

As Reported by the House Judiciary Committee

136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 132

Representatives Craig, Miller, M.

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

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 20
or participating in the operation of a motor vehicle, utility 21
vehicle, mini-truck, or motorcycle in a construction zone, a 22
reckless operation offense, provided that this division applies 23
only if the person whose death is caused or whose pregnancy is 24
unlawfully terminated is in the construction zone at the time of 25
the offender's commission of the reckless operation offense in 26
the construction zone and does not apply as described in 27
division (F) of this section. 28
- (3) In one of the following ways: 29
- (a) Negligently; 30
- (b) As the proximate result of committing, while operating 31
or participating in the operation of a motor vehicle, utility 32
vehicle, mini-truck, or motorcycle in a construction zone, a 33
speeding offense, provided that this division applies only if 34
the person whose death is caused or whose pregnancy is 35
unlawfully terminated is in the construction zone at the time of 36
the offender's commission of the speeding offense in the 37
construction zone and does not apply as described in division 38
(F) of this section. 39
- (4) As the proximate result of committing a violation of 40
any provision of any section contained in Title XLV of the 41
Revised Code that is a minor misdemeanor or of a municipal 42
ordinance that, regardless of the penalty set by ordinance for 43
the violation, is substantially equivalent to any provision of 44
any section contained in Title XLV of the Revised Code that is a 45
minor misdemeanor. 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 318
5501.27 of the Revised Code. 319

(d) "Reckless operation offense" means a violation of 320
section 4511.20 of the Revised Code or a municipal ordinance 321
substantially equivalent to section 4511.20 of the Revised Code. 322

(e) "Speeding offense" means a violation of section 323
4511.21 of the Revised Code or a municipal ordinance pertaining 324
to speed. 325

(f) "Traffic-related murder, felonious assault, or 326
attempted murder offense" means a violation of section 2903.01 327
or 2903.02 of the Revised Code in circumstances in which the 328
offender used a motor vehicle as the means to commit the 329
violation, a violation of division (A) (2) of section 2903.11 of 330
the Revised Code in circumstances in which the deadly weapon 331
used in the commission of the violation is a motor vehicle, or 332
an attempt to commit aggravated murder or murder in violation of 333
section 2923.02 of the Revised Code in circumstances in which 334
the offender used a motor vehicle as the means to attempt to 335
commit the aggravated murder or murder. 336

(g) "Motor vehicle," "mini-truck," and "utility vehicle" 337
have the same meanings as in section 4501.01 of the Revised 338
Code. 339

(h) "OVI offense" means a violation of division (A) of 340
section 4511.19 of the Revised Code, a violation of division (A) 341
of section 1547.11 of the Revised Code, a violation of division 342
(A) (3) of section 4561.15 of the Revised Code, or a 343
substantially equivalent municipal ordinance. 344

(2) For the purposes of this section, when a penalty or 345
suspension is enhanced because of a prior or current violation 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	377
or participating in the operation of a motor vehicle, utility	378
vehicle, mini-truck, or motorcycle in a construction zone, a	379
speeding offense, provided that this division applies only if	380
the person to whom the serious physical harm is caused or to	381
whose unborn the serious physical harm is caused is in the	382
construction zone at the time of the offender's commission of	383
the speeding offense in the construction zone and does not apply	384
as described in division (E) of this section-;	385
<u>(4) As the proximate result of committing a violation of</u>	386
<u>of section 4511.213 of the Revised Code or a substantially</u>	387
<u>equivalent municipal ordinance.</u>	388
(B) (1) Whoever violates division (A) (1) of this section is	389
guilty of aggravated vehicular assault. Except as otherwise	390
provided in this division, aggravated vehicular assault is a	391
felony of the third degree. Aggravated vehicular assault is a	392
felony of the second degree if any of the following apply:	393
(a) At the time of the offense, the offender was driving	394
under a suspension imposed under Chapter 4510. or any other	395
provision of the Revised Code.	396
(b) The offender previously has been convicted of or	397
pleaded guilty to a violation of this section.	398
(c) The offender previously has been convicted of or	399
pleaded guilty to any traffic-related homicide, manslaughter, or	400
assault offense.	401
(d) The offender previously has been convicted of or	402
pleaded guilty to three or more prior violations of division (A)	403
of section 4511.19 of the Revised Code or a substantially	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) of this 438
section is guilty of vehicular assault and shall be punished as 439
provided in divisions (C) (2) and (3) of this section. 440

(2) Except as otherwise provided in this division, 441
vehicular assault committed in violation of division (A) (2) of 442
this section is a felony of the fourth degree. Vehicular assault 443
committed in violation of division (A) (2) of this section is a 444
felony of the third degree if, at the time of the offense, the 445
offender was driving under a suspension imposed under Chapter 446
4510. or any other provision of the Revised Code, if the 447
offender previously has been convicted of or pleaded guilty to a 448
violation of this section or any traffic-related homicide, 449
manslaughter, or assault offense, or if, in the same course of 450
conduct that resulted in the violation of division (A) (2) of 451
this section, the offender also violated section 4549.02, 452
4549.021, or 4549.03 of the Revised Code. 453

In addition to any other sanctions imposed, the court 454
shall impose upon the offender a class four suspension of the 455
offender's driver's license, commercial driver's license, 456
temporary instruction permit, probationary license, or 457
nonresident operating privilege from the range specified in 458
division (A) (4) of section 4510.02 of the Revised Code or, if 459
the offender previously has been convicted of or pleaded guilty 460
to a violation of this section, any traffic-related homicide, 461
manslaughter, or assault offense, or any traffic-related murder, 462
felonious assault, or attempted murder offense, a class three 463

suspension of the offender's driver's license, commercial 464
driver's license, temporary instruction permit, probationary 465
license, or nonresident operating privilege from the range 466
specified in division (A) (3) of that section. 467

(3) Except as otherwise provided in this division, 468
vehicular assault committed in violation of division (A) (3) of 469
this section is a misdemeanor of the first degree. Vehicular 470
assault committed in violation of division (A) (3) of this 471
section is a felony of the fourth degree if, at the time of the 472
offense, the offender was driving under a suspension imposed 473
under Chapter 4510. or any other provision of the Revised Code 474
or if the offender previously has been convicted of or pleaded 475
guilty to a violation of this section or any traffic-related 476
homicide, manslaughter, or assault offense. 477

In addition to any other sanctions imposed, the court 478
shall impose upon the offender a class four suspension of the 479
offender's driver's license, commercial driver's license, 480
temporary instruction permit, probationary license, or 481
nonresident operating privilege from the range specified in 482
division (A) (4) of section 4510.02 of the Revised Code or, if 483
the offender previously has been convicted of or pleaded guilty 484
to a violation of this section, any traffic-related homicide, 485
manslaughter, or assault offense, or any traffic-related murder, 486
felonious assault, or attempted murder offense, a class three 487
suspension of the offender's driver's license, commercial 488
driver's license, temporary instruction permit, probationary 489
license, or nonresident operating privilege from the range 490
specified in division (A) (3) of section 4510.02 of the Revised 491
Code. 492

(4) Whoever violates division (A) (4) of this section is 493

guilty of vehicular assault and shall be punished as provided in 494
divisions (C) (4) (a), (b), and (c) of this section. 495

(a) Except as otherwise provided in this division, 496
vehicular assault committed in violation of division (A) (4) of 497
this section is a misdemeanor of the third degree. Vehicular 498
assault committed in violation of division (A) (4) of this 499
section is a misdemeanor of the second degree if, at the time of 500
the offense, the offender was driving under a suspension imposed 501
under Chapter 4510. or any other provision of the Revised Code 502
or if the offender previously has been convicted of or pleaded 503
guilty to a violation of this section or any traffic-related 504
homicide, manslaughter, or assault offense. 505

(b) In addition to any other sanctions imposed, the court 506
shall impose upon the offender a class four suspension of the 507
offender's driver's license, commercial driver's license, 508
temporary instruction permit, probationary license, or 509
nonresident operating privilege from the range specified in 510
division (A) (4) of section 4510.02 of the Revised Code or, if 511
the offender previously has been convicted of or pleaded guilty 512
to a violation of this section, any traffic-related homicide, 513
manslaughter, or assault offense, or any traffic-related murder, 514
felonious assault, or attempted murder offense, a class three 515
suspension of the offender's driver's license, commercial 516
driver's license, temporary instruction permit, probationary 517
license, or nonresident operating privilege from the range 518
specified in division (A) (3) of section 4510.02 of the Revised 519
Code. 520

(c) Notwithstanding section 2929.28 of the Revised Code, 521
in addition to any other sanctions, if the offender violated 522
division (A) (4) of this section, the court shall impose on the 523

offender a fine of not more than five thousand dollars. 524

(D) (1) The court shall impose a mandatory prison term, as 525
described in division (D) (4) of this section, on an offender who 526
is convicted of or pleads guilty to a violation of division (A) 527
(1) of this section. 528

(2) The court shall impose a mandatory prison term, as 529
described in division (D) (4) of this section, on an offender who 530
is convicted of or pleads guilty to a violation of division (A) 531
(2) of this section or a felony violation of division (A) (3) of 532
this section if either of the following applies: 533

(a) The offender previously has been convicted of or 534
pleaded guilty to a violation of this section or section 2903.06 535
of the Revised Code. 536

(b) At the time of the offense, the offender was driving 537
under suspension under Chapter 4510. or any other provision of 538
the Revised Code. 539

(3) The court shall impose a mandatory jail term of at 540
least seven days on an offender who is convicted of or pleads 541
guilty to a misdemeanor violation of division (A) (3) of this 542
section and may impose upon the offender a longer jail term as 543
authorized pursuant to section 2929.24 of the Revised Code. 544

(4) A mandatory prison term required under division (D) (1) 545
or (2) of this section shall be a definite term from the range 546
of prison terms provided in division (A) (2) (b) of section 547
2929.14 of the Revised Code for a felony of the second degree, 548
from division (A) (3) (a) of that section for a felony of the 549
third degree, or from division (A) (4) of that section for a 550
felony of the fourth degree, whichever is applicable, except 551
that if the violation is a felony of the second degree committed 552

on or after March 22, 2019, the court shall impose as the 553
minimum prison term for the offense a mandatory prison term that 554
is one of the minimum terms prescribed for a felony of the 555
second degree in division (A) (2) (a) of section 2929.14 of the 556
Revised Code. 557

(E) Divisions (A) (2) (a) and (3) of this section do not 558
apply in a particular construction zone unless signs of the type 559
described in section 2903.081 of the Revised Code are erected in 560
that construction zone in accordance with the guidelines and 561
design specifications established by the director of 562
transportation under section 5501.27 of the Revised Code. The 563
failure to erect signs of the type described in section 2903.081 564
of the Revised Code in a particular construction zone in 565
accordance with those guidelines and design specifications does 566
not limit or affect the application of division (A) (1) or (2) (b) 567
of this section in that construction zone or the prosecution of 568
any person who violates either of those divisions in that 569
construction zone. 570

(F) As used in this section: 571

(1) "Mandatory prison term" and "mandatory jail term" have 572
the same meanings as in section 2929.01 of the Revised Code. 573

(2) "Traffic-related homicide, manslaughter, or assault 574
offense" and "traffic-related murder, felonious assault, or 575
attempted murder offense" have the same meanings as in section 576
2903.06 of the Revised Code. 577

(3) "Construction zone" has the same meaning as in section 578
5501.27 of the Revised Code. 579

(4) "Reckless operation offense" and "speeding offense" 580
have the same meanings as in section 2903.06 of the Revised 581

Code. 582

(G) For the purposes of this section, when a penalty or 583
suspension is enhanced because of a prior or current violation 584
of a specified law or a prior or current specified offense, the 585
reference to the violation of the specified law or the specified 586
offense includes any violation of any substantially equivalent 587
municipal ordinance, former law of this state, or current or 588
former law of another state or the United States. 589

Sec. 4508.02. (A) (1) The director of public safety, 590
subject to Chapter 119. of the Revised Code, shall adopt and 591
prescribe such rules concerning the administration and 592
enforcement of this chapter as are necessary to protect the 593
public. The rules shall require an assessment of the holder of a 594
probationary instructor license. The director shall inspect the 595
school facilities and equipment of applicants and licensees and 596
examine applicants for instructor's licenses. 597

(2) The director shall adopt rules governing online driver 598
education courses that may be completed via the internet to 599
satisfy the classroom instruction under division (C) of this 600
section. The rules shall do all of the following: 601

(a) Establish standards that an online driver training 602
enterprise must satisfy to be licensed to offer an online driver 603
education course via the internet, including, at a minimum, 604
proven expertise in providing driver education and an acceptable 605
infrastructure capable of providing secure online driver 606
education in accord with advances in internet technology. The 607
rules shall allow an online driver training enterprise to be 608
affiliated with a licensed driver training school offering in- 609
person classroom instruction, but shall not require such an 610
affiliation. 611

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

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

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

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

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

(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are required to complete the training under section 4507.21 of the Revised Code. The rules shall allow beginning drivers of noncommercial motor vehicles to complete the driver education course at any point while holding a valid temporary instruction permit. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on ~~both~~ all of the following:

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

communications device, or engaging in any other activity that 641
distracts a driver from the safe and effective operation of a 642
motor vehicle; 643

(2) The dangers of driving a motor vehicle while under the 644
influence of a controlled substance, prescription medication, or 645
alcohol; 646

(3) The requirement that a driver of a motor vehicle, upon 647
approaching certain stationary vehicles, either change lanes or 648
proceed with due caution in accordance with section 4511.213 of 649
the Revised Code. 650

(D) The rules shall state the minimum hours for classroom 651
and behind-the-wheel instruction required for beginning drivers 652
of commercial trucks, commercial cars, buses, and commercial 653
tractors, trailers, and semitrailers. 654

(E) (1) The department of public safety may charge a fee to 655
each online driver training enterprise in an amount sufficient 656
to pay the actual expenses the department incurs in the 657
regulation of online driver education courses. 658

(2) The department shall supply to each licensed online 659
driver training enterprise certificates to be used for 660
certifying an applicant's enrollment in an approved online 661
driver education course and a separate certificate to be issued 662
upon successful completion of an approved online driver 663
education course. The certificates shall be numbered serially. 664
The department may charge a fee to each online driver training 665
enterprise per certificate supplied to pay the actual expenses 666
the department incurs in supplying the certificates. 667

(F) The director shall adopt rules in accordance with 668
Chapter 119. of the Revised Code governing an abbreviated driver 669

training course for adults.

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

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

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

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

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collection vehicle, vehicle used by the public utilities 700
commission to conduct motor vehicle inspections in accordance 701
with sections 4923.04 and 4923.06 of the Revised Code, or a 702
highway maintenance vehicle from the duty to drive with due 703
regard for the safety of all persons and property upon the 704
highway. 705

(C) No person shall fail to drive a motor vehicle in 706
compliance with division (A) (1) or (2) of this section when so 707
required by division (A) of this section. 708

(D) (1) Except as otherwise provided in this division, 709
whoever violates this section is guilty of a minor misdemeanor. 710
If, within one year of the offense, the offender previously has 711
been convicted of or pleaded guilty to one predicate motor 712
vehicle or traffic offense, whoever violates this section is 713
guilty of a misdemeanor of the fourth degree. If, within one 714
year of the offense, the offender previously has been convicted 715
of two or more predicate motor vehicle or traffic offenses, 716
whoever violates this section is guilty of a misdemeanor of the 717
third degree. 718

(2) Notwithstanding section 2929.28 of the Revised Code, 719
upon a finding that a person operated a motor vehicle in 720
violation of division (C) of this section, the court, in 721
addition to all other penalties provided by law, shall impose a 722
fine of ~~two times the usual amount imposed for the violation~~ not 723
more than three hundred dollars. If, within one year of the 724
offense, the offender previously has been convicted of or 725
pleaded guilty to this section, the court, in addition to all 726
other penalties provided by law and notwithstanding section 727
2929.28 of the Revised Code, shall impose a fine of not more 728
than one thousand dollars. 729

(3) If the offender commits the offense while distracted 730
and the distracting activity is a contributing factor to the 731
commission of the offense, the offender is subject to the 732
additional fine established under section 4511.991 of the 733
Revised Code. 734

(E) The offense established under this section is a strict 735
liability offense and section 2901.20 of the Revised Code does 736
not apply. The designation of this offense as a strict liability 737
offense shall not be construed to imply that any other offense, 738
for which there is no specified degree of culpability, is not a 739
strict liability offense. 740

Sec. 5501.28. (A) The department of transportation shall 741
include a sign, in the department's manual for a uniform system 742
of traffic control devices adopted under section 4511.09 of the 743
Revised Code, that describes the penalties for vehicular 744
manslaughter and vehicular assault involving a violation of 745
section 4511.213 of the Revised Code that are specified in 746
division (D) of section 2903.06 and division (C) of section 747
2903.08 of the Revised Code. 748

(B) The signs shall be placed in appropriate locations as 749
determined by the director of transportation. 750

Section 2. That existing sections 2903.06, 2903.08, 751
4508.02, and 4511.213 of the Revised Code are hereby repealed. 752

Section 3. This act shall be known as Philip Wigal's Law. 753

Section 4. Section 4511.213 of the Revised Code is 754
presented in this act as a composite of the section as amended 755
by both H.B. 95 and S.B. 127 of the 132nd General Assembly. The 756
General Assembly, applying the principle stated in division (B) 757
of section 1.52 of the Revised Code that amendments are to be 758

harmonized if reasonably capable of simultaneous operation,	759
finds that the composite is the resulting version of the section	760
in effect prior to the effective date of the section as	761
presented in this act.	762