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**H. B. No. 533**

**Representative Miller, K.**

**Cosponsors: Representatives Abrams, Hall, T., Willis, Brennan, Brownlee, Daniels, Deeter, Dovilla, Ghanbari, Hiner, Jarrells, John, Johnson, LaRe, Manning, Mathews, A., Mathews, T., Miller, M., Ray, Robb Blasdel, Schmidt, Sigrist, Upchurch, White, E., Williams, Workman, Young**

**Senators Blackshear, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Johnson, Patton, Reineke**

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To amend sections 2903.06 and 2903.08 of the Revised Code to add to the list of vehicles that can be used to commit a vehicular homicide or vehicular assault.

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

**Section 1.** That sections 2903.06 and 2903.08 of the Revised Code be amended to read as follows:

**Sec. 2903.06.** (A) No person, while operating or participating in the operation of a motor vehicle, motorcycle, under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, all-purpose vehicle, 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;	16
(b) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, <u>under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, all-purpose vehicle,</u> 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.	17 18 19 20 21 22 23 24 25 26 27
(3) In one of the following ways:	28
(a) Negligently;	29
(b) As the proximate result of committing, while operating or participating in the operation of a motor vehicle, <u>under-speed vehicle, motorized bicycle or moped, motor-driven cycle or motor scooter, all-purpose vehicle,</u> 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.	30 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	40 41 42 43 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) Whoever violates division (A) (4) of this section is 202  
guilty of vehicular manslaughter. Except as otherwise provided 203  
in this division, vehicular manslaughter is a misdemeanor of the 204  
second degree. Vehicular manslaughter is a misdemeanor of the 205  
first degree if, at the time of the offense, the offender was 206  
driving under a suspension or cancellation imposed under Chapter 207  
4510. or any other provision of the Revised Code or was 208  
operating a motor vehicle or motorcycle, did not have a valid 209  
driver's license, commercial driver's license, temporary 210  
instruction permit, probationary license, or nonresident 211  
operating privilege, and was not eligible for renewal of the 212  
offender's driver's license or commercial driver's license 213  
without examination under section 4507.10 of the Revised Code or 214  
if the offender previously has been convicted of or pleaded 215  
guilty to a violation of this section or any traffic-related 216  
homicide, manslaughter, or assault offense. 217

In addition to any other sanctions imposed pursuant to 218  
this division, the court shall impose upon the offender a class 219  
six suspension of the offender's driver's license, commercial 220  
driver's license, temporary instruction permit, probationary 221  
license, or nonresident operating privilege from the range 222  
specified in division (A) (6) of section 4510.02 of the Revised 223  
Code or, if the offender previously has been convicted of or 224

pleaded guilty to a violation of this section, any traffic- 225  
related homicide, manslaughter, or assault offense, or a 226  
traffic-related murder, felonious assault, or attempted murder 227  
offense, a class four suspension of the offender's driver's 228  
license, commercial driver's license, temporary instruction 229  
permit, probationary license, or nonresident operating privilege 230  
from the range specified in division (A) (4) of that section. 231

(E) (1) The court shall impose a mandatory prison term on 232  
an offender who is convicted of or pleads guilty to a violation 233  
of division (A) (1) of this section. Except as otherwise provided 234  
in this division, the mandatory prison term shall be a definite 235  
term from the range of prison terms provided in division (A) (1) 236  
(b) of section 2929.14 of the Revised Code for a felony of the 237  
first degree or from division (A) (2) (b) of that section for a 238  
felony of the second degree, whichever is applicable, except 239  
that if the violation is committed on or after March 22, 2019, 240  
the court shall impose as the minimum prison term for the 241  
offense a mandatory prison term that is one of the minimum terms 242  
prescribed for a felony of the first degree in division (A) (1) 243  
(a) of section 2929.14 of the Revised Code or one of the terms 244  
prescribed for a felony of the second degree in division (A) (2) 245  
(a) of that section, whichever is applicable. If division (B) (2) 246  
(c) or (d) of this section applies to an offender who is 247  
convicted of or pleads guilty to the violation of division (A) 248  
(1) of this section, the court shall impose the mandatory prison 249  
term pursuant to division (A) or (B) of section 2929.142 of the 250  
Revised Code, as applicable. The court shall impose a mandatory 251  
jail term of at least fifteen days on an offender who is 252  
convicted of or pleads guilty to a misdemeanor violation of 253  
division (A) (3) (b) of this section and may impose upon the 254  
offender a longer jail term as authorized pursuant to section 255

2929.24 of the Revised Code.	256
(2) The court shall impose a mandatory prison term on an offender who is convicted of or pleads guilty to a violation of division (A) (2) or (3) (a) of this section or a felony violation of division (A) (3) (b) of this section if either division (E) (2) (a) or (b) of this section applies. The mandatory prison term shall be a definite term from the range of prison terms provided in division (A) (3) (a) of section 2929.14 of the Revised Code for a felony of the third degree or from division (A) (4) of that section for a felony of the fourth degree, whichever is applicable. The court shall impose a mandatory prison term on an offender in a category described in this division if either of the following applies:	257 258 259 260 261 262 263 264 265 266 267 268
(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or section 2903.08 of the Revised Code.	269 270 271
(b) At the time of the offense, the offender was driving under suspension or cancellation under Chapter 4510. or any other provision of the Revised Code or was operating a motor vehicle or motorcycle, did not have a valid driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, and was not eligible for renewal of the offender's driver's license or commercial driver's license without examination under section 4507.10 of the Revised Code.	272 273 274 275 276 277 278 279 280
(F) Divisions (A) (2) (b) and (3) (b) of this section do not apply in a particular construction zone unless signs of the type described in section 2903.081 of the Revised Code are erected in that construction zone in accordance with the guidelines and design specifications established by the director of	281 282 283 284 285

transportation under section 5501.27 of the Revised Code. The 286  
failure to erect signs of the type described in section 2903.081 287  
of the Revised Code in a particular construction zone in 288  
accordance with those guidelines and design specifications does 289  
not limit or affect the application of division (A) (1), (A) (2) 290  
(a), (A) (3) (a), or (A) (4) of this section in that construction 291  
zone or the prosecution of any person who violates any of those 292  
divisions in that construction zone. 293

(G) (1) As used in this section: 294

(a) "Mandatory prison term" and "mandatory jail term" have 295  
the same meanings as in section 2929.01 of the Revised Code. 296

(b) "Traffic-related homicide, manslaughter, or assault 297  
offense" means a violation of section 2903.04 of the Revised 298  
Code in circumstances in which division (D) of that section 299  
applies, a violation of section 2903.06 or 2903.08 of the 300  
Revised Code, or a violation of section 2903.06, 2903.07, or 301  
2903.08 of the Revised Code as they existed prior to March 23, 302  
2000. 303

(c) "Construction zone" has the same meaning as in section 304  
5501.27 of the Revised Code. 305

(d) "Reckless operation offense" means a violation of 306  
section 4511.20 of the Revised Code or a municipal ordinance 307  
substantially equivalent to section 4511.20 of the Revised Code. 308

(e) "Speeding offense" means a violation of section 309  
4511.21 of the Revised Code or a municipal ordinance pertaining 310  
to speed. 311

(f) "Traffic-related murder, felonious assault, or 312  
attempted murder offense" means a violation of section 2903.01 313  
or 2903.02 of the Revised Code in circumstances in which the 314

offender used a motor vehicle as the means to commit the 315  
violation, a violation of division (A) (2) of section 2903.11 of 316  
the Revised Code in circumstances in which the deadly weapon 317  
used in the commission of the violation is a motor vehicle, or 318  
an attempt to commit aggravated murder or murder in violation of 319  
section 2923.02 of the Revised Code in circumstances in which 320  
the offender used a motor vehicle as the means to attempt to 321  
commit the aggravated murder or murder. 322

(g) "Motor vehicle," "mini-truck," "under-speed vehicle," 323  
"motorized bicycle or moped," "motor-driven cycle or motor 324  
scooter," and "utility vehicle" have the same meanings as in 325  
section 4501.01 of the Revised Code. 326

(h) "All-purpose vehicle" has the same meaning as in 327  
section 4519.01 of the Revised Code. 328

(i) "OVI offense" means a violation of division (A) of 329  
section 4511.19 of the Revised Code, a violation of division (A) 330  
of section 1547.11 of the Revised Code, a violation of division 331  
(A) (3) of section 4561.15 of the Revised Code, or a 332  
substantially equivalent municipal ordinance. 333

(2) For the purposes of this section, when a penalty or 334  
suspension is enhanced because of a prior or current violation 335  
of a specified law or a prior or current specified offense, the 336  
reference to the violation of the specified law or the specified 337  
offense includes any violation of any substantially equivalent 338  
municipal ordinance, former law of this state, or current or 339  
former law of another state or the United States. 340

**Sec. 2903.08.** (A) No person, while operating or 341  
participating in the operation of a motor vehicle, motorcycle, 342  
under-speed vehicle, motorized bicycle or moped, motor-driven 343

cycle or motor scooter, all-purpose vehicle, utility vehicle, 344  
mini-truck, snowmobile, locomotive, watercraft, or aircraft, 345  
shall cause serious physical harm to another person or another's 346  
unborn in any of the following ways: 347

(1) (a) As the proximate result of committing a violation 348  
of division (A) of section 4511.19 of the Revised Code or of a 349  
substantially equivalent municipal ordinance; 350

(b) As the proximate result of committing a violation of 351  
division (A) of section 1547.11 of the Revised Code or of a 352  
substantially equivalent municipal ordinance; 353

(c) As the proximate result of committing a violation of 354  
division (A) (3) of section 4561.15 of the Revised Code or of a 355  
substantially equivalent municipal ordinance. 356

(2) In one of the following ways: 357

(a) As the proximate result of committing, while operating 358  
or participating in the operation of a motor vehicle, under- 359  
speed vehicle, motorized bicycle or moped, motor-driven cycle or 360  
motor scooter, all-purpose vehicle, utility vehicle, mini-truck, 361  
or motorcycle in a construction zone, a reckless operation 362  
offense, provided that this division applies only if the person 363  
to whom the serious physical harm is caused or to whose unborn 364  
the serious physical harm is caused is in the construction zone 365  
at the time of the offender's commission of the reckless 366  
operation offense in the construction zone and does not apply as 367  
described in division (E) of this section; 368

(b) Recklessly. 369

(3) As the proximate result of committing, while operating 370  
or participating in the operation of a motor vehicle, under- 371  
speed vehicle, motorized bicycle or moped, motor-driven cycle or 372

motor scooter, all-purpose vehicle, utility vehicle, mini-truck, 373  
or motorcycle in a construction zone, a speeding offense, 374  
provided that this division applies only if the person to whom 375  
the serious physical harm is caused or to whose unborn the 376  
serious physical harm is caused is in the construction zone at 377  
the time of the offender's commission of the speeding offense in 378  
the construction zone and does not apply as described in 379  
division (E) of this section. 380

(B) (1) Whoever violates division (A) (1) of this section is 381  
guilty of aggravated vehicular assault. Except as otherwise 382  
provided in this division, aggravated vehicular assault is a 383  
felony of the third degree. Aggravated vehicular assault is a 384  
felony of the second degree if any of the following apply: 385

(a) At the time of the offense, the offender was driving 386  
under a suspension imposed under Chapter 4510. or any other 387  
provision of the Revised Code. 388

(b) The offender previously has been convicted of or 389  
pleaded guilty to a violation of this section. 390

(c) The offender previously has been convicted of or 391  
pleaded guilty to any traffic-related homicide, manslaughter, or 392  
assault offense. 393

(d) The offender previously has been convicted of or 394  
pleaded guilty to three or more prior violations of division (A) 395  
of section 4511.19 of the Revised Code or a substantially 396  
equivalent municipal ordinance within the previous ten years. 397

(e) The offender previously has been convicted of or 398  
pleaded guilty to three or more prior violations of division (A) 399  
of section 1547.11 of the Revised Code or of a substantially 400  
equivalent municipal ordinance within the previous ten years. 401

(f) The offender previously has been convicted of or 402  
pleaded guilty to three or more prior violations of division (A) 403  
(3) of section 4561.15 of the Revised Code or of a substantially 404  
equivalent municipal ordinance within the previous ten years. 405

(g) The offender previously has been convicted of or 406  
pleaded guilty to three or more prior violations of any 407  
combination of the offenses listed in division (B) (1) (d), (e), 408  
or (f) of this section. 409

(h) The offender previously has been convicted of or 410  
pleaded guilty to a second or subsequent felony violation of 411  
division (A) of section 4511.19 of the Revised Code. 412

(2) In addition to any other sanctions imposed pursuant to 413  
division (B) (1) of this section, except as otherwise provided in 414  
this division, the court shall impose upon the offender a class 415  
three suspension of the offender's driver's license, commercial 416  
driver's license, temporary instruction permit, probationary 417  
license, or nonresident operating privilege from the range 418  
specified in division (A) (3) of section 4510.02 of the Revised 419  
Code. If the offender previously has been convicted of or 420  
pleaded guilty to a violation of this section, any traffic- 421  
related homicide, manslaughter, or assault offense, or any 422  
traffic-related murder, felonious assault, or attempted murder 423  
offense, the court shall impose either a class two suspension of 424  
the offender's driver's license, commercial driver's license, 425  
temporary instruction permit, probationary license, or 426  
nonresident operating privilege from the range specified in 427  
division (A) (2) of that section or a class one suspension as 428  
specified in division (A) (1) of that section. 429

(C) (1) Whoever violates division (A) (2) or (3) of this 430  
section is guilty of vehicular assault and shall be punished as 431

provided in divisions (C) (2) and (3) of this section. 432

(2) Except as otherwise provided in this division, 433  
vehicular assault committed in violation of division (A) (2) of 434  
this section is a felony of the fourth degree. Vehicular assault 435  
committed in violation of division (A) (2) of this section is a 436  
felony of the third degree if, at the time of the offense, the 437  
offender was driving under a suspension imposed under Chapter 438  
4510. or any other provision of the Revised Code, if the 439  
offender previously has been convicted of or pleaded guilty to a 440  
violation of this section or any traffic-related homicide, 441  
manslaughter, or assault offense, or if, in the same course of 442  
conduct that resulted in the violation of division (A) (2) of 443  
this section, the offender also violated section 4549.02, 444  
4549.021, or 4549.03 of the Revised Code. 445

In addition to any other sanctions imposed, the court 446  
shall impose upon the offender a class four suspension of the 447  
offender's driver's license, commercial driver's license, 448  
temporary instruction permit, probationary license, or 449  
nonresident operating privilege from the range specified in 450  
division (A) (4) of section 4510.02 of the Revised Code or, if 451  
the offender previously has been convicted of or pleaded guilty 452  
to a violation of this section, any traffic-related homicide, 453  
manslaughter, or assault offense, or any traffic-related murder, 454  
felonious assault, or attempted murder offense, a class three 455  
suspension of the offender's driver's license, commercial 456  
driver's license, temporary instruction permit, probationary 457  
license, or nonresident operating privilege from the range 458  
specified in division (A) (3) of that section. 459

(3) Except as otherwise provided in this division, 460  
vehicular assault committed in violation of division (A) (3) of 461

this section is a misdemeanor of the first degree. Vehicular 462  
assault committed in violation of division (A)(3) of this 463  
section is a felony of the fourth degree if, at the time of the 464  
offense, the offender was driving under a suspension imposed 465  
under Chapter 4510. or any other provision of the Revised Code 466  
or if the offender previously has been convicted of or pleaded 467  
guilty to a violation of this section or any traffic-related 468  
homicide, manslaughter, or assault offense. 469

In addition to any other sanctions imposed, the court 470  
shall impose upon the offender a class four suspension of the 471  
offender's driver's license, commercial driver's license, 472  
temporary instruction permit, probationary license, or 473  
nonresident operating privilege from the range specified in 474  
division (A)(4) of section 4510.02 of the Revised Code or, if 475  
the offender previously has been convicted of or pleaded guilty 476  
to a violation of this section, any traffic-related homicide, 477  
manslaughter, or assault offense, or any traffic-related murder, 478  
felonious assault, or attempted murder offense, a class three 479  
suspension of the offender's driver's license, commercial 480  
driver's license, temporary instruction permit, probationary 481  
license, or nonresident operating privilege from the range 482  
specified in division (A)(3) of section 4510.02 of the Revised 483  
Code. 484

(D)(1) The court shall impose a mandatory prison term, as 485  
described in division (D)(4) of this section, on an offender who 486  
is convicted of or pleads guilty to a violation of division (A) 487  
(1) of this section. 488

(2) The court shall impose a mandatory prison term, as 489  
described in division (D)(4) of this section, on an offender who 490  
is convicted of or pleads guilty to a violation of division (A) 491

(2) of this section or a felony violation of division (A) (3) of 492  
this section if either of the following applies: 493

(a) The offender previously has been convicted of or 494  
pleaded guilty to a violation of this section or section 2903.06 495  
of the Revised Code. 496

(b) At the time of the offense, the offender was driving 497  
under suspension under Chapter 4510. or any other provision of 498  
the Revised Code. 499

(3) The court shall impose a mandatory jail term of at 500  
least seven days on an offender who is convicted of or pleads 501  
guilty to a misdemeanor violation of division (A) (3) of this 502  
section and may impose upon the offender a longer jail term as 503  
authorized pursuant to section 2929.24 of the Revised Code. 504

(4) A mandatory prison term required under division (D) (1) 505  
or (2) of this section shall be a definite term from the range 506  
of prison terms provided in division (A) (2) (b) of section 507  
2929.14 of the Revised Code for a felony of the second degree, 508  
from division (A) (3) (a) of that section for a felony of the 509  
third degree, or from division (A) (4) of that section for a 510  
felony of the fourth degree, whichever is applicable, except 511  
that if the violation is a felony of the second degree committed 512  
on or after March 22, 2019, the court shall impose as the 513  
minimum prison term for the offense a mandatory prison term that 514  
is one of the minimum terms prescribed for a felony of the 515  
second degree in division (A) (2) (a) of section 2929.14 of the 516  
Revised Code. 517

(E) Divisions (A) (2) (a) and (3) of this section do not 518  
apply in a particular construction zone unless signs of the type 519  
described in section 2903.081 of the Revised Code are erected in 520

that construction zone in accordance with the guidelines and 521  
design specifications established by the director of 522  
transportation under section 5501.27 of the Revised Code. The 523  
failure to erect signs of the type described in section 2903.081 524  
of the Revised Code in a particular construction zone in 525  
accordance with those guidelines and design specifications does 526  
not limit or affect the application of division (A) (1) or (2) (b) 527  
of this section in that construction zone or the prosecution of 528  
any person who violates either of those divisions in that 529  
construction zone. 530

(F) As used in this section: 531

(1) "Mandatory prison term" and "mandatory jail term" have 532  
the same meanings as in section 2929.01 of the Revised Code. 533

(2) "Traffic-related homicide, manslaughter, or assault 534  
offense" and "traffic-related murder, felonious assault, or 535  
attempted murder offense" have the same meanings as in section 536  
2903.06 of the Revised Code. 537

(3) "Construction zone" has the same meaning as in section 538  
5501.27 of the Revised Code. 539

(4) "Reckless operation offense" and "speeding offense" 540  
have the same meanings as in section 2903.06 of the Revised 541  
Code. 542

(5) "Motor vehicle," "mini-truck," "under-speed vehicle," 543  
"motorized bicycle or moped," "motor-driven cycle or motor 544  
scooter," and "utility vehicle" have the same meanings as in 545  
section 4501.01 of the Revised Code. 546

(6) "All-purpose vehicle" has the same meaning as in 547  
section 4519.01 of the Revised Code. 548

(G) For the purposes of this section, when a penalty or 549  
suspension is enhanced because of a prior or current violation 550  
of a specified law or a prior or current specified offense, the 551  
reference to the violation of the specified law or the specified 552  
offense includes any violation of any substantially equivalent 553  
municipal ordinance, former law of this state, or current or 554  
former law of another state or the United States. 555

**Section 2.** That existing sections 2903.06 and 2903.08 of 556  
the Revised Code are hereby repealed. 557