

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 132**

**Representatives Craig, Miller, M.**

**Cosponsors: Representatives Deeter, Thomas, D., Santucci, Williams, Plummer**

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**A BILL**

To amend sections 2903.06, 2903.08, 4508.02, and 4511.213 and to enact section 5501.28 of the Revised Code to increase penalties for failing to slow down or change lanes when approaching specified stationary vehicles, to increase penalties for vehicular homicide and vehicular assault resulting from that offense, and to name this act Philip Wigal's Law.

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

**Section 1.** That sections 2903.06, 2903.08, 4508.02, and 4511.213 be amended and section 5501.28 of the Revised Code be enacted to read as follows:

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

(1) As the proximate result of committing an OVI offense.

(2) In one of the following ways:

(a) Recklessly;	19
(b) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, utility vehicle, mini-truck, or motorcycle in a construction zone, a reckless operation offense, provided that this division applies only if the person whose death is caused or whose pregnancy is unlawfully terminated is in the construction zone at the time of the offender's commission of the reckless operation offense in the construction zone and does not apply as described in division (F) of this section.	20 21 22 23 24 25 26 27 28
(3) In one of the following ways:	29
(a) Negligently;	30
(b) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, utility vehicle, mini-truck, or motorcycle in a construction zone, a speeding offense, provided that this division applies only if the person whose death is caused or whose pregnancy is unlawfully terminated is in the construction zone at the time of the offender's commission of the speeding offense in the construction zone and does not apply as described in division (F) of this section.	31 32 33 34 35 36 37 38 39
(4) As the proximate result of committing a violation of any provision of any section contained in Title XLV of the Revised Code that is a minor misdemeanor or of a municipal ordinance that, regardless of the penalty set by ordinance for the violation, is substantially equivalent to any provision of any section contained in Title XLV of the Revised Code that is a minor misdemeanor.	40 41 42 43 44 45 46
(B) (1) Whoever violates division (A) (1) or (2) of this	47

section is guilty of aggravated vehicular homicide and shall be 48  
punished as provided in divisions (B) (2) and (3) of this 49  
section. 50

(2) (a) Except as otherwise provided in division (B) (2) (b), 51  
(c), or (d) of this section, aggravated vehicular homicide 52  
committed in violation of division (A) (1) of this section is a 53  
felony of the second degree and the court shall impose a 54  
mandatory prison term on the offender as described in division 55  
(E) of this section. 56

(b) Except as otherwise provided in division (B) (2) (c) or 57  
(d) of this section, aggravated vehicular homicide committed in 58  
violation of division (A) (1) of this section is a felony of the 59  
first degree, and the court shall impose a mandatory prison term 60  
on the offender as described in division (E) of this section, if 61  
any of the following apply: 62

(i) At the time of the offense, the offender was driving 63  
under a suspension or cancellation imposed under Chapter 4510. 64  
or any other provision of the Revised Code or was operating a 65  
motor vehicle or motorcycle, did not have a valid driver's 66  
license, commercial driver's license, temporary instruction 67  
permit, probationary license, or nonresident operating 68  
privilege, and was not eligible for renewal of the offender's 69  
driver's license or commercial driver's license without 70  
examination under section 4507.10 of the Revised Code. 71

(ii) The offender previously has been convicted of or 72  
pleaded guilty to one prior OVI offense within the previous 73  
twenty years. 74

(iii) The offender previously has been convicted of or 75  
pleaded guilty to one prior traffic-related homicide, 76

manslaughter, or assault offense within the previous twenty 77  
years. 78

(c) Except as otherwise provided in division (B) (2) (d) of 79  
this section, aggravated vehicular homicide committed in 80  
violation of division (A) (1) of this section is a felony of the 81  
first degree, and the court shall sentence the offender to a 82  
mandatory prison term as provided in section 2929.142 of the 83  
Revised Code and described in division (E) of this section if 84  
any of the following apply: 85

(i) The offender previously has been convicted of or 86  
pleaded guilty to two prior OVI offenses within the previous 87  
twenty years. 88

(ii) The offender previously has been convicted of or 89  
pleaded guilty to two prior traffic-related homicide, 90  
manslaughter, or assault offenses within the previous twenty 91  
years. 92

(iii) The offender previously has been convicted of or 93  
pleaded guilty to two prior violations of any combination of the 94  
offenses listed in division (B) (2) (c) (i) and (ii) of this 95  
section within the previous twenty years. 96

(d) Aggravated vehicular homicide committed in violation 97  
of division (A) (1) of this section is a felony of the first 98  
degree, and the court shall sentence the offender to a mandatory 99  
prison term as provided in section 2929.142 of the Revised Code 100  
and described in division (E) of this section if any of the 101  
following apply: 102

(i) The offender previously has been convicted of or 103  
pleaded guilty to three or more prior OVI offenses within the 104  
previous twenty years. 105

(ii) The offender previously has been convicted of or 106  
pleaded guilty to three or more prior traffic-related homicide, 107  
manslaughter, or assault offenses within the previous twenty 108  
years. 109

(iii) The offender previously has been convicted of or 110  
pleaded guilty to three or more prior violations of any 111  
combination of the offenses listed in divisions (B) (2) (d) (i) and 112  
(ii) of this section within the previous twenty years. 113

(e) In addition to any other sanctions imposed pursuant to 114  
division (B) (2) (a), (b), (c), or (d) of this section for 115  
aggravated vehicular homicide committed in violation of division 116  
(A) (1) of this section, the court shall impose upon the offender 117  
a class one suspension of the offender's driver's license, 118  
commercial driver's license, temporary instruction permit, 119  
probationary license, or nonresident operating privilege as 120  
specified in division (A) (1) of section 4510.02 of the Revised 121  
Code. 122

Divisions (A) (1) to (3) of section 4510.54 of the Revised 123  
Code apply to a suspension imposed under division (B) (2) (e) of 124  
this section. 125

(f) Notwithstanding section 2929.18 of the Revised Code, 126  
and in addition to any other sanctions imposed pursuant to 127  
division (B) (2) of this section for aggravated vehicular 128  
homicide committed in violation of division (A) (1) of this 129  
section, the court shall impose upon the offender a fine of not 130  
more than twenty-five thousand dollars. 131

(3) Except as otherwise provided in this division, 132  
aggravated vehicular homicide committed in violation of division 133  
(A) (2) of this section is a felony of the third degree. 134

Aggravated vehicular homicide committed in violation of division 135  
(A) (2) of this section is a felony of the second degree if, at 136  
the time of the offense, the offender was driving under a 137  
suspension or cancellation imposed under Chapter 4510. or any 138  
other provision of the Revised Code or was operating a motor 139  
vehicle or motorcycle, did not have a valid driver's license, 140  
commercial driver's license, temporary instruction permit, 141  
probationary license, or nonresident operating privilege, and 142  
was not eligible for renewal of the offender's driver's license 143  
or commercial driver's license without examination under section 144  
4507.10 of the Revised Code or if the offender previously has 145  
been convicted of or pleaded guilty to a violation of this 146  
section or any traffic-related homicide, manslaughter, or 147  
assault offense. The court shall impose a mandatory prison term 148  
on the offender when required by division (E) of this section. 149

In addition to any other sanctions imposed pursuant to 150  
this division for a violation of division (A) (2) of this 151  
section, the court shall impose upon the offender a class two 152  
suspension of the offender's driver's license, commercial 153  
driver's license, temporary instruction permit, probationary 154  
license, or nonresident operating privilege from the range 155  
specified in division (A) (2) of section 4510.02 of the Revised 156  
Code or, if the offender previously has been convicted of or 157  
pleaded guilty to a traffic-related murder, felonious assault, 158  
or attempted murder offense, a class one suspension of the 159  
offender's driver's license, commercial driver's license, 160  
temporary instruction permit, probationary license, or 161  
nonresident operating privilege as specified in division (A) (1) 162  
of that section. 163

(C) Whoever violates division (A) (3) of this section is 164  
guilty of vehicular homicide. Except as otherwise provided in 165

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

In addition to any other sanctions imposed pursuant to 183  
this division, the court shall impose upon the offender a class 184  
four suspension of the offender's driver's license, commercial 185  
driver's license, temporary instruction permit, probationary 186  
license, or nonresident operating privilege from the range 187  
specified in division (A) (4) of section 4510.02 of the Revised 188  
Code, or, if the offender previously has been convicted of or 189  
pleaded guilty to a violation of this section or any traffic- 190  
related homicide, manslaughter, or assault offense, a class 191  
three suspension of the offender's driver's license, commercial 192  
driver's license, temporary instruction permit, probationary 193  
license, or nonresident operating privilege from the range 194  
specified in division (A) (3) of that section, or, if the 195  
offender previously has been convicted of or pleaded guilty to a 196

traffic-related murder, felonious assault, or attempted murder 197  
offense, a class two suspension of the offender's driver's 198  
license, commercial driver's license, temporary instruction 199  
permit, probationary license, or nonresident operating privilege 200  
as specified in division (A)(2) of that section. 201

~~(D)~~ (D)(1) Whoever violates division (A)(4) of this section 202  
is guilty of vehicular manslaughter. Except as otherwise 203  
provided in this division, vehicular manslaughter is a 204  
misdemeanor of the second degree. Vehicular manslaughter is a 205  
misdemeanor of the first degree if, at the time of the offense, 206  
the offender was driving under a suspension or cancellation 207  
imposed under Chapter 4510. or any other provision of the 208  
Revised Code or was operating a motor vehicle or motorcycle, did 209  
not have a valid driver's license, commercial driver's license, 210  
temporary instruction permit, probationary license, or 211  
nonresident operating privilege, and was not eligible for 212  
renewal of the offender's driver's license or commercial 213  
driver's license without examination under section 4507.10 of 214  
the Revised Code or if the offender previously has been 215  
convicted of or pleaded guilty to a violation of this section or 216  
any traffic-related homicide, manslaughter, or assault offense. 217

~~In~~ (2) Except as otherwise provided in division (D)(3) of 218  
this section, in addition to any other sanctions imposed 219  
pursuant to ~~this~~ division (D)(1) of this section, the court 220  
shall impose upon the offender a class six suspension of the 221  
offender's driver's license, commercial driver's license, 222  
temporary instruction permit, probationary license, or 223  
nonresident operating privilege from the range specified in 224  
division (A)(6) of section 4510.02 of the Revised Code or, if 225  
the offender previously has been convicted of or pleaded guilty 226  
to a violation of this section, any traffic-related homicide, 227



manslaughter, or assault offense, or a traffic-related murder, 228  
felonious assault, or attempted murder offense, a class four 229  
suspension of the offender's driver's license, commercial 230  
driver's license, temporary instruction permit, probationary 231  
license, or nonresident operating privilege from the range 232  
specified in division (A) (4) of that section. 233

(3) In addition to any other sanctions, if the violation 234  
of division (A) (4) of this section was the proximate result of 235  
committing a violation of section 4511.213 of the Revised Code 236  
or a substantially equivalent municipal ordinance, the court 237  
shall impose the following on the offender: 238

(a) Notwithstanding section 2929.28 of the Revised Code, a 239  
fine of not more than ten thousand dollars; 240

(b) Notwithstanding the ranges specified in division (A) 241  
of section 4510.02 of the Revised Code, a suspension of the 242  
offender's driver's license, commercial driver's license, 243  
temporary instruction permit, probationary license, or 244  
nonresident operating privilege that is not less than one year. 245

(E) (1) The court shall impose a mandatory prison term on 246  
an offender who is convicted of or pleads guilty to a violation 247  
of division (A) (1) of this section. Except as otherwise provided 248  
in this division, the mandatory prison term shall be a definite 249  
term from the range of prison terms provided in division (A) (1) 250  
(b) of section 2929.14 of the Revised Code for a felony of the 251  
first degree or from division (A) (2) (b) of that section for a 252  
felony of the second degree, whichever is applicable, except 253  
that if the violation is committed on or after March 22, 2019, 254  
the court shall impose as the minimum prison term for the 255  
offense a mandatory prison term that is one of the minimum terms 256  
prescribed for a felony of the first degree in division (A) (1) 257

(a) of section 2929.14 of the Revised Code or one of the terms 258  
prescribed for a felony of the second degree in division (A) (2) 259  
(a) of that section, whichever is applicable. If division (B) (2) 260  
(c) or (d) of this section applies to an offender who is 261  
convicted of or pleads guilty to the violation of division (A) 262  
(1) of this section, the court shall impose the mandatory prison 263  
term pursuant to division (A) or (B) of section 2929.142 of the 264  
Revised Code, as applicable. The court shall impose a mandatory 265  
jail term of at least fifteen days on an offender who is 266  
convicted of or pleads guilty to a misdemeanor violation of 267  
division (A) (3) (b) of this section and may impose upon the 268  
offender a longer jail term as authorized pursuant to section 269  
2929.24 of the Revised Code. 270

(2) The court shall impose a mandatory prison term on an 271  
offender who is convicted of or pleads guilty to a violation of 272  
division (A) (2) or (3) (a) of this section or a felony violation 273  
of division (A) (3) (b) of this section if either division (E) (2) 274  
(a) or (b) of this section applies. The mandatory prison term 275  
shall be a definite term from the range of prison terms provided 276  
in division (A) (3) (a) of section 2929.14 of the Revised Code for 277  
a felony of the third degree or from division (A) (4) of that 278  
section for a felony of the fourth degree, whichever is 279  
applicable. The court shall impose a mandatory prison term on an 280  
offender in a category described in this division if either of 281  
the following applies: 282

(a) The offender previously has been convicted of or 283  
pleaded guilty to a violation of this section or section 2903.08 284  
of the Revised Code. 285

(b) At the time of the offense, the offender was driving 286  
under suspension or cancellation under Chapter 4510. or any 287

other provision of the Revised Code or was operating a motor 288  
vehicle or motorcycle, did not have a valid driver's license, 289  
commercial driver's license, temporary instruction permit, 290  
probationary license, or nonresident operating privilege, and 291  
was not eligible for renewal of the offender's driver's license 292  
or commercial driver's license without examination under section 293  
4507.10 of the Revised Code. 294

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 295  
apply in a particular construction zone unless signs of the type 296  
described in section 2903.081 of the Revised Code are erected in 297  
that construction zone in accordance with the guidelines and 298  
design specifications established by the director of 299  
transportation under section 5501.27 of the Revised Code. The 300  
failure to erect signs of the type described in section 2903.081 301  
of the Revised Code in a particular construction zone in 302  
accordance with those guidelines and design specifications does 303  
not limit or affect the application of division (A) (1), (A) (2) 304  
(a), (A) (3) (a), or (A) (4) of this section in that construction 305  
zone or the prosecution of any person who violates any of those 306  
divisions in that construction zone. 307

(G) (1) As used in this section: 308

(a) "Mandatory prison term" and "mandatory jail term" have 309  
the same meanings as in section 2929.01 of the Revised Code. 310

(b) "Traffic-related homicide, manslaughter, or assault 311  
offense" means a violation of section 2903.04 of the Revised 312  
Code in circumstances in which division (D) of that section 313  
applies, a violation of section 2903.06 or 2903.08 of the 314  
Revised Code, or a violation of section 2903.06, 2903.07, or 315  
2903.08 of the Revised Code as they existed prior to March 23, 316  
2000. 317

(c) "Construction zone" has the same meaning as in section 5501.27 of the Revised Code.	318 319
(d) "Reckless operation offense" means a violation of section 4511.20 of the Revised Code or a municipal ordinance substantially equivalent to section 4511.20 of the Revised Code.	320 321 322
(e) "Speeding offense" means a violation of section 4511.21 of the Revised Code or a municipal ordinance pertaining to speed.	323 324 325
(f) "Traffic-related murder, felonious assault, or attempted murder offense" means a violation of section 2903.01 or 2903.02 of the Revised Code in circumstances in which the offender used a motor vehicle as the means to commit the violation, a violation of division (A) (2) of section 2903.11 of the Revised Code in circumstances in which the deadly weapon used in the commission of the violation is a motor vehicle, or an attempt to commit aggravated murder or murder in violation of section 2923.02 of the Revised Code in circumstances in which the offender used a motor vehicle as the means to attempt to commit the aggravated murder or murder.	326 327 328 329 330 331 332 333 334 335 336
(g) "Motor vehicle," "mini-truck," and "utility vehicle" have the same meanings as in section 4501.01 of the Revised Code.	337 338 339
(h) "OVI offense" means a violation of division (A) of section 4511.19 of the Revised Code, a violation of division (A) of section 1547.11 of the Revised Code, a violation of division (A) (3) of section 4561.15 of the Revised Code, or a substantially equivalent municipal ordinance.	340 341 342 343 344
(2) For the purposes of this section, when a penalty or suspension is enhanced because of a prior or current violation	345 346

of a specified law or a prior or current specified offense, the 347  
reference to the violation of the specified law or the specified 348  
offense includes any violation of any substantially equivalent 349  
municipal ordinance, former law of this state, or current or 350  
former law of another state or the United States. 351

**Sec. 2903.08.** (A) No person, while operating or 352  
participating in the operation of a motor vehicle, motorcycle, 353  
utility vehicle, mini-truck, snowmobile, locomotive, watercraft, 354  
or aircraft, shall cause serious physical harm to another person 355  
or another's unborn in any of the following ways: 356

(1) (a) As the proximate result of committing a violation 357  
of division (A) of section 4511.19 of the Revised Code or of a 358  
substantially equivalent municipal ordinance; 359

(b) As the proximate result of committing a violation of 360  
division (A) of section 1547.11 of the Revised Code or of a 361  
substantially equivalent municipal ordinance; 362

(c) As the proximate result of committing a violation of 363  
division (A) (3) of section 4561.15 of the Revised Code or of a 364  
substantially equivalent municipal ordinance. 365

(2) In one of the following ways: 366

(a) As the proximate result of committing, while operating 367  
or participating in the operation of a motor vehicle, utility 368  
vehicle, mini-truck, or motorcycle in a construction zone, a 369  
reckless operation offense, provided that this division applies 370  
only if the person to whom the serious physical harm is caused 371  
or to whose unborn the serious physical harm is caused is in the 372  
construction zone at the time of the offender's commission of 373  
the reckless operation offense in the construction zone and does 374  
not apply as described in division (E) of this section; 375

(b) Recklessly.	376
(3) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, utility vehicle, mini-truck, or motorcycle in a construction zone, a speeding offense, provided that this division applies only if the person to whom the serious physical harm is caused or to whose unborn the serious physical harm is caused is in the construction zone at the time of the offender's commission of the speeding offense in the construction zone and does not apply as described in division (E) of this section;	377 378 379 380 381 382 383 384 385
<u>(4) As the proximate result of committing a violation of section 4511.213 of the Revised Code or a substantially equivalent municipal ordinance.</u>	386 387 388
(B) (1) Whoever violates division (A) (1) of this section is guilty of aggravated vehicular assault. Except as otherwise provided in this division, aggravated vehicular assault is a felony of the third degree. Aggravated vehicular assault is a felony of the second degree if any of the following apply:	389 390 391 392 393
(a) At the time of the offense, the offender was driving under a suspension imposed under Chapter 4510. or any other provision of the Revised Code.	394 395 396
(b) The offender previously has been convicted of or pleaded guilty to a violation of this section.	397 398
(c) The offender previously has been convicted of or pleaded guilty to any traffic-related homicide, manslaughter, or assault offense.	399 400 401
(d) The offender previously has been convicted of or pleaded guilty to three or more prior violations of division (A) of section 4511.19 of the Revised Code or a substantially	402 403 404

equivalent municipal ordinance within the previous ten years. 405

(e) The offender previously has been convicted of or 406  
pleaded guilty to three or more prior violations of division (A) 407  
of section 1547.11 of the Revised Code or of a substantially 408  
equivalent municipal ordinance within the previous ten years. 409

(f) The offender previously has been convicted of or 410  
pleaded guilty to three or more prior violations of division (A) 411  
(3) of section 4561.15 of the Revised Code or of a substantially 412  
equivalent municipal ordinance within the previous ten years. 413

(g) The offender previously has been convicted of or 414  
pleaded guilty to three or more prior violations of any 415  
combination of the offenses listed in division (B) (1) (d), (e), 416  
or (f) of this section. 417

(h) The offender previously has been convicted of or 418  
pleaded guilty to a second or subsequent felony violation of 419  
division (A) of section 4511.19 of the Revised Code. 420

(2) In addition to any other sanctions imposed pursuant to 421  
division (B) (1) of this section, except as otherwise provided in 422  
this division, the court shall impose upon the offender a class 423  
three suspension of the offender's driver's license, commercial 424  
driver's license, temporary instruction permit, probationary 425  
license, or nonresident operating privilege from the range 426  
specified in division (A) (3) of section 4510.02 of the Revised 427  
Code. If the offender previously has been convicted of or 428  
pleaded guilty to a violation of this section, any traffic- 429  
related homicide, manslaughter, or assault offense, or any 430  
traffic-related murder, felonious assault, or attempted murder 431  
offense, the court shall impose either a class two suspension of 432  
the offender's driver's license, commercial driver's license, 433

temporary instruction permit, probationary license, or 434  
nonresident operating privilege from the range specified in 435  
division (A) (2) of that section or a class one suspension as 436  
specified in division (A) (1) of that section. 437

(C) (1) Whoever violates division (A) (2) ~~or~~, (3), or (4) of 438  
this section is guilty of vehicular assault and shall be 439  
punished as provided in divisions (C) (2) and (3) of this 440  
section. 441

(2) Except as otherwise provided in this division, 442  
vehicular assault committed in violation of division (A) (2) of 443  
this section is a felony of the fourth degree. Vehicular assault 444  
committed in violation of division (A) (2) of this section is a 445  
felony of the third degree if, at the time of the offense, the 446  
offender was driving under a suspension imposed under Chapter 447  
4510. or any other provision of the Revised Code, if the 448  
offender previously has been convicted of or pleaded guilty to a 449  
violation of this section or any traffic-related homicide, 450  
manslaughter, or assault offense, or if, in the same course of 451  
conduct that resulted in the violation of division (A) (2) of 452  
this section, the offender also violated section 4549.02, 453  
4549.021, or 4549.03 of the Revised Code. 454

In addition to any other sanctions imposed, the court 455  
shall impose upon the offender a class four suspension of the 456  
offender's driver's license, commercial driver's license, 457  
temporary instruction permit, probationary license, or 458  
nonresident operating privilege from the range specified in 459  
division (A) (4) of section 4510.02 of the Revised Code or, if 460  
the offender previously has been convicted of or pleaded guilty 461  
to a violation of this section, any traffic-related homicide, 462  
manslaughter, or assault offense, or any traffic-related murder, 463



felonious assault, or attempted murder offense, a class three 464  
suspension of the offender's driver's license, commercial 465  
driver's license, temporary instruction permit, probationary 466  
license, or nonresident operating privilege from the range 467  
specified in division (A) (3) of that section. 468

(3) Except as otherwise provided in this division, 469  
vehicular assault committed in violation of division (A) (3) or 470  
(4) of this section is a misdemeanor of the first degree. 471  
Vehicular assault committed in violation of division (A) (3) or 472  
(4) of this section is a felony of the fourth degree if, at the 473  
time of the offense, the offender was driving under a suspension 474  
imposed under Chapter 4510. or any other provision of the 475  
Revised Code or if the offender previously has been convicted of 476  
or pleaded guilty to a violation of this section or any traffic- 477  
related homicide, manslaughter, or assault offense. 478

In addition to any other sanctions imposed, the court 479  
shall impose upon the offender a class four suspension of the 480  
offender's driver's license, commercial driver's license, 481  
temporary instruction permit, probationary license, or 482  
nonresident operating privilege from the range specified in 483  
division (A) (4) of section 4510.02 of the Revised Code or, if 484  
the offender previously has been convicted of or pleaded guilty 485  
to a violation of this section, any traffic-related homicide, 486  
manslaughter, or assault offense, or any traffic-related murder, 487  
felonious assault, or attempted murder offense, a class three 488  
suspension of the offender's driver's license, commercial 489  
driver's license, temporary instruction permit, probationary 490  
license, or nonresident operating privilege from the range 491  
specified in division (A) (3) of section 4510.02 of the Revised 492  
Code. 493

Notwithstanding section 2929.28 of the Revised Code, in 494  
addition to any other sanctions, if the offender violated 495  
division (A) (4) of this section, the court shall impose on the 496  
offender a fine of not more than five thousand dollars. 497

(D) (1) The court shall impose a mandatory prison term, as 498  
described in division (D) (4) of this section, on an offender who 499  
is convicted of or pleads guilty to a violation of division (A) 500  
(1) of this section. 501

(2) The court shall impose a mandatory prison term, as 502  
described in division (D) (4) of this section, on an offender who 503  
is convicted of or pleads guilty to a violation of division (A) 504  
(2) of this section or a felony violation of division (A) (3) of 505  
this section if either of the following applies: 506

(a) The offender previously has been convicted of or 507  
pleaded guilty to a violation of this section or section 2903.06 508  
of the Revised Code. 509

(b) At the time of the offense, the offender was driving 510  
under suspension under Chapter 4510. or any other provision of 511  
the Revised Code. 512

(3) The court shall impose a mandatory jail term of at 513  
least seven days on an offender who is convicted of or pleads 514  
guilty to a misdemeanor violation of division (A) (3) of this 515  
section and may impose upon the offender a longer jail term as 516  
authorized pursuant to section 2929.24 of the Revised Code. 517

(4) A mandatory prison term required under division (D) (1) 518  
or (2) of this section shall be a definite term from the range 519  
of prison terms provided in division (A) (2) (b) of section 520  
2929.14 of the Revised Code for a felony of the second degree, 521  
from division (A) (3) (a) of that section for a felony of the 522

third degree, or from division (A)(4) of that section for a 523  
felony of the fourth degree, whichever is applicable, except 524  
that if the violation is a felony of the second degree committed 525  
on or after March 22, 2019, the court shall impose as the 526  
minimum prison term for the offense a mandatory prison term that 527  
is one of the minimum terms prescribed for a felony of the 528  
second degree in division (A)(2)(a) of section 2929.14 of the 529  
Revised Code. 530

(E) Divisions (A)(2)(a) and (3) of this section do not 531  
apply in a particular construction zone unless signs of the type 532  
described in section 2903.081 of the Revised Code are erected in 533  
that construction zone in accordance with the guidelines and 534  
design specifications established by the director of 535  
transportation under section 5501.27 of the Revised Code. The 536  
failure to erect signs of the type described in section 2903.081 537  
of the Revised Code in a particular construction zone in 538  
accordance with those guidelines and design specifications does 539  
not limit or affect the application of division (A)(1) or (2)(b) 540  
of this section in that construction zone or the prosecution of 541  
any person who violates either of those divisions in that 542  
construction zone. 543

(F) As used in this section: 544

(1) "Mandatory prison term" and "mandatory jail term" have 545  
the same meanings as in section 2929.01 of the Revised Code. 546

(2) "Traffic-related homicide, manslaughter, or assault 547  
offense" and "traffic-related murder, felonious assault, or 548  
attempted murder offense" have the same meanings as in section 549  
2903.06 of the Revised Code. 550

(3) "Construction zone" has the same meaning as in section 551

5501.27 of the Revised Code.	552
(4) "Reckless operation offense" and "speeding offense"	553
have the same meanings as in section 2903.06 of the Revised	554
Code.	555
(G) For the purposes of this section, when a penalty or	556
suspension is enhanced because of a prior or current violation	557
of a specified law or a prior or current specified offense, the	558
reference to the violation of the specified law or the specified	559
offense includes any violation of any substantially equivalent	560
municipal ordinance, former law of this state, or current or	561
former law of another state or the United States.	562
<b>Sec. 4508.02.</b> (A) (1) The director of public safety,	563
subject to Chapter 119. of the Revised Code, shall adopt and	564
prescribe such rules concerning the administration and	565
enforcement of this chapter as are necessary to protect the	566
public. The rules shall require an assessment of the holder of a	567
probationary instructor license. The director shall inspect the	568
school facilities and equipment of applicants and licensees and	569
examine applicants for instructor's licenses.	570
(2) The director shall adopt rules governing online driver	571
education courses that may be completed via the internet to	572
satisfy the classroom instruction under division (C) of this	573
section. The rules shall do all of the following:	574
(a) Establish standards that an online driver training	575
enterprise must satisfy to be licensed to offer an online driver	576
education course via the internet, including, at a minimum,	577
proven expertise in providing driver education and an acceptable	578
infrastructure capable of providing secure online driver	579
education in accord with advances in internet technology. The	580

rules shall allow an online driver training enterprise to be 581  
affiliated with a licensed driver training school offering in- 582  
person classroom instruction, but shall not require such an 583  
affiliation. 584

(b) Establish content requirements that an online driver 585  
education course must satisfy to be approved as equivalent to 586  
twenty-four hours of in-person classroom instruction; 587

(c) Establish attendance standards, including a maximum 588  
number of course hours that may be completed in a twenty-four- 589  
hour period; 590

(d) Allow an enrolled applicant to begin the required 591  
eight hours of actual behind-the-wheel instruction upon 592  
completing all twenty-four hours of course instruction; 593

(e) Establish any other requirements necessary to regulate 594  
online driver education. 595

(B) The director shall administer and enforce this 596  
chapter. 597

(C) The rules shall require twenty-four hours of completed 598  
in-person classroom instruction or the completion of an 599  
approved, equivalent online driver education course offered via 600  
the internet by a licensed online driver training enterprise, 601  
followed by eight hours of actual behind-the-wheel instruction 602  
conducted on public streets and highways of this state for all 603  
beginning drivers of noncommercial motor vehicles who are under 604  
age eighteen. The rules also shall require the classroom 605  
instruction or online driver education course for such drivers 606  
to include instruction on ~~both~~ all of the following: 607

(1) The dangers of driving a motor vehicle while 608  
distracted, including while using an electronic wireless 609

communications device, or engaging in any other activity that 610  
distracts a driver from the safe and effective operation of a 611  
motor vehicle; 612

(2) The dangers of driving a motor vehicle while under the 613  
influence of a controlled substance, prescription medication, or 614  
alcohol; 615

(3) The requirement that a driver of a motor vehicle, upon 616  
approaching certain stationary vehicles, either change lanes or 617  
proceed with due caution in accordance with section 4511.213 of 618  
the Revised Code. 619

(D) The rules shall state the minimum hours for classroom 620  
and behind-the-wheel instruction required for beginning drivers 621  
of commercial trucks, commercial cars, buses, and commercial 622  
tractors, trailers, and semitrailers. 623

(E) (1) The department of public safety may charge a fee to 624  
each online driver training enterprise in an amount sufficient 625  
to pay the actual expenses the department incurs in the 626  
regulation of online driver education courses. 627

(2) The department shall supply to each licensed online 628  
driver training enterprise certificates to be used for 629  
certifying an applicant's enrollment in an approved online 630  
driver education course and a separate certificate to be issued 631  
upon successful completion of an approved online driver 632  
education course. The certificates shall be numbered serially. 633  
The department may charge a fee to each online driver training 634  
enterprise per certificate supplied to pay the actual expenses 635  
the department incurs in supplying the certificates. 636

(F) The director shall adopt rules in accordance with 637  
Chapter 119. of the Revised Code governing an abbreviated driver 638

training course for adults. 639

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon 640  
approaching a stationary public safety vehicle, emergency 641  
vehicle, road service vehicle, waste collection vehicle, vehicle 642  
used by the public utilities commission to conduct motor vehicle 643  
inspections in accordance with sections 4923.04 and 4923.06 of 644  
the Revised Code, or a highway maintenance vehicle that is 645  
displaying the appropriate visual signals by means of flashing, 646  
oscillating, or rotating lights, as prescribed in section 647  
4513.17 of the Revised Code, shall do either of the following: 648

(1) If the driver of the motor vehicle is traveling on a 649  
highway that consists of at least two lanes that carry traffic 650  
in the same direction of travel as that of the driver's motor 651  
vehicle, the driver shall proceed with due caution and, if 652  
possible and with due regard to the road, weather, and traffic 653  
conditions, shall change lanes into a lane that is not adjacent 654  
to that of the stationary public safety vehicle, emergency 655  
vehicle, road service vehicle, waste collection vehicle, vehicle 656  
used by the public utilities commission to conduct motor vehicle 657  
inspections in accordance with sections 4923.04 and 4923.06 of 658  
the Revised Code, or a highway maintenance vehicle. 659

(2) If the driver is not traveling on a highway of a type 660  
described in division (A) (1) of this section, or if the driver 661  
is traveling on a highway of that type but it is not possible to 662  
change lanes or if to do so would be unsafe, the driver shall 663  
proceed with due caution, reduce the speed of the motor vehicle, 664  
and maintain a safe speed for the road, weather, and traffic 665  
conditions. 666

(B) This section does not relieve the driver of a public 667  
safety vehicle, emergency vehicle, road service vehicle, waste 668

collection vehicle, vehicle used by the public utilities 669  
commission to conduct motor vehicle inspections in accordance 670  
with sections 4923.04 and 4923.06 of the Revised Code, or a 671  
highway maintenance vehicle from the duty to drive with due 672  
regard for the safety of all persons and property upon the 673  
highway. 674

(C) No person shall fail to drive a motor vehicle in 675  
compliance with division (A) (1) or (2) of this section when so 676  
required by division (A) of this section. 677

(D) (1) Except as otherwise provided in this division, 678  
whoever violates this section is guilty of a minor misdemeanor. 679  
If, within one year of the offense, the offender previously has 680  
been convicted of or pleaded guilty to one predicate motor 681  
vehicle or traffic offense, whoever violates this section is 682  
guilty of a misdemeanor of the fourth degree. If, within one 683  
year of the offense, the offender previously has been convicted 684  
of two or more predicate motor vehicle or traffic offenses, 685  
whoever violates this section is guilty of a misdemeanor of the 686  
third degree. 687

(2) Notwithstanding section 2929.28 of the Revised Code, 688  
upon a finding that a person operated a motor vehicle in 689  
violation of division (C) of this section, the court, in 690  
addition to all other penalties provided by law, shall impose a 691  
fine of ~~two times the usual amount imposed for the violation~~not 692  
more than three hundred dollars. If, within one year of the 693  
offense, the offender previously has been convicted of or 694  
pleaded guilty to this section, the court, in addition to all 695  
other penalties provided by law and notwithstanding section 696  
2929.28 of the Revised Code, shall impose a fine of not more 697  
than one thousand dollars. 698



(3) If the offender commits the offense while distracted 699  
and the distracting activity is a contributing factor to the 700  
commission of the offense, the offender is subject to the 701  
additional fine established under section 4511.991 of the 702  
Revised Code. 703

(E) The offense established under this section is a strict 704  
liability offense and section 2901.20 of the Revised Code does 705  
not apply. The designation of this offense as a strict liability 706  
offense shall not be construed to imply that any other offense, 707  
for which there is no specified degree of culpability, is not a 708  
strict liability offense. 709

Sec. 5501.28. (A) The department of transportation shall 710  
include a sign, in the department's manual for a uniform system 711  
of traffic control devices adopted under section 4511.09 of the 712  
Revised Code, that describes the penalties for vehicular 713  
manslaughter and vehicular assault involving a violation of 714  
section 4511.213 of the Revised Code that are specified in 715  
division (D) of section 2903.06 and division (C) of section 716  
2903.08 of the Revised Code. 717

(B) The signs shall be placed in appropriate locations as 718  
determined by the director of transportation. 719

**Section 2.** That existing sections 2903.06, 2903.08, 720  
4508.02, and 4511.213 of the Revised Code are hereby repealed. 721

**Section 3.** This act shall be known as Philip Wigal's Law. 722

**Section 4.** Section 4511.213 of the Revised Code is 723  
presented in this act as a composite of the section as amended 724  
by both H.B. 95 and S.B. 127 of the 132nd General Assembly. The 725  
General Assembly, applying the principle stated in division (B) 726  
of section 1.52 of the Revised Code that amendments are to be 727

harmonized if reasonably capable of simultaneous operation,	728
finds that the composite is the resulting version of the section	729
in effect prior to the effective date of the section as	730
presented in this act.	731