance with division (G) of section 2925.03 of the~~ 1630
Revised Code. ~~If~~ if applicable, the court also shall do the 1631
following: 1632

(1) The court shall impose upon the offender the mandatory 1633
fine specified for the offense under division (B) (1) of section 1634
2929.18 of the Revised Code unless, as specified in that 1635
division, the court determines that the offender is indigent. 1636
The clerk of the court shall pay a mandatory fine or other fine 1637
imposed for a violation of this section under division (A) of 1638
section 2929.18 of the Revised Code in accordance with and 1639
subject to the requirements of division (F) of section 2925.03 1640
of the Revised Code. The agency that receives the fine shall use 1641

the fine as specified in division (F) of section 2925.03 of the Revised Code. If a person charged with a violation of this section posts bail and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section.

(2) If the offender is a professionally licensed person or a person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules, the court shall comply with section 2925.38 of the Revised Code.

(3) If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies.

~~(E) (1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under this section in accordance with division (C) of section 2925.03 of the Revised Code, the offender may request termination of, and the court may terminate, the suspension of the offender in accordance with that division.~~

~~(2)~~ (E) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion.

Upon the filing of a motion under division ~~(E) (2)~~ (E) of 1671
this section, the sentencing court, in its discretion, may 1672
terminate the suspension. 1673

Sec. 2925.05. (A) No person shall knowingly provide money 1674
or other items of value to another person with the purpose that 1675
the recipient of the money or items of value use them to obtain 1676
any controlled substance for the purpose of violating section 1677
2925.04 of the Revised Code or for the purpose of selling or 1678
offering to sell the controlled substance in the following 1679
amount: 1680

(1) If the drug to be sold or offered for sale is any 1681
compound, mixture, preparation, or substance included in 1682
schedule I or II, with the exception of marihuana, cocaine, 1683
L.S.D., heroin, any fentanyl-related compound, and hashish, or 1684
schedule III, IV, or V, an amount of the drug that equals or 1685
exceeds the bulk amount of the drug; 1686

(2) If the drug to be sold or offered for sale is 1687
marihuana or a compound, mixture, preparation, or substance 1688
other than hashish containing marihuana, an amount of the 1689
marihuana that equals or exceeds two hundred grams; 1690

(3) If the drug to be sold or offered for sale is cocaine 1691
or a compound, mixture, preparation, or substance containing 1692
cocaine, an amount of the cocaine that equals or exceeds five 1693
grams; 1694

(4) If the drug to be sold or offered for sale is L.S.D. 1695
or a compound, mixture, preparation, or substance containing 1696
L.S.D., an amount of the L.S.D. that equals or exceeds ten unit 1697
doses if the L.S.D. is in a solid form or equals or exceeds one 1698
gram if the L.S.D. is in a liquid concentrate, liquid extract, 1699

or liquid distillate form; 1700

(5) If the drug to be sold or offered for sale is heroin 1701
or a fentanyl-related compound, or a compound, mixture, 1702
preparation, or substance containing heroin or a fentanyl- 1703
related compound, an amount that equals or exceeds ten unit 1704
doses or equals or exceeds one gram; 1705

(6) If the drug to be sold or offered for sale is hashish 1706
or a compound, mixture, preparation, or substance containing 1707
hashish, an amount of the hashish that equals or exceeds ten 1708
grams if the hashish is in a solid form or equals or exceeds two 1709
grams if the hashish is in a liquid concentrate, liquid extract, 1710
or liquid distillate form. 1711

(B) This section does not apply to any person listed in 1712
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1713
Code to the extent and under the circumstances described in 1714
those divisions. 1715

(C) (1) If the drug involved in the violation is any 1716
compound, mixture, preparation, or substance included in 1717
schedule I or II, with the exception of marihuana, whoever 1718
violates division (A) of this section is guilty of aggravated 1719
funding of drug trafficking, a felony of the first degree, and, 1720
subject to division (E) of this section, the court shall impose 1721
as a mandatory prison term a first degree felony mandatory 1722
prison term. 1723

(2) If the drug involved in the violation is any compound, 1724
mixture, preparation, or substance included in schedule III, IV, 1725
or V, whoever violates division (A) of this section is guilty of 1726
funding of drug trafficking, a felony of the second degree, and 1727
the court shall impose as a mandatory prison term a second 1728

degree felony mandatory prison term. 1729

(3) If the drug involved in the violation is marihuana, 1730
whoever violates division (A) of this section is guilty of 1731
funding of marihuana trafficking, a felony of the third degree, 1732
and, except as otherwise provided in this division, there is a 1733
presumption for a prison term for the offense. If funding of 1734
marihuana trafficking is a felony of the third degree under this 1735
division and if the offender two or more times previously has 1736
been convicted of or pleaded guilty to a felony drug abuse 1737
offense, the court shall impose as a mandatory prison term one 1738
of the prison terms prescribed for a felony of the third degree. 1739

(D) In addition to any prison term authorized or required 1740
by division (C) or (E) of this section and sections 2929.13 and 1741
2929.14 of the Revised Code and in addition to any other 1742
sanction imposed for the offense under this section or sections 1743
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 1744
~~an offender who is convicted of or pleads guilty to a violation~~ 1745
~~of division (A) of this section may suspend the offender's~~ 1746
~~driver's or commercial driver's license or permit in accordance~~ 1747
~~with division (G) of section 2925.03 of the Revised Code.~~ 1748
~~However, if the offender pleaded guilty to or was convicted of a~~ 1749
~~violation of section 4511.19 of the Revised Code or a~~ 1750
~~substantially similar municipal ordinance or the law of another~~ 1751
~~state or the United States arising out of the same set of~~ 1752
~~circumstances as the violation, the court shall suspend the~~ 1753
~~offender's driver's or commercial driver's license or permit in~~ 1754
~~accordance with division (G) of section 2925.03 of the Revised~~ 1755
~~Code. If if applicable, the court also shall do the following:~~ 1756

(1) The court shall impose the mandatory fine specified 1757
for the offense under division (B) (1) of section 2929.18 of the 1758

Revised Code unless, as specified in that division, the court 1759
determines that the offender is indigent. The clerk of the court 1760
shall pay a mandatory fine or other fine imposed for a violation 1761
of this section pursuant to division (A) of section 2929.18 of 1762
the Revised Code in accordance with and subject to the 1763
requirements of division (F) of section 2925.03 of the Revised 1764
Code. The agency that receives the fine shall use the fine in 1765
accordance with division (F) of section 2925.03 of the Revised 1766
Code. If a person is charged with a violation of this section, 1767
posts bail, and forfeits the bail, the forfeited bail shall be 1768
paid as if the forfeited bail were a fine imposed for a 1769
violation of this section. 1770

(2) If the offender is a professionally licensed person, 1771
the court immediately shall comply with section 2925.38 of the 1772
Revised Code. 1773

(3) If the offender has a driver's or commercial driver's 1774
license or permit, section 2929.33 of the Revised Code applies. 1775

(E) Notwithstanding the prison term otherwise authorized 1776
or required for the offense under division (C) of this section 1777
and sections 2929.13 and 2929.14 of the Revised Code, if the 1778
violation of division (A) of this section involves the sale, 1779
offer to sell, or possession of a schedule I or II controlled 1780
substance, with the exception of marihuana, one of the following 1781
applies: 1782

(1) If the drug involved in the violation is a fentanyl- 1783
related compound, the offense is a felony of the first degree, 1784
the offender is a major drug offender, and the court shall 1785
impose as a mandatory prison term the maximum prison term 1786
prescribed for a felony of the first degree. 1787

(2) If division (E) (1) of this section does not apply and
the court imposing sentence upon the offender finds that the
offender as a result of the violation is a major drug offender
and is guilty of a specification of the type described in
division (A) of section 2941.1410 of the Revised Code, the
court, in lieu of the prison term otherwise authorized or
required, shall impose upon the offender the mandatory prison
term specified in division (B) (3) of section 2929.14 of the
Revised Code.

~~(F) (1) If the sentencing court suspends the offender's
driver's or commercial driver's license or permit under this
section in accordance with division (C) of section 2925.03 of
the Revised Code, the offender may request termination of, and
the court may terminate, the suspension in accordance with that
division.~~

~~(2) (F)~~ Any offender who received a mandatory suspension
of the offender's driver's or commercial driver's license or
permit under this section prior to September 13, 2016, may file
a motion with the sentencing court requesting the termination of
the suspension. However, an offender who pleaded guilty to or
was convicted of a violation of section 4511.19 of the Revised
Code or a substantially similar municipal ordinance or law of
another state or the United States that arose out of the same
set of circumstances as the violation for which the offender's
license or permit was suspended under this section shall not
file such a motion.

Upon the filing of a motion under division ~~(F) (2)~~ (F) of
this section, the sentencing court, in its discretion, may
terminate the suspension.

Sec. 2925.06. (A) No person shall knowingly administer to

a human being, or prescribe or dispense for administration to a 1818
human being, any anabolic steroid not approved by the United 1819
States food and drug administration for administration to human 1820
beings. 1821

(B) This section does not apply to any person listed in 1822
division (B) (1), (2), or (3) of section 2925.03 of the Revised 1823
Code to the extent and under the circumstances described in 1824
those divisions. 1825

(C) Whoever violates division (A) of this section is 1826
guilty of illegal administration or distribution of anabolic 1827
steroids, a felony of the fourth degree, and division (C) of 1828
section 2929.13 of the Revised Code applies in determining 1829
whether to impose a prison term on the offender. 1830

(D) (1) In addition to any prison term authorized or 1831
required by division (C) of this section and sections 2929.13 1832
and 2929.14 of the Revised Code and in addition to any other 1833
sanction imposed for the offense under this section or sections 1834
2929.11 to 2929.18 of the Revised Code, ~~the court that sentences~~ 1835
~~an offender who is convicted of or pleads guilty to a violation~~ 1836
~~of division (A) of this section may suspend the offender's~~ 1837
~~driver's or commercial driver's license or permit in accordance~~ 1838
~~with division (G) of section 2925.03 of the Revised Code.~~ 1839
~~However, if the offender pleaded guilty to or was convicted of a~~ 1840
~~violation of section 4511.19 of the Revised Code or a~~ 1841
~~substantially similar municipal ordinance or the law of another~~ 1842
~~state or the United States arising out of the same set of~~ 1843
~~circumstances as the violation, the court shall suspend the~~ 1844
~~offender's driver's or commercial driver's license or permit in~~ 1845
~~accordance with division (G) of section 2925.03 of the Revised~~ 1846
~~Code. If an offender's driver's or commercial driver's license~~ 1847

~~or permit is suspended in accordance with that division, the~~ 1848
~~offender may request termination of, and the court may~~ 1849
~~terminate, the suspension in accordance with that division.~~ 1850

~~If~~ if the offender is a professionally licensed person, 1851
the court immediately shall comply with section 2925.38 of the 1852
Revised Code. 1853

If the offender has a driver's or commercial driver's 1854
license or permit, section 2929.33 of the Revised Code applies. 1855

(2) Any offender who received a mandatory suspension of 1856
the offender's driver's or commercial driver's license or permit 1857
under this section prior to ~~the effective date of this amendment~~ 1858
September 13, 2016, may file a motion with the sentencing court 1859
requesting the termination of the suspension. However, an 1860
offender who pleaded guilty to or was convicted of a violation 1861
of section 4511.19 of the Revised Code or a substantially 1862
similar municipal ordinance or law of another state or the 1863
United States that arose out of the same set of circumstances as 1864
the violation for which the offender's license or permit was 1865
suspended under this section shall not file such a motion. 1866

Upon the filing of a motion under division (D) (2) of this 1867
section, the sentencing court, in its discretion, may terminate 1868
the suspension. 1869

(E) If a person commits any act that constitutes a 1870
violation of division (A) of this section and that also 1871
constitutes a violation of any other provision of the Revised 1872
Code, the prosecutor, as defined in section 2935.01 of the 1873
Revised Code, using customary prosecutorial discretion, may 1874
prosecute the person for a violation of the appropriate 1875
provision of the Revised Code. 1876

Sec. 2925.11. (A) No person shall knowingly obtain, 1877
possess, or use a controlled substance or a controlled substance 1878
analog. 1879

(B) (1) This section does not apply to any of the 1880
following: 1881

(a) Manufacturers, licensed health professionals 1882
authorized to prescribe drugs, pharmacists, owners of 1883
pharmacies, and other persons whose conduct was in accordance 1884
with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 1885
4741. of the Revised Code; 1886

(b) If the offense involves an anabolic steroid, any 1887
person who is conducting or participating in a research project 1888
involving the use of an anabolic steroid if the project has been 1889
approved by the United States food and drug administration; 1890

(c) Any person who sells, offers for sale, prescribes, 1891
dispenses, or administers for livestock or other nonhuman 1892
species an anabolic steroid that is expressly intended for 1893
administration through implants to livestock or other nonhuman 1894
species and approved for that purpose under the "Federal Food, 1895
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, 1896
as amended, and is sold, offered for sale, prescribed, 1897
dispensed, or administered for that purpose in accordance with 1898
that act; 1899

(d) Any person who obtained the controlled substance 1900
pursuant to a prescription issued by a licensed health 1901
professional authorized to prescribe drugs if the prescription 1902
was issued for a legitimate medical purpose and not altered, 1903
forged, or obtained through deception or commission of a theft 1904
offense. 1905

As used in division (B) (1) (d) of this section, "deception"	1906
and "theft offense" have the same meanings as in section 2913.01	1907
of the Revised Code.	1908
(2) (a) As used in division (B) (2) of this section:	1909
(i) "Community addiction services provider" has the same	1910
meaning as in section 5119.01 of the Revised Code.	1911
(ii) "Community control sanction" has the same meaning as	1912
in section 2929.01 of the Revised Code.	1913
(iii) "Health care facility" has the same meaning as in	1914
section 2919.16 of the Revised Code.	1915
(iv) "Minor drug possession offense" means a violation of	1916
this section that is a misdemeanor or a felony of the fifth	1917
degree.	1918
(v) "Post-release control sanction" has the same meaning	1919
as in section 2967.28 of the Revised Code.	1920
(vi) "Peace officer" has the same meaning as in section	1921
2935.01 of the Revised Code.	1922
(vii) "Public agency" has the same meaning as in section	1923
2930.01 of the Revised Code.	1924
(viii) "Qualified individual" means a person who is acting	1925
in good faith who seeks or obtains medical assistance for	1926
another person who is experiencing a drug overdose, a person who	1927
experiences a drug overdose and who seeks medical assistance for	1928
that overdose, or a person who is the subject of another person	1929
seeking or obtaining medical assistance for that overdose as	1930
described in division (B) (2) (b) of this section.	1931
(ix) "Seek or obtain medical assistance" includes, but is	1932

not limited to making a 9-1-1 call, contacting in person or by 1933
telephone call an on-duty peace officer, or transporting or 1934
presenting a person to a health care facility. 1935

(b) Subject to division (B)(2)(e) of this section, a 1936
qualified individual shall not be arrested, charged, prosecuted, 1937
convicted, or penalized pursuant to this chapter for a minor 1938
drug possession offense or a violation of section 2925.12, 1939
division (C)(1) of section 2925.14, or section 2925.141 of the 1940
Revised Code if all of the following apply: 1941

(i) The evidence of the obtaining, possession, or use of 1942
the controlled substance or controlled substance analog, drug 1943
abuse instruments, or drug paraphernalia that would be the basis 1944
of the offense was obtained as a result of the qualified 1945
individual seeking the medical assistance or experiencing an 1946
overdose and needing medical assistance. 1947

(ii) Subject to division (B)(2)(f) of this section, within 1948
thirty days after seeking or obtaining the medical assistance, 1949
the qualified individual seeks and obtains a screening and 1950
receives a referral for treatment from a community addiction 1951
services provider or a properly credentialed addiction treatment 1952
professional. 1953

(iii) Subject to division (B)(2)(f) of this section, the 1954
qualified individual who obtains a screening and receives a 1955
referral for treatment under division (B)(2)(b)(ii) of this 1956
section, upon the request of any prosecuting attorney, submits 1957
documentation to the prosecuting attorney that verifies that the 1958
qualified individual satisfied the requirements of that 1959
division. The documentation shall be limited to the date and 1960
time of the screening obtained and referral received. 1961

(c) If a person who is serving a community control 1962
sanction or is under a sanction on post-release control acts 1963
pursuant to division (B) (2) (b) of this section, then division 1964
(B) of section 2929.141, division (B) (2) of section 2929.15, 1965
division (D) (3) of section 2929.25, or division (F) (3) of 1966
section 2967.28 of the Revised Code applies to the person with 1967
respect to any violation of the sanction or post-release control 1968
sanction based on a minor drug possession offense, as defined in 1969
section 2925.11 of the Revised Code, or a violation of section 1970
2925.12, division (C) (1) of section 2925.14, or section 2925.141 1971
of the Revised Code. 1972

(d) Nothing in division (B) (2) (b) of this section shall be 1973
construed to do any of the following: 1974

(i) Limit the admissibility of any evidence in connection 1975
with the investigation or prosecution of a crime with regards to 1976
a defendant who does not qualify for the protections of division 1977
(B) (2) (b) of this section or with regards to any crime other 1978
than a minor drug possession offense or a violation of section 1979
2925.12, division (C) (1) of section 2925.14, or section 2925.141 1980
of the Revised Code committed by a person who qualifies for 1981
protection pursuant to division (B) (2) (b) of this section; 1982

(ii) Limit any seizure of evidence or contraband otherwise 1983
permitted by law; 1984

(iii) Limit or abridge the authority of a peace officer to 1985
detain or take into custody a person in the course of an 1986
investigation or to effectuate an arrest for any offense except 1987
as provided in that division; 1988

(iv) Limit, modify, or remove any immunity from liability 1989
available pursuant to law in effect prior to September 13, 2016, 1990

to any public agency or to an employee of any public agency. 1991

(e) Division (B) (2) (b) of this section does not apply to 1992
any person who twice previously has been granted an immunity 1993
under division (B) (2) (b) of this section. No person shall be 1994
granted an immunity under division (B) (2) (b) of this section 1995
more than two times. 1996

(f) Nothing in this section shall compel any qualified 1997
individual to disclose protected health information in a way 1998
that conflicts with the requirements of the "Health Insurance 1999
Portability and Accountability Act of 1996," 104 Pub. L. No. 2000
191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and 2001
regulations promulgated by the United States department of 2002
health and human services to implement the act or the 2003
requirements of 42 C.F.R. Part 2. 2004

(C) Whoever violates division (A) of this section is 2005
guilty of one of the following: 2006

(1) If the drug involved in the violation is a compound, 2007
mixture, preparation, or substance included in schedule I or II, 2008
with the exception of marihuana, cocaine, L.S.D., heroin, any 2009
fentanyl-related compound, hashish, and any controlled substance 2010
analog, whoever violates division (A) of this section is guilty 2011
of aggravated possession of drugs. The penalty for the offense 2012
shall be determined as follows: 2013

(a) Except as otherwise provided in division (C) (1) (b), 2014
(c), (d), or (e) of this section, aggravated possession of drugs 2015
is a felony of the fifth degree, and division (B) of section 2016
2929.13 of the Revised Code applies in determining whether to 2017
impose a prison term on the offender. 2018

(b) If the amount of the drug involved equals or exceeds 2019

the bulk amount but is less than five times the bulk amount, 2020
aggravated possession of drugs is a felony of the third degree, 2021
and there is a presumption for a prison term for the offense. 2022

(c) If the amount of the drug involved equals or exceeds 2023
five times the bulk amount but is less than fifty times the bulk 2024
amount, aggravated possession of drugs is a felony of the second 2025
degree, and the court shall impose as a mandatory prison term a 2026
second degree felony mandatory prison term. 2027

(d) If the amount of the drug involved equals or exceeds 2028
fifty times the bulk amount but is less than one hundred times 2029
the bulk amount, aggravated possession of drugs is a felony of 2030
the first degree, and the court shall impose as a mandatory 2031
prison term a first degree felony mandatory prison term. 2032

(e) If the amount of the drug involved equals or exceeds 2033
one hundred times the bulk amount, aggravated possession of 2034
drugs is a felony of the first degree, the offender is a major 2035
drug offender, and the court shall impose as a mandatory prison 2036
term a maximum first degree felony mandatory prison term. 2037

(2) If the drug involved in the violation is a compound, 2038
mixture, preparation, or substance included in schedule III, IV, 2039
or V, whoever violates division (A) of this section is guilty of 2040
possession of drugs. The penalty for the offense shall be 2041
determined as follows: 2042

(a) Except as otherwise provided in division (C) (2) (b), 2043
(c), or (d) of this section, possession of drugs is a 2044
misdemeanor of the first degree or, if the offender previously 2045
has been convicted of a drug abuse offense, a felony of the 2046
fifth degree. 2047

(b) If the amount of the drug involved equals or exceeds 2048

the bulk amount but is less than five times the bulk amount, 2049
possession of drugs is a felony of the fourth degree, and 2050
division (C) of section 2929.13 of the Revised Code applies in 2051
determining whether to impose a prison term on the offender. 2052

(c) If the amount of the drug involved equals or exceeds 2053
five times the bulk amount but is less than fifty times the bulk 2054
amount, possession of drugs is a felony of the third degree, and 2055
there is a presumption for a prison term for the offense. 2056

(d) If the amount of the drug involved equals or exceeds 2057
fifty times the bulk amount, possession of drugs is a felony of 2058
the second degree, and the court shall impose upon the offender 2059
as a mandatory prison term a second degree felony mandatory 2060
prison term. 2061

(3) If the drug involved in the violation is marihuana or 2062
a compound, mixture, preparation, or substance containing 2063
marihuana other than hashish, whoever violates division (A) of 2064
this section is guilty of possession of marihuana. The penalty 2065
for the offense shall be determined as follows: 2066

(a) Except as otherwise provided in division (C) (3) (b), 2067
(c), (d), (e), (f), or (g) of this section, possession of 2068
marihuana is a minor misdemeanor. 2069

(b) If the amount of the drug involved equals or exceeds 2070
one hundred grams but is less than two hundred grams, possession 2071
of marihuana is a misdemeanor of the fourth degree. 2072

(c) If the amount of the drug involved equals or exceeds 2073
two hundred grams but is less than one thousand grams, 2074
possession of marihuana is a felony of the fifth degree, and 2075
division (B) of section 2929.13 of the Revised Code applies in 2076
determining whether to impose a prison term on the offender. 2077

(d) If the amount of the drug involved equals or exceeds 2078
one thousand grams but is less than five thousand grams, 2079
possession of marihuana is a felony of the third degree, and 2080
division (C) of section 2929.13 of the Revised Code applies in 2081
determining whether to impose a prison term on the offender. 2082

(e) If the amount of the drug involved equals or exceeds 2083
five thousand grams but is less than twenty thousand grams, 2084
possession of marihuana is a felony of the third degree, and 2085
there is a presumption that a prison term shall be imposed for 2086
the offense. 2087

(f) If the amount of the drug involved equals or exceeds 2088
twenty thousand grams but is less than forty thousand grams, 2089
possession of marihuana is a felony of the second degree, and 2090
the court shall impose as a mandatory prison term a second 2091
degree felony mandatory prison term of five, six, seven, or 2092
eight years. 2093

(g) If the amount of the drug involved equals or exceeds 2094
forty thousand grams, possession of marihuana is a felony of the 2095
second degree, and the court shall impose as a mandatory prison 2096
term a maximum second degree felony mandatory prison term. 2097

(4) If the drug involved in the violation is cocaine or a 2098
compound, mixture, preparation, or substance containing cocaine, 2099
whoever violates division (A) of this section is guilty of 2100
possession of cocaine. The penalty for the offense shall be 2101
determined as follows: 2102

(a) Except as otherwise provided in division (C) (4) (b), 2103
(c), (d), (e), or (f) of this section, possession of cocaine is 2104
a felony of the fifth degree, and division (B) of section 2105
2929.13 of the Revised Code applies in determining whether to 2106

impose a prison term on the offender. 2107

(b) If the amount of the drug involved equals or exceeds 2108
five grams but is less than ten grams of cocaine, possession of 2109
cocaine is a felony of the fourth degree, and division (B) of 2110
section 2929.13 of the Revised Code applies in determining 2111
whether to impose a prison term on the offender. 2112

(c) If the amount of the drug involved equals or exceeds 2113
ten grams but is less than twenty grams of cocaine, possession 2114
of cocaine is a felony of the third degree, and, except as 2115
otherwise provided in this division, there is a presumption for 2116
a prison term for the offense. If possession of cocaine is a 2117
felony of the third degree under this division and if the 2118
offender two or more times previously has been convicted of or 2119
pleaded guilty to a felony drug abuse offense, the court shall 2120
impose as a mandatory prison term one of the prison terms 2121
prescribed for a felony of the third degree. 2122

(d) If the amount of the drug involved equals or exceeds 2123
twenty grams but is less than twenty-seven grams of cocaine, 2124
possession of cocaine is a felony of the second degree, and the 2125
court shall impose as a mandatory prison term a second degree 2126
felony mandatory prison term. 2127

(e) If the amount of the drug involved equals or exceeds 2128
twenty-seven grams but is less than one hundred grams of 2129
cocaine, possession of cocaine is a felony of the first degree, 2130
and the court shall impose as a mandatory prison term a first 2131
degree felony mandatory prison term. 2132

(f) If the amount of the drug involved equals or exceeds 2133
one hundred grams of cocaine, possession of cocaine is a felony 2134
of the first degree, the offender is a major drug offender, and 2135

the court shall impose as a mandatory prison term a maximum 2136
first degree felony mandatory prison term. 2137

(5) If the drug involved in the violation is L.S.D., 2138
whoever violates division (A) of this section is guilty of 2139
possession of L.S.D. The penalty for the offense shall be 2140
determined as follows: 2141

(a) Except as otherwise provided in division (C) (5) (b), 2142
(c), (d), (e), or (f) of this section, possession of L.S.D. is a 2143
felony of the fifth degree, and division (B) of section 2929.13 2144
of the Revised Code applies in determining whether to impose a 2145
prison term on the offender. 2146

(b) If the amount of L.S.D. involved equals or exceeds ten 2147
unit doses but is less than fifty unit doses of L.S.D. in a 2148
solid form or equals or exceeds one gram but is less than five 2149
grams of L.S.D. in a liquid concentrate, liquid extract, or 2150
liquid distillate form, possession of L.S.D. is a felony of the 2151
fourth degree, and division (C) of section 2929.13 of the 2152
Revised Code applies in determining whether to impose a prison 2153
term on the offender. 2154

(c) If the amount of L.S.D. involved equals or exceeds 2155
fifty unit doses, but is less than two hundred fifty unit doses 2156
of L.S.D. in a solid form or equals or exceeds five grams but is 2157
less than twenty-five grams of L.S.D. in a liquid concentrate, 2158
liquid extract, or liquid distillate form, possession of L.S.D. 2159
is a felony of the third degree, and there is a presumption for 2160
a prison term for the offense. 2161

(d) If the amount of L.S.D. involved equals or exceeds two 2162
hundred fifty unit doses but is less than one thousand unit 2163
doses of L.S.D. in a solid form or equals or exceeds twenty-five 2164

grams but is less than one hundred grams of L.S.D. in a liquid 2165
concentrate, liquid extract, or liquid distillate form, 2166
possession of L.S.D. is a felony of the second degree, and the 2167
court shall impose as a mandatory prison term a second degree 2168
felony mandatory prison term. 2169

(e) If the amount of L.S.D. involved equals or exceeds one 2170
thousand unit doses but is less than five thousand unit doses of 2171
L.S.D. in a solid form or equals or exceeds one hundred grams 2172
but is less than five hundred grams of L.S.D. in a liquid 2173
concentrate, liquid extract, or liquid distillate form, 2174
possession of L.S.D. is a felony of the first degree, and the 2175
court shall impose as a mandatory prison term a first degree 2176
felony mandatory prison term. 2177

(f) If the amount of L.S.D. involved equals or exceeds 2178
five thousand unit doses of L.S.D. in a solid form or equals or 2179
exceeds five hundred grams of L.S.D. in a liquid concentrate, 2180
liquid extract, or liquid distillate form, possession of L.S.D. 2181
is a felony of the first degree, the offender is a major drug 2182
offender, and the court shall impose as a mandatory prison term 2183
a maximum first degree felony mandatory prison term. 2184

(6) If the drug involved in the violation is heroin or a 2185
compound, mixture, preparation, or substance containing heroin, 2186
whoever violates division (A) of this section is guilty of 2187
possession of heroin. The penalty for the offense shall be 2188
determined as follows: 2189

(a) Except as otherwise provided in division (C) (6) (b), 2190
(c), (d), (e), or (f) of this section, possession of heroin is a 2191
felony of the fifth degree, and division (B) of section 2929.13 2192
of the Revised Code applies in determining whether to impose a 2193
prison term on the offender. 2194

(b) If the amount of the drug involved equals or exceeds 2195
ten unit doses but is less than fifty unit doses or equals or 2196
exceeds one gram but is less than five grams, possession of 2197
heroin is a felony of the fourth degree, and division (C) of 2198
section 2929.13 of the Revised Code applies in determining 2199
whether to impose a prison term on the offender. 2200

(c) If the amount of the drug involved equals or exceeds 2201
fifty unit doses but is less than one hundred unit doses or 2202
equals or exceeds five grams but is less than ten grams, 2203
possession of heroin is a felony of the third degree, and there 2204
is a presumption for a prison term for the offense. 2205

(d) If the amount of the drug involved equals or exceeds 2206
one hundred unit doses but is less than five hundred unit doses 2207
or equals or exceeds ten grams but is less than fifty grams, 2208
possession of heroin is a felony of the second degree, and the 2209
court shall impose as a mandatory prison term a second degree 2210
felony mandatory prison term. 2211

(e) If the amount of the drug involved equals or exceeds 2212
five hundred unit doses but is less than one thousand unit doses 2213
or equals or exceeds fifty grams but is less than one hundred 2214
grams, possession of heroin is a felony of the first degree, and 2215
the court shall impose as a mandatory prison term a first degree 2216
felony mandatory prison term. 2217

(f) If the amount of the drug involved equals or exceeds 2218
one thousand unit doses or equals or exceeds one hundred grams, 2219
possession of heroin is a felony of the first degree, the 2220
offender is a major drug offender, and the court shall impose as 2221
a mandatory prison term a maximum first degree felony mandatory 2222
prison term. 2223

(7) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates division (A) of this section is guilty of possession of hashish. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C) (7) (b), (c), (d), (e), (f), or (g) of this section, possession of hashish is a minor misdemeanor.

(b) If the amount of the drug involved equals or exceeds five grams but is less than ten grams of hashish in a solid form or equals or exceeds one gram but is less than two grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a misdemeanor of the fourth degree.

(c) If the amount of the drug involved equals or exceeds ten grams but is less than fifty grams of hashish in a solid form or equals or exceeds two grams but is less than ten grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(d) If the amount of the drug involved equals or exceeds fifty grams but is less than two hundred fifty grams of hashish in a solid form or equals or exceeds ten grams but is less than fifty grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(e) If the amount of the drug involved equals or exceeds 2254
two hundred fifty grams but is less than one thousand grams of 2255
hashish in a solid form or equals or exceeds fifty grams but is 2256
less than two hundred grams of hashish in a liquid concentrate, 2257
liquid extract, or liquid distillate form, possession of hashish 2258
is a felony of the third degree, and there is a presumption that 2259
a prison term shall be imposed for the offense. 2260

(f) If the amount of the drug involved equals or exceeds 2261
one thousand grams but is less than two thousand grams of 2262
hashish in a solid form or equals or exceeds two hundred grams 2263
but is less than four hundred grams of hashish in a liquid 2264
concentrate, liquid extract, or liquid distillate form, 2265
possession of hashish is a felony of the second degree, and the 2266
court shall impose as a mandatory prison term a second degree 2267
felony mandatory prison term of five, six, seven, or eight 2268
years. 2269

(g) If the amount of the drug involved equals or exceeds 2270
two thousand grams of hashish in a solid form or equals or 2271
exceeds four hundred grams of hashish in a liquid concentrate, 2272
liquid extract, or liquid distillate form, possession of hashish 2273
is a felony of the second degree, and the court shall impose as 2274
a mandatory prison term a maximum second degree felony mandatory 2275
prison term. 2276

(8) If the drug involved is a controlled substance analog 2277
or compound, mixture, preparation, or substance that contains a 2278
controlled substance analog, whoever violates division (A) of 2279
this section is guilty of possession of a controlled substance 2280
analog. The penalty for the offense shall be determined as 2281
follows: 2282

(a) Except as otherwise provided in division (C) (8) (b), 2283

(c), (d), (e), or (f) of this section, possession of a 2284
controlled substance analog is a felony of the fifth degree, and 2285
division (B) of section 2929.13 of the Revised Code applies in 2286
determining whether to impose a prison term on the offender. 2287

(b) If the amount of the drug involved equals or exceeds 2288
ten grams but is less than twenty grams, possession of a 2289
controlled substance analog is a felony of the fourth degree, 2290
and there is a presumption for a prison term for the offense. 2291

(c) If the amount of the drug involved equals or exceeds 2292
twenty grams but is less than thirty grams, possession of a 2293
controlled substance analog is a felony of the third degree, and 2294
there is a presumption for a prison term for the offense. 2295

(d) If the amount of the drug involved equals or exceeds 2296
thirty grams but is less than forty grams, possession of a 2297
controlled substance analog is a felony of the second degree, 2298
and the court shall impose as a mandatory prison term a second 2299
degree felony mandatory prison term. 2300

(e) If the amount of the drug involved equals or exceeds 2301
forty grams but is less than fifty grams, possession of a 2302
controlled substance analog is a felony of the first degree, and 2303
the court shall impose as a mandatory prison term a first degree 2304
felony mandatory prison term. 2305

(f) If the amount of the drug involved equals or exceeds 2306
fifty grams, possession of a controlled substance analog is a 2307
felony of the first degree, the offender is a major drug 2308
offender, and the court shall impose as a mandatory prison term 2309
a maximum first degree felony mandatory prison term. 2310

(9) If the drug involved in the violation is a compound, 2311
mixture, preparation, or substance that is a combination of a 2312

fentanyl-related compound and marihuana, one of the following 2313
applies: 2314

(a) Except as otherwise provided in division (C) (9) (b) of 2315
this section, the offender is guilty of possession of marihuana 2316
and shall be punished as provided in division (C) (3) of this 2317
section. Except as otherwise provided in division (C) (9) (b) of 2318
this section, the offender is not guilty of possession of a 2319
fentanyl-related compound under division (C) (11) of this section 2320
and shall not be charged with, convicted of, or punished under 2321
division (C) (11) of this section for possession of a fentanyl- 2322
related compound. 2323

(b) If the offender knows or has reason to know that the 2324
compound, mixture, preparation, or substance that is the drug 2325
involved contains a fentanyl-related compound, the offender is 2326
guilty of possession of a fentanyl-related compound and shall be 2327
punished under division (C) (11) of this section. 2328

(10) If the drug involved in the violation is a compound, 2329
mixture, preparation, or substance that is a combination of a 2330
fentanyl-related compound and any schedule III, schedule IV, or 2331
schedule V controlled substance that is not a fentanyl-related 2332
compound, one of the following applies: 2333

(a) Except as otherwise provided in division (C) (10) (b) of 2334
this section, the offender is guilty of possession of drugs and 2335
shall be punished as provided in division (C) (2) of this 2336
section. Except as otherwise provided in division (C) (10) (b) of 2337
this section, the offender is not guilty of possession of a 2338
fentanyl-related compound under division (C) (11) of this section 2339
and shall not be charged with, convicted of, or punished under 2340
division (C) (11) of this section for possession of a fentanyl- 2341
related compound. 2342

(b) If the offender knows or has reason to know that the
compound, mixture, preparation, or substance that is the drug
involved contains a fentanyl-related compound, the offender is
guilty of possession of a fentanyl-related compound and shall be
punished under division (C)(11) of this section.

(11) If the drug involved in the violation is a fentanyl-
related compound and neither division (C)(9)(a) nor division (C)
(10)(a) of this section applies to the drug involved, or is a
compound, mixture, preparation, or substance that contains a
fentanyl-related compound or is a combination of a fentanyl-
related compound and any other controlled substance and neither
division (C)(9)(a) nor division (C)(10)(a) of this section
applies to the drug involved, whoever violates division (A) of
this section is guilty of possession of a fentanyl-related
compound. The penalty for the offense shall be determined as
follows:

(a) Except as otherwise provided in division (C)(11)(b),
(c), (d), (e), (f), or (g) of this section, possession of a
fentanyl-related compound is a felony of the fifth degree, and
division (B) of section 2929.13 of the Revised Code applies in
determining whether to impose a prison term on the offender.

(b) If the amount of the drug involved equals or exceeds
ten unit doses but is less than fifty unit doses or equals or
exceeds one gram but is less than five grams, possession of a
fentanyl-related compound is a felony of the fourth degree, and
division (C) of section 2929.13 of the Revised Code applies in
determining whether to impose a prison term on the offender.

(c) If the amount of the drug involved equals or exceeds
fifty unit doses but is less than one hundred unit doses or
equals or exceeds five grams but is less than ten grams,

possession of a fentanyl-related compound is a felony of the 2373
third degree, and there is a presumption for a prison term for 2374
the offense. 2375

(d) If the amount of the drug involved equals or exceeds 2376
one hundred unit doses but is less than two hundred unit doses 2377
or equals or exceeds ten grams but is less than twenty grams, 2378
possession of a fentanyl-related compound is a felony of the 2379
second degree, and the court shall impose as a mandatory prison 2380
term one of the prison terms prescribed for a felony of the 2381
second degree. 2382

(e) If the amount of the drug involved equals or exceeds 2383
two hundred unit doses but is less than five hundred unit doses 2384
or equals or exceeds twenty grams but is less than fifty grams, 2385
possession of a fentanyl-related compound is a felony of the 2386
first degree, and the court shall impose as a mandatory prison 2387
term one of the prison terms prescribed for a felony of the 2388
first degree. 2389

(f) If the amount of the drug involved equals or exceeds 2390
five hundred unit doses but is less than one thousand unit doses 2391
or equals or exceeds fifty grams but is less than one hundred 2392
grams, possession of a fentanyl-related compound is a felony of 2393
the first degree, and the court shall impose as a mandatory 2394
prison term the maximum prison term prescribed for a felony of 2395
the first degree. 2396

(g) If the amount of the drug involved equals or exceeds 2397
one thousand unit doses or equals or exceeds one hundred grams, 2398
possession of a fentanyl-related compound is a felony of the 2399
first degree, the offender is a major drug offender, and the 2400
court shall impose as a mandatory prison term the maximum prison 2401
term prescribed for a felony of the first degree. 2402

(D) Arrest or conviction for a minor misdemeanor violation 2403
of this section does not constitute a criminal record and need 2404
not be reported by the person so arrested or convicted in 2405
response to any inquiries about the person's criminal record, 2406
including any inquiries contained in any application for 2407
employment, license, or other right or privilege, or made in 2408
connection with the person's appearance as a witness. 2409

(E) In addition to any prison term or jail term authorized 2410
or required by division (C) of this section and sections 2411
2929.13, 2929.14, 2929.22, 2929.24, and 2929.25 of the Revised 2412
Code and in addition to any other sanction that is imposed for 2413
the offense under this section, sections 2929.11 to 2929.18, or 2414
sections 2929.21 to 2929.28 of the Revised Code, ~~the court that~~ 2415
~~sentences an offender who is convicted of or pleads guilty to a~~ 2416
~~violation of division (A) of this section may suspend the~~ 2417
~~offender's driver's or commercial driver's license or permit for~~ 2418
~~not more than five years. However, if the offender pleaded~~ 2419
~~guilty to or was convicted of a violation of section 4511.19 of~~ 2420
~~the Revised Code or a substantially similar municipal ordinance~~ 2421
~~or the law of another state or the United States arising out of~~ 2422
~~the same set of circumstances as the violation, the court shall~~ 2423
~~suspend the offender's driver's or commercial driver's license~~ 2424
~~or permit for not more than five years. If if applicable, the~~ 2425
court also shall do the following: 2426

(1) (a) If the violation is a felony of the first, second, 2427
or third degree, the court shall impose upon the offender the 2428
mandatory fine specified for the offense under division (B) (1) 2429
of section 2929.18 of the Revised Code unless, as specified in 2430
that division, the court determines that the offender is 2431
indigent. 2432

(b) Notwithstanding any contrary provision of section 2433
3719.21 of the Revised Code, the clerk of the court shall pay a 2434
mandatory fine or other fine imposed for a violation of this 2435
section pursuant to division (A) of section 2929.18 of the 2436
Revised Code in accordance with and subject to the requirements 2437
of division (F) of section 2925.03 of the Revised Code. The 2438
agency that receives the fine shall use the fine as specified in 2439
division (F) of section 2925.03 of the Revised Code. 2440

(c) If a person is charged with a violation of this 2441
section that is a felony of the first, second, or third degree, 2442
posts bail, and forfeits the bail, the clerk shall pay the 2443
forfeited bail pursuant to division (E)(1)(b) of this section as 2444
if it were a mandatory fine imposed under division (E)(1)(a) of 2445
this section. 2446

(2) If the offender is a professionally licensed person, 2447
in addition to any other sanction imposed for a violation of 2448
this section, the court immediately shall comply with section 2449
2925.38 of the Revised Code. 2450

(3) If the violation is a felony of the first, second, or 2451
third degree and the offender has a driver's or commercial 2452
driver's license or permit, section 2929.33 of the Revised Code 2453
applies. 2454

(F) It is an affirmative defense, as provided in section 2455
2901.05 of the Revised Code, to a charge of a fourth degree 2456
felony violation under this section that the controlled 2457
substance that gave rise to the charge is in an amount, is in a 2458
form, is prepared, compounded, or mixed with substances that are 2459
not controlled substances in a manner, or is possessed under any 2460
other circumstances, that indicate that the substance was 2461
possessed solely for personal use. Notwithstanding any contrary 2462

provision of this section, if, in accordance with section 2463
2901.05 of the Revised Code, an accused who is charged with a 2464
fourth degree felony violation of division (C) (2), (4), (5), or 2465
(6) of this section sustains the burden of going forward with 2466
evidence of and establishes by a preponderance of the evidence 2467
the affirmative defense described in this division, the accused 2468
may be prosecuted for and may plead guilty to or be convicted of 2469
a misdemeanor violation of division (C) (2) of this section or a 2470
fifth degree felony violation of division (C) (4), (5), or (6) of 2471
this section respectively. 2472

(G) When a person is charged with possessing a bulk amount 2473
or multiple of a bulk amount, division (E) of section 2925.03 of 2474
the Revised Code applies regarding the determination of the 2475
amount of the controlled substance involved at the time of the 2476
offense. 2477

(H) It is an affirmative defense to a charge of possession 2478
of a controlled substance analog under division (C) (8) of this 2479
section that the person charged with violating that offense 2480
obtained, possessed, or used one of the following items that are 2481
excluded from the meaning of "controlled substance analog" under 2482
section 3719.01 of the Revised Code: 2483

(1) A controlled substance; 2484

(2) Any substance for which there is an approved new drug 2485
application; 2486

(3) With respect to a particular person, any substance if 2487
an exemption is in effect for investigational use for that 2488
person pursuant to federal law to the extent that conduct with 2489
respect to that substance is pursuant to that exemption. 2490

(I) Any offender who received a mandatory suspension of 2491

the offender's driver's or commercial driver's license or permit 2492
under this section prior to September 13, 2016, may file a 2493
motion with the sentencing court requesting the termination of 2494
the suspension. However, an offender who pleaded guilty to or 2495
was convicted of a violation of section 4511.19 of the Revised 2496
Code or a substantially similar municipal ordinance or law of 2497
another state or the United States that arose out of the same 2498
set of circumstances as the violation for which the offender's 2499
license or permit was suspended under this section shall not 2500
file such a motion. 2501

Upon the filing of a motion under division (I) of this 2502
section, the sentencing court, in its discretion, may terminate 2503
the suspension. 2504

Sec. 2925.12. (A) No person shall knowingly make, obtain, 2505
possess, or use any instrument, article, or thing the customary 2506
and primary purpose of which is for the administration or use of 2507
a dangerous drug, other than marihuana, when the instrument 2508
involved is a hypodermic or syringe, whether or not of crude or 2509
extemporized manufacture or assembly, and the instrument, 2510
article, or thing involved has been used by the offender to 2511
unlawfully administer or use a dangerous drug, other than 2512
marihuana, or to prepare a dangerous drug, other than marihuana, 2513
for unlawful administration or use. 2514

(B) (1) This section does not apply to manufacturers, 2515
licensed health professionals authorized to prescribe drugs, 2516
pharmacists, owners of pharmacies, and other persons whose 2517
conduct was in accordance with Chapters 3719., 4715., 4723., 2518
4729., 4730., 4731., and 4741. of the Revised Code. 2519

(2) Division (B) (2) of section 2925.11 of the Revised Code 2520
applies with respect to a violation of this section when a 2521

person seeks or obtains medical assistance for another person 2522
who is experiencing a drug overdose, a person experiences a drug 2523
overdose and seeks medical assistance for that overdose, or a 2524
person is the subject of another person seeking or obtaining 2525
medical assistance for that overdose. 2526

(C) Whoever violates this section is guilty of possessing 2527
drug abuse instruments, a misdemeanor of the second degree. If 2528
the offender previously has been convicted of a drug abuse 2529
offense, a violation of this section is a misdemeanor of the 2530
first degree. 2531

(D) (1) In addition to any other sanction imposed upon an 2532
offender for a violation of this section, ~~the court may suspend~~ 2533
~~for not more than five years the offender's driver's or~~ 2534
~~commercial driver's license or permit. However,~~ if the offender 2535
pleaded guilty to or was convicted of a violation of section 2536
4511.19 of the Revised Code or a substantially similar municipal 2537
ordinance or the law of another state or the United States 2538
arising out of the same set of circumstances as the violation, 2539
the court shall suspend the offender's driver's or commercial 2540
driver's license or permit for not more than five years. If the 2541
offender is a professionally licensed person, in addition to any 2542
other sanction imposed for a violation of this section, the 2543
court immediately shall comply with section 2925.38 of the 2544
Revised Code. 2545

(2) Any offender who received a ~~mandatory~~ suspension of 2546
the offender's driver's or commercial driver's license or permit 2547
under this section prior to ~~September 13, 2016,~~ the effective 2548
date of this amendment may file a motion with the sentencing 2549
court requesting the termination of the suspension. However, an 2550
offender who pleaded guilty to or was convicted of a violation 2551

of section 4511.19 of the Revised Code or a substantially 2552
similar municipal ordinance or law of another state or the 2553
United States that arose out of the same set of circumstances as 2554
the violation for which the offender's license or permit was 2555
suspended under this section shall not file such a motion. 2556

Upon the filing of a motion under division (D)(2) of this 2557
section, the sentencing court, in its discretion, may terminate 2558
the suspension. 2559

Sec. 2925.13. (A) No person who is the owner, operator, or 2560
person in charge of a locomotive, watercraft, aircraft, or other 2561
vehicle, as defined in division (A) of section 4501.01 of the 2562
Revised Code, shall knowingly permit the vehicle to be used for 2563
the commission of a felony drug abuse offense. 2564

(B) No person who is the owner, lessee, or occupant, or 2565
who has custody, control, or supervision, of premises or real 2566
estate, including vacant land, shall knowingly permit the 2567
premises or real estate, including vacant land, to be used for 2568
the commission of a felony drug abuse offense by another person. 2569

(C)(1) Whoever violates this section is guilty of 2570
permitting drug abuse. 2571

(2) Except as provided in division (C)(3) of this section, 2572
permitting drug abuse is a misdemeanor of the first degree. 2573

(3) Permitting drug abuse is a felony of the fifth degree, 2574
and division (C) of section 2929.13 of the Revised Code applies 2575
in determining whether to impose a prison term on the offender, 2576
if either of the following applies: 2577

(a) The felony drug abuse offense in question is a 2578
violation of section 2925.02, 2925.03, or 2925.04 of the Revised 2579
Code. 2580

(b) The felony drug abuse offense in question is a 2581
violation of section 2925.041 of the Revised Code and the 2582
offender had actual knowledge, at the time the offender 2583
permitted the vehicle, premises, or real estate to be used as 2584
described in division (A) or (B) of this section, that the 2585
person who assembled or possessed the chemicals in question in 2586
violation of section 2925.041 of the Revised Code had assembled 2587
or possessed them with the intent to manufacture a controlled 2588
substance in schedule I or II in violation of section 2925.04 of 2589
the Revised Code. 2590

~~(D) (1) In addition to any prison term authorized or 2591
required by division (C) of this section and sections 2929.13- 2592
and 2929.14 of the Revised Code and in addition to any other 2593
sanction imposed for the offense under this section or sections- 2594
2929.11 to 2929.18 of the Revised Code, the court that sentences 2595
a person who is convicted of or pleads guilty to a violation of 2596
division (A) of this section may suspend for not more than five 2597
years the offender's driver's or commercial driver's license or 2598
permit. However, if the offender pleaded guilty to or was 2599
convicted of a violation of section 4511.19 of the Revised Code- 2600
or a substantially similar municipal ordinance or the law of- 2601
another state or the United States arising out of the same set- 2602
of circumstances as the violation, the court shall suspend the 2603
offender's driver's or commercial driver's license or permit for 2604
not more than five years. 2605~~

If the offender is a professionally licensed person, in 2606
addition to any other sanction imposed for a violation of this 2607
section, the court immediately shall comply with section 2925.38 2608
of the Revised Code. 2609

If the offender has a driver's or commercial driver's 2610

license or permit, section 2929.33 of the Revised Code applies. 2611

(2) Any offender who received a mandatory suspension of 2612
the offender's driver's or commercial driver's license or permit 2613
under this section prior to September 13, 2016, may file a 2614
motion with the sentencing court requesting the termination of 2615
the suspension. However, an offender who pleaded guilty to or 2616
was convicted of a violation of section 4511.19 of the Revised 2617
Code or a substantially similar municipal ordinance or law of 2618
another state or the United States that arose out of the same 2619
set of circumstances as the violation for which the offender's 2620
license or permit was suspended under this section shall not 2621
file such a motion. 2622

Upon the filing of a motion under division (D) (2) of this 2623
section, the sentencing court, in its discretion, may terminate 2624
the suspension. 2625

(E) Notwithstanding any contrary provision of section 2626
3719.21 of the Revised Code, the clerk of the court shall pay a 2627
fine imposed for a violation of this section pursuant to 2628
division (A) of section 2929.18 of the Revised Code in 2629
accordance with and subject to the requirements of division (F) 2630
of section 2925.03 of the Revised Code. The agency that receives 2631
the fine shall use the fine as specified in division (F) of 2632
section 2925.03 of the Revised Code. 2633

(F) Any premises or real estate that is permitted to be 2634
used in violation of division (B) of this section constitutes a 2635
nuisance subject to abatement pursuant to Chapter 3767. of the 2636
Revised Code. 2637

Sec. 2925.14. (A) As used in this section, "drug 2638
paraphernalia" means any equipment, product, or material of any 2639

kind that is used by the offender, intended by the offender for 2640
use, or designed for use, in propagating, cultivating, growing, 2641
harvesting, manufacturing, compounding, converting, producing, 2642
processing, preparing, testing, analyzing, packaging, 2643
repackaging, storing, containing, concealing, injecting, 2644
ingesting, inhaling, or otherwise introducing into the human 2645
body, a controlled substance in violation of this chapter. "Drug 2646
paraphernalia" includes, but is not limited to, any of the 2647
following equipment, products, or materials that are used by the 2648
offender, intended by the offender for use, or designed by the 2649
offender for use, in any of the following manners: 2650

(1) A kit for propagating, cultivating, growing, or 2651
harvesting any species of a plant that is a controlled substance 2652
or from which a controlled substance can be derived; 2653

(2) A kit for manufacturing, compounding, converting, 2654
producing, processing, or preparing a controlled substance; 2655

(3) Any object, instrument, or device for manufacturing, 2656
compounding, converting, producing, processing, or preparing 2657
methamphetamine; 2658

(4) An isomerization device for increasing the potency of 2659
any species of a plant that is a controlled substance; 2660

(5) Testing equipment for identifying, or analyzing the 2661
strength, effectiveness, or purity of, a controlled substance, 2662
except for those exempted in division (D)(4) of this section; 2663

(6) A scale or balance for weighing or measuring a 2664
controlled substance; 2665

(7) A diluent or adulterant, such as quinine 2666
hydrochloride, mannitol, mannite, dextrose, or lactose, for 2667
cutting a controlled substance; 2668

- (8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana; 2669
2670
- (9) A blender, bowl, container, spoon, or mixing device for compounding a controlled substance; 2671
2672
- (10) A capsule, balloon, envelope, or container for packaging small quantities of a controlled substance; 2673
2674
- (11) A container or device for storing or concealing a controlled substance; 2675
2676
- (12) A hypodermic syringe, needle, or instrument for parenterally injecting a controlled substance into the human body; 2677
2678
2679
- (13) An object, instrument, or device for ingesting, inhaling, or otherwise introducing into the human body, marihuana, cocaine, hashish, or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe, with or without a screen, permanent screen, hashish head, or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller. 2680
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- (B) In determining if any equipment, product, or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, the following: 2691
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- (1) Any statement by the owner, or by anyone in control, of the equipment, product, or material, concerning its use; 2694
2695
- (2) The proximity in time or space of the equipment, 2696

product, or material, or of the act relating to the equipment,	2697
product, or material, to a violation of any provision of this	2698
chapter;	2699
(3) The proximity of the equipment, product, or material	2700
to any controlled substance;	2701
(4) The existence of any residue of a controlled substance	2702
on the equipment, product, or material;	2703
(5) Direct or circumstantial evidence of the intent of the	2704
owner, or of anyone in control, of the equipment, product, or	2705
material, to deliver it to any person whom the owner or person	2706
in control of the equipment, product, or material knows intends	2707
to use the object to facilitate a violation of any provision of	2708
this chapter. A finding that the owner, or anyone in control, of	2709
the equipment, product, or material, is not guilty of a	2710
violation of any other provision of this chapter does not	2711
prevent a finding that the equipment, product, or material was	2712
intended or designed by the offender for use as drug	2713
paraphernalia.	2714
(6) Any oral or written instruction provided with the	2715
equipment, product, or material concerning its use;	2716
(7) Any descriptive material accompanying the equipment,	2717
product, or material and explaining or depicting its use;	2718
(8) National or local advertising concerning the use of	2719
the equipment, product, or material;	2720
(9) The manner and circumstances in which the equipment,	2721
product, or material is displayed for sale;	2722
(10) Direct or circumstantial evidence of the ratio of the	2723
sales of the equipment, product, or material to the total sales	2724

of the business enterprise; 2725

(11) The existence and scope of legitimate uses of the 2726
equipment, product, or material in the community; 2727

(12) Expert testimony concerning the use of the equipment, 2728
product, or material. 2729

(C) (1) Subject to divisions (D) (2), (3), and (4) of this 2730
section, no person shall knowingly use, or possess with purpose 2731
to use, drug paraphernalia. 2732

(2) No person shall knowingly sell, or possess or 2733
manufacture with purpose to sell, drug paraphernalia, if the 2734
person knows or reasonably should know that the equipment, 2735
product, or material will be used as drug paraphernalia. 2736

(3) No person shall place an advertisement in any 2737
newspaper, magazine, handbill, or other publication that is 2738
published and printed and circulates primarily within this 2739
state, if the person knows that the purpose of the advertisement 2740
is to promote the illegal sale in this state of the equipment, 2741
product, or material that the offender intended or designed for 2742
use as drug paraphernalia. 2743

(D) (1) This section does not apply to manufacturers, 2744
licensed health professionals authorized to prescribe drugs, 2745
pharmacists, owners of pharmacies, and other persons whose 2746
conduct is in accordance with Chapters 3719., 4715., 4723., 2747
4729., 4730., 4731., and 4741. of the Revised Code. This section 2748
shall not be construed to prohibit the possession or use of a 2749
hypodermic as authorized by section 3719.172 of the Revised 2750
Code. 2751

(2) Division (C) (1) of this section does not apply to a 2752
person's use, or possession with purpose to use, any drug 2753

paraphernalia that is equipment, a product, or material of any 2754
kind that is used by the person, intended by the person for use, 2755
or designed for use in storing, containing, concealing, 2756
injecting, ingesting, inhaling, or otherwise introducing into 2757
the human body marihuana. 2758

(3) Division (B) (2) of section 2925.11 of the Revised Code 2759
applies with respect to a violation of division (C) (1) of this 2760
section when a person seeks or obtains medical assistance for 2761
another person who is experiencing a drug overdose, a person 2762
experiences a drug overdose and seeks medical assistance for 2763
that overdose, or a person is the subject of another person 2764
seeking or obtaining medical assistance for that overdose. 2765

(4) Division (C) (1) of this section does not apply to a 2766
person's use, or possession with purpose to use, any drug 2767
testing strips to determine the presence of fentanyl or a 2768
fentanyl-related compound. 2769

(E) Notwithstanding Chapter 2981. of the Revised Code, any 2770
drug paraphernalia that was used, possessed, sold, or 2771
manufactured in a violation of this section shall be seized, 2772
after a conviction for that violation shall be forfeited, and 2773
upon forfeiture shall be disposed of pursuant to division (B) of 2774
section 2981.12 of the Revised Code. 2775

(F) (1) Whoever violates division (C) (1) of this section is 2776
guilty of illegal use or possession of drug paraphernalia, a 2777
misdemeanor of the fourth degree. 2778

(2) Except as provided in division (F) (3) of this section, 2779
whoever violates division (C) (2) of this section is guilty of 2780
dealing in drug paraphernalia, a misdemeanor of the second 2781
degree. 2782

(3) Whoever violates division (C) (2) of this section by 2783
selling drug paraphernalia to a juvenile is guilty of selling 2784
drug paraphernalia to juveniles, a misdemeanor of the first 2785
degree. 2786

(4) Whoever violates division (C) (3) of this section is 2787
guilty of illegal advertising of drug paraphernalia, a 2788
misdemeanor of the second degree. 2789

(G) (1) In addition to any other sanction imposed upon an 2790
offender for a violation of this section, ~~the court may suspend~~ 2791
~~for not more than five years the offender's driver's or~~ 2792
~~commercial driver's license or permit. However,~~ if the offender 2793
pleaded guilty to or was convicted of a violation of section 2794
4511.19 of the Revised Code or a substantially similar municipal 2795
ordinance or the law of another state or the United States 2796
arising out of the same set of circumstances as the violation, 2797
the court shall suspend the offender's driver's or commercial 2798
driver's license or permit for not more than five years. If the 2799
offender is a professionally licensed person, in addition to any 2800
other sanction imposed for a violation of this section, the 2801
court immediately shall comply with section 2925.38 of the 2802
Revised Code. 2803

(2) Any offender who received a ~~mandatory~~ suspension of 2804
the offender's driver's or commercial driver's license or permit 2805
under this section prior to ~~September 13, 2016,~~ the effective 2806
date of this amendment may file a motion with the sentencing 2807
court requesting the termination of the suspension. However, an 2808
offender who pleaded guilty to or was convicted of a violation 2809
of section 4511.19 of the Revised Code or a substantially 2810
similar municipal ordinance or law of another state or the 2811
United States that arose out of the same set of circumstances as 2812

the violation for which the offender's license or permit was 2813
suspended under this section shall not file such a motion. 2814

Upon the filing of a motion under division (G) (2) of this 2815
section, the sentencing court, in its discretion, may terminate 2816
the suspension. 2817

Sec. 2925.22. (A) No person, by deception, shall procure 2818
the administration of, a prescription for, or the dispensing of, 2819
a dangerous drug or shall possess an uncompleted preprinted 2820
prescription blank used for writing a prescription for a 2821
dangerous drug. 2822

(B) Whoever violates this section is guilty of deception 2823
to obtain a dangerous drug. The penalty for the offense shall be 2824
determined as follows: 2825

(1) If the person possesses an uncompleted preprinted 2826
prescription blank used for writing a prescription for a 2827
dangerous drug or if the drug involved is a dangerous drug, 2828
except as otherwise provided in division (B) (2) or (3) of this 2829
section, deception to obtain a dangerous drug is a felony of the 2830
fifth degree or, if the offender previously has been convicted 2831
of or pleaded guilty to a drug abuse offense, a felony of the 2832
fourth degree. Division (C) of section 2929.13 of the Revised 2833
Code applies in determining whether to impose a prison term on 2834
the offender pursuant to this division. 2835

(2) If the drug involved is a compound, mixture, 2836
preparation, or substance included in schedule I or II, with the 2837
exception of marihuana, the penalty for deception to obtain 2838
drugs is one of the following: 2839

(a) Except as otherwise provided in division (B) (2) (b), 2840
(c), or (d) of this section, it is a felony of the fourth 2841

degree, and division (C) of section 2929.13 of the Revised Code 2842
applies in determining whether to impose a prison term on the 2843
offender. 2844

(b) If the amount of the drug involved equals or exceeds 2845
the bulk amount but is less than five times the bulk amount, or 2846
if the amount of the drug involved that could be obtained 2847
pursuant to the prescription would equal or exceed the bulk 2848
amount but would be less than five times the bulk amount, it is 2849
a felony of the third degree, and there is a presumption for a 2850
prison term for the offense. 2851

(c) If the amount of the drug involved equals or exceeds 2852
five times the bulk amount but is less than fifty times the bulk 2853
amount, or if the amount of the drug involved that could be 2854
obtained pursuant to the prescription would equal or exceed five 2855
times the bulk amount but would be less than fifty times the 2856
bulk amount, it is a felony of the second degree, and there is a 2857
presumption for a prison term for the offense. 2858

(d) If the amount of the drug involved equals or exceeds 2859
fifty times the bulk amount, or if the amount of the drug 2860
involved that could be obtained pursuant to the prescription 2861
would equal or exceed fifty times the bulk amount, it is a 2862
felony of the first degree, and there is a presumption for a 2863
prison term for the offense. 2864

(3) If the drug involved is a compound, mixture, 2865
preparation, or substance included in schedule III, IV, or V or 2866
is marihuana, the penalty for deception to obtain a dangerous 2867
drug is one of the following: 2868

(a) Except as otherwise provided in division (B) (3) (b), 2869
(c), or (d) of this section, it is a felony of the fifth degree, 2870

and division (C) of section 2929.13 of the Revised Code applies 2871
in determining whether to impose a prison term on the offender. 2872

(b) If the amount of the drug involved equals or exceeds 2873
the bulk amount but is less than five times the bulk amount, or 2874
if the amount of the drug involved that could be obtained 2875
pursuant to the prescription would equal or exceed the bulk 2876
amount but would be less than five times the bulk amount, it is 2877
a felony of the fourth degree, and division (C) of section 2878
2929.13 of the Revised Code applies in determining whether to 2879
impose a prison term on the offender. 2880

(c) If the amount of the drug involved equals or exceeds 2881
five times the bulk amount but is less than fifty times the bulk 2882
amount, or if the amount of the drug involved that could be 2883
obtained pursuant to the prescription would equal or exceed five 2884
times the bulk amount but would be less than fifty times the 2885
bulk amount, it is a felony of the third degree, and there is a 2886
presumption for a prison term for the offense. 2887

(d) If the amount of the drug involved equals or exceeds 2888
fifty times the bulk amount, or if the amount of the drug 2889
involved that could be obtained pursuant to the prescription 2890
would equal or exceed fifty times the bulk amount, it is a 2891
felony of the second degree, and there is a presumption for a 2892
prison term for the offense. 2893

(C) (1) ~~In addition to any prison term authorized or~~ 2894
~~required by division (B) of this section and sections 2929.13~~ 2895
~~and 2929.14 of the Revised Code and in addition to any other~~ 2896
~~sanction imposed for the offense under this section or sections~~ 2897
~~2929.11 to 2929.18 of the Revised Code, the court that sentences~~ 2898
~~an offender who is convicted of or pleads guilty to a violation~~ 2899
~~of division (A) of this section may suspend for not more than~~ 2900

~~five years the offender's driver's or commercial driver's~~ 2901
~~license or permit. However, other sanction imposed upon an~~ 2902
~~offender for a violation of this section,~~ if the offender 2903
pleaded guilty to or was convicted of a violation of section 2904
4511.19 of the Revised Code or a substantially similar municipal 2905
ordinance or the law of another state or the United States 2906
arising out of the same set of circumstances as the violation, 2907
the court shall suspend the offender's driver's or commercial 2908
driver's license or permit for not more than five years. 2909

If the offender is a professionally licensed person, in 2910
addition to any other sanction imposed for a violation of this 2911
section, the court immediately shall comply with section 2925.38 2912
of the Revised Code. 2913

(2) Any offender who received a ~~mandatory~~ suspension of 2914
the offender's driver's or commercial driver's license or permit 2915
under this section prior to ~~the effective date of this amendment~~ 2916
the effective date of this amendment may file a motion with the 2917
sentencing court requesting the termination of the suspension. 2918
However, an offender who pleaded guilty to or was convicted of a 2919
violation of section 4511.19 of the Revised Code or a 2920
substantially similar municipal ordinance or law of another 2921
state or the United States that arose out of the same set of 2922
circumstances as the violation for which the offender's license 2923
or permit was suspended under this section shall not file such a 2924
motion. 2925

Upon the filing of a motion under division (C) (2) of this 2926
section, the sentencing court, in its discretion, may terminate 2927
the suspension. 2928

(D) Notwithstanding any contrary provision of section 2929
3719.21 of the Revised Code, the clerk of the court shall pay a 2930

fine imposed for a violation of this section pursuant to 2931
division (A) of section 2929.18 of the Revised Code in 2932
accordance with and subject to the requirements of division (F) 2933
of section 2925.03 of the Revised Code. The agency that receives 2934
the fine shall use the fine as specified in division (F) of 2935
section 2925.03 of the Revised Code. 2936

Sec. 2925.23. (A) No person shall knowingly make a false 2937
statement in any prescription, order, report, or record required 2938
by Chapter 3719. or 4729. of the Revised Code. 2939

(B) No person shall intentionally make, utter, or sell, or 2940
knowingly possess any of the following that is a false or 2941
forged: 2942

(1) Prescription; 2943

(2) Uncompleted preprinted prescription blank used for 2944
writing a prescription; 2945

(3) Official written order; 2946

(4) License for a terminal distributor of dangerous drugs, 2947
as defined in section 4729.01 of the Revised Code; 2948

(5) License for a manufacturer of dangerous drugs, 2949
outsourcing facility, third-party logistics provider, repackager 2950
of dangerous drugs, or wholesale distributor of dangerous drugs, 2951
as defined in section 4729.01 of the Revised Code. 2952

(C) No person, by theft as defined in section 2913.02 of 2953
the Revised Code, shall acquire any of the following: 2954

(1) A prescription; 2955

(2) An uncompleted preprinted prescription blank used for 2956
writing a prescription; 2957

(3) An official written order;	2958
(4) A blank official written order;	2959
(5) A license or blank license for a terminal distributor of dangerous drugs, as defined in section 4729.01 of the Revised Code;	2960 2961 2962
(6) A license or blank license for a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, or wholesale distributor of dangerous drugs, as defined in section 4729.01 of the Revised Code.	2963 2964 2965 2966 2967
(D) No person shall knowingly make or affix any false or forged label to a package or receptacle containing any dangerous drugs.	2968 2969 2970
(E) Divisions (A) and (D) of this section do not apply to licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of the Revised Code.	2971 2972 2973 2974 2975
(F) Whoever violates this section is guilty of illegal processing of drug documents. If the offender violates division (B) (2), (4), or (5) or division (C) (2), (4), (5), or (6) of this section, illegal processing of drug documents is a felony of the fifth degree. If the offender violates division (A), division (B) (1) or (3), division (C) (1) or (3), or division (D) of this section, the penalty for illegal processing of drug documents shall be determined as follows:	2976 2977 2978 2979 2980 2981 2982 2983
(1) If the drug involved is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, illegal processing of drug documents is	2984 2985 2986

a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(2) If the drug involved is a dangerous drug or a compound, mixture, preparation, or substance included in schedule III, IV, or V or is marihuana, illegal processing of drug documents is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

~~(G) (1) In addition to any prison term authorized or required by division (F) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to any violation of divisions (A) to (D) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, other sanction imposed upon an offender for a violation of this section, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years.~~

If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code.

(2) Any offender who received a ~~mandatory~~ suspension of 3017
the offender's driver's or commercial driver's license or permit 3018
under this section prior to ~~September 13, 2016~~, the effective 3019
date of this amendment may file a motion with the sentencing 3020
court requesting the termination of the suspension. However, an 3021
offender who pleaded guilty to or was convicted of a violation 3022
of section 4511.19 of the Revised Code or a substantially 3023
similar municipal ordinance or law of another state or the 3024
United States that arose out of the same set of circumstances as 3025
the violation for which the offender's license or permit was 3026
suspended under this section shall not file such a motion. 3027

Upon the filing of a motion under division (G) (2) of this 3028
section, the sentencing court, in its discretion, may terminate 3029
the suspension. 3030

(H) Notwithstanding any contrary provision of section 3031
3719.21 of the Revised Code, the clerk of court shall pay a fine 3032
imposed for a violation of this section pursuant to division (A) 3033
of section 2929.18 of the Revised Code in accordance with and 3034
subject to the requirements of division (F) of section 2925.03 3035
of the Revised Code. The agency that receives the fine shall use 3036
the fine as specified in division (F) of section 2925.03 of the 3037
Revised Code. 3038

Sec. 2925.31. (A) Except for lawful research, clinical, 3039
medical, dental, or veterinary purposes, no person, with purpose 3040
to induce intoxication or similar physiological effects, shall 3041
obtain, possess, or use a harmful intoxicant. 3042

(B) Whoever violates this section is guilty of abusing 3043
harmful intoxicants, a misdemeanor of the first degree. If the 3044
offender previously has been convicted of a drug abuse offense, 3045
abusing harmful intoxicants is a felony of the fifth degree. 3046

(C) (1) In addition to any other sanction imposed upon an 3047
offender for a violation of this section, ~~the court may suspend~~ 3048
~~for not more than five years the offender's driver's or~~ 3049
~~commercial driver's license or permit. However,~~ if the offender 3050
pleaded guilty to or was convicted of a violation of section 3051
4511.19 of the Revised Code or a substantially similar municipal 3052
ordinance or the law of another state or the United States 3053
arising out of the same set of circumstances as the violation, 3054
the court shall suspend the offender's driver's or commercial 3055
driver's license or permit for not more than five years. ~~If~~ 3056

If the offender is a professionally licensed person, in 3057
addition to any other sanction imposed for a violation of this 3058
section, the court immediately shall comply with section 2925.38 3059
of the Revised Code. 3060

(2) Any offender who received a mandatory suspension of 3061
the offender's driver's or commercial driver's license or permit 3062
under this section prior to ~~the effective date of this amendment~~ 3063
the effective date of this amendment may file a motion with the 3064
sentencing court requesting the termination of the suspension. 3065
However, an offender who pleaded guilty to or was convicted of a 3066
violation of section 4511.19 of the Revised Code or a 3067
substantially similar municipal ordinance or law of another 3068
state or the United States that arose out of the same set of 3069
circumstances as the violation for which the offender's license 3070
or permit was suspended under this section shall not file such a 3071
motion. 3072

Upon the filing of a motion under division (C) (2) of this 3073
section, the sentencing court, in its discretion, may terminate 3074
the suspension. 3075

Sec. 2925.32. (A) Divisions (A) (1) and (2) of this section 3076

do not apply to the dispensing or distributing of nitrous oxide. 3077

(1) No person shall knowingly dispense or distribute a 3078
harmful intoxicant to a person age eighteen or older if the 3079
person who dispenses or distributes it knows or has reason to 3080
believe that the harmful intoxicant will be used in violation of 3081
section 2925.31 of the Revised Code. 3082

(2) No person shall knowingly dispense or distribute a 3083
harmful intoxicant to a person under age eighteen if the person 3084
who dispenses or distributes it knows or has reason to believe 3085
that the harmful intoxicant will be used in violation of section 3086
2925.31 of the Revised Code. Division (A)(2) of this section 3087
does not prohibit either of the following: 3088

(a) Dispensing or distributing a harmful intoxicant to a 3089
person under age eighteen if a written order from the juvenile's 3090
parent or guardian is provided to the dispenser or distributor; 3091

(b) Dispensing or distributing gasoline or diesel fuel to 3092
a person under age eighteen if the dispenser or distributor does 3093
not know or have reason to believe the product will be used in 3094
violation of section 2925.31 of the Revised Code. Division (A) 3095
(2)(a) of this section does not require a person to obtain a 3096
written order from the parent or guardian of a person under age 3097
eighteen in order to distribute or dispense gasoline or diesel 3098
fuel to the person. 3099

(B)(1) No person shall knowingly dispense or distribute 3100
nitrous oxide to a person age twenty-one or older if the person 3101
who dispenses or distributes it knows or has reason to believe 3102
the nitrous oxide will be used in violation of section 2925.31 3103
of the Revised Code. 3104

(2) Except for lawful medical, dental, or clinical 3105

purposes, no person shall knowingly dispense or distribute 3106
nitrous oxide to a person under age twenty-one. 3107

(3) No person, at the time a cartridge of nitrous oxide is 3108
sold to another person, shall sell a device that allows the 3109
purchaser to inhale nitrous oxide from cartridges or to hold 3110
nitrous oxide released from cartridges for purposes of 3111
inhalation. The sale of any such device constitutes a rebuttable 3112
presumption that the person knew or had reason to believe that 3113
the purchaser intended to abuse the nitrous oxide. 3114

(4) No person who dispenses or distributes nitrous oxide 3115
in cartridges shall fail to comply with either of the following: 3116

(a) The record-keeping requirements established under 3117
division (F) of this section; 3118

(b) The labeling and transaction identification 3119
requirements established under division (G) of this section. 3120

(C) This section does not apply to products used in 3121
making, fabricating, assembling, transporting, or constructing a 3122
product or structure by manual labor or machinery for sale or 3123
lease to another person, or to the mining, refining, or 3124
processing of natural deposits. 3125

(D) (1) (a) Whoever violates division (A) (1) or (2) or 3126
division (B) (1), (2), or (3) of this section is guilty of 3127
trafficking in harmful intoxicants, a felony of the fifth 3128
degree. If the offender previously has been convicted of a drug 3129
abuse offense, trafficking in harmful intoxicants is a felony of 3130
the fourth degree. ~~In addition to any other sanction imposed~~ 3131
~~upon an offender for trafficking in harmful intoxicants, the~~ 3132
~~court may suspend for not more than five years the offender's~~ 3133
~~driver's or commercial driver's license or permit. However, if~~ 3134

~~the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If~~ 3135
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If the offender is a professionally licensed person, in addition to any other sanction imposed for trafficking in harmful intoxicants, the court immediately shall comply with section 2925.38 of the Revised Code. 3142
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If the offender has a driver's or commercial driver's license or permit, section 2929.33 of the Revised Code applies. 3146
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(b) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to ~~the effective date of this amendment~~ September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. 3148
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Upon the filing of a motion under division (D) (1) (b) of this section, the sentencing court, in its discretion, may terminate the suspension. 3159
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(2) Whoever violates division (B) (4) (a) or (b) of this section is guilty of improperly dispensing or distributing 3162
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nitrous oxide, a misdemeanor of the fourth degree. 3164

(E) It is an affirmative defense to a charge of a 3165
violation of division (A) (2) or (B) (2) of this section that: 3166

(1) An individual exhibited to the defendant or an officer 3167
or employee of the defendant, for purposes of establishing the 3168
individual's age, a driver's license or permit issued by this 3169
state, a commercial driver's license or permit issued by this 3170
state, an identification card issued pursuant to section 4507.50 3171
of the Revised Code, for another document that purports to be a 3172
license, permit, or identification card described in this 3173
division; 3174

(2) The document exhibited appeared to be a genuine, 3175
unaltered document, to pertain to the individual, and to 3176
establish the individual's age; 3177

(3) The defendant or the officer or employee of the 3178
defendant otherwise did not have reasonable cause to believe 3179
that the individual was under the age represented. 3180

(F) Beginning July 1, 2001, a person who dispenses or 3181
distributes nitrous oxide shall record each transaction 3182
involving the dispensing or distributing of the nitrous oxide on 3183
a separate card. The person shall require the purchaser to sign 3184
the card and provide a complete residence address. The person 3185
dispensing or distributing the nitrous oxide shall sign and date 3186
the card. The person shall retain the card recording a 3187
transaction for one year from the date of the transaction. The 3188
person shall maintain the cards at the person's business address 3189
and make them available during normal business hours for 3190
inspection and copying by officers or employees of the state 3191
board of pharmacy or of other law enforcement agencies of this 3192

state or the United States that are authorized to investigate 3193
violations of Chapter 2925., 3719., or 4729. of the Revised Code 3194
or the federal drug abuse control laws. 3195

The cards used to record each transaction shall inform the 3196
purchaser of the following: 3197

(1) That nitrous oxide cartridges are to be used only for 3198
purposes of preparing food; 3199

(2) That inhalation of nitrous oxide can have dangerous 3200
health effects; 3201

(3) That it is a violation of state law to distribute or 3202
dispense cartridges of nitrous oxide to any person under age 3203
twenty-one, punishable as a felony of the fifth degree. 3204

(G) (1) Each cartridge of nitrous oxide dispensed or 3205
distributed in this state shall bear the following printed 3206
warning: 3207

"Nitrous oxide cartridges are to be used only for purposes 3208
of preparing food. Nitrous oxide cartridges may not be sold to 3209
persons under age twenty-one. Do not inhale contents. Misuse can 3210
be dangerous to your health." 3211

(2) Each time a person dispenses or distributes one or 3212
more cartridges of nitrous oxide, the person shall mark the 3213
packaging containing the cartridges with a label or other device 3214
that identifies the person who dispensed or distributed the 3215
nitrous oxide and the person's business address. 3216

Sec. 2925.36. (A) No person shall knowingly furnish 3217
another a sample drug. 3218

(B) Division (A) of this section does not apply to 3219
manufacturers, wholesalers, pharmacists, owners of pharmacies, 3220

licensed health professionals authorized to prescribe drugs, and 3221
other persons whose conduct is in accordance with Chapters 3222
3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of 3223
the Revised Code. 3224

(C) (1) Whoever violates this section is guilty of illegal 3225
dispensing of drug samples. 3226

(2) If the drug involved in the offense is a compound, 3227
mixture, preparation, or substance included in schedule I or II, 3228
with the exception of marihuana, the penalty for the offense 3229
shall be determined as follows: 3230

(a) Except as otherwise provided in division (C) (2) (b) of 3231
this section, illegal dispensing of drug samples is a felony of 3232
the fifth degree, and, subject to division (E) of this section, 3233
division (C) of section 2929.13 of the Revised Code applies in 3234
determining whether to impose a prison term on the offender. 3235

(b) If the offense was committed in the vicinity of a 3236
school or in the vicinity of a juvenile, illegal dispensing of 3237
drug samples is a felony of the fourth degree, and, subject to 3238
division (E) of this section, division (C) of section 2929.13 of 3239
the Revised Code applies in determining whether to impose a 3240
prison term on the offender. 3241

(3) If the drug involved in the offense is a dangerous 3242
drug or a compound, mixture, preparation, or substance included 3243
in schedule III, IV, or V, or is marihuana, the penalty for the 3244
offense shall be determined as follows: 3245

(a) Except as otherwise provided in division (C) (3) (b) of 3246
this section, illegal dispensing of drug samples is a 3247
misdemeanor of the second degree. 3248

(b) If the offense was committed in the vicinity of a 3249

school or in the vicinity of a juvenile, illegal dispensing of 3250
drug samples is a misdemeanor of the first degree. 3251

~~(D) (1) In addition to any prison term authorized or 3252
required by division (C) or (E) of this section and sections 3253
2929.13 and 2929.14 of the Revised Code and in addition to any 3254
other sanction imposed for the offense under this section or 3255
sections 2929.11 to 2929.18 of the Revised Code, the court that 3256
sentences an offender who is convicted of or pleads guilty to a 3257
violation of division (A) of this section may suspend for not 3258
more than five years the offender's driver's or commercial 3259
driver's license or permit. However, if the offender pleaded 3260
guilty to or was convicted of a violation of section 4511.19 of 3261
the Revised Code or a substantially similar municipal ordinance 3262
or the law of another state or the United States arising out of 3263
the same set of circumstances as the violation, the court shall 3264
suspend the offender's driver's or commercial driver's license 3265
or permit for not more than five years. 3266~~

If the offender is a professionally licensed person, in 3267
addition to any other sanction imposed for a violation of this 3268
section, the court immediately shall comply with section 2925.38 3269
of the Revised Code. 3270

If the offender has a driver's or commercial driver's 3271
license or permit, section 2929.33 of the Revised Code applies. 3272

(2) Any offender who received a mandatory suspension of 3273
the offender's driver's or commercial driver's license or permit 3274
under this section prior to September 13, 2016, may file a 3275
motion with the sentencing court requesting the termination of 3276
the suspension. However, an offender who pleaded guilty to or 3277
was convicted of a violation of section 4511.19 of the Revised 3278
Code or a substantially similar municipal ordinance or law of 3279

another state or the United States that arose out of the same 3280
set of circumstances as the violation for which the offender's 3281
license or permit was suspended under this section shall not 3282
file such a motion. 3283

Upon the filing of a motion under division (D) (2) of this 3284
section, the sentencing court, in its discretion, may terminate 3285
the suspension. 3286

(E) Notwithstanding the prison term authorized or required 3287
by division (C) of this section and sections 2929.13 and 2929.14 3288
of the Revised Code, if the violation of division (A) of this 3289
section involves the sale, offer to sell, or possession of a 3290
schedule I or II controlled substance, with the exception of 3291
marihuana, and if the court imposing sentence upon the offender 3292
finds that the offender as a result of the violation is a major 3293
drug offender and is guilty of a specification of the type 3294
described in division (A) of section 2941.1410 of the Revised 3295
Code, the court, in lieu of the prison term otherwise authorized 3296
or required, shall impose upon the offender the mandatory prison 3297
term specified in division (B) (3) (a) of section 2929.14 of the 3298
Revised Code. 3299

(F) Notwithstanding any contrary provision of section 3300
3719.21 of the Revised Code, the clerk of the court shall pay a 3301
fine imposed for a violation of this section pursuant to 3302
division (A) of section 2929.18 of the Revised Code in 3303
accordance with and subject to the requirements of division (F) 3304
of section 2925.03 of the Revised Code. The agency that receives 3305
the fine shall use the fine as specified in division (F) of 3306
section 2925.03 of the Revised Code. 3307

Sec. 2925.37. (A) No person shall knowingly possess any 3308
counterfeit controlled substance. 3309

(B) No person shall knowingly make, sell, offer to sell, 3310
or deliver any substance that the person knows is a counterfeit 3311
controlled substance. 3312

(C) No person shall make, possess, sell, offer to sell, or 3313
deliver any punch, die, plate, stone, or other device knowing or 3314
having reason to know that it will be used to print or reproduce 3315
a trademark, trade name, or other identifying mark upon a 3316
counterfeit controlled substance. 3317

(D) No person shall sell, offer to sell, give, or deliver 3318
any counterfeit controlled substance to a juvenile. 3319

(E) No person shall directly or indirectly represent a 3320
counterfeit controlled substance as a controlled substance by 3321
describing its effects as the physical or psychological effects 3322
associated with use of a controlled substance. 3323

(F) No person shall directly or indirectly falsely 3324
represent or advertise a counterfeit controlled substance as a 3325
controlled substance. As used in this division, "advertise" 3326
means engaging in "advertisement," as defined in section 3715.01 3327
of the Revised Code. 3328

(G) Whoever violates division (A) of this section is 3329
guilty of possession of counterfeit controlled substances, a 3330
misdemeanor of the first degree. 3331

(H) Whoever violates division (B) or (C) of this section 3332
is guilty of trafficking in counterfeit controlled substances. 3333
Except as otherwise provided in this division, trafficking in 3334
counterfeit controlled substances is a felony of the fifth 3335
degree, and division (C) of section 2929.13 of the Revised Code 3336
applies in determining whether to impose a prison term on the 3337
offender. If the offense was committed in the vicinity of a 3338

school or in the vicinity of a juvenile, trafficking in 3339
counterfeit controlled substances is a felony of the fourth 3340
degree, and division (C) of section 2929.13 of the Revised Code 3341
applies in determining whether to impose a prison term on the 3342
offender. 3343

(I) Whoever violates division (D) of this section is 3344
guilty of aggravated trafficking in counterfeit controlled 3345
substances. Except as otherwise provided in this division, 3346
aggravated trafficking in counterfeit controlled substances is a 3347
felony of the fourth degree, and division (C) of section 2929.13 3348
of the Revised Code applies in determining whether to impose a 3349
prison term on the offender. 3350

(J) Whoever violates division (E) of this section is 3351
guilty of promoting and encouraging drug abuse. Except as 3352
otherwise provided in this division, promoting and encouraging 3353
drug abuse is a felony of the fifth degree, and division (C) of 3354
section 2929.13 of the Revised Code applies in determining 3355
whether to impose a prison term on the offender. If the offense 3356
was committed in the vicinity of a school or in the vicinity of 3357
a juvenile, promoting and encouraging drug abuse is a felony of 3358
the fourth degree, and division (C) of section 2929.13 of the 3359
Revised Code applies in determining whether to impose a prison 3360
term on the offender. 3361

(K) Whoever violates division (F) of this section is 3362
guilty of fraudulent drug advertising. Except as otherwise 3363
provided in this division, fraudulent drug advertising is a 3364
felony of the fifth degree, and division (C) of section 2929.13 3365
of the Revised Code applies in determining whether to impose a 3366
prison term on the offender. If the offense was committed in the 3367
vicinity of a school or in the vicinity of a juvenile, 3368

fraudulent drug advertising is a felony of the fourth degree, 3369
and division (C) of section 2929.13 of the Revised Code applies 3370
in determining whether to impose a prison term on the offender. 3371

(L) (1) In addition to any ~~prison term authorized or~~ 3372
~~required by divisions (H) to (K) of this section and sections~~ 3373
~~2929.13 and 2929.14 of the Revised Code and in addition to any~~ 3374
~~other sanction imposed for the offense under this section or~~ 3375
~~sections 2929.11 to 2929.18 of the Revised Code, the court that~~ 3376
~~sentences an offender who is convicted of or pleads guilty to a~~ 3377
~~violation of division (B), (C), (D), (E), or (F) of this section~~ 3378
~~may suspend for not more than five years the offender's driver's~~ 3379
~~or commercial driver's license or permit. However, other~~ 3380
~~sanction imposed upon an offender for a violation of this~~ 3381
~~section, if the offender pleaded guilty to or was convicted of a~~ 3382
violation of section 4511.19 of the Revised Code or a 3383
substantially similar municipal ordinance or the law of another 3384
state or the United States arising out of the same set of 3385
circumstances as the violation, the court shall suspend the 3386
offender's driver's or commercial driver's license or permit for 3387
not more than five years. 3388

If the offender is a professionally licensed person, in 3389
addition to any other sanction imposed for a violation of this 3390
section, the court immediately shall comply with section 2925.38 3391
of the Revised Code. 3392

(2) Any offender who received a ~~mandatory~~ suspension of 3393
the offender's driver's or commercial driver's license or permit 3394
under this section prior to ~~the effective date of this amendment~~ 3395
the effective date of this amendment may file a motion with the 3396
sentencing court requesting the termination of the suspension. 3397
However, an offender who pleaded guilty to or was convicted of a 3398

violation of section 4511.19 of the Revised Code or a 3399
substantially similar municipal ordinance or law of another 3400
state or the United States that arose out of the same set of 3401
circumstances as the violation for which the offender's license 3402
or permit was suspended under this section shall not file such a 3403
motion. 3404

Upon the filing of a motion under division (L)(2) of this 3405
section, the sentencing court, in its discretion, may terminate 3406
the suspension. 3407

(M) Notwithstanding any contrary provision of section 3408
3719.21 of the Revised Code, the clerk of the court shall pay a 3409
fine imposed for a violation of this section pursuant to 3410
division (A) of section 2929.18 of the Revised Code in 3411
accordance with and subject to the requirements of division (F) 3412
of section 2925.03 of the Revised Code. The agency that receives 3413
the fine shall use the fine as specified in division (F) of 3414
section 2925.03 of the Revised Code. 3415

Sec. 2929.33. (A) As used in this section, "drug abuse 3416
offense" means a violation of section 2925.02, 2925.03, 2925.04, 3417
2925.041, 2925.05, 2925.06, 2925.13, 2925.32, or 2925.36 of the 3418
Revised Code or a felony violation of the first, second, or 3419
third degree of section 2925.11 of the Revised Code. 3420

(B)(1) Except as provided in division (B)(2) of this 3421
section, a court that sentences an offender who is convicted of 3422
or pleads guilty to a drug abuse offense and who used a vehicle 3423
to further the commission of the offense may suspend the 3424
driver's or commercial driver's license or permit of the 3425
offender in accordance with division (C) of this section. 3426

(2) If an offender pleaded guilty to or was convicted of a 3427

violation of section 4511.19 of the Revised Code or a 3428
substantially similar municipal ordinance or the law of another 3429
state or the United States arising out of the same set of 3430
circumstances as the drug abuse offense, the court shall suspend 3431
the offender's driver's or commercial driver's license or permit 3432
in accordance with division (C) of this section. 3433

(C) (1) If the sentencing court suspends the offender's 3434
driver's or commercial driver's license or permit under division 3435
(B) of this section, the court shall suspend the license, by 3436
order, for not more than five years. 3437

(2) If an offender's driver's or commercial driver's 3438
license or permit is suspended pursuant to this section, the 3439
offender, at any time after the expiration of two years from the 3440
day on which the offender's sentence was imposed or from the day 3441
on which the offender finally was released from a jail or prison 3442
term under the sentence, whichever is later, may file a motion 3443
with the sentencing court requesting termination of the 3444
suspension. Upon the filing of such a motion and the court's 3445
finding of good cause for the termination, the court may 3446
terminate the suspension. 3447

Sec. 2935.26. (A) Notwithstanding any other provision of 3448
the Revised Code, when a law enforcement officer is otherwise 3449
authorized to arrest a person for the commission of a minor 3450
misdemeanor, the officer shall not arrest the person, but shall 3451
issue a citation, unless one of the following applies: 3452

(1) The offender requires medical care or is unable to 3453
provide for ~~his~~ the offender's own safety. 3454

(2) The offender cannot or will not offer satisfactory 3455
evidence of ~~his~~ the offender's identity. 3456

(3) The offender refuses to sign the citation.	3457
(4) The offender has previously been issued a citation for the commission of that misdemeanor and has failed to do one of the following:	3458 3459 3460
(a) Appear at the time and place stated in the citation;	3461
(b) Comply with division (C) of this section.	3462
(B) The citation shall contain all of the following:	3463
(1) The name and address of the offender;	3464
(2) A description of the offense and the numerical designation of the applicable statute or ordinance;	3465 3466
(3) The name of the person issuing the citation;	3467
(4) An order for the offender to appear at a stated time and place;	3468 3469
(5) A notice that the offender may comply with division (C) of this section in lieu of appearing at the stated time and place;	3470 3471 3472
(6) A notice that the offender is required to do one of the following and that he <u>the offender</u> may be arrested if he <u>the</u> <u>offender</u> fails to do one of them:	3473 3474 3475
(a) Appear at the time and place stated in the citation;	3476
(b) Comply with division (C) of this section.	3477
(C) In lieu of appearing at the time and place stated in the citation, the offender may, within seven days after the date of issuance of the citation, do either of the following:	3478 3479 3480
(1) Appear in person at the office of the clerk of the court stated in the citation, sign a plea of guilty and a waiver	3481 3482

of trial provision that is on the citation, and either pay the 3483
total amount of the fine and costs or enter into an installment 3484
payment plan with the clerk of the court; 3485

(2) Sign the guilty plea and waiver of trial provision of 3486
the citation, and mail the citation and a check or money order 3487
for the total amount of the fine and costs to the office of the 3488
clerk of the court stated in the citation. 3489

Remittance by mail of the fine and costs to the office of 3490
the clerk of the court stated in the citation constitutes a 3491
guilty plea and waiver of trial whether or not the guilty plea 3492
and waiver of trial provision of the citation are signed by the 3493
defendant. 3494

(D) A law enforcement officer who issues a citation shall 3495
complete and sign the citation form, serve a copy of the 3496
completed form upon the offender and, without unnecessary delay, 3497
file the original citation with the court having jurisdiction 3498
over the offense. 3499

(E) Each court shall establish a fine schedule that shall 3500
list the fine for each minor misdemeanor, and state the court 3501
costs. The fine schedule shall be prominently posted in the 3502
place where minor misdemeanor fines are paid. 3503

(F) If an offender fails to appear and does not comply 3504
with division (C) of this section, the court ~~may shall~~ issue a 3505
supplemental citation, ~~or~~. If an offender still fails to appear 3506
and does not comply with division (C) of this section within the 3507
thirty days after issuance of the supplemental citation, the 3508
court may issue a summons or warrant for the arrest of the 3509
offender pursuant to the Criminal Rules. Supplemental citations 3510
shall be in the form prescribed by division (B) of this section, 3511

but shall be issued and signed by the clerk of the court at 3512
which the citation directed the offender to appear and ~~shall~~may 3513
be sent to the offender through electronic means or may be 3514
served in the same manner as a summons. 3515

(G) A summons or warrant for the arrest of an offender who 3516
failed to comply with division (C) of this section shall be 3517
cancelled by the court if the offender enters into an 3518
installment payment plan with the clerk of the court that issued 3519
the summons or warrant for the payment of the fine and costs. 3520

Sec. 2935.27. (A) (1) If a law enforcement officer issues a 3521
citation to a person pursuant to section 2935.26 of the Revised 3522
Code and if the minor misdemeanor offense for which the citation 3523
is issued is an act prohibited by Chapter 4511., 4513., or 4549. 3524
of the Revised Code or an act prohibited by any municipal 3525
ordinance that is substantially similar to any section contained 3526
in Chapter 4511., 4513., or 4549. of the Revised Code, the 3527
officer shall inform the person, if the person has a current 3528
valid Ohio driver's or commercial driver's license, of the 3529
possible consequences of the person's actions as required under 3530
division (E) of this section, and also shall inform the person 3531
that the person is required either to appear at the time and 3532
place stated in the citation or to comply with division (C) of 3533
section 2935.26 of the Revised Code. 3534

~~(2) If the person is an Ohio resident but does not have a~~ 3535
~~current valid Ohio driver's or commercial driver's license or if~~ 3536
~~the person is a resident of a state that is not a member of the~~ 3537
~~nonresident violator compact of which this state is a member~~ 3538
~~pursuant to section 4510.71 of the Revised Code, and if the~~ 3539
~~court, by local rule, has prescribed a procedure for the setting~~ 3540
~~of a reasonable security pursuant to division (F) of this~~ 3541

~~section, security shall be set in accordance with that local rule and that division.~~ 3542
3543

A court by local rule may prescribe a procedure for the 3544
setting of reasonable security as described in this division. ~~As~~ 3545
A court setting security under this division shall do so in 3546
conformity with sections 2937.22 and 2937.23 of the Revised Code 3547
and the Rules of Criminal Procedure. 3548

As an alternative to this procedure, a court by local rule 3549
may prescribe a procedure for the setting of a reasonable 3550
security by the person without the person appearing before the 3551
court. 3552

(B) A person who has security set under division (A) (2) of 3553
this section shall be given a receipt or other evidence of the 3554
deposit of the security by the court. 3555

(C) Upon compliance with division (C) of section 2935.26 3556
of the Revised Code by a person who was issued a citation, the 3557
clerk of the court shall notify the court. The court shall 3558
immediately return any sum of money, ~~license,~~ or other security 3559
deposited in relation to the citation to the person, or to any 3560
other person who deposited the security. 3561

(D) If a person who has a current valid Ohio driver's or 3562
commercial driver's license and who was issued a citation fails 3563
to appear at the time and place specified on the citation, ~~or~~ 3564
fails to comply with division (C) of section 2935.26 of the 3565
Revised Code, ~~or fails to comply with or satisfy any judgment of~~ 3566
~~the court within the time allowed by the court,~~ the court shall 3567
declare the forfeiture of the person's license. Thirty days 3568
after the declaration of forfeiture, the court shall enter 3569
information relative to the forfeiture on a form approved and 3570

furnished by the registrar of motor vehicles, and forward the 3571
form to the registrar. The registrar shall suspend the person's 3572
driver's or commercial driver's license, send written 3573
notification of the suspension to the person at the person's 3574
last known address, and order the person to surrender the 3575
person's driver's or commercial driver's license to the 3576
registrar within forty-eight hours. No valid driver's or 3577
commercial driver's license shall be granted to the person until 3578
the court having jurisdiction of the offense that led to the 3579
forfeiture orders that the forfeiture be terminated. The court 3580
shall so order if the person, after having failed to appear in 3581
court at the required time and place to answer the charge ~~or~~ 3582
~~after having pleaded guilty to or been found guilty of the~~ 3583
~~violation and having failed within the time allowed by the court~~ 3584
~~to pay the fine imposed by the court,~~ thereafter appears to 3585
answer the charge ~~and pays any fine imposed by the court or pays~~ 3586
~~the fine originally imposed by the court.~~ The court shall inform 3587
the registrar of the termination of the forfeiture by entering 3588
information relative to the termination on a form approved and 3589
furnished by the registrar and sending the form to the registrar 3590
as provided in this division. The person shall pay to the bureau 3591
of motor vehicles a fifteen-dollar reinstatement fee to cover 3592
the costs of the bureau in administering this section. The 3593
registrar shall deposit the fees so paid into the public safety 3594
- highway purposes fund created by section 4501.06 of the 3595
Revised Code. 3596

In addition, upon receipt of the copy of the declaration 3597
of forfeiture from the court, neither the registrar nor any 3598
deputy registrar shall accept any application for the 3599
registration or transfer of registration of any motor vehicle 3600
owned or leased by the person named in the declaration of 3601

forfeiture until the court having jurisdiction of the offense 3602
that led to the forfeiture orders that the forfeiture be 3603
terminated. However, for a motor vehicle leased by a person 3604
named in a declaration of forfeiture, the registrar shall not 3605
implement the preceding sentence until the registrar adopts 3606
procedures for that implementation under section 4503.39 of the 3607
Revised Code. Upon receipt by the registrar of an order 3608
terminating the forfeiture, the registrar shall take such 3609
measures as may be necessary to permit the person to register a 3610
motor vehicle owned or leased by the person or to transfer the 3611
registration of such a motor vehicle, if the person later makes 3612
application to take such action and the person otherwise is 3613
eligible to register the motor vehicle or to transfer the 3614
registration of it. 3615

The registrar is not required to give effect to any 3616
declaration of forfeiture or order terminating a forfeiture 3617
unless the order is transmitted to the registrar by means of an 3618
electronic transfer system. The registrar shall not restore the 3619
person's driving or vehicle registration privileges until the 3620
person pays the reinstatement fee as provided in this division. 3621

If the person who was issued the citation fails to appear 3622
at the time and place specified on the citation and fails to 3623
comply with division (C) of section 2935.26 of the Revised Code 3624
and the person has deposited a sum of money or other security in 3625
relation to the citation under division (A) (2) of this section, 3626
the deposit immediately shall be forfeited to the court. 3627

This section does not preclude further action as 3628
authorized by division (F) of section 2935.26 of the Revised 3629
Code. 3630

(E) A law enforcement officer who issues a person a minor 3631

misdemeanor citation for an act prohibited by Chapter 4511., 3632
4513., or 4549. of the Revised Code or an act prohibited by a 3633
municipal ordinance that is substantially similar to any section 3634
contained in Chapter 4511., 4513., or 4549. of the Revised Code 3635
shall inform the person that if the person does not appear at 3636
the time and place stated on the citation or does not comply 3637
with division (C) of section 2935.26 of the Revised Code, the 3638
person's driver's or commercial driver's license will be 3639
suspended, the person will not be eligible for the reissuance of 3640
the license or the issuance of a new license or the issuance of 3641
a certificate of registration for a motor vehicle owned or 3642
leased by the person, until the person appears and complies with 3643
all orders of the court. The person also is subject to any 3644
applicable criminal penalties. 3645

~~(F) A court setting security under division (A) (2) of this 3646
section shall do so in conformity with sections 2937.22 and 3647
2937.23 of the Revised Code and the Rules of Criminal Procedure. 3648~~

Sec. 2937.40. (A) Bail of any type that is deposited under 3649
section 2937.011 or sections 2937.22 to 2937.45 of the Revised 3650
Code by a person other than the accused shall be discharged and 3651
released, and sureties on recognizances shall be released, in 3652
any of the following ways: 3653

(1) When a surety on a recognizance or the depositor of 3654
cash or securities as bail for an accused desires to surrender 3655
the accused before the appearance date, the surety is discharged 3656
from further responsibility or the deposit is redeemed in either 3657
of the following ways: 3658

(a) By delivery of the accused into open court; 3659

(b) When, on the written request of the surety or 3660

depositor, the clerk of the court to which recognizance is 3661
returnable or in which deposit is made issues to the sheriff a 3662
warrant for the arrest of the accused and the sheriff indicates 3663
on the return that the sheriff holds the accused in the 3664
sheriff's jail. 3665

(2) By appearance of the accused in accordance with the 3666
terms of the recognizance or deposit and the entry of judgment 3667
by the court or magistrate; 3668

(3) By payment into court, after default, of the sum fixed 3669
in the recognizance or the sum fixed in the order of forfeiture, 3670
if it is less. 3671

(B) When cash or securities have been deposited as bail by 3672
a person other than the accused and the bail is discharged and 3673
released pursuant to division (A) of this section, or when 3674
property has been pledged by a surety on recognizance and the 3675
surety on recognizance has been released pursuant to division 3676
(A) of this section, the court shall not deduct any amount from 3677
the cash or securities or declare forfeited and levy or execute 3678
against pledged property. The court shall not apply any of the 3679
deposited cash or securities toward, or declare forfeited and 3680
levy or execute against property pledged for a recognizance for, 3681
the satisfaction of any penalty or fine, and court costs, 3682
assessed against the accused upon the accused's conviction or 3683
guilty plea, except upon express approval of the person who 3684
deposited the cash or securities or the surety. 3685

(C) Bail of any type that is deposited under section 3686
2937.011 or sections 2937.22 to 2937.45 of the Revised Code by 3687
an accused shall be discharged and released to the accused, and 3688
property pledged by an accused for a recognizance shall be 3689
discharged, upon the appearance of the accused in accordance 3690

with the terms of the recognizance or deposit and the entry of judgment by the court or magistrate, except that, if the defendant is not indigent, the court may apply deposited bail toward the satisfaction of a penalty or fine, and court costs, assessed against the accused upon the accused's conviction or guilty plea, and may declare forfeited and levy or execute against pledged property for the satisfaction of a penalty or fine, and court costs, assessed against the accused upon the accused's conviction or guilty plea.

~~(D) Notwithstanding any other provision of this section, an Ohio driver's or commercial driver's license that is deposited as bond may be forfeited and otherwise handled as provided in section 2937.221 of the Revised Code.~~

Sec. 2947.09. (A) If a person is charged with an offense in a court of common pleas, including a juvenile court, and ~~either fails to appear in court at the required time and place to answer the charge or pleads guilty to or is found guilty of the offense or is adjudicated a delinquent child or juvenile traffic offender based on the offense and fails within the time allowed by the court to pay any fine or costs imposed by the court,~~ the court may enter information relative to the person's failure to ~~pay any outstanding amount of the fine or costs~~ appear on a form prescribed or approved by the registrar of motor vehicles pursuant to division (B) of this section and send the form to the registrar. Upon receipt of the form, the registrar shall take any measures necessary to ensure that neither the registrar nor any deputy registrar accepts any application for the registration or transfer of registration of any motor vehicle owned or leased by the person. However, for a motor vehicle leased by the person, the registrar shall not implement this requirement until the registrar adopts procedures

for that implementation under section 4503.39 of the Revised Code. 3722
3723

The period of denial relating to the issuance or transfer of a certificate of registration for a motor vehicle imposed under this section remains in effect until the person ~~pays any fine or costs imposed by the court~~ appears in court relative to the offense. ~~When the fine or costs have been paid in full, the~~ The court shall inform the registrar of the ~~payment appearance~~ by entering information relative to the ~~payment appearance~~ on a ~~notice of payment~~ form prescribed or approved by the registrar pursuant to division (B) of this section and sending the form to the registrar. 3724
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(B) The registrar shall prescribe and make available to courts of common pleas forms to be used for a notice to the registrar of failure to ~~pay fines or costs~~ appear and a notice to the registrar of ~~payment of fines or costs~~ appearance under division (A) of this section. The registrar may approve the use of other forms for these purposes. 3734
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The registrar may require that any of the forms prescribed or approved pursuant to this section be transmitted to the registrar electronically. If the registrar requires electronic transmission, the registrar shall not be required to give effect to any form that is not transmitted electronically. 3740
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Sec. 3123.54. If a child support enforcement agency, pursuant to section 3123.53 of the Revised Code, determines that an individual holds a license, endorsement, or permit or has applied for, or is likely to apply for, a license, endorsement, or permit, it shall send the notice described in section 3123.55 of the Revised Code to the individual. ~~The~~ Not earlier than thirty days after the agency sends the notice to the individual, 3745
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the agency also may send a notice to the registrar of motor 3752
vehicles that gives the name and social security number or other 3753
identifying number of the individual and states that a court or 3754
agency has determined that the individual is in default under a 3755
child support order or has failed to comply with a warrant or 3756
subpoena issued by a court or agency with respect to a 3757
proceeding to enforce a child support order. 3758

An individual who receives a notice under this section may 3759
cooperate with the agency to satisfy one or more of the 3760
conditions described in divisions (A) to (E) of section 3123.56 3761
of the Revised Code to prevent notice being sent to the 3762
registrar and the resulting driver's license suspension. 3763

Sec. 3123.56. A child support enforcement agency that sent 3764
a notice under section 3123.54 of the Revised Code of an 3765
individual's default under a child support order shall send to 3766
the registrar of motor vehicles a notice that the individual is 3767
not in default if it determines that the individual is not in 3768
default or any of the following occurs: 3769

(A) The individual makes full payment to the office of 3770
child support or, pursuant to sections 3125.27 to 3125.30 of the 3771
Revised Code, to the child support enforcement agency of the 3772
arrearage as of the date the payment is made. 3773

(B) If division (A) of this section is not possible, the 3774
individual has presented to the agency sufficient evidence of 3775
current employment or of an account in a financial institution, 3776
the agency has confirmed the individual's employment or the 3777
existence of the account, and an appropriate withholding or 3778
deduction notice described in section 3121.03 of the Revised 3779
Code has been issued to collect current support and any 3780
arrearage due under the child support order that was in default. 3781

(C) If divisions (A) and (B) of this section are not 3782
possible, the individual presents evidence to the agency 3783
sufficient to establish ~~that the~~ either one of the following: 3784

(1) The individual is unable to work due to circumstances 3785
beyond the individual's control. 3786

(2) The imposition of a suspension on the individual's 3787
driver's license or commercial driver's license, motorcycle 3788
operator's license or endorsement, or temporary instruction 3789
permit or commercial driver's temporary instruction permit would 3790
effectively prevent the individual from paying child support or 3791
any arrearage due under the child support order that was in 3792
default. 3793

(D) If divisions (A), (B), and (C) of this section are not 3794
possible, the individual enters into and complies with a written 3795
agreement with the agency that requires the obligor to comply 3796
with either of the following: 3797

(1) A family support program administered or approved by 3798
the agency; 3799

(2) A program to establish compliance with a seek work 3800
order issued pursuant to section ~~3123.03~~ 3121.03 of the Revised 3801
Code. 3802

(E) If divisions (A), (B), (C), and (D) of this section 3803
are not possible, the individual pays the balance of the total 3804
monthly obligation due for the ninety-day period preceding the 3805
date the agency sent the notice described in section 3123.55 of 3806
the Revised Code. 3807

The agency shall send the notice under this section not 3808
later than seven days after it determines the individual is not 3809
in default or that any of the circumstances specified in this 3810

section has occurred. 3811

Sec. 3123.58. (A) On receipt of a notice pursuant to 3812
section 3123.54 of the Revised Code, the registrar of motor 3813
vehicles shall determine whether the individual named in the 3814
notice holds or has applied for a driver's license or commercial 3815
driver's license, motorcycle operator's license or endorsement, 3816
or temporary instruction permit or commercial driver's temporary 3817
instruction permit. If the registrar determines that the 3818
individual holds or has applied for a license, permit, or 3819
endorsement and the individual is the individual named in the 3820
notice and does not receive a notice pursuant to section 3123.56 3821
or 3123.57 of the Revised Code, the registrar immediately shall 3822
provide notice of the determination to each deputy registrar. 3823
The registrar or a deputy registrar may not issue to the 3824
individual a driver's or commercial driver's license, motorcycle 3825
operator's license or endorsement, or temporary instruction 3826
permit or commercial driver's temporary instruction permit and 3827
may not renew for the individual a driver's or commercial 3828
driver's license, motorcycle operator's license or endorsement, 3829
or commercial driver's temporary instruction permit. The 3830
registrar or a deputy registrar also shall impose a class F 3831
suspension of the license, permit, or endorsement held by the 3832
individual under division (B) (6) of section 4510.02 of the 3833
Revised Code. 3834

(B) (1) A court with jurisdiction over the child support 3835
order may grant an individual whose license, permit, or 3836
endorsement is suspended under this section limited driving 3837
privileges in accordance with division (B) of section 4510.021 3838
of the Revised Code pursuant to a ~~request made during an action~~ 3839
~~for contempt initiated under section 2705.031 of the Revised~~ 3840
~~Code~~ motion by that individual for limited driving privileges, 3841

unless that individual's driver's license is suspended for an 3842
offense that prevents the granting of limited driving 3843
privileges. Prior to granting privileges under this division, 3844
the court shall request the ~~accused~~individual to provide the 3845
court with a ~~recent~~current noncertified copy of a driver's 3846
abstract from the registrar of motor vehicles ~~and~~. The court 3847
shall request the child support enforcement agency that issued 3848
the notice pursuant to section 3123.54 of the Revised Code 3849
relative to the individual to advise the court, either in person 3850
through a representative testifying at a hearing or through a 3851
written document, the position of the agency relative to the 3852
issue of the granting of privileges to the individual. The 3853
court, in determining whether to grant the individual privileges 3854
under this division, shall take into consideration the position 3855
of the agency, but the court is not bound by the position of the 3856
agency. 3857

(2) A court that grants limited driving privileges to a 3858
person under division (B) (1) of this section shall include in 3859
the order any conditions the person shall comply with in order 3860
to retain the privileges and deliver to the person a permit card 3861
or other written document, in a form to be prescribed by the 3862
court, setting forth the date on which the limited privileges 3863
will become effective, the purposes for which the person may 3864
drive, the times and places at which the person may drive, and 3865
any other conditions imposed upon the person's use of a motor 3866
vehicle. 3867

(3) The court immediately shall notify the registrar, in 3868
writing, of a grant of limited driving privileges under division 3869
(B) (1) of this section. The notification shall specify the date 3870
on which the limited driving privileges will become effective, 3871
the purposes for which the person may drive, and any other 3872

conditions imposed upon the person's use of a motor vehicle. 3873

(C) If a person who has been granted limited driving 3874
privileges under division (B)(1) of this section is convicted 3875
of, pleads guilty to, or is adjudicated in juvenile court of 3876
having committed a violation of Chapter 4510. of the Revised 3877
Code or any similar municipal ordinance during the period of 3878
which the person was granted limited driving privileges, the 3879
person's limited driving privileges shall be suspended 3880
immediately pending a reinstatement hearing. 3881

Sec. 3321.13. (A) Whenever any child of compulsory school 3882
age withdraws from school the teacher of that child shall 3883
ascertain the reason for withdrawal. The fact of the withdrawal 3884
and the reason for it shall be immediately transmitted by the 3885
teacher to the superintendent of the city, local, or exempted 3886
village school district. If the child who has withdrawn from 3887
school has done so because of change of residence, the next 3888
residence shall be ascertained and shall be included in the 3889
notice thus transmitted. The superintendent shall thereupon 3890
forward a card showing the essential facts regarding the child 3891
and stating the place of the child's new residence to the 3892
superintendent of schools of the district to which the child has 3893
moved. 3894

The department of education and workforce may prescribe 3895
the forms to be used in the operation of this division. 3896

(B) (1) Upon receipt of information that a child of 3897
compulsory school age has withdrawn from school for a reason 3898
other than because of change of residence or for the purpose of 3899
home education pursuant to section 3321.042 of the Revised Code 3900
and is not enrolled in and attending in accordance with school 3901
policy an approved program to obtain a diploma or its 3902

equivalent, the superintendent shall notify ~~the registrar of~~ 3903
~~motor vehicles and~~ the juvenile judge of the county in which the 3904
district is located of the withdrawal and failure to enroll in 3905
and attend an approved program to obtain a diploma or its 3906
equivalent. A notification to ~~the registrar required by this~~ 3907
~~division shall be given in the manner the registrar by rule~~ 3908
~~requires and a notification to the juvenile judge required by~~ 3909
this division shall be given in writing. Each notification shall 3910
be given within two weeks after the withdrawal and failure to 3911
enroll in and attend an approved program or its equivalent. 3912

(2) The board of education of a school district may adopt 3913
a resolution providing that the provisions of division (B) (2) of 3914
this section apply within the district. The provisions of 3915
division (B) (2) of this section do not apply within any school 3916
district, and no superintendent of a school district shall send 3917
a notification of the type described in division (B) (2) of this 3918
section to ~~the registrar of motor vehicles or~~ the juvenile judge 3919
of the county in which the district is located, unless the board 3920
of education of the district has adopted such a resolution. If 3921
the board of education of a school district adopts a resolution 3922
providing that the provisions of division (B) (2) of this section 3923
apply within the district, and if the superintendent of schools 3924
of that district receives information that, during any semester 3925
or term, a child of compulsory school age has been absent 3926
without legitimate excuse from the school the child is supposed 3927
to attend for more than sixty consecutive hours in a single 3928
month or for at least ninety hours in a school year, the 3929
superintendent shall notify the child and the child's parent, 3930
guardian, or custodian, in writing, that the information has 3931
been provided to the superintendent, that as a result of that 3932
information ~~the child's temporary instruction permit or driver's~~ 3933

~~license will be suspended or the opportunity to obtain such a~~ 3934
~~permit or license will be denied, and that~~ the child and the 3935
child's parent, guardian, or custodian may participate in a 3936
hearing at a scheduled date, time, and place conducted by the 3937
superintendent or a designee to challenge the information 3938
provided to the superintendent. The hearing may be conducted by 3939
electronic means if requested by the child's parent, guardian, 3940
or custodian. 3941

The notification to the child and the child's parent, 3942
guardian, or custodian required by division (B)(2) of this 3943
section shall set forth the information received by the 3944
superintendent and shall inform the child and the child's 3945
parent, guardian, or custodian of the scheduled date, time, and 3946
participation method of the hearing before the superintendent or 3947
a designee. The date scheduled for the hearing shall be no 3948
earlier than three and no later than five days after the 3949
notification is given, provided that an extension may be granted 3950
upon request of the child or the child's parent, guardian, or 3951
custodian. If an extension is granted, the superintendent shall 3952
schedule a new date, time, and method for the hearing and shall 3953
inform the child and the child's parent, guardian, or custodian 3954
of the new date, time, and method. 3955

If the child and the child's parent, guardian, or 3956
custodian do not appear before the superintendent or a designee 3957
on the scheduled date and for the scheduled hearing, or if the 3958
child and the child's parent, guardian, or custodian appear 3959
before the superintendent or a designee on the scheduled date 3960
and at the scheduled time but the superintendent or a designee 3961
determines that the information the superintendent received 3962
indicating that, during the semester or term, the child had been 3963
absent without legitimate excuse from the school the child was 3964

supposed to attend for more than sixty consecutive hours or for 3965
at least ninety total hours, the superintendent shall notify ~~the~~ 3966
~~registrar of motor vehicles and~~ the juvenile judge of the county 3967
in which the district is located that the child has been absent 3968
for that period of time and that the child does not have any 3969
legitimate excuse for the habitual absence. A notification to 3970
~~the registrar required by this division shall be given in the~~ 3971
~~manner the registrar by rule requires and a notification to the~~ 3972
juvenile judge required by this division shall be given in 3973
writing. Each notification shall be given within two weeks after 3974
the receipt of the information of the habitual absence from 3975
school without legitimate excuse, or, if the child and the 3976
child's parent, guardian, or custodian appear before the 3977
superintendent or a designee to challenge the information, 3978
within two weeks after the hearing. 3979

For purposes of division (B) (2) of this section, a 3980
legitimate excuse for absence from school includes, but is not 3981
limited to, the fact that the child in question has enrolled in 3982
another school or school district in this or another state, the 3983
fact that the child in question was excused from attendance for 3984
any of the reasons specified in section 3321.04 or exempt under 3985
section 3321.042 of the Revised Code, or the fact that the child 3986
in question has received an age and schooling certificate in 3987
accordance with section 3331.01 of the Revised Code. 3988

(3) Whenever a pupil is suspended or expelled from school 3989
pursuant to section 3313.66 of the Revised Code and the reason 3990
for the suspension or expulsion is the use or possession of 3991
alcohol, a drug of abuse, or alcohol and a drug of abuse, the 3992
superintendent of schools of that district may notify ~~the~~ 3993
~~registrar and~~ the juvenile judge of the county in which the 3994
district is located of such suspension or expulsion. Any such 3995

notification of suspension or expulsion shall be given to ~~the~~ 3996
~~registrar, in the manner the registrar by rule requires and~~ 3997
~~shall be given to~~ the juvenile judge in writing. The 3998
notifications shall be given within two weeks after the 3999
suspension or expulsion. 4000

(4) Whenever a pupil is suspended, expelled, removed, or 4001
permanently excluded from a school for misconduct included in a 4002
policy that the board of education of a city, exempted village, 4003
or local school district has adopted under division (A) of 4004
section 3313.661 of the Revised Code, and the misconduct 4005
involves a firearm or a knife or other weapon as defined in that 4006
policy, the superintendent of schools of that district shall 4007
notify ~~the registrar and~~ the juvenile judge of the county in 4008
which the district is located of the suspension, expulsion, 4009
removal, or permanent exclusion. The notification shall be given 4010
to ~~the registrar in the manner the registrar, by rule, requires~~ 4011
~~and shall be given to~~ the juvenile judge in writing. The 4012
notifications shall be given within two weeks after the 4013
suspension, expulsion, removal, or permanent exclusion. 4014

(C) A notification of withdrawal, habitual absence without 4015
legitimate excuse, suspension, or expulsion given to ~~the~~ 4016
~~registrar or~~ a juvenile judge under division (B) (1), (2), (3), 4017
or (4) of this section shall contain the name, address, date of 4018
birth, school, and school district of the child. If the 4019
superintendent finds, after giving a notification of withdrawal, 4020
habitual absence without legitimate excuse, suspension, or 4021
expulsion to ~~the registrar and~~ the juvenile judge under division 4022
(B) (1), (2), (3), or (4) of this section, that the notification 4023
was given in error, the superintendent immediately shall notify 4024
~~the registrar and~~ the juvenile judge of that fact. 4025

Sec. 3321.191. (A) Effective beginning with the 2017-2018 4026
school year, the board of education of each city, exempted 4027
village, local, joint vocational, and cooperative education 4028
school district and the governing board of each educational 4029
service center shall adopt a new or amended policy to guide 4030
employees of the school district or service center in addressing 4031
and ameliorating student absences. In developing the policy, the 4032
appropriate board shall consult with the judge of the juvenile 4033
court of the county or counties in which the district or service 4034
center is located, with the parents, guardians, or other persons 4035
having care of the pupils attending school in the district, and 4036
with appropriate state and local agencies. 4037

(B) The policy developed under division (A) of this 4038
section shall include as an intervention strategy all of the 4039
following actions, if applicable: 4040

(1) Providing a truancy intervention plan for any student 4041
who is excessively absent from school, as described in the first 4042
paragraph of division (C) of this section; 4043

(2) Providing counseling for an habitual truant; 4044

(3) Requesting or requiring a parent, guardian, or other 4045
person having care of an habitual truant to attend parental 4046
involvement programs, including programs adopted under section 4047
3313.472 or 3313.663 of the Revised Code; 4048

(4) Requesting or requiring a parent, guardian, or other 4049
person having care of an habitual truant to attend truancy 4050
prevention mediation programs; 4051

~~(5) Notification of the registrar of motor vehicles under 4052
section 3321.13 of the Revised Code;~~ 4053

~~(6) Taking legal action under section 2919.222, 3321.20,~~ 4054

or 3321.38 of the Revised Code. 4055

(C) (1) In the event that a child of compulsory school age 4056
is absent with a nonmedical excuse or without legitimate excuse 4057
from the public school the child is supposed to attend for 4058
thirty-eight or more hours in one school month, or sixty-five or 4059
more hours in a school year, the attendance officer of that 4060
school shall notify the child's parent, guardian, or custodian 4061
of the child's absences, in writing, within seven days after the 4062
date after the absence that triggered the notice requirement. At 4063
the time notice is given, the school also may take any 4064
appropriate action as an intervention strategy contained in the 4065
policy developed by the board pursuant to division (A) of this 4066
section. 4067

(2) (a) If the absences of a student surpass the threshold 4068
for an habitual truant as set forth in section 2151.011 of the 4069
Revised Code, the principal or chief administrator of the school 4070
or the superintendent of the school district shall assign the 4071
student to an absence intervention team. Within fourteen school 4072
days after the assignment of a student to an absence 4073
intervention team, the team shall develop an intervention plan 4074
for that student in an effort to reduce or eliminate further 4075
absences. Each intervention plan shall vary based on the 4076
individual needs of the student, but the plan shall state that 4077
the attendance officer shall file a complaint not later than 4078
sixty-one days after the date the plan was implemented, if the 4079
child has refused to participate in, or failed to make 4080
satisfactory progress on, the intervention plan or an 4081
alternative to adjudication under division (C) (2) (b) of section 4082
3321.191 of the Revised Code. Within seven days after the 4083
development of the plan, the school district or school shall 4084
make reasonable efforts to provide the student's parent, 4085

guardian, custodian, guardian ad litem, or temporary custodian 4086
with written notice of the plan. 4087

(b) As part of the absence intervention plan described in 4088
division (C) (2) of this section, the school district or school, 4089
in its discretion, may contact the appropriate juvenile court 4090
and ask to have a student informally enrolled in any alternative 4091
to adjudication described in division (G) of section 2151.27 of 4092
the Revised Code. If the school district or school chooses to 4093
have students informally enrolled in an alternative to 4094
adjudication, the school district or school shall develop a 4095
written policy regarding the use of, and selection process for, 4096
offering alternatives to adjudication to ensure fairness. 4097

(c) The superintendent of each school district, or the 4098
superintendent's designee, shall establish an absence 4099
intervention team for the district to be used by any schools of 4100
the district that do not establish their own absence 4101
intervention team as permitted under division (C) (2) (d) of this 4102
section. Membership of each absence intervention team may vary 4103
based on the needs of each individual student but shall include 4104
a representative from the child's school district or school, 4105
another representative from the child's school district or 4106
school who knows the child, and the child's parent or parent's 4107
designee, or the child's guardian, custodian, guardian ad litem, 4108
or temporary custodian. The team also may include a school 4109
psychologist, counselor, social worker, or representative of a 4110
public or nonprofit agency designed to assist students and their 4111
families in reducing absences. 4112

(d) The principal or chief administrator of each school 4113
may establish an absence intervention team or series of teams to 4114
be used in lieu of the district team established pursuant to 4115

division (C) (2) (c) of this section. Membership of each absence 4116
intervention team may vary based on the needs of each individual 4117
student but shall include a representative from the child's 4118
school district or school, another representative from the 4119
child's school district or school who knows the child, and the 4120
child's parent or parent's designee, or the child's guardian, 4121
custodian, guardian ad litem, or temporary custodian. The team 4122
also may include a school psychologist, counselor, social 4123
worker, or representative of a public or nonprofit agency 4124
designed to assist students and their families in reducing 4125
absences. 4126

(e) A superintendent, as described in division (C) (2) (c) 4127
of this section, or principal or chief administrator, as 4128
described in division (C) (2) (d) of this section, shall select 4129
the members of an absence intervention team within seven school 4130
days of the triggering event described in division (C) (2) (a) of 4131
this section. The superintendent, principal, or chief 4132
administrator, within the same period of seven school days, 4133
shall make at least three meaningful, good faith attempts to 4134
secure the participation of the student's parent, guardian, 4135
custodian, guardian ad litem, or temporary custodian on that 4136
team. If the student's parent responds to any of those attempts, 4137
but is unable to participate for any reason, the representative 4138
of the school district shall inform the parent of the parent's 4139
right to appear by designee. If seven school days elapse and the 4140
student's parent, guardian, custodian, guardian ad litem, or 4141
temporary custodian fails to respond to the attempts to secure 4142
participation, the school district or school shall do both of 4143
the following: 4144

(i) Investigate whether the failure to respond triggers 4145
mandatory reporting to the public children services agency for 4146

the county in which the child resides in the manner described in 4147
section 2151.421 of the Revised Code; 4148

(ii) Instruct the absence intervention team to develop an 4149
intervention plan for the child notwithstanding the absence of 4150
the child's parent, guardian, custodian, guardian ad litem, or 4151
temporary custodian. 4152

(f) In the event that a student becomes habitually truant 4153
within twenty-one school days prior to the last day of 4154
instruction of a school year, the school district or school may, 4155
in its discretion, assign one school official to work with the 4156
child's parent, guardian, custodian, guardian ad litem, or 4157
temporary custodian to develop an absence intervention plan 4158
during the summer. If the school district or school selects this 4159
method, the plan shall be implemented not later than seven days 4160
prior to the first day of instruction of the next school year. 4161
In the alternative, the school district or school may toll the 4162
time periods to accommodate for the summer months and reconvene 4163
the absence intervention process upon the first day of 4164
instruction of the next school year. 4165

(3) For purposes of divisions (C) (2) (c) and (d) of this 4166
section, the department of education and workforce shall develop 4167
a format for parental permission to ensure compliance with the 4168
"Family Educational Rights and Privacy Act of 1974," 88 Stat. 4169
571, 20 U.S.C. 1232g, as amended, and any regulations 4170
promulgated under that act, and section 3319.321 of the Revised 4171
Code. 4172

(D) Each school district or school may consult or partner 4173
with public and nonprofit agencies to provide assistance as 4174
appropriate to students and their families in reducing absences. 4175

(E) Beginning with the 2017-2018 school year, each school district shall report to the department, as soon as practicable, and in a format and manner determined by the department, any of the following occurrences:

(1) When a notice required by division (C)(1) of this section is submitted to a parent, guardian, or custodian;

(2) When a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year;

(3) When a child of compulsory school age who has been adjudicated an unruly child for being an habitual truant violates the court order regarding that adjudication;

(4) When an absence intervention plan has been implemented for a child under this section.

(F) Nothing in this section shall be construed to limit the duty or authority of a district board of education or governing body of an educational service center to develop other policies related to truancy or to limit the duty or authority of any employee of the school district or service center to respond to pupil truancy. However, a board shall be subject to the prohibition against suspending, expelling, or otherwise preventing a student from attending school for excessive absences as prescribed by section 3313.668 of the Revised Code.

Sec. 4501.06. The taxes, fees, and fines levied, charged, or referred to in Chapters 4501., 4503., 4504., 4505., 4506., 4507., 4509., 4510., 4511., 4517., 4519., and 4521., division (A) of section 4508.06, and sections 2935.27, ~~2937.221,~~ 3123.59,

4508.05, 4513.53, 4738.06, 4738.13, and 5502.12 of the Revised Code, unless otherwise designated by law, shall be deposited in the state treasury to the credit of the public safety - highway purposes fund, which is hereby created. Money credited to the fund shall be used for the purpose of enforcing and paying the expenses of administering the laws relative to the registration and operation of motor vehicles on the public roads or highways and to the powers and duties of the registrar of motor vehicles. Amounts credited to the fund may also be used to pay the expenses of administering and enforcing the laws under which such fees were collected. All investment earnings of the public safety - highway purposes fund shall be credited to the fund.

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a

deputy registrar, a written or electronic application or a 4236
preprinted registration renewal notice issued under section 4237
4503.102 of the Revised Code, the form of which shall be 4238
prescribed by the registrar, for registration for the following 4239
registration year, which shall begin on the first day of January 4240
of every calendar year and end on the thirty-first day of 4241
December in the same year. Applications for registration and 4242
registration renewal notices shall be filed at the times 4243
established by the registrar pursuant to section 4503.101 of the 4244
Revised Code. A motor vehicle owner also may elect to apply for 4245
or renew a motor vehicle registration by electronic means using 4246
electronic signature in accordance with rules adopted by the 4247
registrar. Except as provided in division (J) of this section, 4248
applications for registration shall be made on blanks furnished 4249
by the registrar for that purpose, containing the following 4250
information: 4251

(1) A brief description of the motor vehicle to be 4252
registered, including the year, make, model, and vehicle 4253
identification number, and, in the case of commercial cars, the 4254
gross weight of the vehicle fully equipped computed in the 4255
manner prescribed in section 4503.08 of the Revised Code; 4256

(2) The name and residence address of the owner, and the 4257
township and municipal corporation in which the owner resides; 4258

(3) The district of registration, which shall be 4259
determined as follows: 4260

(a) In case the motor vehicle to be registered is used for 4261
hire or principally in connection with any established business 4262
or branch business, conducted at a particular place, the 4263
district of registration is the municipal corporation in which 4264
that place is located or, if not located in any municipal 4265

corporation, the county and township in which that place is 4266
located. 4267

(b) In case the vehicle is not so used, the district of 4268
registration is the municipal corporation or county in which the 4269
owner resides at the time of making the application. 4270

(4) Whether the motor vehicle is a new or used motor 4271
vehicle; 4272

(5) The date of purchase of the motor vehicle; 4273

(6) Whether the fees required to be paid for the 4274
registration or transfer of the motor vehicle, during the 4275
preceding registration year and during the preceding period of 4276
the current registration year, have been paid. Each application 4277
for registration shall be signed by the owner, either manually 4278
or by electronic signature, or pursuant to obtaining a limited 4279
power of attorney authorized by the registrar for registration, 4280
or other document authorizing such signature. If the owner 4281
elects to apply for or renew the motor vehicle registration with 4282
the registrar by electronic means, the owner's manual signature 4283
is not required. 4284

(7) The owner's social security number, driver's license 4285
number, or state identification number, or, where a motor 4286
vehicle to be registered is used for hire or principally in 4287
connection with any established business, the owner's federal 4288
taxpayer identification number. The bureau of motor vehicles 4289
shall retain in its records all social security numbers provided 4290
under this section, but the bureau shall not place social 4291
security numbers on motor vehicle certificates of registration. 4292

(8) Whether the applicant wishes to certify willingness to 4293
make an anatomical gift if an applicant has not so certified 4294

under section 2108.05 of the Revised Code. The applicant's 4295
response shall not be considered in the decision of whether to 4296
approve the application for registration. 4297

(B) (1) When an applicant first registers a motor vehicle 4298
in the applicant's name, the applicant shall provide proof of 4299
ownership of that motor vehicle. Proof of ownership may include 4300
any of the following: 4301

(a) The applicant may present for inspection a physical 4302
certificate of title or memorandum certificate showing title to 4303
the motor vehicle to be registered in the name of the applicant. 4304

(b) The applicant may present for inspection an electronic 4305
certificate of title for the applicant's motor vehicle in a 4306
manner prescribed by rules adopted by the registrar. 4307

(c) The registrar or deputy registrar may electronically 4308
confirm the applicant's ownership of the motor vehicle. 4309

An applicant is not required to present a certificate of 4310
title to an electronic motor vehicle dealer acting as a limited 4311
authority deputy registrar in accordance with rules adopted by 4312
the registrar. 4313

(2) When a motor vehicle inspection and maintenance 4314
program is in effect under section 3704.14 of the Revised Code 4315
and rules adopted under it, each application for registration 4316
for a vehicle required to be inspected under that section and 4317
those rules shall be accompanied by an inspection certificate 4318
for the motor vehicle issued in accordance with that section. 4319

(3) An application for registration shall be refused if 4320
any of the following applies: 4321

(a) The application is not in proper form. 4322

(b) The application is prohibited from being accepted by 4323
division (D) of section 2935.27, ~~division (A) of section~~ 4324
~~2937.221,~~ division (A) of section 4503.13, division (B) of 4325
section 4510.22, division (D) of section 4503.234, division (B) 4326
(1) of section 4521.10, or division (B) of section 5537.041 of 4327
the Revised Code. 4328

(c) Proof of ownership is required but is not presented or 4329
confirmed in accordance with division (B) (1) of this section. 4330

(d) All registration and transfer fees for the motor 4331
vehicle, for the preceding year or the preceding period of the 4332
current registration year, have not been paid. 4333

(e) The owner or lessee does not have an inspection 4334
certificate for the motor vehicle as provided in section 3704.14 4335
of the Revised Code, and rules adopted under it, if that section 4336
is applicable. 4337

(4) This section does not require the payment of license 4338
or registration taxes on a motor vehicle for any preceding year, 4339
or for any preceding period of a year, if the motor vehicle was 4340
not taxable for that preceding year or period under sections 4341
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 4342
of the Revised Code. 4343

(5) When a certificate of registration is issued upon the 4344
first registration of a motor vehicle by or on behalf of the 4345
owner, the official issuing the certificate shall indicate the 4346
issuance with a stamp on the certificate of title or memorandum 4347
certificate or, in the case of an electronic certificate of 4348
title or electronic verification of ownership, an electronic 4349
stamp or other notation as specified in rules adopted by the 4350
registrar, and with a stamp on the inspection certificate for 4351

the motor vehicle, if any. 4352

(6) The official also shall indicate, by a stamp or by 4353
other means the registrar prescribes, on the registration 4354
certificate issued upon the first registration of a motor 4355
vehicle by or on behalf of the owner the odometer reading of the 4356
motor vehicle as shown in the odometer statement included in or 4357
attached to the certificate of title. Upon each subsequent 4358
registration of the motor vehicle by or on behalf of the same 4359
owner, the official also shall so indicate the odometer reading 4360
of the motor vehicle as shown on the immediately preceding 4361
certificate of registration. 4362

(7) The registrar shall include in the permanent 4363
registration record of any vehicle required to be inspected 4364
under section 3704.14 of the Revised Code the inspection 4365
certificate number from the inspection certificate that is 4366
presented at the time of registration of the vehicle as required 4367
under this division. 4368

(C) (1) Except as otherwise provided in division (C) (1) of 4369
this section, the registrar and each deputy registrar shall 4370
collect an additional fee of eleven dollars for each application 4371
for registration and registration renewal received. For vehicles 4372
specified in divisions (A) (1) to (21) of section 4503.042 of the 4373
Revised Code, the registrar and deputy registrar shall collect 4374
an additional fee of thirty dollars for each application for 4375
registration and registration renewal received. No additional 4376
fee shall be charged for vehicles registered under section 4377
4503.65 of the Revised Code. The additional fee is for the 4378
purpose of defraying the department of public safety's costs 4379
associated with the administration and enforcement of the motor 4380
vehicle and traffic laws of Ohio. Each deputy registrar shall 4381

transmit the fees collected under divisions (C) (1) and (3) of 4382
this section in the time and manner provided in this section. 4383
The registrar shall deposit all moneys received under division 4384
(C) (1) of this section into the public safety - highway purposes 4385
fund established in section 4501.06 of the Revised Code. 4386

(2) In addition, a charge of twenty-five cents shall be 4387
made for each reflectorized safety license plate issued, and a 4388
single charge of twenty-five cents shall be made for each county 4389
identification sticker or each set of county identification 4390
stickers issued, as the case may be, to cover the cost of 4391
producing the license plates and stickers, including material, 4392
manufacturing, and administrative costs. Those fees shall be in 4393
addition to the license tax. If the total cost of producing the 4394
plates is less than twenty-five cents per plate, or if the total 4395
cost of producing the stickers is less than twenty-five cents 4396
per sticker or per set issued, any excess moneys accruing from 4397
the fees shall be distributed in the same manner as provided by 4398
section 4501.04 of the Revised Code for the distribution of 4399
license tax moneys. If the total cost of producing the plates 4400
exceeds twenty-five cents per plate, or if the total cost of 4401
producing the stickers exceeds twenty-five cents per sticker or 4402
per set issued, the difference shall be paid from the license 4403
tax moneys collected pursuant to section 4503.02 of the Revised 4404
Code. 4405

(3) The registrar and each deputy registrar shall collect 4406
the following additional fee, as applicable, for each 4407
application for registration or registration renewal received 4408
for any hybrid motor vehicle, plug-in hybrid electric motor 4409
vehicle, or battery electric motor vehicle: 4410

(a) One hundred dollars for a hybrid motor vehicle; 4411

(b) One hundred fifty dollars for a plug-in hybrid 4412
electric motor vehicle; 4413

(c) Two hundred dollars for a battery electric motor 4414
vehicle. 4415

Each fee imposed under this division shall be prorated 4416
based on the number of months for which the vehicle is 4417
registered. The registrar shall transmit all money arising from 4418
each fee to the treasurer of state for distribution in 4419
accordance with division (E) of section 5735.051 of the Revised 4420
Code, subject to division (D) of section 5735.05 of the Revised 4421
Code. 4422

(D) Each deputy registrar shall be allowed a fee equal to 4423
the amount established under section 4503.038 of the Revised 4424
Code for each application for registration and registration 4425
renewal notice the deputy registrar receives, which shall be for 4426
the purpose of compensating the deputy registrar for the deputy 4427
registrar's services, and such office and rental expenses, as 4428
may be necessary for the proper discharge of the deputy 4429
registrar's duties in the receiving of applications and renewal 4430
notices and the issuing of registrations. 4431

(E) Upon the certification of the registrar, the county 4432
sheriff or local police officials shall recover license plates 4433
erroneously or fraudulently issued. 4434

(F) Each deputy registrar, upon receipt of any application 4435
for registration or registration renewal notice, together with 4436
the license fee and any local motor vehicle license tax levied 4437
pursuant to Chapter 4504. of the Revised Code, shall transmit 4438
that fee and tax, if any, in the manner provided in this 4439
section, together with the original and duplicate copy of the 4440

application, to the registrar. The registrar, subject to the 4441
approval of the director of public safety, may deposit the funds 4442
collected by those deputies in a local bank or depository to the 4443
credit of the "state of Ohio, bureau of motor vehicles." Where a 4444
local bank or depository has been designated by the registrar, 4445
each deputy registrar shall deposit all moneys collected by the 4446
deputy registrar into that bank or depository not more than one 4447
business day after their collection and shall make reports to 4448
the registrar of the amounts so deposited, together with any 4449
other information, some of which may be prescribed by the 4450
treasurer of state, as the registrar may require and as 4451
prescribed by the registrar by rule. The registrar, within three 4452
days after receipt of notification of the deposit of funds by a 4453
deputy registrar in a local bank or depository, shall draw on 4454
that account in favor of the treasurer of state. The registrar, 4455
subject to the approval of the director and the treasurer of 4456
state, may make reasonable rules necessary for the prompt 4457
transmittal of fees and for safeguarding the interests of the 4458
state and of counties, townships, municipal corporations, and 4459
transportation improvement districts levying local motor vehicle 4460
license taxes. The registrar may pay service charges usually 4461
collected by banks and depositories for such service. If deputy 4462
registrars are located in communities where banking facilities 4463
are not available, they shall transmit the fees forthwith, by 4464
money order or otherwise, as the registrar, by rule approved by 4465
the director and the treasurer of state, may prescribe. The 4466
registrar may pay the usual and customary fees for such service. 4467

(G) This section does not prevent any person from making 4468
an application for a motor vehicle license directly to the 4469
registrar by mail, by electronic means, or in person at any of 4470
the registrar's offices, upon payment of a service fee equal to 4471

the amount established under section 4503.038 of the Revised Code for each application. 4472
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(H) No person shall make a false statement as to the district of registration in an application required by division (A) of this section. Violation of this division is falsification under section 2921.13 of the Revised Code and punishable as specified in that section. 4474
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(I)(1) Where applicable, the requirements of division (B) of this section relating to the presentation of an inspection certificate issued under section 3704.14 of the Revised Code and rules adopted under it for a motor vehicle, the refusal of a license for failure to present an inspection certificate, and the stamping of the inspection certificate by the official issuing the certificate of registration apply to the registration of and issuance of license plates for a motor vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised Code. 4479
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(2)(a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate with an application for registration or preregistration. 4491
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(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line 4499
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computer data link to registration information for all passenger 4502
cars, noncommercial motor vehicles, and commercial cars that are 4503
subject to that section. The registrar also shall provide to the 4504
director of environmental protection a magnetic data tape 4505
containing registration information regarding passenger cars, 4506
noncommercial motor vehicles, and commercial cars for which a 4507
multi-year registration is in effect under section 4503.103 of 4508
the Revised Code or rules adopted under it, including, without 4509
limitation, the date of issuance of the multi-year registration, 4510
the registration deadline established under rules adopted under 4511
section 4503.101 of the Revised Code that was applicable in the 4512
year in which the multi-year registration was issued, and the 4513
registration deadline for renewal of the multi-year 4514
registration. 4515

(J) Subject to division (K) of this section, application 4516
for registration under the international registration plan, as 4517
set forth in sections 4503.60 to 4503.66 of the Revised Code, 4518
shall be made to the registrar on forms furnished by the 4519
registrar. In accordance with international registration plan 4520
guidelines and pursuant to rules adopted by the registrar, the 4521
forms shall include the following: 4522

(1) A uniform mileage schedule; 4523

(2) The gross vehicle weight of the vehicle or combined 4524
gross vehicle weight of the combination vehicle as declared by 4525
the registrant; 4526

(3) Any other information the registrar requires by rule. 4527

(K) The registrar shall determine the feasibility of 4528
implementing an electronic commercial fleet licensing and 4529
management program that will enable the owners of commercial 4530

tractors, commercial trailers, and commercial semitrailers to 4531
conduct electronic transactions by July 1, 2010, or sooner. If 4532
the registrar determines that implementing such a program is 4533
feasible, the registrar shall adopt new rules under this 4534
division or amend existing rules adopted under this division as 4535
necessary in order to respond to advances in technology. 4536

If international registration plan guidelines and 4537
provisions allow member jurisdictions to permit applications for 4538
registrations under the international registration plan to be 4539
made via the internet, the rules the registrar adopts under this 4540
division shall permit such action. 4541

Sec. 4503.102. (A) The registrar of motor vehicles shall 4542
adopt rules to establish a centralized system of motor vehicle 4543
registration renewal by mail or by electronic means. Any person 4544
owning a motor vehicle that was registered in the person's name 4545
during the preceding registration year shall renew the 4546
registration of the motor vehicle not more than ninety days 4547
prior to the expiration date of the registration either by mail 4548
or by electronic means through the centralized system of 4549
registration established under this section, or in person at any 4550
office of the registrar or at a deputy registrar's office. 4551

(B) (1) Except as provided in division (B) (2) of this 4552
section, no less than forty-five days prior to the expiration 4553
date of any motor vehicle registration, the registrar shall mail 4554
a renewal notice to the person in whose name the motor vehicle 4555
is registered. The renewal notice shall clearly state that the 4556
registration of the motor vehicle may be renewed by mail or 4557
electronic means through the centralized system of registration 4558
or in person at any office of the registrar or at a deputy 4559
registrar's office and shall be preprinted with information 4560

including, but not limited to, the owner's name and residence 4561
address as shown in the records of the bureau of motor vehicles, 4562
a brief description of the motor vehicle to be registered, 4563
notice of the license taxes and fees due on the motor vehicle, 4564
the toll-free telephone number of the registrar as required 4565
under division (D) (1) of section 4503.031 of the Revised Code, a 4566
statement that payment for a renewal may be made by financial 4567
transaction device using the toll-free telephone number, and any 4568
additional information the registrar may require by rule. The 4569
renewal notice shall not include the social security number of 4570
either the owner of the motor vehicle or the person in whose 4571
name the motor vehicle is registered. The renewal notice shall 4572
be sent by regular mail to the owner's last known address as 4573
shown in the records of the bureau of motor vehicles. 4574

(2) The registrar is not required to mail a renewal notice 4575
if either of the following applies: 4576

(a) The owner of the vehicle has consented to receiving 4577
the renewal notice by electronic means only. 4578

(b) The application for renewal of the registration of a 4579
motor vehicle is prohibited from being accepted by the registrar 4580
or a deputy registrar by division (D) of section 2935.27, 4581
~~division (A) of section 2937.221, division (A) of section~~ 4582
4503.13, division (B) of section 4510.22, ~~or division (D) of~~ 4583
section 4503.234, division (B) (1) of section 4521.10, or 4584
division (B) of section 5537.041 -of the Revised Code. 4585

(3) If the owner of a motor vehicle has consented to 4586
receiving a renewal notice by electronic means only, the 4587
registrar shall send an electronic renewal notice to the owner 4588
that contains the information specified in division (B) (1) of 4589
this section at the time specified under that division. 4590

(C) The owner of the motor vehicle shall verify the 4591
information contained in the notice, sign it either manually or 4592
by electronic means, and return it, either by mail or electronic 4593
means, or the owner may take it in person to any office of the 4594
registrar or of a deputy registrar. The owner shall include with 4595
the notice a financial transaction device number when renewing 4596
in person or by electronic means but not by mail, check, or 4597
money order in the amount of the registration taxes and fees 4598
payable on the motor vehicle and a service fee equal to the 4599
amount established under section 4503.038 of the Revised Code, 4600
plus postage as indicated on the notice if the registration is 4601
renewed or fulfilled by mail, and an inspection certificate for 4602
the motor vehicle as provided in section 3704.14 of the Revised 4603
Code. For purposes of the centralized system of motor vehicle 4604
registration, the registrar shall accept payments via the toll- 4605
free telephone number established under division (D) (1) of 4606
section 4503.031 of the Revised Code for renewals made by mail. 4607
If the motor vehicle owner chooses to renew the motor vehicle 4608
registration by electronic means, the owner shall proceed in 4609
accordance with the rules the registrar adopts. 4610

(D) If all registration and transfer fees for the motor 4611
vehicle for the preceding year or the preceding period of the 4612
current registration year have not been paid, if division (D) of 4613
section 2935.27, ~~division (A) of section 2937.221,~~ division (A) 4614
of section 4503.13, division (B) of section 4510.22, ~~or division~~ 4615
(D) of section 4503.234, division (B) (1) of section 4521.10, or 4616
division (B) of section 5537.041 of the Revised Code prohibits 4617
acceptance of the renewal notice, or if the owner or lessee does 4618
not have an inspection certificate for the motor vehicle as 4619
provided in section 3704.14 of the Revised Code, if that section 4620
is applicable, the license shall be refused, and the registrar 4621

or deputy registrar shall so notify the owner. This section does 4622
not require the payment of license or registration taxes on a 4623
motor vehicle for any preceding year, or for any preceding 4624
period of a year, if the motor vehicle was not taxable for that 4625
preceding year or period under section 4503.02, 4503.04, 4626
4503.11, 4503.12, or 4503.16 or Chapter 4504. of the Revised 4627
Code. 4628

(E) (1) Failure to receive a renewal notice does not 4629
relieve a motor vehicle owner from the responsibility to renew 4630
the registration for the motor vehicle. Any person who has a 4631
motor vehicle registered in this state and who does not receive 4632
a renewal notice as provided in division (B) of this section 4633
prior to the expiration date of the registration shall request 4634
an application for registration from the registrar or a deputy 4635
registrar and sign the application manually or by electronic 4636
means and submit the application and pay any applicable license 4637
taxes and fees to the registrar or deputy registrar. 4638

(2) If the owner of a motor vehicle submits an application 4639
for registration and the registrar is prohibited by division (D) 4640
of section 2935.27, ~~division (A) of section 2937.221,~~ division 4641
(A) of section 4503.13, division (B) of section 4510.22, ~~or~~ 4642
division (D) of section 4503.234, division (B) (1) of section 4643
4521.10, or division (B) of section 5537.041 of the Revised Code 4644
from accepting the application, the registrar shall return the 4645
application and the payment to the owner. If the owner of a 4646
motor vehicle submits a registration renewal application to the 4647
registrar by electronic means and the registrar is prohibited 4648
from accepting the application as provided in this division, the 4649
registrar shall notify the owner of this fact and deny the 4650
application and return the payment or give a credit on the 4651
financial transaction device account of the owner in the manner 4652

the registrar prescribes by rule adopted pursuant to division 4653
(A) of this section. 4654

(F) Every deputy registrar shall post in a prominent place 4655
at the deputy's office a notice informing the public of the mail 4656
registration system required by this section and also shall post 4657
a notice that every owner of a motor vehicle and every chauffeur 4658
holding a certificate of registration is required to notify the 4659
registrar in writing of any change of residence within ten days 4660
after the change occurs. The notice shall be in such form as the 4661
registrar prescribes by rule. 4662

(G) The service fee equal to the amount established under 4663
section 4503.038 of the Revised Code that is collected from a 4664
person who renews a motor vehicle registration by electronic 4665
means or by mail, plus postage collected by the registrar and 4666
any financial transaction device surcharge collected by the 4667
registrar, shall be paid to the credit of the public safety - 4668
highway purposes fund established by section 4501.06 of the 4669
Revised Code. 4670

(H) (1) Pursuant to section 113.40 of the Revised Code, the 4671
registrar shall implement a program permitting payment of motor 4672
vehicle registration taxes and fees, driver's license and 4673
commercial driver's license fees, and any other taxes, fees, 4674
penalties, or charges imposed or levied by the state by means of 4675
a financial transaction device for transactions occurring 4676
online, at any office of the registrar, and at all deputy 4677
registrar locations. The program shall take effect not later 4678
than July 1, 2016. The registrar shall adopt rules as necessary 4679
for this purpose, but all such rules are subject to any action, 4680
policy, or procedure of the board of deposit or treasurer of 4681
state taken or adopted under section 113.40 of the Revised Code. 4682

(2) The rules adopted under division (H) (1) of this section shall require a deputy registrar to accept payments by means of a financial transaction device beginning on the effective date of the rules unless the deputy registrar contract entered into by the deputy registrar prohibits the acceptance of such payments by financial transaction device. However, commencing with deputy registrar contract awards that have a start date of July 1, 2016, and for all contract awards thereafter, the registrar shall require that the proposer accept payment by means of a financial transaction device, including credit cards and debit cards, for all department of public safety transactions conducted at that deputy registrar location.

The bureau and deputy registrars are not required to pay any costs that result from accepting payment by means of a financial transaction device. A deputy registrar may charge a person who tenders payment for a department transaction by means of a financial transaction device any cost the deputy registrar incurs from accepting payment by the financial transaction device, but the deputy registrar shall not require the person to pay any additional fee of any kind in connection with the use by the person of the financial transaction device.

(3) In accordance with division (H) (1) of this section and rules adopted by the registrar under that division, a county auditor or clerk of a court of common pleas that is designated a deputy registrar shall accept payment by means of a financial transaction device, including credit cards and debit cards, for all department transactions conducted at the office of the county auditor or clerk in the county auditor's or clerk's capacity as deputy registrar. The bureau is not required to pay any costs incurred by a county auditor or clerk that result from accepting payment by means of a financial transaction device for

any department transaction. 4714

(I) For persons who reside in counties where tailpipe 4715
emissions inspections are required under the motor vehicle 4716
inspection and maintenance program, the notice required by 4717
division (B) of this section shall also include the toll-free 4718
telephone number maintained by the Ohio environmental protection 4719
agency to provide information concerning the locations of 4720
emissions testing centers. The registrar also shall include a 4721
statement in the notice that a battery electric motor vehicle is 4722
not required to undergo emissions inspection under the motor 4723
vehicle inspection and maintenance program established under 4724
section 3704.14 of the Revised Code. 4725

Sec. 4503.12. (A) Upon the transfer of ownership of a 4726
motor vehicle, the registration of the motor vehicle expires, 4727
and the original owner immediately shall remove the license 4728
plates from the motor vehicle, except that: 4729

(1) If a statutory merger or consolidation results in the 4730
transfer of ownership of a motor vehicle from a constituent 4731
corporation to the surviving corporation, or if the 4732
incorporation of a proprietorship or partnership results in the 4733
transfer of ownership of a motor vehicle from the proprietorship 4734
or partnership to the corporation, the registration shall be 4735
continued upon the filing by the surviving or new corporation, 4736
within thirty days of such transfer, of an application for an 4737
amended certificate of registration. Upon a proper filing, the 4738
registrar of motor vehicles shall issue an amended certificate 4739
of registration in the name of the new owner. 4740

(2) If the death of the owner of a motor vehicle results 4741
in the transfer of ownership of the motor vehicle to the 4742
surviving spouse of the owner or if a motor vehicle is owned by 4743

two persons under joint ownership with right of survivorship 4744
established under section 2131.12 of the Revised Code and one of 4745
those persons dies, the registration shall be continued upon the 4746
filing by the survivor of an application for an amended 4747
certificate of registration. In relation to a motor vehicle that 4748
is owned by two persons under joint ownership with right of 4749
survivorship established under section 2131.12 of the Revised 4750
Code, the application shall be accompanied by a copy of the 4751
certificate of title that specifies that the vehicle is owned 4752
under joint ownership with right of survivorship. Upon a proper 4753
filing, the registrar shall issue an amended certificate of 4754
registration in the name of the survivor. 4755

(3) If the death of the owner of a motor vehicle results 4756
in the transfer of ownership of the motor vehicle to a transfer- 4757
on-death beneficiary or beneficiaries designated under section 4758
2131.13 of the Revised Code, the registration shall be continued 4759
upon the filing by the transfer-on-death beneficiary or 4760
beneficiaries of an application for an amended certificate of 4761
registration. The application shall be accompanied by a copy of 4762
the certificate of title that specifies that the owner of the 4763
motor vehicle has designated the motor vehicle in beneficiary 4764
form under section 2131.13 of the Revised Code. Upon a proper 4765
filing, the registrar shall issue an amended certificate of 4766
registration in the name of the transfer-on-death beneficiary or 4767
beneficiaries. 4768

(4) If the original owner of a motor vehicle that has been 4769
transferred makes application for the registration of another 4770
motor vehicle at any time during the remainder of the 4771
registration period for which the transferred motor vehicle was 4772
registered, the owner may file an application for transfer of 4773
the registration and, where applicable, the license plates. The 4774

transfer of the registration and, where applicable, the license 4775
plates from the motor vehicle for which they originally were 4776
issued to a succeeding motor vehicle purchased by the same 4777
person in whose name the original registration and license 4778
plates were issued shall be done within a period not to exceed 4779
thirty days. During that thirty-day period, the license plates 4780
from the motor vehicle for which they originally were issued may 4781
be displayed on the succeeding motor vehicle, and the succeeding 4782
motor vehicle may be operated on the public roads and highways 4783
in this state. 4784

At the time of application for transfer, the registrar 4785
shall compute and collect the amount of tax due on the 4786
succeeding motor vehicle, based upon the amount that would be 4787
due on a new registration as of the date on which the transfer 4788
is made less a credit for the unused portion of the original 4789
registration beginning on that date. If the credit exceeds the 4790
amount of tax due on the new registration, no refund shall be 4791
made. In computing the amount of tax due and credits to be 4792
allowed under this division, the provisions of division (B) (1) 4793
(a) and (b) of section 4503.11 of the Revised Code shall apply. 4794
As to passenger cars, noncommercial vehicles, motor homes, and 4795
motorcycles, transfers within or between these classes of motor 4796
vehicles only shall be allowed. If the succeeding motor vehicle 4797
is of a different class than the motor vehicle for which the 4798
registration originally was issued, new license plates also 4799
shall be issued upon the surrender of the license plates 4800
originally issued and payment of the fees provided in divisions 4801
(C) and (D) of section 4503.10 of the Revised Code. 4802

(5) The owner of a commercial car having a gross vehicle 4803
weight or combined gross vehicle weight of more than ten 4804
thousand pounds may transfer the registration of that commercial 4805

car to another commercial car the owner owns without 4806
transferring ownership of the first commercial car. At any time 4807
during the remainder of the registration period for which the 4808
first commercial car was registered, the owner may file an 4809
application for the transfer of the registration and, where 4810
applicable, the license plates, accompanied by the certificate 4811
of registration of the first commercial car. The amount of any 4812
tax due or credit to be allowed for a transfer of registration 4813
under this division shall be computed in accordance with 4814
division (A) (4) of this section. 4815

No commercial car to which a registration is transferred 4816
under this division shall be operated on a public road or 4817
highway in this state until after the transfer of registration 4818
is completed in accordance with this division. 4819

(6) Upon application to the registrar or a deputy 4820
registrar, a person who owns or leases a motor vehicle may 4821
transfer special license plates assigned to that vehicle to any 4822
other vehicle that the person owns or leases or that is owned or 4823
leased by the person's spouse. As appropriate, the application 4824
also shall be accompanied by a power of attorney for the 4825
registration of a leased vehicle and a written statement 4826
releasing the special plates to the applicant. Upon a proper 4827
filing, the registrar or deputy registrar shall assign the 4828
special license plates to the motor vehicle owned or leased by 4829
the applicant and issue a new certificate of registration for 4830
that motor vehicle. 4831

(7) If a corporation transfers the ownership of a motor 4832
vehicle to an affiliated corporation, the affiliated corporation 4833
may apply to the registrar for the transfer of the registration 4834
and any license plates. The registrar may require the applicant 4835

to submit documentation of the corporate relationship and shall 4836
determine whether the application for registration transfer is 4837
made in good faith and not for the purposes of circumventing the 4838
provisions of this chapter. Upon a proper filing, the registrar 4839
shall issue an amended certificate of registration in the name 4840
of the new owner. 4841

(B) An application under division (A) of this section 4842
shall be accompanied by a service fee equal to the amount 4843
established under section 4503.038 of the Revised Code, a 4844
transfer fee of one dollar, and the original certificate of 4845
registration, if applicable. 4846

(C) Neither the registrar nor a deputy registrar shall 4847
transfer a registration under division (A) of this section if 4848
the registration is prohibited by division (D) of section 4849
2935.27, ~~division (A) of section 2937.221,~~ division (A) of 4850
section 4503.13, division (D) of section 4503.234, division (B) 4851
of section 4510.22, division (B) (1) of section 4521.10, or 4852
division (B) of section 5537.041 of the Revised Code. 4853

(D) Whoever violates division (A) of this section is 4854
guilty of a misdemeanor of the fourth degree. 4855

(E) As used in division (A) (6) of this section, "special 4856
license plates" means either of the following: 4857

(1) Any license plates for which the person to whom the 4858
license plates are issued must pay an additional fee in excess 4859
of the fees prescribed in section 4503.04 of the Revised Code, 4860
Chapter 4504. of the Revised Code, and the service fee 4861
prescribed in division (D) or (G) of section 4503.10 of the 4862
Revised Code; 4863

(2) License plates issued under section 4503.44 of the 4864

Revised Code. 4865

Sec. 4503.20. (A) As used in this section: 4866

(1) "Dealer engaged in the business of leasing motor 4867
vehicles" means any person engaged in the business of regularly 4868
making available, offering to make available, or arranging for 4869
another person to use a motor vehicle pursuant to a bailment, 4870
lease, or other contractual arrangement. 4871

(2) "Motor vehicle" has the meaning set forth in section 4872
4509.01 of the Revised Code. 4873

(B) An application for the registration of a motor vehicle 4874
shall contain a statement, to be signed by the applicant either 4875
manually or by electronic signature, that does all of the 4876
following: 4877

(1) States that the applicant maintains, or has maintained 4878
on the applicant's behalf, proof of financial responsibility at 4879
the time of application, and will not operate a motor vehicle in 4880
this state, unless the applicant maintains, with respect to that 4881
motor vehicle or the operation of such vehicle, proof of 4882
financial responsibility; 4883

(2) Contains a brief summary of the purposes and operation 4884
of section 4509.101 of the Revised Code, the rights and duties 4885
of the applicant under that section, and the penalties for 4886
violation of that section; 4887

(3) Warns the applicant that the financial responsibility 4888
law does not prevent the possibility that the applicant may be 4889
involved in an accident with an owner or operator of a motor 4890
vehicle who is without proof of financial responsibility. 4891

(C) (1) A person who purchases any motor vehicle from a 4892

licensed motor vehicle dealer who agrees to make application for 4893
registration of the motor vehicle on behalf of the purchaser 4894
shall sign statements that comply with divisions (B) and (F) of 4895
this section. The dealer shall submit the statements to the 4896
deputy registrar where the dealer has agreed to make application 4897
for registration on behalf of the person. 4898

(2) In the case of a person who leases any motor vehicle 4899
from a dealer engaged in the business of leasing motor vehicles 4900
who agrees to make application for registration of the motor 4901
vehicle on behalf of the lessee, the person shall sign a 4902
statement that complies with division (B) of this section, and 4903
the dealer shall do either of the following: 4904

(a) Submit the statement signed by the person to the 4905
deputy registrar where the dealer has agreed to make application 4906
for registration on behalf of the person; 4907

(b) Sign and submit a statement to the deputy registrar 4908
that certifies that a statement has been signed and filed with 4909
the dealer or incorporated into the lease. 4910

The dealer shall submit to the registrar or deputy 4911
registrar to whom the dealer submits the application for 4912
registration a statement signed by the person that complies with 4913
division (F) of this section. 4914

(D) The registrar of motor vehicles shall prescribe the 4915
form of the statements required under divisions (B), (C), and 4916
(F) of this section, and the manner or manners in which the 4917
statements required under divisions (B) and (F) of this section 4918
shall be presented to the applicant. Any statement that is 4919
required under divisions (B), (C), and (F) of this section shall 4920
be designed to enable the applicant to retain a copy of it. 4921

(E) Nothing within this section shall be construed to 4922
excuse a violation of section 4509.101 of the Revised Code. A 4923
motor vehicle dealer who makes application for the registration 4924
of a motor vehicle on behalf of the purchaser or lessee of the 4925
motor vehicle is not liable in damages in any civil action on 4926
account of the act of making such application for registration 4927
or the content of any such application for registration. 4928

(F) In addition to the statements required by divisions 4929
(B) and (C) of this section, a person who makes application for 4930
registration of a motor vehicle shall be furnished with a form 4931
that lists in plain language all the possible penalties to which 4932
a person could be subject for a violation of the financial 4933
responsibility law, including driver's license suspensions, and 4934
all fees, including nonvoluntary compliance and reinstatement 4935
fees, ~~and vehicle immobilization or impoundment~~. The person 4936
shall read the form and either manually or by electronic 4937
signature sign the form, which shall be submitted along with the 4938
application for registration as provided in this section. The 4939
form shall be retained by the registrar or deputy registrar who 4940
issues the motor vehicle registration or the registrar's or 4941
deputy registrar's successor for a period of two years from the 4942
date of issuance of the registration. 4943

(G) Upon the registration of a motor vehicle, the owner of 4944
the motor vehicle is deemed to have agreed to the production of 4945
proof of financial responsibility by the owner or the operator 4946
of the motor vehicle, upon the request of a peace officer or 4947
state highway patrol trooper made in accordance with division 4948
(D) (2) of section 4509.101 of the Revised Code. 4949

(H) The registrar shall adopt rules governing the renewal 4950
of motor vehicle registrations by electronic means and the 4951

completion and submission of statements that comply with 4952
divisions (B) and (F) of this section. The registrar shall adopt 4953
the rules prescribed by this division in accordance with Chapter 4954
119. of the Revised Code. 4955

Sec. 4503.39. With regard to a motor vehicle leased by or 4956
in the name of a person named in a suspension order or who is 4957
precluded from registering or transferring registration of a 4958
motor vehicle because of a failure to ~~pay a fine or court~~ 4959
~~costs appear~~, the registrar of motor vehicles shall adopt 4960
procedures as indicated in division (B) of section 1901.44, 4961
division (B) of section 1905.202, division (B) of section 4962
1907.25, division (D) of section 2935.27, ~~division (A) of~~ 4963
~~section 2937.221~~, division (A) of section 2947.09, and division 4964
(B) of section 4510.22 of the Revised Code. The procedures shall 4965
prescribe the information and methodology necessary to implement 4966
those divisions. 4967

Sec. 4507.212. (A) As used in this section, "motor 4968
vehicle" has the same meaning as in section 4509.01 of the 4969
Revised Code. 4970

(B) An application for a driver's, commercial driver's, 4971
restricted, or probationary license, or renewal of such license 4972
shall contain a statement, to be signed by the applicant, that 4973
does all of the following: 4974

(1) States that the applicant maintains, or has maintained 4975
on ~~his~~ the applicant's behalf, proof of financial responsibility 4976
at the time of application, and will not operate a motor vehicle 4977
in this state, unless ~~he~~ the applicant maintains, or has 4978
maintained on ~~his~~ the applicant's behalf, proof of financial 4979
responsibility; 4980

(2) Contains a brief summary of the purposes and operation 4981
of section 4509.101 of the Revised Code, the rights and duties 4982
of the applicant under that section, and the penalties for 4983
violation of that section; 4984

(3) Warns the applicant that the financial responsibility 4985
law does not prevent the possibility that the applicant may be 4986
involved in an accident with an owner or operator of a motor 4987
vehicle who is without proof of financial responsibility. 4988

(C) The registrar of motor vehicles shall prescribe the 4989
form of the statement, and the manner in which the statement 4990
shall be presented to the applicant. The statement shall be 4991
designed to enable the applicant to retain a copy of it. 4992

(D) Nothing within this section shall be construed to 4993
excuse a violation of section 4509.101 of the Revised Code. 4994

(E) At the time a person submits an application for a 4995
driver's, commercial driver's, restricted, or probationary 4996
license, or renewal of such a license, the applicant also shall 4997
be furnished with a form that lists in plain language all the 4998
possible penalties to which the applicant could be subject for a 4999
violation of the financial responsibility law, including 5000
driver's license suspensions, and all fees, including 5001
nonvoluntary compliance and reinstatement fees, ~~and vehicle~~ 5002
~~immobilization or impoundment~~. The applicant shall sign the 5003
form, which shall be submitted along with the application. The 5004
form shall be retained by the registrar or deputy registrar who 5005
issues the license or renewal or ~~his~~ the registrar's or deputy 5006
registrar's successor for a period of two years from the date of 5007
issuance of the license or renewal. The registrar shall 5008
prescribe the manner in which the form shall be presented to the 5009
applicant, and the format of the form, which shall be such that 5010

the applicant can retain a copy of it. 5011

Sec. 4509.101. (A) (1) No person shall operate, or permit 5012
the operation of, a motor vehicle in this state, unless proof of 5013
financial responsibility is maintained continuously throughout 5014
the registration period with respect to that vehicle, or, in the 5015
case of a driver who is not the owner, with respect to that 5016
driver's operation of that vehicle. 5017

(2) Whoever violates division (A) (1) of this section shall 5018
be subject to the following civil penalties: 5019

(a) Subject to divisions (A) (2) (b) and (c) of this 5020
section, a class (F) suspension of the person's driver's 5021
license, commercial driver's license, temporary instruction 5022
permit, probationary license, or nonresident operating privilege 5023
for the period of time specified in division (B) (6) of section 5024
4510.02 of the Revised Code and impoundment of the person's 5025
license. The court may grant limited driving privileges to the 5026
person, but only if the person presents proof of financial 5027
responsibility and is enrolled in a reinstatement fee payment 5028
plan pursuant to section 4510.10 of the Revised Code. 5029

(b) If, within ~~five years~~ one year of the violation, the 5030
person's operating privileges are again suspended and the 5031
person's license again is impounded for a violation of division 5032
(A) (1) of this section, a class C suspension of the person's 5033
driver's license, commercial driver's license, temporary 5034
instruction permit, probationary license, or nonresident 5035
operating privilege for the period of time specified in division 5036
(B) (3) of section 4510.02 of the Revised Code. The court may 5037
grant limited driving privileges to the person only if the 5038
person presents proof of financial responsibility and has 5039
complied with division (A) (5) of this section, and no court may 5040

grant limited driving privileges for the first fifteen days of 5041
the suspension. 5042

(c) If, within ~~five years~~ one year of the violation, the 5043
person's operating privileges are suspended and the person's 5044
license is impounded two or more times for a violation of 5045
division (A) (1) of this section, a class B suspension of the 5046
person's driver's license, commercial driver's license, 5047
temporary instruction permit, probationary license, or 5048
nonresident operating privilege for the period of time specified 5049
in division (B) (2) of section 4510.02 of the Revised Code. The 5050
court may grant limited driving privileges to the person only if 5051
the person presents proof of financial responsibility and has 5052
complied with division (A) (5) of this section, except that no 5053
court may grant limited driving privileges for the first thirty 5054
days of the suspension. 5055

~~(d) In addition to the suspension of an owner's license 5056
under division (A) (2) (a), (b), or (c) of this section, the 5057
suspension of the rights of the owner to register the motor 5058
vehicle and the impoundment of the owner's certificate of 5059
registration and license plates until the owner complies with 5060
division (A) (5) of this section. 5061~~

The clerk of court shall waive the cost of filing a 5062
petition for limited driving privileges if, pursuant to section 5063
2323.311 of the Revised Code, the petitioner applies to be 5064
qualified as an indigent litigant and the court approves the 5065
application. 5066

(3) A person to whom this state has issued a certificate 5067
of registration for a motor vehicle or a license to operate a 5068
motor vehicle or who is determined to have operated any motor 5069
vehicle or permitted the operation in this state of a motor 5070

vehicle owned by the person shall be required to verify the 5071
existence of proof of financial responsibility covering the 5072
operation of the motor vehicle or the person's operation of the 5073
motor vehicle under either of the following circumstances: 5074

(a) The person or a motor vehicle owned by the person is 5075
involved in a traffic accident that requires the filing of an 5076
accident report under section 4509.06 of the Revised Code. 5077

(b) The person receives a traffic ticket indicating that 5078
proof of the maintenance of financial responsibility was not 5079
produced upon the request of a peace officer or state highway 5080
patrol trooper made in accordance with division (D) (2) of this 5081
section. 5082

(4) An order of the registrar that suspends ~~and impounds a~~ 5083
~~license or registration, or both,~~ shall state the date on or 5084
before which the person is required to surrender the person's 5085
~~license or certificate of registration and license plates.~~ The 5086
person is deemed to have surrendered the ~~license or certificate~~ 5087
~~of registration and license plates,~~ in compliance with the 5088
order, if the person does either of the following: 5089

(a) On or before the date specified in the order, delivers 5090
the ~~license or certificate of registration and license plates to~~ 5091
the registrar; 5092

(b) Mails the ~~license or certificate of registration and~~ 5093
~~license plates to~~ the registrar in an envelope or container 5094
bearing a postmark showing a date no later than the date 5095
specified in the order. 5096

(5) Except as provided in division (L) of this section, 5097
the registrar shall not restore any operating privileges ~~or~~ 5098
~~registration rights~~ suspended under this section, return any 5099

~~license, certificate of registration, or license plates~~ 5100
~~impounded surrendered~~ under this section, ~~or reissue license~~ 5101
~~plates under section 4503.232 of the Revised Code, if the~~ 5102
~~registrar destroyed the impounded license plates under that~~ 5103
~~section, or reissue a license under section 4510.52 of the~~ 5104
Revised Code, if the registrar destroyed the suspended license 5105
under that section, unless the rights are not subject to 5106
suspension or revocation under any other law and unless the 5107
person, in addition to complying with all other conditions 5108
required by law for reinstatement of the operating privileges ~~or~~ 5109
~~registration rights~~, complies with all of the following: 5110

(a) Pays to the registrar or an eligible deputy registrar 5111
a financial responsibility reinstatement fee of forty dollars 5112
for the first violation of division (A)(1) of this section, 5113
three hundred dollars for a second violation of that division, 5114
and six hundred dollars for a third or subsequent violation of 5115
that division; 5116

~~(b) If the person has not voluntarily surrendered the~~ 5117
~~license, certificate, or license plates in compliance with the~~ 5118
~~order, pays to the registrar or an eligible deputy registrar a~~ 5119
~~financial responsibility nonvoluntary compliance fee in an~~ 5120
~~amount, not to exceed fifty dollars, determined by the~~ 5121
~~registrar;~~ 5122

~~(c) Files and continuously maintains~~ Presents proof of 5123
financial responsibility ~~under in accordance with sections~~ 5124
~~4509.44-4509.45~~ to 4509.65 of the Revised Code; 5125

~~(d)~~ (c) Pays a deputy registrar a service fee of ten 5126
dollars to compensate the deputy registrar for services 5127
performed under this section. The deputy registrar shall retain 5128
eight dollars of the service fee and shall transmit the 5129

reinstatement fee, ~~any nonvoluntary compliance fee,~~ and two 5130
dollars of the service fee to the registrar in the manner the 5131
registrar shall determine. 5132

(B) (1) Every party required to file an accident report 5133
under section 4509.06 of the Revised Code also shall include 5134
with the report a document described in division (G) (1) (a) of 5135
this section or shall present proof of financial responsibility 5136
through use of an electronic wireless communications device as 5137
permitted by division (G) (1) (b) of this section. 5138

If the registrar determines, within forty-five days after 5139
the report is filed, that an operator or owner has violated 5140
division (A) (1) of this section, the registrar shall do all of 5141
the following: 5142

~~(a) Order the impoundment, with respect to the motor 5143
vehicle involved, required under division (A) (2) (d) of this 5144
section, of the certificate of registration and license plates 5145
of any owner who has violated division (A) (1) of this section;~~ 5146

~~(b)~~ Order the suspension required under division (A) (2) 5147
(a), (b), or (c) of this section of the license of any operator 5148
or owner who has violated division (A) (1) of this section; 5149

~~(e)~~ (b) Record the name and address of the person whose 5150
~~certificate of registration and license plates have been 5151
impounded or are under an order of impoundment, or whose license 5152
has been suspended or is under an order of suspension,~~ the 5153
serial number of the person's license; ~~the serial numbers of the 5154
person's certificate of registration and license plates;~~ and 5155
the person's social security account number, if assigned, or, 5156
where the motor vehicle that is the subject of the violation is 5157
used for hire or principally in connection with any established 5158

business, the person's federal taxpayer identification number. 5159
The information shall be recorded in such a manner that it 5160
becomes a part of the person's permanent record, and assists the 5161
registrar in monitoring compliance with the orders of suspension 5162
~~or impoundment.~~ 5163

~~(d)~~ (c) Send written notification to every person to whom 5164
the order pertains, at the person's last known address as shown 5165
on the records of the bureau. The person, within ten days after 5166
the date of the mailing of the notification, shall surrender to 5167
the registrar, in a manner set forth in division (A) (4) of this 5168
section, ~~any certificate of registration and registration plates~~ 5169
~~under an order of impoundment, or any license under an order of~~ 5170
suspension. 5171

(2) The registrar shall issue any order under division (B) 5172
(1) of this section without a hearing. Any person adversely 5173
affected by the order, within ten days after the issuance of the 5174
order, may request an administrative hearing before the 5175
registrar, who shall provide the person with an opportunity for 5176
a hearing in accordance with this paragraph. A request for a 5177
hearing does not operate as a suspension of the order. The scope 5178
of the hearing shall be limited to whether the person in fact 5179
demonstrated to the registrar proof of financial responsibility 5180
in accordance with this section. The registrar shall determine 5181
the date, time, and place of any hearing, provided that the 5182
hearing shall be held, and an order issued or findings made, 5183
within thirty days after the registrar receives a request for a 5184
hearing. If requested by the person in writing, the registrar 5185
may designate as the place of hearing the county seat of the 5186
county in which the person resides or a place within fifty miles 5187
of the person's residence. The person shall pay the cost of the 5188
hearing before the registrar, if the registrar's order of 5189

suspension ~~or impoundment~~ is upheld. 5190

(C) Any order of suspension ~~or impoundment~~ issued under 5191
this section ~~or division (B) of section 4509.37 of the Revised~~ 5192
~~Code~~ may be terminated at any time if the registrar determines 5193
upon a showing of proof of financial responsibility that the 5194
operator or owner of the motor vehicle was in compliance with 5195
division (A)(1) of this section at the time of the traffic 5196
offense, motor vehicle inspection, or accident that resulted in 5197
the order against the person. A determination may be made 5198
without a hearing. This division does not apply unless the 5199
person shows good cause for the person's failure to present 5200
satisfactory proof of financial responsibility to the registrar 5201
prior to the issuance of the order. 5202

(D) (1) (a) For the purpose of enforcing this section, every 5203
peace officer is deemed an agent of the registrar. 5204

(b) Any peace officer who, in the performance of the peace 5205
officer's duties as authorized by law, becomes aware of a person 5206
whose license is under an order of suspension, ~~or whose~~ 5207
~~certificate of registration and license plates are under an~~ 5208
~~order of impoundment,~~ pursuant to this section, may confiscate 5209
the license, ~~certificate of registration, and license plates,~~ 5210
and return ~~them~~ it to the registrar. 5211

(2) A peace officer shall request the owner or operator of 5212
a motor vehicle to produce proof of financial responsibility in 5213
a manner described in division (G) of this section at the time 5214
the peace officer acts to enforce the traffic laws of this state 5215
and during motor vehicle inspections conducted pursuant to 5216
section 4513.02 of the Revised Code. 5217

(3) A peace officer shall indicate on every traffic ticket 5218

whether the person receiving the traffic ticket produced proof 5219
of the maintenance of financial responsibility in response to 5220
the officer's request under division (D) (2) of this section. The 5221
peace officer shall inform every person who receives a traffic 5222
ticket and who has failed to produce proof of the maintenance of 5223
financial responsibility that the person must submit proof to 5224
the traffic violations bureau with any payment of a fine and 5225
costs for the ticketed violation or, if the person is to appear 5226
in court for the violation, the person must submit proof to the 5227
court. 5228

(4) (a) If a person who has failed to produce proof of the 5229
maintenance of financial responsibility appears in court for a 5230
ticketed violation, the court may permit the defendant to 5231
present evidence of proof of financial responsibility to the 5232
court at such time and in such manner as the court determines to 5233
be necessary or appropriate. In a manner prescribed by the 5234
registrar, the clerk of courts shall provide the registrar with 5235
the identity of any person who fails to submit proof of the 5236
maintenance of financial responsibility pursuant to division (D) 5237
(3) of this section. 5238

(b) If a person who has failed to produce proof of the 5239
maintenance of financial responsibility also fails to submit 5240
that proof to the traffic violations bureau with payment of a 5241
fine and costs for the ticketed violation, the traffic 5242
violations bureau, in a manner prescribed by the registrar, 5243
shall notify the registrar of the identity of that person. 5244

(5) (a) Upon receiving notice from a clerk of courts or 5245
traffic violations bureau pursuant to division (D) (4) of this 5246
section, the registrar shall order the suspension of the license 5247
of the person required under division (A) (2) (a), (b), or (c) of 5248

this section ~~and the impoundment of the person's certificate of~~ 5249
~~registration and license plates required under division (A) (2)~~ 5250
~~(d) of this section,~~ effective ~~thirty~~ forty-five days after the 5251
date of the mailing of notification. The registrar also shall 5252
notify the person that the person must present the registrar 5253
with proof of financial responsibility in accordance with this 5254
section, surrender to the registrar the person's ~~certificate of~~ 5255
~~registration, license plates, and license,~~ or submit a statement 5256
subject to section 2921.13 of the Revised Code that the person 5257
did not operate or permit the operation of the motor vehicle at 5258
the time of the offense. Notification shall be in writing and 5259
shall be sent to the person at the person's last known address 5260
as shown on the records of the bureau of motor vehicles. The 5261
person, within ~~fifteen~~ forty-five days after the date of the 5262
mailing of notification, shall present proof of financial 5263
responsibility, surrender the ~~certificate of registration,~~ 5264
~~license plates, and license~~ to the registrar in a manner set 5265
forth in division (A) (4) of this section, or submit the 5266
statement required under this section together with other 5267
information the person considers appropriate. 5268

If the registrar does not receive proof or the person does 5269
not surrender the ~~certificate of registration, license plates,~~ 5270
~~and license,~~ in accordance with this division, the registrar 5271
shall permit the order for the suspension of the license of the 5272
person and ~~the impoundment of the person's certificate of~~ 5273
~~registration and license plates~~ to take effect. 5274

(b) In the case of a person who presents, within the 5275
~~fifteen-day~~ forty-five-day period, proof of financial 5276
responsibility, the registrar shall terminate the order of 5277
suspension and ~~the impoundment of the registration and license~~ 5278
~~plates required under division (A) (2) (d) of this section~~ and 5279

shall send written notification to the person, at the person's 5280
last known address as shown on the records of the bureau. 5281

(c) Any person adversely affected by the order of the 5282
registrar under division (D) (5) (a) or (b) of this section, 5283
within ten days after the issuance of the order, may request an 5284
administrative hearing before the registrar, who shall provide 5285
the person with an opportunity for a hearing in accordance with 5286
this paragraph. A request for a hearing does not operate as a 5287
suspension of the order. The scope of the hearing shall be 5288
limited to whether, at the time of the hearing, the person 5289
presents proof of financial responsibility covering the vehicle 5290
and whether the person is eligible for an exemption in 5291
accordance with this section or any rule adopted under it. The 5292
registrar shall determine the date, time, and place of any 5293
hearing; provided, that the hearing shall be held, and an order 5294
issued or findings made, within thirty days after the registrar 5295
receives a request for a hearing. If requested by the person, 5296
the hearing may be held remotely by electronic means. If 5297
requested by the person in writing, the registrar may designate 5298
as the place of hearing the county seat of the county in which 5299
the person resides or a place within fifty miles of the person's 5300
residence. Such person shall pay the cost of the hearing before 5301
the registrar, if the registrar's order of suspension ~~or~~ 5302
~~impoundment~~ under division (D) (5) (a) or (b) of this section is 5303
upheld. 5304

~~(6) A peace officer may charge an owner or operator of a 5305
motor vehicle with a violation of section 4510.16 of the Revised 5306
Code when the owner or operator fails to show proof of the 5307
maintenance of financial responsibility pursuant to a peace- 5308
officer's request under division (D) (2) of this section, if a 5309
check of the owner or operator's driving record indicates that 5310~~

~~the owner or operator, at the time of the operation of the motor vehicle, is required to file and maintain proof of financial responsibility under section 4509.45 of the Revised Code for a previous violation of this chapter.~~

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

~~(8)~~ (7) No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency that employs a peace officer shall be liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section.

~~(9)~~ (8) As used in this section, "peace officer" has the meaning set forth in section 2935.01 of the Revised Code.

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

Of each financial responsibility reinstatement fee the registrar collects pursuant to division (A) (5) (a) of this section or receives from a deputy registrar under division ~~(A)~~

~~(5) (d) (A) (5) (c)~~ of this section, the registrar shall deposit 5340
ten dollars into the state treasury to the credit of the 5341
indigent defense support fund created by section 120.08 of the 5342
Revised Code. 5343

(F) Chapter 119. of the Revised Code applies to this 5344
section only to the extent that any provision in that chapter is 5345
not clearly inconsistent with this section. 5346

(G) (1) (a) The registrar, court, traffic violations bureau, 5347
or peace officer may require proof of financial responsibility 5348
to be demonstrated by use of a standard form prescribed by the 5349
registrar. If the use of a standard form is not required, a 5350
person may demonstrate proof of financial responsibility under 5351
this section by presenting to the traffic violations bureau, 5352
court, registrar, or peace officer any of the following 5353
documents or a copy of the documents: 5354

(i) A financial responsibility identification card as 5355
provided in section 4509.103 of the Revised Code; 5356

(ii) A certificate of proof of financial responsibility on 5357
a form provided and approved by the registrar for the filing of 5358
an accident report required to be filed under section 4509.06 of 5359
the Revised Code; 5360

(iii) A policy of liability insurance, a declaration page 5361
of a policy of liability insurance, or liability bond, if the 5362
policy or bond complies with section 4509.20 or sections 4509.49 5363
to 4509.61 of the Revised Code; 5364

(iv) A bond or certification of the issuance of a bond as 5365
provided in section 4509.59 of the Revised Code; 5366

(v) A certificate of deposit of money or securities as 5367
provided in section 4509.62 of the Revised Code; 5368

(vi) A certificate of self-insurance as provided in 5369
section 4509.72 of the Revised Code. 5370

(b) A person also may present proof of financial 5371
responsibility under this section to the traffic violations 5372
bureau, court, registrar, or peace officer through use of an 5373
electronic wireless communications device as specified under 5374
section 4509.103 of the Revised Code. 5375

(2) If a person fails to demonstrate proof of financial 5376
responsibility in a manner described in division (G)(1) of this 5377
section, the person may demonstrate proof of financial 5378
responsibility under this section by any other method that the 5379
court or the bureau, by reason of circumstances in a particular 5380
case, may consider appropriate. 5381

(3) A motor carrier certificated by the interstate 5382
commerce commission or by the public utilities commission may 5383
demonstrate proof of financial responsibility by providing a 5384
statement designating the motor carrier's operating authority 5385
and averring that the insurance coverage required by the 5386
certificating authority is in full force and effect. 5387

(4) (a) A finding by the registrar or court that a person 5388
is covered by proof of financial responsibility in the form of 5389
an insurance policy or surety bond is not binding upon the named 5390
insurer or surety or any of its officers, employees, agents, or 5391
representatives and has no legal effect except for the purpose 5392
of administering this section. 5393

(b) The preparation and delivery of a financial 5394
responsibility identification card or any other document 5395
authorized to be used as proof of financial responsibility and 5396
the generation and delivery of proof of financial responsibility 5397

to an electronic wireless communications device that is 5398
displayed on the device as text or images does not do any of the 5399
following: 5400

(i) Create any liability or estoppel against an insurer or 5401
surety, or any of its officers, employees, agents, or 5402
representatives; 5403

(ii) Constitute an admission of the existence of, or of 5404
any liability or coverage under, any policy or bond; 5405

(iii) Waive any defenses or counterclaims available to an 5406
insurer, surety, agent, employee, or representative in an action 5407
commenced by an insured or third-party claimant upon a cause of 5408
action alleged to have arisen under an insurance policy or 5409
surety bond or by reason of the preparation and delivery of a 5410
document for use as proof of financial responsibility or the 5411
generation and delivery of proof of financial responsibility to 5412
an electronic wireless communications device. 5413

(c) Whenever it is determined by a final judgment in a 5414
judicial proceeding that an insurer or surety, which has been 5415
named on a document or displayed on an electronic wireless 5416
communications device accepted by a court or the registrar as 5417
proof of financial responsibility covering the operation of a 5418
motor vehicle at the time of an accident or offense, is not 5419
liable to pay a judgment for injuries or damages resulting from 5420
such operation, the registrar, notwithstanding any previous 5421
contrary finding, shall forthwith suspend the operating 5422
privileges and registration rights of the person against whom 5423
the judgment was rendered as provided in division (A) (2) of this 5424
section. 5425

(H) In order for any document or display of text or images 5426

on an electronic wireless communications device described in 5427
division (G) (1) of this section to be used for the demonstration 5428
of proof of financial responsibility under this section, the 5429
document or words or images shall state the name of the insured 5430
or obligor, the name of the insurer or surety company, and the 5431
effective and expiration dates of the financial responsibility, 5432
and designate by explicit description or by appropriate 5433
reference all motor vehicles covered which may include a 5434
reference to fleet insurance coverage. 5435

(I) For purposes of this section, "owner" does not include 5436
a licensed motor vehicle leasing dealer as defined in section 5437
4517.01 of the Revised Code, but does include a motor vehicle 5438
renting dealer as defined in section 4549.65 of the Revised 5439
Code. Nothing in this section or in section 4509.51 of the 5440
Revised Code shall be construed to prohibit a motor vehicle 5441
renting dealer from entering into a contractual agreement with a 5442
person whereby the person renting the motor vehicle agrees to be 5443
solely responsible for maintaining proof of financial 5444
responsibility, in accordance with this section, with respect to 5445
the operation, maintenance, or use of the motor vehicle during 5446
the period of the motor vehicle's rental. 5447

(J) The purpose of this section is to require the 5448
maintenance of proof of financial responsibility with respect to 5449
the operation of motor vehicles on the highways of this state, 5450
so as to minimize those situations in which persons are not 5451
compensated for injuries and damages sustained in motor vehicle 5452
accidents. The general assembly finds that this section contains 5453
reasonable civil penalties and procedures for achieving this 5454
purpose. 5455

(K) Nothing in this section shall be construed to be 5456

subject to section 4509.78 of the Revised Code. 5457

(L) (1) The registrar may terminate any suspension imposed 5458
under this section and not require the owner to comply with 5459
~~divisions (A) (5) (a), (b), and (c)~~division (A) (5) of this section 5460
if the registrar with or without a hearing determines that the 5461
owner of the vehicle has established by clear and convincing 5462
evidence that all of the following apply: 5463

(a) The owner customarily maintains proof of financial 5464
responsibility. 5465

(b) Proof of financial responsibility was not in effect 5466
for the vehicle on the date in question for one of the following 5467
reasons: 5468

(i) The vehicle was inoperable. 5469

(ii) The vehicle is operated only seasonally, and the date 5470
in question was outside the season of operation. 5471

(iii) A person other than the vehicle owner or driver was 5472
at fault for the lapse of proof of financial responsibility 5473
through no fault of the owner or driver. 5474

(iv) The lapse of proof of financial responsibility was 5475
caused by excusable neglect under circumstances that are not 5476
likely to recur and do not suggest a purpose to evade the 5477
requirements of this chapter. 5478

(2) The registrar may grant an owner or driver relief for 5479
a reason specified in division (L) (1) (b) (iii) or (iv) of this 5480
section only if the owner or driver has not previously been 5481
granted relief under division (L) (1) (b) (iii) or (iv) of this 5482
section. 5483

(M) The registrar shall adopt rules in accordance with 5484

Chapter 119. of the Revised Code that are necessary to 5485
administer and enforce this section. The rules shall include 5486
~~procedures for the surrender of license plates upon failure to~~ 5487
~~maintain proof of financial responsibility and provisions~~ 5488
relating to ~~reinstatement of registration rights,~~ acceptable 5489
forms of proof of financial responsibility, the use of an 5490
electronic wireless communications device to present proof of 5491
financial responsibility, and verification of the existence of 5492
financial responsibility during the period of registration. 5493

(N) (1) When a person utilizes an electronic wireless 5494
communications device to present proof of financial 5495
responsibility, only the evidence of financial responsibility 5496
displayed on the device shall be viewed by the registrar, peace 5497
officer, employee or official of the traffic violations bureau, 5498
or the court. No other content of the device shall be viewed for 5499
purposes of obtaining proof of financial responsibility. 5500

(2) When a person provides an electronic wireless 5501
communications device to the registrar, a peace officer, an 5502
employee or official of a traffic violations bureau, or the 5503
court, the person assumes the risk of any resulting damage to 5504
the device unless the registrar, peace officer, employee, or 5505
official, or court personnel purposely, knowingly, or recklessly 5506
commits an action that results in damage to the device. 5507

Sec. 4509.12. (A) The registrar of motor vehicles upon the 5508
expiration of twenty days after the receipt of a motor vehicle 5509
accident report, required under section 4509.01 to 4509.78, 5510
inclusive, of the Revised Code, shall determine the amount of 5511
security which is sufficient to satisfy any judgments for 5512
damages resulting from the accident as may be recovered against 5513
each driver or owner involved in the accident; provided that in 5514

any accident resulting in personal injury such amount shall in 5515
no case be less than five hundred dollars. This determination 5516
shall not be made with respect to drivers or owners who are 5517
exempt under sections 4509.14 to 4509.78, inclusive, of the 5518
Revised Code from the requirements as to security ~~and~~ 5519
~~suspension~~. 5520

(B) The registrar shall determine the amount of security 5521
deposit required of any person upon the basis of the reports and 5522
other evidence submitted. If a person involved in a motor 5523
vehicle accident fails to make a report indicating the extent of 5524
~~his~~ the person's injuries or the damage to ~~his~~ the person's 5525
property within thirty days after being requested to furnish 5526
additional information and the registrar does not have 5527
sufficient evidence on which to base an evaluation of such 5528
injuries or damage, then the registrar after reasonable notice 5529
to such person, if it is possible to give such notice, otherwise 5530
without notice, shall not require any deposit of security for 5531
the benefit or protection of such person. However, if the 5532
registrar finds that during the time provided in this section it 5533
was impossible to determine the extent of such injuries or 5534
damage, then such report or information must be furnished by the 5535
individual within thirty days after such injuries or damages 5536
have been determined. 5537

Sec. 4509.19. ~~(A)~~ The requirements as to security ~~and~~ 5538
~~suspension~~ in ~~sections~~ section 4509.12 and 4509.17 of the 5539
Revised Code do not apply to any of the following: 5540

~~(1) To the~~ (A) The driver or the owner of a motor vehicle 5541
involved in an accident in which no injury or damage was caused 5542
to the person or property of anyone other than such driver or 5543
owner; 5544

~~(2) To the~~ (B) The driver or owner of a motor vehicle 5545
which at the time of the accident was parked, unless such motor 5546
vehicle was parked at a place where parking was at the time of 5547
the accident prohibited under any applicable law or ordinance; 5548

~~(3) To the~~ (C) The owner of a motor vehicle if at the time 5549
of the accident the motor vehicle was operated without ~~his~~the 5550
owner's permission, express or implied, or was parked by a 5551
person who had been operating such motor vehicle without such 5552
permission; 5553

~~(4) To any~~ (D) Any police officer who while responding to 5554
an emergency call assumes custody of a motor vehicle and is 5555
driver thereof at the time of the accident; 5556

~~(5) To the~~ (E) The driver or owner if the owner had in 5557
effect at the time of the accident an automobile liability 5558
policy or bond with respect to the motor vehicle in the 5559
accident, except that a driver shall not be exempt under this 5560
division of this section if at the time of the accident the 5561
motor vehicle was being operated without the owner's permission, 5562
express or implied; 5563

~~(6) To the~~ (F) The driver, if not the owner of the motor 5564
vehicle involved in the accident, if there was in effect at the 5565
time of the accident an automobile liability policy or bond with 5566
respect to ~~his~~ driving of motor vehicles not owned by ~~him~~the 5567
driver; 5568

~~(7) To a~~ (G) A driver or owner whose liability for damages 5569
resulting from the accident is, in the judgment of the registrar 5570
of motor vehicles, covered by any other form of liability 5571
insurance policy or bond; 5572

~~(8) To the~~ (H) The driver or owner of a motor vehicle 5573

involved in an accident to the extent that the owner of the 5574
motor vehicle at the time of the accident was a self-insurer as 5575
defined in section 4509.72 of the Revised Code, except that a 5576
driver shall not be exempt under this division of this section 5577
if at the time of the accident the motor vehicle was being 5578
operated without the owner's permission, express or implied; 5579

~~(9) To the~~ (I) The owner of a motor vehicle where such 5580
owner is the United States, this state, any political 5581
subdivision of this state, any municipal corporation therein or 5582
any private volunteer fire company serving a political 5583
subdivision of this state. 5584

~~(B) Whenever the registrar has taken any action or has~~ 5585
~~failed to take any action under section 4509.17 of the Revised~~ 5586
~~Code by reason of having received erroneous information or by~~ 5587
~~reason of having received no information, then upon receiving~~ 5588
~~correct information within six months after the date of a motor~~ 5589
~~vehicle accident the registrar shall take appropriate action to~~ 5590
~~carry out the purposes of sections 4509.01 to 4509.78 of the~~ 5591
~~Revised Code. This division of this section does not require the~~ 5592
~~registrar to re-evaluate the amount of any deposit required~~ 5593
~~under section 4509.12 of the Revised Code.~~ 5594

Sec. 4509.20. (A) A policy or bond does not comply with 5595
divisions ~~(A) (5) (E)~~, ~~(A) (6) (F)~~, and ~~(A) (7) (G)~~ of section 5596
4509.19 of the Revised Code unless issued by an insurance 5597
company or surety company authorized to do business in this 5598
state, except as provided in division (B) of this section, or 5599
unless such policy or bond is subject, if the accident has 5600
resulted in bodily injury or death, to a limit, exclusive of 5601
interest and costs, of not less than twenty-five thousand 5602
dollars because of bodily injury to or death of one person in 5603

any one accident, and, subject to said limit for one person, to 5604
a limit of not less than fifty thousand dollars because of 5605
bodily injury to or death of two or more persons in one 5606
accident, and, if the accident has resulted in injury to, or 5607
destruction of property, to a limit of not less than twenty-five 5608
thousand dollars because of injury to or destruction of property 5609
of others in any one accident. 5610

(B) A policy or bond does not comply with divisions ~~(A) (5)~~ 5611
(E), ~~(A) (6) (F)~~, and ~~(A) (7) (G)~~ of section 4509.19 of the Revised 5612
Code with respect to any motor vehicle which was not registered 5613
in this state or was a motor vehicle which was registered 5614
elsewhere than in this state at the effective date of the policy 5615
or bond or the most recent renewal thereof, unless the insurance 5616
company or surety company issuing such policy or bond is 5617
authorized to do business in this state, or if said company is 5618
not authorized to do business in this state unless it executes a 5619
power of attorney authorizing the registrar of motor vehicles to 5620
accept service on its behalf of notice or process in any action 5621
upon such policy or bond arising out of such accident. 5622

The registrar may rely upon the accuracy of the 5623
information in the required report of a motor vehicle accident 5624
as to the existence of insurance or a bond unless the registrar 5625
has reason to believe that the information is erroneous. 5626

Sec. 4509.24. (A) The persons involved in or affected by a 5627
motor vehicle accident may at any time enter into a written 5628
agreement for the payment of an agreed amount with respect to 5629
all claims for bodily injury to or death of any person or 5630
property damage arising from the accident which may provide for 5631
payment in installments. A signed copy of the agreement may be 5632
filed with the registrar of motor vehicles. 5633

(B) The registrar, upon filing of any such written agreement, shall not require the deposit of security by any party to the agreement for the benefit or protection of any party to the agreement. ~~The registrar shall modify appropriately any prior order of suspension with reference to such persons, or~~ ~~if~~ If security has been deposited, the registrar immediately shall return to the depositor or the depositor's personal representative any deposit for the benefit or protection of any party to the agreement.

~~(C) If the registrar receives satisfactory evidence that any person obliged to make payment under any such agreement has defaulted in payment, the registrar shall impose a class F suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time specified in division (B) (6) of section 4510.02 of the Revised Code on the person as provided in section 4509.17 of the Revised Code. Such an order of suspension remains in effect until any of the following occurs:~~

~~(1) Security is deposited by the person to whom the suspension applies in such amount as the registrar may then determine;~~

~~(2) The registrar receives satisfactory evidence that the entire obligation has been paid or released;~~

~~(3) A period of two years has elapsed following the breach of agreement and satisfactory evidence is filed with the registrar that no action has been instituted on the agreement during that period.~~

Sec. 4509.25. The registrar of motor vehicles, if

satisfied as to any fact which under sections ~~4509.21-4509.19~~ to 5663
4509.23 of the Revised Code would entitle a person to relief 5664
from ~~sections~~ section 4509.12 and ~~4509.17~~ of the Revised Code, 5665
shall not require the deposit of security by the person so 5666
relieved ~~and shall terminate any prior order of suspension with~~ 5667
~~respect to that person~~, or if security previously has been 5668
deposited, the registrar immediately shall return the deposit to 5669
the depositor or to the depositor's personal representative. 5670

Sec. 4509.291. (A) When a nonresident's operating 5671
privilege is suspended pursuant to section 4509.101, ~~4509.17, or~~ 5672
~~4509.24~~ of the Revised Code ~~for a violation of any provision of~~ 5673
~~sections 4509.01 to 4509.78 of the Revised Code~~, the registrar 5674
of motor vehicles shall transmit a certified copy of the record 5675
of such action to the official in charge of the issuance of 5676
licenses and registration certificates in the state in which 5677
such nonresident resides, if the law of such other state 5678
provides for action in relation thereto similar to the provision 5679
set forth in division (B) of this section. 5680

(B) Upon receipt of a certification that the operating 5681
privilege of a resident of this state has been suspended or 5682
revoked in any other state pursuant to a law providing for its 5683
suspension or revocation for ~~failure to deposit security for the~~ 5684
~~payment of judgments arising out of a motor vehicle accident or~~ 5685
failure to give proof of financial responsibility, under 5686
circumstances which would require the registrar to suspend a 5687
nonresident's operating privilege had the accident occurred in 5688
this state, the registrar shall impose a class F suspension of 5689
the person's driver's license, commercial driver's license, 5690
temporary instruction permit, probationary license, or 5691
nonresident operating privilege for the period of time specified 5692
in division (B) (6) of section 4510.02 of the Revised Code on the 5693

person and all registrations of such resident. Such suspension 5694
shall continue until such resident furnishes evidence of the 5695
person's compliance with the law of such other state relating to 5696
the deposit of such security or to the giving of proof of 5697
financial responsibility. 5698

Sec. 4509.34. ~~(A)~~ The suspension of a license referred to 5699
in section 4509.291 of the Revised Code shall remain in effect 5700
and the registrar of motor vehicles shall not issue to any 5701
person whose license is so suspended any new or renewal license 5702
until permitted under the motor vehicle laws, and not then until 5703
such person gives and thereafter maintains proof of financial 5704
responsibility in accordance with section 4509.45 of the Revised 5705
Code. 5706

~~(B) The suspension of registration referred to in such 5707
sections shall remain in effect and the registrar shall not 5708
register or reregister in the name of any person whose 5709
registration is so suspended as owner of any motor vehicle, nor 5710
return or re issue license plates for such vehicle, until such 5711
person gives and thereafter maintains proof of financial 5712
responsibility in accordance with section 4509.45 of the Revised 5713
Code. 5714~~

Sec. 4509.35. ~~Whenever any person fails within thirty days 5715
to satisfy a judgment rendered within this state, upon the 5716
written request of the judgment creditor or the judgment 5717
creditor's attorney, the clerk of the court which rendered the 5718
judgment, or the judge of the court or mayor of the mayor's 5719
court if the court has no clerk, immediately shall forward a 5720
certified copy of the judgment to the registrar of motor 5721
vehicles. 5722~~

Whenever any nonresident has been convicted of an offense 5723

for which the court is required to impose a license suspension 5724
under any provision of the Revised Code or has forfeited bail 5725
given to secure the nonresident's appearance for trial upon a 5726
charge of any offense for which the court is required to impose 5727
a license suspension under any provision of the Revised Code, 5728
the clerk of every court of record and the mayor of every 5729
mayor's court immediately shall forward to the registrar a 5730
certified copy or transcript of the conviction or order 5731
forfeiture of bail. 5732

Sec. 4509.36. If the defendant named in any certified copy 5733
of a ~~judgment,~~ conviction, or order of bail forfeiture reported 5734
to the registrar of motor vehicles is a nonresident, the 5735
registrar shall transmit a certified copy of the ~~judgment,~~ 5736
conviction, or order of bail forfeiture to the official in 5737
charge of the issuance of licenses and registration of the state 5738
of which the defendant is a resident. 5739

Sec. 4509.42. ~~(A)~~ A judgment debtor upon due notice to the 5740
judgment creditor may apply to the court in which the judgment 5741
was rendered for the privilege of paying the judgment in 5742
installments and the court, in its discretion and without 5743
prejudice to any other legal remedies which the judgment 5744
creditor has, may order and fix the amounts and times of payment 5745
of the installments. 5746

~~(B) The registrar of motor vehicles shall not suspend for~~ 5747
~~nonpayment of a judgment, a license, registration, or~~ 5748
~~nonresident's operating privilege, and shall restore the~~ 5749
~~license, registration, or nonresident's operating privilege~~ 5750
~~suspended for nonpayment, when the judgment debtor gives proof~~ 5751
~~of financial responsibility and maintains it in accordance with~~ 5752
~~section 4509.45 of the Revised Code, and obtains an order~~ 5753

~~permitting the payment of the judgment in installments, and~~ 5754
~~while the payment of any installment is not in default.~~ 5755

~~(C) If the judgment debtor fails to pay any installment as~~ 5756
~~specified by such order, then upon notice of default the~~ 5757
~~registrar shall impose a class F suspension of the license,~~ 5758
~~registration, or nonresident's operating privilege of the~~ 5759
~~judgment debtor until such judgment is satisfied as specified in~~ 5760
~~division (B) (6) of section 4510.02 of the Revised Code.~~ 5761

Sec. 4509.45. (A) As used in this section, "electronic 5762
wireless communications device" has the same meaning as in 5763
section 4509.103 of the Revised Code. 5764

(B) Proof of financial responsibility when required under 5765
section 4509.101, 4509.33, 4509.34, ~~4509.38, 4509.40, 4509.42,~~ 5766
~~4509.44,~~ or 4510.038 of the Revised Code may be given by filing 5767
and maintaining any of the following: 5768

(1) A financial responsibility identification card as 5769
provided in section 4509.104 of the Revised Code; 5770

(2) A certificate of insurance as provided in section 5771
4509.46 or 4509.47 of the Revised Code; 5772

(3) A bond as provided in section 4509.59 of the Revised 5773
Code; 5774

(4) A certificate of deposit of money or securities as 5775
provided in section 4509.62 of the Revised Code; 5776

(5) A certificate of self-insurance, as provided in 5777
section 4509.72 of the Revised Code, supplemented by an 5778
agreement by the self-insurer that, with respect to accidents 5779
occurring while the certificate is in force, the self-insurer 5780
will pay the same amounts that an insurer would have been 5781

obligated to pay under an owner's motor vehicle liability policy 5782
if it had issued such a policy to the self-insurer. 5783

(C) When proof of financial responsibility is required to 5784
be given under section 4509.101 of the Revised Code, such proof 5785
also may be given through use of an electronic wireless 5786
communications device as provided in that section. 5787

~~(D) Proof under division (B) of this section shall be 5788
filed and maintained for five years from the date of the 5789
registrar's imposition of a class A, B, or C suspension of 5790
operating privileges and shall be filed and maintained for three 5791
years from the date of the registrar's imposition of a class D, 5792
E, or F suspension of operating privileges. Proof of financial 5793
responsibility that is required to be filed and maintained with 5794
the registrar during a period of suspension of operating 5795
privileges described in this division shall not be given through 5796
the use of an electronic wireless communications device. 5797~~

Sec. 4509.66. Whenever any proof of financial 5798
responsibility filed under sections 4509.01 to 4509.78, 5799
inclusive, of the Revised Code, no longer fulfills the purposes 5800
for which required, the registrar of motor vehicles shall 5801
require other proof and shall suspend the license ~~and 5802
registration~~ or the nonresident's operating privilege pending 5803
the filing of such other proof. 5804

Sec. 4509.67. (A) The registrar of motor vehicles shall, 5805
upon request, consent to the immediate cancellation of any bond 5806
or certificate of insurance, return to the person entitled any 5807
money deposited under sections 4509.01 to 4509.78 of the Revised 5808
Code, as proof of financial responsibility, ~~or waive the 5809
requirement of filing proof, in any either~~ of the following 5810
events: 5811

~~(1) At any time after three years from the date such proof was required when, during the three years preceding the request, the registrar has not received record of a conviction or bail-forfeiture which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom such proof was furnished and the person's motor vehicle registration has not been suspended for a violation of section 4509.101 of the Revised Code;~~ 5812
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~~(2) In the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle;~~ 5821
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~~(3) (2) In the event the person who has given proof surrenders the person's license and registration to the registrar.~~ 5824
5825
5826

(B) The registrar shall not consent to the cancellation of any bond or the return of any money if any action for damages upon a liability covered by such proof is pending, or any judgment upon any such liability is unsatisfied, or in the event the person who has filed such bond or deposited such money has within two years immediately preceding such request been involved as a driver or owner in any motor vehicle accident resulting in injury to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that the applicant has been released from all liability, or has been finally adjudicated not liable, for such injury may be accepted as evidence thereof in the absence of evidence to the contrary in the records of the registrar. 5827
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~~(C) Whenever any person whose proof has been canceled or returned under division (A) (3) of this section applies for a~~ 5840
5841

~~license or registration within a period of three years from the~~ 5842
~~date proof was originally required, any such application shall~~ 5843
~~be refused unless the applicant re-establishes proof of~~ 5844
~~financial responsibility for the remainder of the three-year~~ 5845
~~period.~~ 5846

Sec. 4509.69. Any person whose license ~~or registration~~ has 5847
been suspended, or whose policy of insurance or bond has been 5848
canceled or terminated, or who neglects to furnish other proof 5849
of financial responsibility upon request of the registrar of 5850
motor vehicles, shall immediately return his the person's 5851
license and ~~registration including the registration plates~~ to 5852
the registrar. 5853

Sec. 4509.77. (A) No person shall willfully fail to return 5854
a license ~~or registration~~ as required in section 4509.69 of the 5855
Revised Code. 5856

(B) Whoever violates this section shall be fined not more 5857
than five hundred dollars, imprisoned for not more than thirty 5858
days, or both. 5859

Sec. 4510.101. As used in sections 4510.101 to ~~4510.107~~ 5860
4510.108 of the Revised Code: 5861

(A) "Eligible offense" means an offense under any of the 5862
following Revised Code sections if the offense, an essential 5863
element of the offense, the basis of the charge, or any 5864
underlying offense did not involve alcohol, a drug of abuse, 5865
combination thereof, or a deadly weapon: ~~2151.354, 2152.19,~~ 5866

(1) Sections 2151.354, 2152.19, 2152.21, 2913.02, 4507.20, 5867
4509.101, ~~4509.17, 4509.24, 4509.40,~~ 4510.037, 4510.05, 4510.06, 5868
4510.15, 4510.22, 4510.23, 4510.31, ~~4510.32,~~ 4511.203, 4511.205, 5869
4511.251, 4511.75, 4549.02, 4549.021, and 5743.99 of the Revised 5870

<u>Code.</u>	5871
<u>(2) Sections 4509.24 and 4510.32 of the Revised Code for a driver's license suspension imposed prior to the effective date of this amendment.</u>	5872
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	5874
(B) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.	5875
	5876
(C) "Drug of abuse" has the same meaning as in section 4511.181 of the Revised Code.	5877
	5878
(D) "Complete amnesty" means a waiver of reinstatement fees.	5879
	5880
(E) "Driver's license or permit" does not include a commercial driver's license or permit.	5881
	5882
(F) "Indigent" means a person who is a participant in any of the following programs:	5883
	5884
(1) The supplemental nutrition assistance program administered by the department of job and family services pursuant to section 5101.54 of the Revised Code;	5885
	5886
	5887
(2) The medicaid program pursuant to Chapter 5163. of the Revised Code;	5888
	5889
(3) The Ohio works first program administered by the department of job and family services pursuant to section 5107.10 of the Revised Code;	5890
	5891
	5892
(4) The supplemental security income program pursuant to 20 C.F.R. 416.1100;	5893
	5894
(5) The United States department of veterans affairs pension benefit program pursuant to 38 U.S.C. 1521.	5895
	5896
(G) "Permanent driver's license reinstatement fee debt	5897

reduction and amnesty program" or "program" means the program 5898
established in section 4510.102 of the Revised Code and 5899
administered by the director of public safety. 5900

Sec. 4510.111. (A) No person shall operate any motor 5901
vehicle upon a highway or any public or private property used by 5902
the public for purposes of vehicular travel or parking in this 5903
state whose driver's or commercial driver's license has been 5904
suspended pursuant to section 2151.354, ~~2151.87~~, 2935.27, 5905
3123.58, 4301.99, 4510.032, 4510.22, or 4510.33 of the Revised 5906
Code. 5907

(B) Upon the request or motion of the prosecuting 5908
authority, a noncertified copy of the law enforcement automated 5909
data system report or a noncertified copy of a record of the 5910
registrar of motor vehicles that shows the name, date of birth, 5911
and social security number of a person charged with a violation 5912
of division (A) of this section may be admitted into evidence as 5913
prima-facie evidence that the license of the person was under 5914
suspension at the time of the alleged violation of division (A) 5915
of this section. The person charged with a violation of division 5916
(A) of this section may offer evidence to rebut this prima-facie 5917
evidence. 5918

(C) Whoever violates division (A) of this section is 5919
guilty of driving under suspension, and shall be punished as 5920
provided in division (C)(1) or (2) of this section. 5921

(1) Except as otherwise provided in division (C)(2) of 5922
this section, the offense is an unclassified misdemeanor. The 5923
offender shall be sentenced pursuant to sections 2929.21 to 5924
2929.28 of the Revised Code, except that the offender shall not 5925
be sentenced to a jail term; the offender shall not be sentenced 5926
to a community residential sanction pursuant to section 2929.26 5927

of the Revised Code; notwithstanding division (A) (2) (a) of 5928
section 2929.28 of the Revised Code, the offender may be fined 5929
up to one thousand dollars; and, notwithstanding division (A) (3) 5930
of section 2929.27 of the Revised Code, the offender may be 5931
ordered pursuant to division (C) of that section to serve a term 5932
of community service of up to five hundred hours. The failure of 5933
an offender to complete a term of community service imposed by 5934
the court may be punished as indirect criminal contempt under 5935
division (A) of section 2705.02 of the Revised Code that may be 5936
filed in the underlying case. 5937

(2) If, within three years of the offense, the offender 5938
previously was convicted of or pleaded guilty to two or more 5939
violations of division (A) of this section, or any combination 5940
of two or more violations of division (A) of this section or 5941
section 4510.11 or 4510.16 of the Revised Code, or a 5942
substantially equivalent municipal ordinance, the offense is a 5943
misdemeanor of the fourth degree, and the offender shall provide 5944
the court with proof of financial responsibility as defined in 5945
section 4509.01 of the Revised Code. If the offender fails to 5946
provide that proof of financial responsibility, then in addition 5947
to any other penalties provided by law, the court may order 5948
restitution pursuant to section 2929.28 of the Revised Code in 5949
an amount not exceeding five thousand dollars for any economic 5950
loss arising from an accident or collision that was the direct 5951
and proximate result of the offender's operation of the vehicle 5952
before, during, or after committing the offense for which the 5953
offender is sentenced under this section. 5954

Sec. 4510.16. (A) No person, whose driver's or commercial 5955
driver's license or temporary instruction permit or 5956
nonresident's operating privilege has been suspended or canceled 5957
pursuant to Chapter 4509. of the Revised Code, shall operate any 5958

motor vehicle within this state, or knowingly permit any motor 5959
vehicle owned by the person to be operated by another person in 5960
the state, during the period of the suspension or cancellation, 5961
except as specifically authorized by Chapter 4509. of the 5962
Revised Code. ~~No person shall operate a motor vehicle within~~ 5963
~~this state, or knowingly permit any motor vehicle owned by the~~ 5964
~~person to be operated by another person in the state, during the~~ 5965
~~period in which the person is required by section 4509.45 of the~~ 5966
~~Revised Code to file and maintain proof of financial~~ 5967
~~responsibility for a violation of section 4509.101 of the~~ 5968
~~Revised Code, unless proof of financial responsibility is~~ 5969
~~maintained with respect to that vehicle.~~ 5970

(B) ~~No person shall operate any motor vehicle upon a~~ 5971
~~highway or any public or private property used by the public for~~ 5972
~~purposes of vehicular travel or parking in this state if the~~ 5973
~~person's driver's or commercial driver's license or temporary~~ 5974
~~instruction permit or nonresident operating privilege has been~~ 5975
~~suspended pursuant to section 4509.37 or 4509.40 of the Revised~~ 5976
~~Code for nonpayment of a judgment.~~ 5977

~~(C)~~ Upon the request or motion of the prosecuting 5978
authority, a noncertified copy of the law enforcement automated 5979
data system report or a noncertified copy of a record of the 5980
registrar of motor vehicles that shows the name, date of birth, 5981
and social security number of a person charged with a violation 5982
of division (A) ~~or (B)~~ of this section may be admitted into 5983
evidence as prima-facie evidence that the license of the person 5984
was under ~~either~~ a financial responsibility law suspension at 5985
the time of the alleged violation of division (A) of this 5986
section ~~or a nonpayment of judgment suspension at the time of~~ 5987
~~the alleged violation of division (B) of this section.~~ The 5988
person charged with a violation of division (A) ~~or (B)~~ of this 5989

section may offer evidence to rebut this prima-facie evidence. 5990

~~(D)~~ (C) Whoever violates division (A) of this section is 5991
guilty of driving under financial responsibility law suspension 5992
or cancellation and shall be punished as provided in divisions 5993
~~(D)~~ (C) (1) to ~~(I)~~ (3) of this section. ~~Whoever violates division~~ 5994
~~(B) of this section is guilty of driving under a nonpayment of~~ 5995
~~judgment suspension and shall be punished as provided in~~ 5996
~~divisions (D) to (I) of this section.~~ 5997

(1) Except as otherwise provided in division ~~(D) (2)~~ (C) (2) 5998
of this section, the offense is an unclassified misdemeanor. 5999
When the offense is an unclassified misdemeanor, the offender 6000
shall be sentenced pursuant to sections 2929.21 to 2929.28 of 6001
the Revised Code, except that the offender shall not be 6002
sentenced to a jail term; the offender shall not be sentenced to 6003
a community residential sanction pursuant to section 2929.26 of 6004
the Revised Code; notwithstanding division (A) (2) (a) of section 6005
2929.28 of the Revised Code, the offender may be fined up to one 6006
thousand dollars; and, notwithstanding division (A) (3) of 6007
section 2929.27 of the Revised Code, the offender may be ordered 6008
pursuant to division (C) of that section to serve a term of 6009
community service of up to five hundred hours. The failure of an 6010
offender to complete a term of community service imposed by the 6011
court may be punished as indirect criminal contempt under 6012
division (A) of section 2705.02 of the Revised Code that may be 6013
filed in the underlying case. 6014

(2) If, within three years of the offense, the offender 6015
previously was convicted of or pleaded guilty to two or more 6016
violations of this section, or any combination of two violations 6017
of this section or section 4510.11 or 4510.111 of the Revised 6018
Code, or a substantially equivalent municipal ordinance, the 6019

offense is a misdemeanor of the fourth degree. 6020

(3) The offender shall provide the court with proof of 6021
financial responsibility as defined in section 4509.01 of the 6022
Revised Code. If the offender fails to provide that proof of 6023
financial responsibility, then in addition to any other 6024
penalties provided by law, the court may order restitution 6025
pursuant to section 2929.28 of the Revised Code in an amount not 6026
exceeding five thousand dollars for any economic loss arising 6027
from an accident or collision that was the direct and proximate 6028
result of the offender's operation of the vehicle before, 6029
during, or after committing the offense for which the offender 6030
is sentenced under this section. 6031

Sec. 4510.17. (A) The registrar of motor vehicles shall 6032
impose a class D suspension of the person's driver's license, 6033
commercial driver's license, temporary instruction permit, 6034
probationary license, or nonresident operating privilege for the 6035
period of time specified in division (B) (4) of section 4510.02 6036
of the Revised Code on any person who is a resident of this 6037
state and is convicted of or pleads guilty to a violation of a 6038
statute of any other state or any federal statute that is 6039
substantially similar to section 2925.02, 2925.03, 2925.04, 6040
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 6041
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 6042
2925.37 of the Revised Code, provided that the person's license, 6043
permit, or privilege is required to be suspended had the offense 6044
occurred in this state. Upon receipt of a report from a court, 6045
court clerk, or other official of any other state or from any 6046
federal authority that a resident of this state was convicted of 6047
or pleaded guilty to an offense described in this division, the 6048
registrar shall send a notice by regular first class mail to the 6049
person, at the person's last known address as shown in the 6050

records of the bureau of motor vehicles, informing the person of 6051
the suspension, that the suspension will take effect twenty-one 6052
days from the date of the notice, and that, if the person wishes 6053
to appeal the suspension or denial, the person must file a 6054
notice of appeal within twenty-one days of the date of the 6055
notice requesting a hearing on the matter. If the person 6056
requests a hearing, the registrar shall hold the hearing not 6057
more than forty days after receipt by the registrar of the 6058
notice of appeal. The filing of a notice of appeal does not stay 6059
the operation of the suspension that must be imposed pursuant to 6060
this division. The scope of the hearing shall be limited to 6061
whether the person actually was convicted of or pleaded guilty 6062
to the offense for which the suspension is to be imposed. 6063

The suspension the registrar is required to impose under 6064
this division shall end either on the last day of the class D 6065
suspension period or of the suspension of the person's 6066
nonresident operating privilege imposed by the state or federal 6067
court, whichever is earlier. 6068

The registrar shall subscribe to or otherwise participate 6069
in any information system or register, or enter into reciprocal 6070
and mutual agreements with other states and federal authorities, 6071
in order to facilitate the exchange of information with other 6072
states and the United States government regarding persons who 6073
plead guilty to or are convicted of offenses described in this 6074
division and therefore are subject to the suspension or denial 6075
described in this division. 6076

(B) The registrar shall impose a class D suspension of the 6077
person's driver's license, commercial driver's license, 6078
temporary instruction permit, probationary license, or 6079
nonresident operating privilege for the period of time specified 6080

in division (B) (4) of section 4510.02 of the Revised Code on any 6081
person who is a resident of this state and is convicted of or 6082
pleads guilty to a violation of a statute of any other state or 6083
a municipal ordinance of a municipal corporation located in any 6084
other state that is substantially similar to section 4511.19 of 6085
the Revised Code. Upon receipt of a report from another state 6086
made pursuant to section 4510.61 of the Revised Code indicating 6087
that a resident of this state was convicted of or pleaded guilty 6088
to an offense described in this division, the registrar shall 6089
send a notice by regular first class mail to the person, at the 6090
person's last known address as shown in the records of the 6091
bureau of motor vehicles, informing the person of the 6092
suspension, that the suspension or denial will take effect 6093
twenty-one days from the date of the notice, and that, if the 6094
person wishes to appeal the suspension, the person must file a 6095
notice of appeal within twenty-one days of the date of the 6096
notice requesting a hearing on the matter. If the person 6097
requests a hearing, the registrar shall hold the hearing not 6098
more than forty days after receipt by the registrar of the 6099
notice of appeal. The filing of a notice of appeal does not stay 6100
the operation of the suspension that must be imposed pursuant to 6101
this division. The scope of the hearing shall be limited to 6102
whether the person actually was convicted of or pleaded guilty 6103
to the offense for which the suspension is to be imposed. 6104

The suspension the registrar is required to impose under 6105
this division shall end either on the last day of the class D 6106
suspension period or of the suspension of the person's 6107
nonresident operating privilege imposed by the state or federal 6108
court, whichever is earlier. 6109

(C) The registrar shall impose a class D suspension of the 6110
child's driver's license, commercial driver's license, temporary 6111

instruction permit, or nonresident operating privilege for the 6112
period of time specified in division (B) (4) of section 4510.02 6113
of the Revised Code on any child who is a resident of this state 6114
and is convicted of or pleads guilty to a violation of a statute 6115
of any other state or any federal statute that is substantially 6116
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 6117
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 6118
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 6119
Code, provided the child's license, permit, or privilege is 6120
required to be suspended had the offense occurred in this state. 6121
Upon receipt of a report from a court, court clerk, or other 6122
official of any other state or from any federal authority that a 6123
child who is a resident of this state was convicted of or 6124
pleaded guilty to an offense described in this division, the 6125
registrar shall send a notice by regular first class mail to the 6126
child, at the child's last known address as shown in the records 6127
of the bureau of motor vehicles, informing the child of the 6128
suspension, that the suspension or denial will take effect 6129
twenty-one days from the date of the notice, and that, if the 6130
child wishes to appeal the suspension, the child must file a 6131
notice of appeal within twenty-one days of the date of the 6132
notice requesting a hearing on the matter. If the child requests 6133
a hearing, the registrar shall hold the hearing not more than 6134
forty days after receipt by the registrar of the notice of 6135
appeal. The filing of a notice of appeal does not stay the 6136
operation of the suspension that must be imposed pursuant to 6137
this division. The scope of the hearing shall be limited to 6138
whether the child actually was convicted of or pleaded guilty to 6139
the offense for which the suspension is to be imposed. 6140

The suspension the registrar is required to impose under 6141
this division shall end either on the last day of the class D 6142

suspension period or of the suspension of the child's 6143
nonresident operating privilege imposed by the state or federal 6144
court, whichever is earlier. If the child is a resident of this 6145
state who is sixteen years of age or older and does not have a 6146
current, valid Ohio driver's or commercial driver's license or 6147
permit, the notice shall inform the child that the child will be 6148
denied issuance of a driver's or commercial driver's license or 6149
permit for six months beginning on the date of the notice. If 6150
the child has not attained the age of sixteen years on the date 6151
of the notice, the notice shall inform the child that the period 6152
of denial of six months shall commence on the date the child 6153
attains the age of sixteen years. 6154

The registrar shall subscribe to or otherwise participate 6155
in any information system or register, or enter into reciprocal 6156
and mutual agreements with other states and federal authorities, 6157
in order to facilitate the exchange of information with other 6158
states and the United States government regarding children who 6159
are residents of this state and plead guilty to or are convicted 6160
of offenses described in this division and therefore are subject 6161
to the suspension or denial described in this division. 6162

(D) The registrar shall impose a class D suspension of the 6163
child's driver's license, commercial driver's license, temporary 6164
instruction permit, probationary license, or nonresident 6165
operating privilege for the period of time specified in division 6166
(B) (4) of section 4510.02 of the Revised Code on any child who 6167
is a resident of this state and is convicted of or pleads guilty 6168
to a violation of a statute of any other state or a municipal 6169
ordinance of a municipal corporation located in any other state 6170
that is substantially similar to section 4511.19 of the Revised 6171
Code. Upon receipt of a report from another state made pursuant 6172
to section 4510.61 of the Revised Code indicating that a child 6173

who is a resident of this state was convicted of or pleaded 6174
guilty to an offense described in this division, the registrar 6175
shall send a notice by regular first class mail to the child, at 6176
the child's last known address as shown in the records of the 6177
bureau of motor vehicles, informing the child of the suspension, 6178
that the suspension will take effect twenty-one days from the 6179
date of the notice, and that, if the child wishes to appeal the 6180
suspension, the child must file a notice of appeal within 6181
twenty-one days of the date of the notice requesting a hearing 6182
on the matter. If the child requests a hearing, the registrar 6183
shall hold the hearing not more than forty days after receipt by 6184
the registrar of the notice of appeal. The filing of a notice of 6185
appeal does not stay the operation of the suspension that must 6186
be imposed pursuant to this division. The scope of the hearing 6187
shall be limited to whether the child actually was convicted of 6188
or pleaded guilty to the offense for which the suspension is to 6189
be imposed. 6190

The suspension the registrar is required to impose under 6191
this division shall end either on the last day of the class D 6192
suspension period or of the suspension of the child's 6193
nonresident operating privilege imposed by the state or federal 6194
court, whichever is earlier. If the child is a resident of this 6195
state who is sixteen years of age or older and does not have a 6196
current, valid Ohio driver's or commercial driver's license or 6197
permit, the notice shall inform the child that the child will be 6198
denied issuance of a driver's or commercial driver's license or 6199
permit for six months beginning on the date of the notice. If 6200
the child has not attained the age of sixteen years on the date 6201
of the notice, the notice shall inform the child that the period 6202
of denial of six months shall commence on the date the child 6203
attains the age of sixteen years. 6204

(E) (1) Any person whose license or permit has been 6205
suspended pursuant to this section may file a petition in the 6206
municipal or county court, or in case the person is under 6207
eighteen years of age, the juvenile court, in whose jurisdiction 6208
the person resides, requesting limited driving privileges and 6209
agreeing to pay the cost of the proceedings. Except as provided 6210
in division (E) (2) or (3) of this section, the judge may grant 6211
the person limited driving privileges during the period during 6212
which the suspension otherwise would be imposed for any of the 6213
purposes set forth in division (A) of section 4510.021 of the 6214
Revised Code. 6215

(2) No judge shall grant limited driving privileges for 6216
employment as a driver of a commercial motor vehicle to any 6217
person who would be disqualified from operating a commercial 6218
motor vehicle under section 4506.16 of the Revised Code if the 6219
violation had occurred in this state. Further, no judge shall 6220
grant limited driving privileges during any of the following 6221
periods of time: 6222

(a) The first fifteen days of a suspension under division 6223
(B) or (D) of this section, if the person has not been convicted 6224
within ten years of the date of the offense giving rise to the 6225
suspension under this section of a violation of any of the 6226
following: 6227

(i) Division (A) of section 4511.19 of the Revised Code, 6228
or a municipal ordinance relating to operating a vehicle while 6229
under the influence of alcohol, a drug of abuse, or alcohol and 6230
a drug of abuse; 6231

(ii) A municipal ordinance relating to operating a motor 6232
vehicle with a prohibited concentration of alcohol, a controlled 6233
substance, or a metabolite of a controlled substance in the 6234

whole blood, blood serum or plasma, breath, or urine; 6235

(iii) Section 2903.04 of the Revised Code in a case in 6236
which the person was subject to the sanctions described in 6237
division (D) of that section; 6238

(iv) Division (A) (1) of section 2903.06 or division (A) (1) 6239
of section 2903.08 of the Revised Code or a municipal ordinance 6240
that is substantially similar to either of those divisions; 6241

(v) Division (A) (2), (3), or (4) of section 2903.06, 6242
division (A) (2) of section 2903.08, or as it existed prior to 6243
March 23, 2000, section 2903.07 of the Revised Code, or a 6244
municipal ordinance that is substantially similar to any of 6245
those divisions or that former section, in a case in which the 6246
jury or judge found that the person was under the influence of 6247
alcohol, a drug of abuse, or alcohol and a drug of abuse. 6248

(b) The first thirty days of a suspension under division 6249
(B) or (D) of this section, if the person has been convicted one 6250
time within ten years of the date of the offense giving rise to 6251
the suspension under this section of any violation identified in 6252
division ~~(E) (1) (a)~~ (E) (2) (a) of this section. 6253

(c) The first one hundred eighty days of a suspension 6254
under division (B) or (D) of this section, if the person has 6255
been convicted two times within ten years of the date of the 6256
offense giving rise to the suspension under this section of any 6257
violation identified in division ~~(E) (1) (a)~~ (E) (2) (a) of this 6258
section. 6259

(3) No limited driving privileges may be granted if the 6260
person has been convicted three or more times within five years 6261
of the date of the offense giving rise to a suspension under 6262
division (B) or (D) of this section of any violation identified 6263

in division ~~(E)(1)(a)~~ (E)(2)(a) of this section. 6264

(4) In accordance with section 4510.022 of the Revised 6265
Code, a person may petition for, and a judge may grant, 6266
unlimited driving privileges with a certified ignition interlock 6267
device during the period of suspension imposed under division 6268
(B) or (D) of this section to a person described in division (E) 6269
(2)(a) of this section. 6270

(5) If a person petitions for limited driving privileges 6271
under division (E)(1) of this section or unlimited driving 6272
privileges with a certified ignition interlock device as 6273
provided in division (E)(4) of this section, the registrar shall 6274
be represented by the county prosecutor of the county in which 6275
the person resides if the petition is filed in a juvenile court 6276
or county court, except that if the person resides within a city 6277
or village that is located within the jurisdiction of the county 6278
in which the petition is filed, the city director of law or 6279
village solicitor of that city or village shall represent the 6280
registrar. If the petition is filed in a municipal court, the 6281
registrar shall be represented as provided in section 1901.34 of 6282
the Revised Code. 6283

(6)(a) In issuing an order granting limited driving 6284
privileges under division (E)(1) of this section, the court may 6285
impose any condition it considers reasonable and necessary to 6286
limit the use of a vehicle by the person. The court shall 6287
deliver to the person a copy of the order setting forth the 6288
time, place, and other conditions limiting the person's use of a 6289
motor vehicle. Unless division (E)(6)(b) of this section 6290
applies, the grant of limited driving privileges shall be 6291
conditioned upon the person's having the order in the person's 6292
possession at all times during which the person is operating a 6293

vehicle. 6294

(b) If, under the order, the court requires the use of an 6295
immobilizing or disabling device as a condition of the grant of 6296
limited or unlimited driving privileges, the person shall 6297
present to the registrar or to a deputy registrar the copy of 6298
the order granting limited driving privileges and a certificate 6299
affirming the installation of an immobilizing or disabling 6300
device that is in a form established by the director of public 6301
safety and is signed by the person who installed the device. 6302
Upon presentation of the order and the certificate to the 6303
registrar or a deputy registrar, the registrar or deputy 6304
registrar shall issue to the offender a restricted license, 6305
unless the offender's driver's or commercial driver's license or 6306
permit is suspended under any other provision of law and limited 6307
driving privileges have not been granted with regard to that 6308
suspension. A restricted license issued under this division 6309
shall be identical to an Ohio driver's license, except that it 6310
shall have printed on its face a statement that the offender is 6311
prohibited from operating any motor vehicle that is not equipped 6312
with an immobilizing or disabling device in violation of the 6313
order. 6314

(7) (a) Unless division (E) (7) (b) applies, a person granted 6315
limited driving privileges who operates a vehicle for other than 6316
limited purposes, in violation of any condition imposed by the 6317
court or without having the order in the person's possession, is 6318
guilty of a violation of section 4510.11 of the Revised Code. 6319

(b) No person who has been granted limited or unlimited 6320
driving privileges under division (E) of this section subject to 6321
an immobilizing or disabling device order shall operate a motor 6322
vehicle prior to obtaining a restricted license. Any person who 6323

violates this prohibition is subject to the penalties prescribed 6324
in section 4510.14 of the Revised Code. 6325

(c) The offenses established under division (E) (7) of this 6326
section are strict liability offenses and section 2901.20 of the 6327
Revised Code does not apply. 6328

(F) The provisions of division (A) (8) of section 4510.13 6329
of the Revised Code apply to a person who has been granted 6330
limited or unlimited driving privileges with a certified 6331
ignition interlock device under this section and who either 6332
commits an ignition interlock device violation as defined under 6333
section 4510.46 of the Revised Code or operates a motor vehicle 6334
that is not equipped with a certified ignition interlock device. 6335

(G) Any person whose license or permit has been suspended 6336
under division (A) or (C) of this section may file a petition in 6337
the municipal or county court, or in case the person is under 6338
eighteen years of age, the juvenile court, in whose jurisdiction 6339
the person resides, requesting the termination of the suspension 6340
and agreeing to pay the cost of the proceedings. If the court, 6341
in its discretion, determines that a termination of the 6342
suspension is appropriate, the court shall issue an order to the 6343
registrar to terminate the suspension. Upon receiving such an 6344
order, the registrar shall reinstate the license. 6345

(H) As used in divisions (C) and (D) of this section: 6346

(1) "Child" means a person who is under the age of 6347
eighteen years, except that any person who violates a statute or 6348
ordinance described in division (C) or (D) of this section prior 6349
to attaining eighteen years of age shall be deemed a "child" 6350
irrespective of the person's age at the time the complaint or 6351
other equivalent document is filed in the other state or a 6352

hearing, trial, or other proceeding is held in the other state 6353
on the complaint or other equivalent document, and irrespective 6354
of the person's age when the period of license suspension or 6355
denial prescribed in division (C) or (D) of this section is 6356
imposed. 6357

(2) "Is convicted of or pleads guilty to" means, as it 6358
relates to a child who is a resident of this state, that in a 6359
proceeding conducted in a state or federal court located in 6360
another state for a violation of a statute or ordinance 6361
described in division (C) or (D) of this section, the result of 6362
the proceeding is any of the following: 6363

(a) Under the laws that govern the proceedings of the 6364
court, the child is adjudicated to be or admits to being a 6365
delinquent child or a juvenile traffic offender for a violation 6366
described in division (C) or (D) of this section that would be a 6367
crime if committed by an adult; 6368

(b) Under the laws that govern the proceedings of the 6369
court, the child is convicted of or pleads guilty to a violation 6370
described in division (C) or (D) of this section; 6371

(c) Under the laws that govern the proceedings of the 6372
court, irrespective of the terminology utilized in those laws, 6373
the result of the court's proceedings is the functional 6374
equivalent of division (H) (2) (a) or (b) of this section. 6375

Sec. 4510.22. (A) If a person who has a current valid Ohio 6376
driver's, commercial driver's license, or temporary instruction 6377
permit is charged with a violation of any provision in sections 6378
4503.11, 4503.12, 4503.182, 4503.21, 4507.02, 4507.05, 4507.35, 6379
4510.11, 4510.111, 4510.12, 4510.16, 4510.21, 4511.01 to 6380
4511.76, 4511.81, 4511.82, 4511.84, 4513.01 to 4513.65, or 6381

4549.01 to 4549.65 of the Revised Code or with a violation of 6382
any substantially equivalent municipal ordinance and if the 6383
person ~~either~~ fails to appear in court at the required time and 6384
place to answer the charge ~~or pleads guilty to or is found~~ 6385
~~guilty of the violation and fails within the time allowed by the~~ 6386
~~court to pay the fine imposed by the court,~~ the court may 6387
declare the forfeiture of the person's license. Thirty days 6388
after such a declaration of forfeiture, the court shall inform 6389
the registrar of motor vehicles of the forfeiture by entering 6390
information relative to the forfeiture on a form approved and 6391
furnished by the registrar and sending the form to the 6392
registrar. The court also shall forward the person's license, if 6393
it is in the possession of the court, to the registrar. 6394

The registrar shall impose a class F suspension of the 6395
person's driver's or commercial driver's license, or temporary 6396
instruction permit for the period of time specified in division 6397
(B) (6) of section 4510.02 of the Revised Code on any person who 6398
is named in a declaration received by the registrar under this 6399
section. The registrar shall send written notification of the 6400
suspension to the person at the person's last known address and, 6401
if the person is in possession of the license, order the person 6402
to surrender the person's license or permit to the registrar 6403
within forty-eight hours. 6404

No valid driver's or commercial driver's license shall be 6405
granted to the person after the suspension, unless the court 6406
having jurisdiction of the offense that led to the suspension 6407
orders that the forfeiture be terminated. The court shall order 6408
the termination of the forfeiture if the person thereafter 6409
appears to answer the charge ~~and pays any fine imposed by the~~ 6410
~~court or pays the fine originally imposed by the court.~~ The 6411
court shall inform the registrar of the termination of the 6412

forfeiture by entering information relative to the termination 6413
on a form approved and furnished by the registrar and sending 6414
the form to the registrar. The person shall pay to the registrar 6415
of motor vehicles or an eligible deputy registrar a twenty-five- 6416
dollar reinstatement fee. In addition, each deputy registrar 6417
shall collect a service fee of ten dollars to compensate the 6418
deputy registrar for services performed under this section. The 6419
deputy registrar shall retain eight dollars of the service fee 6420
and shall transmit the reinstatement fee, plus two dollars of 6421
the service fee, to the registrar in the manner the registrar 6422
shall determine. The registrar shall deposit fifteen dollars of 6423
the reinstatement fee into the state treasury to the credit of 6424
the public safety - highway purposes fund created by section 6425
4501.06 of the Revised Code to cover the costs of the bureau in 6426
administering this section and shall deposit ten dollars of the 6427
fee into the state treasury to the credit of the indigent 6428
defense support fund created by section 120.08 of the Revised 6429
Code. 6430

(B) In addition to suspending the driver's or commercial 6431
driver's license or permit of the person named in a declaration 6432
of forfeiture, the registrar, upon receipt from the court of the 6433
copy of the declaration of forfeiture, shall take any measures 6434
that may be necessary to ensure that neither the registrar nor 6435
any deputy registrar accepts any application for the 6436
registration or transfer of registration of any motor vehicle 6437
owned or leased by the person named in the declaration of 6438
forfeiture. However, for a motor vehicle leased by a person 6439
named in a declaration of forfeiture, the registrar shall not 6440
implement the preceding sentence until the registrar adopts 6441
procedures for that implementation under section 4503.39 of the 6442
Revised Code. The period of denial of registration or transfer 6443

shall continue until such time as the court having jurisdiction 6444
of the offense that led to the suspension orders the forfeiture 6445
be terminated. Upon receipt by the registrar of an order 6446
terminating the forfeiture, the registrar also shall take any 6447
measures that may be necessary to permit the person to register 6448
a motor vehicle owned or leased by the person or to transfer the 6449
registration of such a motor vehicle, if the person later makes 6450
application to take such action and otherwise is eligible to 6451
register the motor vehicle or to transfer its registration. 6452

The registrar shall not be required to give effect to any 6453
declaration of forfeiture or order terminating a forfeiture 6454
provided by a court under this section unless the information 6455
contained in the declaration or order is transmitted to the 6456
registrar by means of an electronic transfer system. The 6457
registrar shall not restore the person's driving or vehicle 6458
registration privileges until the person pays the reinstatement 6459
fee as provided in this section. 6460

~~The period of denial relating to the issuance or transfer 6461
of a certificate of registration for a motor vehicle imposed 6462
pursuant to this division remains in effect until the person 6463
pays any fine imposed by the court relative to the offense. 6464~~

Section 2. That existing sections 1901.44, 1905.202, 6465
1907.25, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 6466
2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 6467
2925.32, 2925.36, 2925.37, 2935.26, 2935.27, 2937.40, 2947.09, 6468
3123.54, 3123.56, 3123.58, 3321.13, 3321.191, 4501.06, 4503.10, 6469
4503.102, 4503.12, 4503.20, 4503.39, 4507.212, 4509.101, 6470
4509.12, 4509.19, 4509.20, 4509.24, 4509.25, 4509.291, 4509.34, 6471
4509.35, 4509.36, 4509.42, 4509.45, 4509.66, 4509.67, 4509.69, 6472
4509.77, 4510.101, 4510.111, 4510.16, 4510.17, and 4510.22 of 6473

the Revised Code are hereby repealed. 6474

Section 3. That sections 2937.221, 4509.17, 4509.18, 6475
4509.26, 4509.37, 4509.38, 4509.39, 4509.40, 4509.44, 4509.68, 6476
and 4510.32 of the Revised Code are hereby repealed. 6477

Section 4. (A) An offender who received a suspension of 6478
the offender's temporary instruction permit or driver's license 6479
or a denial of the opportunity to obtain a permit or license 6480
under section 4510.32 of the Revised Code, as it existed prior 6481
to the effective date of this section, may file a motion with 6482
the juvenile court in whose jurisdiction the offender resides 6483
requesting the termination of the suspension or denial. 6484

(B) Upon the filing of a motion under this section, the 6485
juvenile court, in its discretion, may order the registrar of 6486
motor vehicles to terminate the suspension or terminate the 6487
denial of the opportunity to obtain a permit or license. If so 6488
ordered, the registrar shall do all of the following: 6489

(1) Cancel the record created for the offender regarding 6490
the suspension or denial of the offender's opportunity to obtain 6491
a permit or license; 6492

(2) Terminate the suspension of the offender's permit or 6493
license or the denial of the offender's opportunity to obtain a 6494
permit or license; 6495

(3) Return the driver's license or permit to the offender 6496
or reissue the offender's license or permit under section 6497
4510.52 of the Revised Code, if the registrar destroyed the 6498
suspended license or permit under that section. 6499

Section 5. (A) Not later than thirty days after the 6500
effective date of this section, the Registrar of Motor Vehicles 6501
shall remove any suspensions of an individual's driver's license 6502

or motor vehicle registration that were imposed under section 6503
4510.22 of the Revised Code, prior to the effective date of this 6504
section, for failure to pay a court fine or fee. 6505

(B) Not later than thirty days after the effective date of 6506
this section, the Registrar shall create a list of individuals 6507
whose driver's license or motor vehicle registration is 6508
suspended under section 2935.27 of the Revised Code for failure 6509
to pay a court fine or fee. The Registrar shall notify the 6510
courts that suspended those individuals' driver's licenses or 6511
motor vehicle registrations of the individuals' names and 6512
suspension. The courts shall order the Registrar to remove the 6513
suspensions associated with section 2935.27 of the Revised Code 6514
for those individuals. 6515

(C) The Registrar shall not charge any fees, including 6516
reinstatement fees, associated with the reinstatement of a 6517
driver's license or motor vehicle registration under this 6518
section. 6519

(D) (1) An individual whose driver's license suspension or 6520
motor vehicle registration suspension is removed under division 6521
(A) or (B) of this section may have that individual's driver's 6522
license or motor vehicle registration reinstated at a deputy 6523
registrar office, provided that the individual's driver's 6524
license or motor vehicle registration is not also suspended for 6525
any other offense. 6526

(2) If an individual's driver's license or motor vehicle 6527
registration is suspended for another offense, once the 6528
individual's license or registration is eligible for 6529
reinstatement, that individual may apply for reinstatement and 6530
shall not be required to pay any fees, including reinstatement 6531
fees, associated with the suspension removed under division (A) 6532

or (B) of this section. The individual may still be required to 6533
pay reinstatement fees associated with the other offense for 6534
which the individual's driver's license or motor vehicle 6535
registration was suspended. 6536

(E) The Registrar shall notify any individual impacted by 6537
this section of the terms of the removal of driver's license and 6538
motor vehicle registration suspensions under this section and 6539
the process by which to reinstate the individual's driver's 6540
license or motor vehicle registration. 6541

Section 6. (A) Not later than thirty days after the 6542
effective date of this section, the Registrar of Motor Vehicles 6543
shall remove any remaining driver's license suspensions that 6544
were imposed as a result of the Financial Responsibility Random 6545
Verification Program. That Program was eliminated through H.B. 6546
62 of the 133rd General Assembly, effective July 3, 2019. The 6547
Registrar shall not charge any fees, including reinstatement 6548
fees, associated with the reinstatement of a driver's license 6549
that was suspended as a result of that Program. 6550

(B) (1) A person whose driver's license suspension is 6551
removed under division (A) of this section may have that 6552
person's driver's license reinstated at a deputy registrar 6553
office, provided that person's driver's license is not also 6554
suspended for any other offense. 6555

(2) If a person's driver's license is suspended for 6556
another offense, once the person's license is eligible for 6557
reinstatement, that person may apply for reinstatement and shall 6558
not be required to pay any fees, including reinstatement fees, 6559
associated with the Program. The person may still be required to 6560
pay reinstatement fees associated with the other offense for 6561
which the person's driver's license was suspended. 6562

(C) The Registrar shall notify any person impacted by this 6563
section of the terms of the removal of driver's license 6564
suspensions associated with the Financial Responsibility Random 6565
Verification Program and the process by which to reinstate the 6566
person's driver's license. 6567

Section 7. The General Assembly, applying the principle 6568
stated in division (B) of section 1.52 of the Revised Code that 6569
amendments are to be harmonized if reasonably capable of 6570
simultaneous operation, finds that the following sections, 6571
presented in this act as composites of the sections as amended 6572
by the acts indicated, are the resulting versions of the 6573
sections in effect prior to the effective date of the sections 6574
as presented in this act: 6575

Section 2925.04 of the Revised Code as amended by both 6576
S.B. 1 and S.B. 201 of the 132nd General Assembly. 6577

Section 2925.05 of the Revised Code as amended by both 6578
S.B. 1 and S.B. 201 of the 132nd General Assembly. 6579