

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 141**

**Representatives Dever, Wiggam**

**Cosponsors: Representatives Arndt, Becker, Butler, Koehler, Riedel, Sprague,  
Thompson, Lipps**

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**A BILL**

To amend sections 2903.04, 2903.06, 2919.22, 1  
2929.142, 4510.17, 4510.31, and 4511.181 of the 2  
Revised Code to provide that causing or 3  
contributing to the death of another person as a 4  
result of the offender's sale, distribution, 5  
dispensation, or administration of a controlled 6  
substance or controlled substance analog is a 7  
violation of the offense of involuntary 8  
manslaughter and to make this offense a strict 9  
liability offense. 10

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

**Section 1.** That sections 2903.04, 2903.06, 2919.22, 11  
2929.142, 4510.17, 4510.31, and 4511.181 of the Revised Code be 12  
amended to read as follows: 13

**Sec. 2903.04.** (A) No person shall cause the death of 14  
another or the unlawful termination of another's pregnancy as a 15  
proximate result of the offender's committing or attempting to 16  
commit a felony. 17

(B) No person shall cause the death of another or the unlawful termination of another's pregnancy as a proximate result of the offender's committing or attempting to commit a misdemeanor of any degree, a regulatory offense, or a minor misdemeanor other than a violation of any section contained in Title XLV of the Revised Code that is a minor misdemeanor and other than a violation of an ordinance of a municipal corporation that, regardless of the penalty set by ordinance for the violation, is substantially equivalent to any section contained in Title XLV of the Revised Code that is a minor misdemeanor.

(C) No person shall cause or contribute to the death of another or the unlawful termination of another's pregnancy as a result of the offender's sale, distribution, dispensation, or administration of any controlled substance or controlled substance analog in violation of any provision of Chapter 2925. of the Revised Code.

The offense established under this division is a strict liability offense, and strict liability is a culpable mental state under section 2901.20 of the Revised Code. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

The conduct of the victim is not a defense to a charge under this division.

(D) Division (C) of this section does not apply to manufacturers, wholesalers, licensed health professionals authorized to prescribe, administer, or distribute controlled substances, pharmacists, owners of pharmacies, and other persons

whose conduct is in accordance with Chapters 3719., 4715., 48  
4723., 4725., 4729., 4730., 4731., and 4741. of the Revised 49  
Code. 50

(E)(1) Whoever violates this section is guilty of 51  
involuntary manslaughter. ~~Violation~~ 52

(2) Violation of division (A) of this section is a felony 53  
of the first degree. ~~Violation~~ 54

(3) Violation of division (B) of this section is a felony 55  
of the third degree. 56

(4) Violation of division (C) of this section is a felony 57  
and, notwithstanding section 2929.14 or 2929.18 of the Revised 58  
Code, the court shall impose on the offender one of the 59  
following sentences: 60

(a) A definite prison term of one, two, three, four, five, 61  
six, seven, eight, nine, ten, eleven, twelve, thirteen, 62  
fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, or 63  
twenty years; 64

(b) A fine of not more than ten thousand dollars; 65

(c) A community control sanction under section 2929.15 of 66  
the Revised Code if no more than one of the aggravating factors 67  
specified in division (G) of this section apply to the offender 68  
and the court finds any of the following: 69

(i) The offender was a co-user of the controlled substance 70  
or controlled substance analog with the victim. 71

(ii) The offender did not engage in the sale, 72  
distribution, dispensation, or administration of the controlled 73  
substance or controlled substance analog to the victim for 74  
personal profit. 75

(iii) The offender is a family member or close personal 76  
friend of the victim. 77

~~(D)~~ (E) If an offender is convicted of or pleads guilty to 78  
a violation of division (A) or (B) of this section and if the 79  
felony, misdemeanor, or regulatory offense that the offender 80  
committed or attempted to commit, that proximately resulted in 81  
the death of the other person or the unlawful termination of 82  
another's pregnancy, and that is the basis of the offender's 83  
violation of division (A) or (B) of this section was a violation 84  
of division (A) or (B) of section 4511.19 of the Revised Code or 85  
of a substantially equivalent municipal ordinance or included, 86  
as an element of that felony, misdemeanor, or regulatory 87  
offense, the offender's operation or participation in the 88  
operation of a snowmobile, locomotive, watercraft, or aircraft 89  
while the offender was under the influence of alcohol, a drug of 90  
abuse, or alcohol and a drug of abuse, both of the following 91  
apply: 92

(1) The court shall impose a class one suspension of the 93  
offender's driver's or commercial driver's license or permit or 94  
nonresident operating privilege as specified in division (A) (1) 95  
of section 4510.02 of the Revised Code. 96

(2) The court shall impose a mandatory prison term for the 97  
violation of division (A) or (B) of this section from the range 98  
of prison terms authorized for the level of the offense under 99  
section 2929.14 of the Revised Code. 100

(G) In imposing a sentence for a violation of division (C) 101  
of this section, the court shall comply with the purposes and 102  
principles of sentencing in section 2929.11 of the Revised Code 103  
and shall consider the factors specified in section 2929.12 of 104  
the Revised Code and the following aggravating factors: 105

(1) The offender was previously convicted of or pleaded guilty to aggravated trafficking in drugs or trafficking in drugs in violation of section 2925.03 of the Revised Code or was engaged as a normal practice in any of the acts that could constitute that violation. 106  
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(2) The offender sold, distributed, dispensed, or administered or caused to be sold, distributed, dispensed, or administered a mixture of various controlled substances or controlled substance analogs to the victim. 111  
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(3) The offender knew or should have known that the victim was participating in or had completed a drug rehabilitation program. 115  
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(4) The offender deceived the victim regarding the nature of, or the mixture, preparation, or compound containing the controlled substance or controlled substance analog. 118  
119  
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(5) The offender was part of a criminal enterprise involving controlled substances or controlled substance analogs. 121  
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(6) The offender failed to obtain medical assistance for the victim. 123  
124

(H) As used in this section, "controlled substance" and "controlled substance analog" have the same meanings as in section 3719.01 of the Revised Code. 125  
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**Sec. 2903.06.** (A) No person, while operating or participating in the operation of a motor vehicle, motorcycle, snowmobile, locomotive, watercraft, or aircraft, shall cause the death of another or the unlawful termination of another's pregnancy in any of the following ways: 128  
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(1) (a) As the proximate result of committing a violation 133

of division (A) of section 4511.19 of the Revised Code or of a	134
substantially equivalent municipal ordinance;	135
(b) As the proximate result of committing a violation of	136
division (A) of section 1547.11 of the Revised Code or of a	137
substantially equivalent municipal ordinance;	138
(c) As the proximate result of committing a violation of	139
division (A) (3) of section 4561.15 of the Revised Code or of a	140
substantially equivalent municipal ordinance.	141
(2) In one of the following ways:	142
(a) Recklessly;	143
(b) As the proximate result of committing, while operating	144
or participating in the operation of a motor vehicle or	145
motorcycle in a construction zone, a reckless operation offense,	146
provided that this division applies only if the person whose	147
death is caused or whose pregnancy is unlawfully terminated is	148
in the construction zone at the time of the offender's	149
commission of the reckless operation offense in the construction	150
zone and does not apply as described in division (F) of this	151
section.	152
(3) In one of the following ways:	153
(a) Negligently;	154
(b) As the proximate result of committing, while operating	155
or participating in the operation of a motor vehicle or	156
motorcycle in a construction zone, a speeding offense, provided	157
that this division applies only if the person whose death is	158
caused or whose pregnancy is unlawfully terminated is in the	159
construction zone at the time of the offender's commission of	160
the speeding offense in the construction zone and does not apply	161

as described in division (F) of this section. 162

(4) As the proximate result of committing a violation of 163  
any provision of any section contained in Title XLV of the 164  
Revised Code that is a minor misdemeanor or of a municipal 165  
ordinance that, regardless of the penalty set by ordinance for 166  
the violation, is substantially equivalent to any provision of 167  
any section contained in Title XLV of the Revised Code that is a 168  
minor misdemeanor. 169

(B) (1) Whoever violates division (A) (1) or (2) of this 170  
section is guilty of aggravated vehicular homicide and shall be 171  
punished as provided in divisions (B) (2) and (3) of this 172  
section. 173

(2) (a) Except as otherwise provided in division (B) (2) (b) 174  
or (c) of this section, aggravated vehicular homicide committed 175  
in violation of division (A) (1) of this section is a felony of 176  
the second degree and the court shall impose a mandatory prison 177  
term on the offender as described in division (E) of this 178  
section. 179

(b) Except as otherwise provided in division (B) (2) (c) of 180  
this section, aggravated vehicular homicide committed in 181  
violation of division (A) (1) of this section is a felony of the 182  
first degree, and the court shall impose a mandatory prison term 183  
on the offender as described in division (E) of this section, if 184  
any of the following apply: 185

(i) At the time of the offense, the offender was driving 186  
under a suspension or cancellation imposed under Chapter 4510. 187  
or any other provision of the Revised Code or was operating a 188  
motor vehicle or motorcycle, did not have a valid driver's 189  
license, commercial driver's license, temporary instruction 190

permit, probationary license, or nonresident operating 191  
privilege, and was not eligible for renewal of the offender's 192  
driver's license or commercial driver's license without 193  
examination under section 4507.10 of the Revised Code. 194

(ii) The offender previously has been convicted of or 195  
pleaded guilty to a violation of this section. 196

(iii) The offender previously has been convicted of or 197  
pleaded guilty to any traffic-related homicide, manslaughter, or 198  
assault offense. 199

(c) Aggravated vehicular homicide committed in violation 200  
of division (A) (1) of this section is a felony of the first 201  
degree, and the court shall sentence the offender to a mandatory 202  
prison term as provided in section 2929.142 of the Revised Code 203  
and described in division (E) of this section if any of the 204  
following apply: 205

(i) The offender previously has been convicted of or 206  
pleaded guilty to three or more prior violations of section 207  
4511.19 of the Revised Code or of a substantially equivalent 208  
municipal ordinance within the previous ten years. 209

(ii) The offender previously has been convicted of or 210  
pleaded guilty to three or more prior violations of division (A) 211  
of section 1547.11 of the Revised Code or of a substantially 212  
equivalent municipal ordinance within the previous ten years. 213

(iii) The offender previously has been convicted of or 214  
pleaded guilty to three or more prior violations of division (A) 215  
(3) of section 4561.15 of the Revised Code or of a substantially 216  
equivalent municipal ordinance within the previous ten years. 217

(iv) The offender previously has been convicted of or 218  
pleaded guilty to three or more prior violations of division (A) 219



(1) of this section within the previous ten years.	220
(v) The offender previously has been convicted of or	221
pleaded guilty to three or more prior violations of division (A)	222
(1) of section 2903.08 of the Revised Code within the previous	223
ten years.	224
(vi) The offender previously has been convicted of or	225
pleaded guilty to three or more prior violations of section	226
2903.04 of the Revised Code within the previous ten years in	227
circumstances in which division <del>(D)</del> <u>(F)</u> of that section applied	228
regarding the violations.	229
(vii) The offender previously has been convicted of or	230
pleaded guilty to three or more violations of any combination of	231
the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv),	232
(v), or (vi) of this section within the previous ten years.	233
(viii) The offender previously has been convicted of or	234
pleaded guilty to a second or subsequent felony violation of	235
division (A) of section 4511.19 of the Revised Code.	236
(d) In addition to any other sanctions imposed pursuant to	237
division (B) (2) (a), (b), or (c) of this section for aggravated	238
vehicular homicide committed in violation of division (A) (1) of	239
this section, the court shall impose upon the offender a class	240
one suspension of the offender's driver's license, commercial	241
driver's license, temporary instruction permit, probationary	242
license, or nonresident operating privilege as specified in	243
division (A) (1) of section 4510.02 of the Revised Code.	244
Divisions (A) (1) to (3) of section 4510.54 of the Revised	245
Code apply to a suspension imposed under division (B) (2) (d) of	246
this section.	247
(3) Except as otherwise provided in this division,	248

aggravated vehicular homicide committed in violation of division 249  
(A) (2) of this section is a felony of the third degree. 250  
Aggravated vehicular homicide committed in violation of division 251  
(A) (2) of this section is a felony of the second degree if, at 252  
the time of the offense, the offender was driving under a 253  
suspension or cancellation imposed under Chapter 4510. or any 254  
other provision of the Revised Code or was operating a motor 255  
vehicle or motorcycle, did not have a valid driver's license, 256  
commercial driver's license, temporary instruction permit, 257  
probationary license, or nonresident operating privilege, and 258  
was not eligible for renewal of the offender's driver's license 259  
or commercial driver's license without examination under section 260  
4507.10 of the Revised Code or if the offender previously has 261  
been convicted of or pleaded guilty to a violation of this 262  
section or any traffic-related homicide, manslaughter, or 263  
assault offense. The court shall impose a mandatory prison term 264  
on the offender when required by division (E) of this section. 265

In addition to any other sanctions imposed pursuant to 266  
this division for a violation of division (A) (2) of this 267  
section, the court shall impose upon the offender a class two 268  
suspension of the offender's driver's license, commercial 269  
driver's license, temporary instruction permit, probationary 270  
license, or nonresident operating privilege from the range 271  
specified in division (A) (2) of section 4510.02 of the Revised 272  
Code or, if the offender previously has been convicted of or 273  
pleaded guilty to a traffic-related murder, felonious assault, 274  
or attempted murder offense, a class one suspension of the 275  
offender's driver's license, commercial driver's license, 276  
temporary instruction permit, probationary license, or 277  
nonresident operating privilege as specified in division (A) (1) 278  
of that section. 279

(C) Whoever violates division (A) (3) of this section is 280  
guilty of vehicular homicide. Except as otherwise provided in 281  
this division, vehicular homicide is a misdemeanor of the first 282  
degree. Vehicular homicide committed in violation of division 283  
(A) (3) of this section is a felony of the fourth degree if, at 284  
the time of the offense, the offender was driving under a 285  
suspension or cancellation imposed under Chapter 4510. or any 286  
other provision of the Revised Code or was operating a motor 287  
vehicle or motorcycle, did not have a valid driver's license, 288  
commercial driver's license, temporary instruction permit, 289  
probationary license, or nonresident operating privilege, and 290  
was not eligible for renewal of the offender's driver's license 291  
or commercial driver's license without examination under section 292  
4507.10 of the Revised Code or if the offender previously has 293  
been convicted of or pleaded guilty to a violation of this 294  
section or any traffic-related homicide, manslaughter, or 295  
assault offense. The court shall impose a mandatory jail term or 296  
a mandatory prison term on the offender when required by 297  
division (E) of this section. 298

In addition to any other sanctions imposed pursuant to 299  
this division, the court shall impose upon the offender a class 300  
four suspension of the offender's driver's license, commercial 301  
driver's license, temporary instruction permit, probationary 302  
license, or nonresident operating privilege from the range 303  
specified in division (A) (4) of section 4510.02 of the Revised 304  
Code, or, if the offender previously has been convicted of or 305  
pleaded guilty to a violation of this section or any traffic- 306  
related homicide, manslaughter, or assault offense, a class 307  
three suspension of the offender's driver's license, commercial 308  
driver's license, temporary instruction permit, probationary 309  
license, or nonresident operating privilege from the range 310

specified in division (A) (3) of that section, or, if the 311  
offender previously has been convicted of or pleaded guilty to a 312  
traffic-related murder, felonious assault, or attempted murder 313  
offense, a class two suspension of the offender's driver's 314  
license, commercial driver's license, temporary instruction 315  
permit, probationary license, or nonresident operating privilege 316  
as specified in division (A) (2) of that section. 317

(D) Whoever violates division (A) (4) of this section is 318  
guilty of vehicular manslaughter. Except as otherwise provided 319  
in this division, vehicular manslaughter is a misdemeanor of the 320  
second degree. Vehicular manslaughter is a misdemeanor of the 321  
first degree if, at the time of the offense, the offender was 322  
driving under a suspension or cancellation imposed under Chapter 323  
4510. or any other provision of the Revised Code or was 324  
operating a motor vehicle or motorcycle, did not have a valid 325  
driver's license, commercial driver's license, temporary 326  
instruction permit, probationary license, or nonresident 327  
operating privilege, and was not eligible for renewal of the 328  
offender's driver's license or commercial driver's license 329  
without examination under section 4507.10 of the Revised Code or 330  
if the offender previously has been convicted of or pleaded 331  
guilty to a violation of this section or any traffic-related 332  
homicide, manslaughter, or assault offense. 333

In addition to any other sanctions imposed pursuant to 334  
this division, the court shall impose upon the offender a class 335  
six suspension of the offender's driver's license, commercial 336  
driver's license, temporary instruction permit, probationary 337  
license, or nonresident operating privilege from the range 338  
specified in division (A) (6) of section 4510.02 of the Revised 339  
Code or, if the offender previously has been convicted of or 340  
pleaded guilty to a violation of this section, any traffic- 341

related homicide, manslaughter, or assault offense, or a 342  
traffic-related murder, felonious assault, or attempted murder 343  
offense, a class four suspension of the offender's driver's 344  
license, commercial driver's license, temporary instruction 345  
permit, probationary license, or nonresident operating privilege 346  
from the range specified in division (A)(4) of that section. 347

(E) The court shall impose a mandatory prison term on an 348  
offender who is convicted of or pleads guilty to a violation of 349  
division (A)(1) of this section. If division (B)(2)(c)(i), (ii), 350  
(iii), (iv), (v), (vi), (vii), or (viii) of this section applies 351  
to an offender who is convicted of or pleads guilty to the 352  
violation of division (A)(1) of this section, the court shall 353  
impose the mandatory prison term pursuant to section 2929.142 of 354  
the Revised Code. The court shall impose a mandatory jail term 355  
of at least fifteen days on an offender who is convicted of or 356  
pleads guilty to a misdemeanor violation of division (A)(3)(b) 357  
of this section and may impose upon the offender a longer jail 358  
term as authorized pursuant to section 2929.24 of the Revised 359  
Code. The court shall impose a mandatory prison term on an 360  
offender who is convicted of or pleads guilty to a violation of 361  
division (A)(2) or (3)(a) of this section or a felony violation 362  
of division (A)(3)(b) of this section if either of the following 363  
applies: 364

(1) The offender previously has been convicted of or 365  
pleaded guilty to a violation of this section or section 2903.08 366  
of the Revised Code. 367

(2) At the time of the offense, the offender was driving 368  
under suspension or cancellation under Chapter 4510. or any 369  
other provision of the Revised Code or was operating a motor 370  
vehicle or motorcycle, did not have a valid driver's license, 371

commercial driver's license, temporary instruction permit, 372  
probationary license, or nonresident operating privilege, and 373  
was not eligible for renewal of the offender's driver's license 374  
or commercial driver's license without examination under section 375  
4507.10 of the Revised Code. 376

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 377  
apply in a particular construction zone unless signs of the type 378  
described in section 2903.081 of the Revised Code are erected in 379  
that construction zone in accordance with the guidelines and 380  
design specifications established by the director of 381  
transportation under section 5501.27 of the Revised Code. The 382  
failure to erect signs of the type described in section 2903.081 383  
of the Revised Code in a particular construction zone in 384  
accordance with those guidelines and design specifications does 385  
not limit or affect the application of division (A) (1), (A) (2) 386  
(a), (A) (3) (a), or (A) (4) of this section in that construction 387  
zone or the prosecution of any person who violates any of those 388  
divisions in that construction zone. 389

(G) (1) As used in this section: 390

(a) "Mandatory prison term" and "mandatory jail term" have 391  
the same meanings as in section 2929.01 of the Revised Code. 392

(b) "Traffic-related homicide, manslaughter, or assault 393  
offense" means a violation of section 2903.04 of the Revised 394  
Code in circumstances in which division ~~(D)~~ (F) of that section 395  
applies, a violation of section 2903.06 or 2903.08 of the 396  
Revised Code, or a violation of section 2903.06, 2903.07, or 397  
2903.08 of the Revised Code as they existed prior to March 23, 398  
2000. 399

(c) "Construction zone" has the same meaning as in section 400

5501.27 of the Revised Code. 401

(d) "Reckless operation offense" means a violation of 402  
section 4511.20 of the Revised Code or a municipal ordinance 403  
substantially equivalent to section 4511.20 of the Revised Code. 404

(e) "Speeding offense" means a violation of section 405  
4511.21 of the Revised Code or a municipal ordinance pertaining 406  
to speed. 407

(f) "Traffic-related murder, felonious assault, or 408  
attempted murder offense" means a violation of section 2903.01 409  
or 2903.02 of the Revised Code in circumstances in which the 410  
offender used a motor vehicle as the means to commit the 411  
violation, a violation of division (A) (2) of section 2903.11 of 412  
the Revised Code in circumstances in which the deadly weapon 413  
used in the commission of the violation is a motor vehicle, or 414  
an attempt to commit aggravated murder or murder in violation of 415  
section 2923.02 of the Revised Code in circumstances in which 416  
the offender used a motor vehicle as the means to attempt to 417  
commit the aggravated murder or murder. 418

(g) "Motor vehicle" has the same meaning as in section 419  
4501.01 of the Revised Code. 420

(2) For the purposes of this section, when a penalty or 421  
suspension is enhanced because of a prior or current violation 422  
of a specified law or a prior or current specified offense, the 423  
reference to the violation of the specified law or the specified 424  
offense includes any violation of any substantially equivalent 425  
municipal ordinance, former law of this state, or current or 426  
former law of another state or the United States. 427

**Sec. 2919.22.** (A) No person, who is the parent, guardian, 428  
custodian, person having custody or control, or person in loco 429

parentis of a child under eighteen years of age or a mentally or 430  
physically handicapped child under twenty-one years of age, 431  
shall create a substantial risk to the health or safety of the 432  
child, by violating a duty of care, protection, or support. It 433  
is not a violation of a duty of care, protection, or support 434  
under this division when the parent, guardian, custodian, or 435  
person having custody or control of a child treats the physical 436  
or mental illness or defect of the child by spiritual means 437  
through prayer alone, in accordance with the tenets of a 438  
recognized religious body. 439

(B) No person shall do any of the following to a child 440  
under eighteen years of age or a mentally or physically 441  
handicapped child under twenty-one years of age: 442

(1) Abuse the child; 443

(2) Torture or cruelly abuse the child; 444

(3) Administer corporal punishment or other physical 445  
disciplinary measure, or physically restrain the child in a 446  
cruel manner or for a prolonged period, which punishment, 447  
discipline, or restraint is excessive under the circumstances 448  
and creates a substantial risk of serious physical harm to the 449  
child; 450

(4) Repeatedly administer unwarranted disciplinary 451  
measures to the child, when there is a substantial risk that 452  
such conduct, if continued, will seriously impair or retard the 453  
child's mental health or development; 454

(5) Entice, coerce, permit, encourage, compel, hire, 455  
employ, use, or allow the child to act, model, or in any other 456  
way participate in, or be photographed for, the production, 457  
presentation, dissemination, or advertisement of any material or 458



performance that the offender knows or reasonably should know is 459  
obscene, is sexually oriented matter, or is nudity-oriented 460  
matter; 461

(6) Allow the child to be on the same parcel of real 462  
property and within one hundred feet of, or, in the case of more 463  
than one housing unit on the same parcel of real property, in 464  
the same housing unit and within one hundred feet of, any act in 465  
violation of section 2925.04 or 2925.041 of the Revised Code 466  
when the person knows that the act is occurring, whether or not 467  
any person is prosecuted for or convicted of the violation of 468  
section 2925.04 or 2925.041 of the Revised Code that is the 469  
basis of the violation of this division. 470

(C) (1) No person shall operate a vehicle, streetcar, or 471  
trackless trolley within this state in violation of division (A) 472  
of section 4511.19 of the Revised Code when one or more children 473  
under eighteen years of age are in the vehicle, streetcar, or 474  
trackless trolley. Notwithstanding any other provision of law, a 475  
person may be convicted at the same trial or proceeding of a 476  
violation of this division and a violation of division (A) of 477  
section 4511.19 of the Revised Code that constitutes the basis 478  
of the charge of the violation of this division. For purposes of 479  
sections 4511.191 to 4511.197 of the Revised Code and all 480  
related provisions of law, a person arrested for a violation of 481  
this division shall be considered to be under arrest for 482  
operating a vehicle while under the influence of alcohol, a drug 483  
of abuse, or a combination of them or for operating a vehicle 484  
with a prohibited concentration of alcohol, a controlled 485  
substance, or a metabolite of a controlled substance in the 486  
whole blood, blood serum or plasma, breath, or urine. 487

(2) As used in division (C) (1) of this section: 488

(a) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	489 490
(b) "Vehicle," "streetcar," and "trackless trolley" have the same meanings as in section 4511.01 of the Revised Code.	491 492
(D) (1) Division (B) (5) of this section does not apply to any material or performance that is produced, presented, or disseminated for a bona fide medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, member of the clergy, prosecutor, judge, or other person having a proper interest in the material or performance.	493 494 495 496 497 498 499 500
(2) Mistake of age is not a defense to a charge under division (B) (5) of this section.	501 502
(3) In a prosecution under division (B) (5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.	503 504 505 506 507 508
(4) As used in this division and division (B) (5) of this section:	509 510
(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.	511 512 513
(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to prurient interest.	514 515 516 517

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

(E) (1) Whoever violates this section is guilty of endangering children.

(2) If the offender violates division (A) or (B) (1) of this section, endangering children is one of the following, and, in the circumstances described in division (E) (2) (e) of this section, that division applies:

(a) Except as otherwise provided in division (E) (2) (b), (c), or (d) of this section, a misdemeanor of the first degree;

(b) If the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division (E) (2) (c) or (d) of this section, a felony of the fourth degree;

(c) If the violation is a violation of division (A) of this section and results in serious physical harm to the child involved, a felony of the third degree;

(d) If the violation is a violation of division (B) (1) of this section and results in serious physical harm to the child involved, a felony of the second degree.

(e) If the violation is a felony violation of division (B) (1) of this section and the offender also is convicted of or pleads guilty to a specification as described in section 2941.1422 of the Revised Code that was included in the indictment, count in the indictment, or information charging the offense, the court shall sentence the offender to a mandatory prison term as provided in division (B) (7) of section 2929.14 of

the Revised Code and shall order the offender to make 547  
restitution as provided in division (B) (8) of section 2929.18 of 548  
the Revised Code. 549

(3) If the offender violates division (B) (2), (3), (4), or 550  
(6) of this section, except as otherwise provided in this 551  
division, endangering children is a felony of the third degree. 552  
If the violation results in serious physical harm to the child 553  
involved, or if the offender previously has been convicted of an 554  
offense under this section or of any offense involving neglect, 555  
abandonment, contributing to the delinquency of, or physical 556  
abuse of a child, endangering children is a felony of the second 557  
degree. If the offender violates division (B) (2), (3), or (4) of 558  
this section and the offender also is convicted of or pleads 559  
guilty to a specification as described in section 2941.1422 of 560  
the Revised Code that was included in the indictment, count in 561  
the indictment, or information charging the offense, the court 562  
shall sentence the offender to a mandatory prison term as 563  
provided in division (B) (7) of section 2929.14 of the Revised 564  
Code and shall order the offender to make restitution as 565  
provided in division (B) (8) of section 2929.18 of the Revised 566  
Code. If the offender violates division (B) (6) of this section 567  
and the drug involved is methamphetamine, the court shall impose 568  
a mandatory prison term on the offender as follows: 569

(a) If the violation is a violation of division (B) (6) of 570  
this section that is a felony of the third degree under division 571  
(E) (3) of this section and the drug involved is methamphetamine, 572  
except as otherwise provided in this division, the court shall 573  
impose as a mandatory prison term one of the prison terms 574  
prescribed for a felony of the third degree that is not less 575  
than two years. If the violation is a violation of division (B) 576  
(6) of this section that is a felony of the third degree under 577

division (E) (3) of this section, if the drug involved is 578  
methamphetamine, and if the offender previously has been 579  
convicted of or pleaded guilty to a violation of division (B) (6) 580  
of this section, a violation of division (A) of section 2925.04 581  
of the Revised Code, or a violation of division (A) of section 582  
2925.041 of the Revised Code, the court shall impose as a 583  
mandatory prison term one of the prison terms prescribed for a 584  
felony of the third degree that is not less than five years. 585

(b) If the violation is a violation of division (B) (6) of 586  
this section that is a felony of the second degree under 587  
division (E) (3) of this section and the drug involved is 588  
methamphetamine, except as otherwise provided in this division, 589  
the court shall impose as a mandatory prison term one of the 590  
prison terms prescribed for a felony of the second degree that 591  
is not less than three years. If the violation is a violation of 592  
division (B) (6) of this section that is a felony of the second 593  
degree under division (E) (3) of this section, if the drug 594  
involved is methamphetamine, and if the offender previously has 595  
been convicted of or pleaded guilty to a violation of division 596  
(B) (6) of this section, a violation of division (A) of section 597  
2925.04 of the Revised Code, or a violation of division (A) of 598  
section 2925.041 of the Revised Code, the court shall impose as 599  
a mandatory prison term one of the prison terms prescribed for a 600  
felony of the second degree that is not less than five years. 601

(4) If the offender violates division (B) (5) of this 602  
section, endangering children is a felony of the second degree. 603  
If the offender also is convicted of or pleads guilty to a 604  
specification as described in section 2941.1422 of the Revised 605  
Code that was included in the indictment, count in the 606  
indictment, or information charging the offense, the court shall 607  
sentence the offender to a mandatory prison term as provided in 608

division (B) (7) of section 2929.14 of the Revised Code and shall 609  
order the offender to make restitution as provided in division 610  
(B) (8) of section 2929.18 of the Revised Code. 611

(5) If the offender violates division (C) of this section, 612  
the offender shall be punished as follows: 613

(a) Except as otherwise provided in division (E) (5) (b) or 614  
(c) of this section, endangering children in violation of 615  
division (C) of this section is a misdemeanor of the first 616  
degree. 617

(b) If the violation results in serious physical harm to 618  
the child involved or the offender previously has been convicted 619  
of an offense under this section or any offense involving 620  
neglect, abandonment, contributing to the delinquency of, or 621  
physical abuse of a child, except as otherwise provided in 622  
division (E) (5) (c) of this section, endangering children in 623  
violation of division (C) of this section is a felony of the 624  
fifth degree. 625

(c) If the violation results in serious physical harm to 626  
the child involved and if the offender previously has been 627  
convicted of a violation of division (C) of this section, 628  
section 2903.06 or 2903.08 of the Revised Code, section 2903.07 629  
of the Revised Code as it existed prior to March 23, 2000, or 630  
section 2903.04 of the Revised Code in a case in which the 631  
offender was subject to the sanctions described in division ~~(D)~~ 632  
(F) of that section, endangering children in violation of 633  
division (C) of this section is a felony of the fourth degree. 634

(d) In addition to any term of imprisonment, fine, or 635  
other sentence, penalty, or sanction it imposes upon the 636  
offender pursuant to division (E) (5) (a), (b), or (c) of this 637

section or pursuant to any other provision of law and in 638  
addition to any suspension of the offender's driver's or 639  
commercial driver's license or permit or nonresident operating 640  
privilege under Chapter 4506., 4509., 4510., or 4511. of the 641  
Revised Code or under any other provision of law, the court also 642  
may impose upon the offender a class seven suspension of the 643  
offender's driver's or commercial driver's license or permit or 644  
nonresident operating privilege from the range specified in 645  
division (A) (7) of section 4510.02 of the Revised Code. 646

(e) In addition to any term of imprisonment, fine, or 647  
other sentence, penalty, or sanction imposed upon the offender 648  
pursuant to division (E) (5) (a), (b), (c), or (d) of this section 649  
or pursuant to any other provision of law for the violation of 650  
division (C) of this section, if as part of the same trial or 651  
proceeding the offender also is convicted of or pleads guilty to 652  
a separate charge charging the violation of division (A) of 653  
section 4511.19 of the Revised Code that was the basis of the 654  
charge of the violation of division (C) of this section, the 655  
offender also shall be sentenced in accordance with section 656  
4511.19 of the Revised Code for that violation of division (A) 657  
of section 4511.19 of the Revised Code. 658

(F) (1) (a) A court may require an offender to perform not 659  
more than two hundred hours of supervised community service work 660  
under the authority of an agency, subdivision, or charitable 661  
organization. The requirement shall be part of the community 662  
control sanction or sentence of the offender, and the court 663  
shall impose the community service in accordance with and 664  
subject to divisions (F) (1) (a) and (b) of this section. The 665  
court may require an offender whom it requires to perform 666  
supervised community service work as part of the offender's 667  
community control sanction or sentence to pay the court a 668

reasonable fee to cover the costs of the offender's 669  
participation in the work, including, but not limited to, the 670  
costs of procuring a policy or policies of liability insurance 671  
to cover the period during which the offender will perform the 672  
work. If the court requires the offender to perform supervised 673  
community service work as part of the offender's community 674  
control sanction or sentence, the court shall do so in 675  
accordance with the following limitations and criteria: 676

(i) The court shall require that the community service 677  
work be performed after completion of the term of imprisonment 678  
or jail term imposed upon the offender for the violation of 679  
division (C) of this section, if applicable. 680

(ii) The supervised community service work shall be 681  
subject to the limitations set forth in divisions (B) (1), (2), 682  
and (3) of section 2951.02 of the Revised Code. 683

(iii) The community service work shall be supervised in 684  
the manner described in division (B) (4) of section 2951.02 of 685  
the Revised Code by an official or person with the 686  
qualifications described in that division. The official or 687  
person periodically shall report in writing to the court 688  
concerning the conduct of the offender in performing the work. 689

(iv) The court shall inform the offender in writing that 690  
if the offender does not adequately perform, as determined by 691  
the court, all of the required community service work, the court 692  
may order that the offender be committed to a jail or workhouse 693  
for a period of time that does not exceed the term of 694  
imprisonment that the court could have imposed upon the offender 695  
for the violation of division (C) of this section, reduced by 696  
the total amount of time that the offender actually was 697  
imprisoned under the sentence or term that was imposed upon the 698



offender for that violation and by the total amount of time that 699  
the offender was confined for any reason arising out of the 700  
offense for which the offender was convicted and sentenced as 701  
described in sections 2949.08 and 2967.191 of the Revised Code, 702  
and that, if the court orders that the offender be so committed, 703  
the court is authorized, but not required, to grant the offender 704  
credit upon the period of the commitment for the community 705  
service work that the offender adequately performed. 706

(b) If a court, pursuant to division (F)(1)(a) of this 707  
section, orders an offender to perform community service work as 708  
part of the offender's community control sanction or sentence 709  
and if the offender does not adequately perform all of the 710  
required community service work, as determined by the court, the 711  
court may order that the offender be committed to a jail or 712  
workhouse for a period of time that does not exceed the term of 713  
imprisonment that the court could have imposed upon the offender 714  
for the violation of division (C) of this section, reduced by 715  
the total amount of time that the offender actually was 716  
imprisoned under the sentence or term that was imposed upon the 717  
offender for that violation and by the total amount of time that 718  
the offender was confined for any reason arising out of the 719  
offense for which the offender was convicted and sentenced as 720  
described in sections 2949.08 and 2967.191 of the Revised Code. 721  
The court may order that a person committed pursuant to this 722  
division shall receive hour-for-hour credit upon the period of 723  
the commitment for the community service work that the offender 724  
adequately performed. No commitment pursuant to this division 725  
shall exceed the period of the term of imprisonment that the 726  
sentencing court could have imposed upon the offender for the 727  
violation of division (C) of this section, reduced by the total 728  
amount of time that the offender actually was imprisoned under 729

that sentence or term and by the total amount of time that the 730  
offender was confined for any reason arising out of the offense 731  
for which the offender was convicted and sentenced as described 732  
in sections 2949.08 and 2967.191 of the Revised Code. 733

(2) Division (F)(1) of this section does not limit or 734  
affect the authority of the court to suspend the sentence 735  
imposed upon a misdemeanor offender and place the offender under 736  
a community control sanction pursuant to section 2929.25 of the 737  
Revised Code, to require a misdemeanor or felony offender to 738  
perform supervised community service work in accordance with 739  
division (B) of section 2951.02 of the Revised Code, or to place 740  
a felony offender under a community control sanction. 741

(G)(1) If a court suspends an offender's driver's or 742  
commercial driver's license or permit or nonresident operating 743  
privilege under division (E)(5)(d) of this section, the period 744  
of the suspension shall be consecutive to, and commence after, 745  
the period of suspension of the offender's driver's or 746  
commercial driver's license or permit or nonresident operating 747  
privilege that is imposed under Chapter 4506., 4509., 4510., or 748  
4511. of the Revised Code or under any other provision of law in 749  
relation to the violation of division (C) of this section that 750  
is the basis of the suspension under division (E)(5)(d) of this 751  
section or in relation to the violation of division (A) of 752  
section 4511.19 of the Revised Code that is the basis for that 753  
violation of division (C) of this section. 754

(2) An offender is not entitled to request, and the court 755  
shall not grant to the offender, limited driving privileges if 756  
the offender's license, permit, or privilege has been suspended 757  
under division (E)(5)(d) of this section and the offender, 758  
within the preceding six years, has been convicted of or pleaded 759

guilty to three or more violations of one or more of the	760
following:	761
(a) Division (C) of this section;	762
(b) Any equivalent offense, as defined in section 4511.181	763
of the Revised Code.	764
(H) (1) If a person violates division (C) of this section	765
and if, at the time of the violation, there were two or more	766
children under eighteen years of age in the motor vehicle	767
involved in the violation, the offender may be convicted of a	768
violation of division (C) of this section for each of the	769
children, but the court may sentence the offender for only one	770
of the violations.	771
(2) (a) If a person is convicted of or pleads guilty to a	772
violation of division (C) of this section but the person is not	773
also convicted of and does not also plead guilty to a separate	774
charge charging the violation of division (A) of section 4511.19	775
of the Revised Code that was the basis of the charge of the	776
violation of division (C) of this section, both of the following	777
apply:	778
(i) For purposes of the provisions of section 4511.19 of	779
the Revised Code that set forth the penalties and sanctions for	780
a violation of division (A) of section 4511.19 of the Revised	781
Code, the conviction of or plea of guilty to the violation of	782
division (C) of this section shall not constitute a violation of	783
division (A) of section 4511.19 of the Revised Code;	784
(ii) For purposes of any provision of law that refers to a	785
conviction of or plea of guilty to a violation of division (A)	786
of section 4511.19 of the Revised Code and that is not described	787
in division (H) (2) (a) (i) of this section, the conviction of or	788

plea of guilty to the violation of division (C) of this section 789  
shall constitute a conviction of or plea of guilty to a 790  
violation of division (A) of section 4511.19 of the Revised 791  
Code. 792

(b) If a person is convicted of or pleads guilty to a 793  
violation of division (C) of this section and the person also is 794  
convicted of or pleads guilty to a separate charge charging the 795  
violation of division (A) of section 4511.19 of the Revised Code 796  
that was the basis of the charge of the violation of division 797  
(C) of this section, the conviction of or plea of guilty to the 798  
violation of division (C) of this section shall not constitute, 799  
for purposes of any provision of law that refers to a conviction 800  
of or plea of guilty to a violation of division (A) of section 801  
4511.19 of the Revised Code, a conviction of or plea of guilty 802  
to a violation of division (A) of section 4511.19 of the Revised 803  
Code. 804

(I) As used in this section: 805

(1) "Community control sanction" has the same meaning as 806  
in section 2929.01 of the Revised Code; 807

(2) "Limited driving privileges" has the same meaning as 808  
in section 4501.01 of the Revised Code; 809

(3) "Methamphetamine" has the same meaning as in section 810  
2925.01 of the Revised Code. 811

**Sec. 2929.142.** Notwithstanding the definite prison term 812  
specified in division (A) of section 2929.14 of the Revised Code 813  
for a felony of the first degree, if an offender is convicted of 814  
or pleads guilty to aggravated vehicular homicide in violation 815  
of division (A) (1) of section 2903.06 of the Revised Code, the 816  
court shall impose upon the offender a mandatory prison term of 817

ten, eleven, twelve, thirteen, fourteen, or fifteen years if any 818  
of the following apply: 819

(A) The offender previously has been convicted of or 820  
pleaded guilty to three or more prior violations of section 821  
4511.19 of the Revised Code or of a substantially equivalent 822  
municipal ordinance within the previous ten years. 823

(B) The offender previously has been convicted of or 824  
pleaded guilty to three or more prior violations of division (A) 825  
of section 1547.11 of the Revised Code or of a substantially 826  
equivalent municipal ordinance within the previous ten years. 827

(C) The offender previously has been convicted of or 828  
pleaded guilty to three or more prior violations of division (A) 829  
(3) of section 4561.15 of the Revised Code or of a substantially 830  
equivalent municipal ordinance within the previous ten years. 831

(D) The offender previously has been convicted of or 832  
pleaded guilty to three or more prior violations of division (A) 833  
(1) of section 2903.06 of the Revised Code. 834

(E) The offender previously has been convicted of or 835  
pleaded guilty to three or more prior violations of division (A) 836  
(1) of section 2903.08 of the Revised Code. 837

(F) The offender previously has been convicted of or 838  
pleaded guilty to three or more prior violations of section 839  
2903.04 of the Revised Code in circumstances in which division 840  
~~(D)~~ (F) of that section applied regarding the violations. 841

(G) The offender previously has been convicted of or 842  
pleaded guilty to three or more violations of any combination of 843  
the offenses listed in division (A), (B), (C), (D), (E), or (F) 844  
of this section. 845

(H) The offender previously has been convicted of or 846  
pleaded guilty to a second or subsequent felony violation of 847  
division (A) of section 4511.19 of the Revised Code. 848

**Sec. 4510.17.** (A) The registrar of motor vehicles shall 849  
impose a class D suspension of the person's driver's license, 850  
commercial driver's license, temporary instruction permit, 851  
probationary license, or nonresident operating privilege for the 852  
period of time specified in division (B) (4) of section 4510.02 853  
of the Revised Code on any person who is a resident of this 854  
state and is convicted of or pleads guilty to a violation of a 855  
statute of any other state or any federal statute that is 856  
substantially similar to section 2925.02, 2925.03, 2925.04, 857  
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 858  
2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 859  
2925.37 of the Revised Code. Upon receipt of a report from a 860  
court, court clerk, or other official of any other state or from 861  
any federal authority that a resident of this state was 862  
convicted of or pleaded guilty to an offense described in this 863  
division, the registrar shall send a notice by regular first 864  
class mail to the person, at the person's last known address as 865  
shown in the records of the bureau of motor vehicles, informing 866  
the person of the suspension, that the suspension will take 867  
effect twenty-one days from the date of the notice, and that, if 868  
the person wishes to appeal the suspension or denial, the person 869  
must file a notice of appeal within twenty-one days of the date 870  
of the notice requesting a hearing on the matter. If the person 871  
requests a hearing, the registrar shall hold the hearing not 872  
more than forty days after receipt by the registrar of the 873  
notice of appeal. The filing of a notice of appeal does not stay 874  
the operation of the suspension that must be imposed pursuant to 875  
this division. The scope of the hearing shall be limited to 876

whether the person actually was convicted of or pleaded guilty 877  
to the offense for which the suspension is to be imposed. 878

The suspension the registrar is required to impose under 879  
this division shall end either on the last day of the class D 880  
suspension period or of the suspension of the person's 881  
nonresident operating privilege imposed by the state or federal 882  
court, whichever is earlier. 883

The registrar shall subscribe to or otherwise participate 884  
in any information system or register, or enter into reciprocal 885  
and mutual agreements with other states and federal authorities, 886  
in order to facilitate the exchange of information with other 887  
states and the United States government regarding persons who 888  
plead guilty to or are convicted of offenses described in this 889  
division and therefore are subject to the suspension or denial 890  
described in this division. 891

(B) The registrar shall impose a class D suspension of the 892  
person's driver's license, commercial driver's license, 893  
temporary instruction permit, probationary license, or 894  
nonresident operating privilege for the period of time specified 895  
in division (B) (4) of section 4510.02 of the Revised Code on any 896  
person who is a resident of this state and is convicted of or 897  
pleads guilty to a violation of a statute of any other state or 898  
a municipal ordinance of a municipal corporation located in any 899  
other state that is substantially similar to section 4511.19 of 900  
the Revised Code. Upon receipt of a report from another state 901  
made pursuant to section 4510.61 of the Revised Code indicating 902  
that a resident of this state was convicted of or pleaded guilty 903  
to an offense described in this division, the registrar shall 904  
send a notice by regular first class mail to the person, at the 905  
person's last known address as shown in the records of the 906

bureau of motor vehicles, informing the person of the 907  
suspension, that the suspension or denial will take effect 908  
twenty-one days from the date of the notice, and that, if the 909  
person wishes to appeal the suspension, the person must file a 910  
notice of appeal within twenty-one days of the date of the 911  
notice requesting a hearing on the matter. If the person 912  
requests a hearing, the registrar shall hold the hearing not 913  
more than forty days after receipt by the registrar of the 914  
notice of appeal. The filing of a notice of appeal does not stay 915  
the operation of the suspension that must be imposed pursuant to 916  
this division. The scope of the hearing shall be limited to 917  
whether the person actually was convicted of or pleaded guilty 918  
to the offense for which the suspension is to be imposed. 919

The suspension the registrar is required to impose under 920  
this division shall end either on the last day of the class D 921  
suspension period or of the suspension of the person's 922  
nonresident operating privilege imposed by the state or federal 923  
court, whichever is earlier. 924

(C) The registrar shall impose a class D suspension of the 925  
child's driver's license, commercial driver's license, temporary 926  
instruction permit, or nonresident operating privilege for the 927  
period of time specified in division (B) (4) of section 4510.02 928  
of the Revised Code on any child who is a resident of this state 929  
and is convicted of or pleads guilty to a violation of a statute 930  
of any other state or any federal statute that is substantially 931  
similar to section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 932  
2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 933  
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised 934  
Code. Upon receipt of a report from a court, court clerk, or 935  
other official of any other state or from any federal authority 936  
that a child who is a resident of this state was convicted of or 937



pleaded guilty to an offense described in this division, the 938  
registrar shall send a notice by regular first class mail to the 939  
child, at the child's last known address as shown in the records 940  
of the bureau of motor vehicles, informing the child of the 941  
suspension, that the suspension or denial will take effect 942  
twenty-one days from the date of the notice, and that, if the 943  
child wishes to appeal the suspension, the child must file a 944  
notice of appeal within twenty-one days of the date of the 945  
notice requesting a hearing on the matter. If the child requests 946  
a hearing, the registrar shall hold the hearing not more than 947  
forty days after receipt by the registrar of the notice of 948  
appeal. The filing of a notice of appeal does not stay the 949  
operation of the suspension that must be imposed pursuant to 950  
this division. The scope of the hearing shall be limited to 951  
whether the child actually was convicted of or pleaded guilty to 952  
the offense for which the suspension is to be imposed. 953

The suspension the registrar is required to impose under 954  
this division shall end either on the last day of the class D 955  
suspension period or of the suspension of the child's 956  
nonresident operating privilege imposed by the state or federal 957  
court, whichever is earlier. If the child is a resident of this 958  
state who is sixteen years of age or older and does not have a 959  
current, valid Ohio driver's or commercial driver's license or 960  
permit, the notice shall inform the child that the child will be 961  
denied issuance of a driver's or commercial driver's license or 962  
permit for six months beginning on the date of the notice. If 963  
the child has not attained the age of sixteen years on the date 964  
of the notice, the notice shall inform the child that the period 965  
of denial of six months shall commence on the date the child 966  
attains the age of sixteen years. 967

The registrar shall subscribe to or otherwise participate 968

in any information system or register, or enter into reciprocal 969  
and mutual agreements with other states and federal authorities, 970  
in order to facilitate the exchange of information with other 971  
states and the United States government regarding children who 972  
are residents of this state and plead guilty to or are convicted 973  
of offenses described in this division and therefore are subject 974  
to the suspension or denial described in this division. 975

(D) The registrar shall impose a class D suspension of the 976  
child's driver's license, commercial driver's license, temporary 977  
instruction permit, probationary license, or nonresident 978  
operating privilege for the period of time specified in division 979  
(B) (4) of section 4510.02 of the Revised Code on any child who 980  
is a resident of this state and is convicted of or pleads guilty 981  
to a violation of a statute of any other state or a municipal 982  
ordinance of a municipal corporation located in any other state 983  
that is substantially similar to section 4511.19 of the Revised 984  
Code. Upon receipt of a report from another state made pursuant 985  
to section 4510.61 of the Revised Code indicating that a child 986  
who is a resident of this state was convicted of or pleaded 987  
guilty to an offense described in this division, the registrar 988  
shall send a notice by regular first class mail to the child, at 989  
the child's last known address as shown in the records of the 990  
bureau of motor vehicles, informing the child of the suspension, 991  
that the suspension will take effect twenty-one days from the 992  
date of the notice, and that, if the child wishes to appeal the 993  
suspension, the child must file a notice of appeal within 994  
twenty-one days of the date of the notice requesting a hearing 995  
on the matter. If the child requests a hearing, the registrar 996  
shall hold the hearing not more than forty days after receipt by 997  
the registrar of the notice of appeal. The filing of a notice of 998  
appeal does not stay the operation of the suspension that must 999

be imposed pursuant to this division. The scope of the hearing 1000  
shall be limited to whether the child actually was convicted of 1001  
or pleaded guilty to the offense for which the suspension is to 1002  
be imposed. 1003

The suspension the registrar is required to impose under 1004  
this division shall end either on the last day of the class D 1005  
suspension period or of the suspension of the child's 1006  
nonresident operating privilege imposed by the state or federal 1007  
court, whichever is earlier. If the child is a resident of this 1008  
state who is sixteen years of age or older and does not have a 1009  
current, valid Ohio driver's or commercial driver's license or 1010  
permit, the notice shall inform the child that the child will be 1011  
denied issuance of a driver's or commercial driver's license or 1012  
permit for six months beginning on the date of the notice. If 1013  
the child has not attained the age of sixteen years on the date 1014  
of the notice, the notice shall inform the child that the period 1015  
of denial of six months shall commence on the date the child 1016  
attains the age of sixteen years. 1017

(E) (1) Any person whose license or permit has been 1018  
suspended pursuant to this section may file a petition in the 1019  
municipal or county court, or in case the person is under 1020  
eighteen years of age, the juvenile court, in whose jurisdiction 1021  
the person resides, requesting limited driving privileges and 1022  
agreeing to pay the cost of the proceedings. Except as provided 1023  
in division (E) (2) of this section, the judge may grant the 1024  
person limited driving privileges during the period during which 1025  
the suspension otherwise would be imposed for any of the 1026  
purposes set forth in division (A) of section 4510.021 of the 1027  
Revised Code. 1028

(2) No judge shall grant limited driving privileges for 1029

employment as a driver of a commercial motor vehicle to any 1030  
person who would be disqualified from operating a commercial 1031  
motor vehicle under section 4506.16 of the Revised Code if the 1032  
violation had occurred in this state. Further, no judge shall 1033  
grant limited driving privileges during any of the following 1034  
periods of time: 1035

(a) The first fifteen days of a suspension under division 1036  
(B) or (D) of this section, if the person has not been convicted 1037  
within six years of the date of the offense giving rise to the 1038  
suspension under this section of a violation of any of the 1039  
following: 1040

(i) Section 4511.19 of the Revised Code, or a municipal 1041  
ordinance relating to operating a vehicle while under the 1042  
influence of alcohol, a drug of abuse, or alcohol and a drug of 1043  
abuse; 1044

(ii) A municipal ordinance relating to operating a motor 1045  
vehicle with a prohibited concentration of alcohol, a controlled 1046  
substance, or a metabolite of a controlled substance in the 1047  
whole blood, blood serum or plasma, breath, or urine; 1048

(iii) Section 2903.04 of the Revised Code in a case in 1049  
which the person was subject to the sanctions described in 1050  
division ~~(D)~~(F) of that section; 1051

(iv) Division (A) (1) of section 2903.06 or division (A) (1) 1052  
of section 2903.08 of the Revised Code or a municipal ordinance 1053  
that is substantially similar to either of those divisions; 1054

(v) Division (A) (2), (3), or (4) of section 2903.06, 1055  
division (A) (2) of section 2903.08, or as it existed prior to 1056  
March 23, 2000, section 2903.07 of the Revised Code, or a 1057  
municipal ordinance that is substantially similar to any of 1058

those divisions or that former section, in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse.

(b) The first thirty days of a suspension under division (B) or (D) of this section, if the person has been convicted one time within six years of the date of the offense giving rise to the suspension under this section of any violation identified in division (E) (1) of this section.

(c) The first one hundred eighty days of a suspension under division (B) or (D) of this section, if the person has been convicted two times within six years of the date of the offense giving rise to the suspension under this section of any violation identified in division (E) (1) of this section.

(d) No limited driving privileges may be granted if the person has been convicted three or more times within five years of the date of the offense giving rise to a suspension under division (B) or (D) of this section of any violation identified in division (E) (1) of this section.

(3) If a person petitions for limited driving privileges under division (E) (1) of this section, the registrar shall be represented by the county prosecutor of the county in which the person resides if the petition is filed in a juvenile court or county court, except that if the person resides within a city or village that is located within the jurisdiction of the county in which the petition is filed, the city director of law or village solicitor of that city or village shall represent the registrar. If the petition is filed in a municipal court, the registrar shall be represented as provided in section 1901.34 of the Revised Code.

(4) In granting limited driving privileges under division 1088  
(E) of this section, the court may impose any condition it 1089  
considers reasonable and necessary to limit the use of a vehicle 1090  
by the person. The court shall deliver to the person a permit 1091  
card, in a form to be prescribed by the court, setting forth the 1092  
time, place, and other conditions limiting the person's use of a 1093  
motor vehicle. The grant of limited driving privileges shall be 1094  
conditioned upon the person's having the permit in the person's 1095  
possession at all times during which the person is operating a 1096  
vehicle. 1097

(5) A person granted limited driving privileges who 1098  
operates a vehicle for other than limited purposes, in violation 1099  
of any condition imposed by the court or without having the 1100  
permit in the person's possession, is guilty of a violation of 1101  
section 4510.11 of the Revised Code. 1102

(F) Any person whose license or permit has been suspended 1103  
under division (A) or (C) of this section may file a petition in 1104  
the municipal or county court, or in case the person is under 1105  
eighteen years of age, the juvenile court, in whose jurisdiction 1106  
the person resides, requesting the termination of the suspension 1107  
and agreeing to pay the cost of the proceedings. If the court, 1108  
in its discretion, determines that a termination of the 1109  
suspension is appropriate, the court shall issue an order to the 1110  
registrar to terminate the suspension. Upon receiving such an 1111  
order, the registrar shall reinstate the license. 1112

(G) As used in divisions (C) and (D) of this section: 1113

(1) "Child" means a person who is under the age of 1114  
eighteen years, except that any person who violates a statute or 1115  
ordinance described in division (C) or (D) of this section prior 1116  
to attaining eighteen years of age shall be deemed a "child" 1117

irrespective of the person's age at the time the complaint or 1118  
other equivalent document is filed in the other state or a 1119  
hearing, trial, or other proceeding is held in the other state 1120  
on the complaint or other equivalent document, and irrespective 1121  
of the person's age when the period of license suspension or 1122  
denial prescribed in division (C) or (D) of this section is 1123  
imposed. 1124

(2) "Is convicted of or pleads guilty to" means, as it 1125  
relates to a child who is a resident of this state, that in a 1126  
proceeding conducted in a state or federal court located in 1127  
another state for a violation of a statute or ordinance 1128  
described in division (C) or (D) of this section, the result of 1129  
the proceeding is any of the following: 1130

(a) Under the laws that govern the proceedings of the 1131  
court, the child is adjudicated to be or admits to being a 1132  
delinquent child or a juvenile traffic offender for a violation 1133  
described in division (C) or (D) of this section that would be a 1134  
crime if committed by an adult; 1135

(b) Under the laws that govern the proceedings of the 1136  
court, the child is convicted of or pleads guilty to a violation 1137  
described in division (C) or (D) of this section; 1138

(c) Under the laws that govern the proceedings of the 1139  
court, irrespective of the terminology utilized in those laws, 1140  
the result of the court's proceedings is the functional 1141  
equivalent of division (G) (2) (a) or (b) of this section. 1142

**Sec. 4510.31.** (A) (1) Except as provided in division (C) (1) 1143  
or (2) of this section, the registrar of motor vehicles shall 1144  
suspend the probationary driver's license, restricted license, 1145  
or temporary instruction permit issued to any person when the 1146

person has been convicted of, pleaded guilty to, or been 1147  
adjudicated in juvenile court of having committed, prior to the 1148  
person's eighteenth birthday, any of the following: 1149

(a) Three separate violations of section 2903.06, 2903.08, 1150  
2921.331, 4511.12, 4511.13, 4511.191, 4511.20, 4511.201, 1151  
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 1152  
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 1153  
Revised Code, section 4510.14 of the Revised Code involving a 1154  
suspension imposed under section 4511.191 or 4511.196 of the 1155  
Revised Code, section 2903.04 of the Revised Code in a case in 1156  
which the person would have been subject to the sanctions 1157  
described in division ~~(D)~~(E) of that section had the person 1158  
been convicted of the violation of that section, former section 1159  
2903.07 of the Revised Code, or any municipal ordinances 1160  
similarly relating to the offenses referred to in those 1161  
sections; 1162

(b) One violation of section 4511.19 of the Revised Code 1163  
or a substantially similar municipal ordinance; 1164

(c) Two separate violations of any of the Revised Code 1165  
sections referred to in division (A)(1)(a) of this section, or 1166  
any municipal ordinance that is substantially similar to any of 1167  
those sections. 1168

(2) Any person whose license or permit is suspended under 1169  
division (A)(1)(a), (b), or (c) of this section shall mail or 1170  
deliver the person's probationary driver's license, restricted 1171  
license, or temporary instruction permit to the registrar within 1172  
fourteen days of notification of the suspension. The registrar 1173  
shall retain the license or permit during the period of the 1174  
suspension. A suspension pursuant to division (A)(1)(a) of this 1175  
section shall be a class C suspension, a suspension pursuant to 1176



division (A) (1) (b) of this section shall be a class D 1177  
suspension, and a suspension pursuant to division (A) (1) (c) of 1178  
this section shall be a class E suspension, all for the periods 1179  
of time specified in division (B) of section 4510.02 of the 1180  
Revised Code. If the person's probationary driver's license, 1181  
restricted license, or temporary instruction permit is under 1182  
suspension on the date the court imposes sentence upon the 1183  
person for a violation described in division (A) (1) (b) of this 1184  
section, the suspension shall take effect on the next day 1185  
immediately following the end of that period of suspension. If 1186  
the person is sixteen years of age or older and pleads guilty to 1187  
or is convicted of a violation described in division (A) (1) (b) 1188  
of this section and the person does not have a current, valid 1189  
probationary driver's license, restricted license, or temporary 1190  
instruction permit, the registrar shall deny the issuance to the 1191  
person of a probationary driver's license, restricted license, 1192  
driver's license, commercial driver's license, or temporary 1193  
instruction permit, as the case may be, for six months beginning 1194  
on the date the court imposes sentence upon the person for the 1195  
violation. If the person has not attained the age of sixteen 1196  
years on the date the court imposes sentence upon the person for 1197  
the violation, the period of denial shall commence on the date 1198  
the person attains the age of sixteen years. 1199

(3) The registrar shall suspend the person's license or 1200  
permit under division (A) of this section regardless of whether 1201  
the disposition of the case in juvenile court occurred after the 1202  
person's eighteenth birthday. 1203

(B) The registrar also shall impose a class D suspension 1204  
for the period of time specified in division (B) (4) of section 1205  
4510.02 of the Revised Code of the temporary instruction permit 1206  
or probationary driver's license of any person under the age of 1207

eighteen who has been adjudicated an unruly child, delinquent 1208  
child, or juvenile traffic offender for having committed any act 1209  
that if committed by an adult would be a drug abuse offense or a 1210  
violation of division (B) of section 2917.11 of the Revised 1211  
Code. The registrar, in the registrar's discretion, may 1212  
terminate the suspension if the child, at the discretion of the 1213  
court, attends and satisfactorily completes a drug abuse or 1214  
alcohol abuse education, intervention, or treatment program 1215  
specified by the court. Any person whose temporary instruction 1216  
permit or probationary driver's license is suspended under this 1217  
division shall mail or deliver the person's permit or license to 1218  
the registrar within fourteen days of notification of the 1219  
suspension. The registrar shall retain the permit or license 1220  
during the period of the suspension. 1221

(C) (1) (a) Except as provided in division (C) (1) (c) of this 1222  
section, for any person who is convicted of, pleads guilty to, 1223  
or is adjudicated in juvenile court of having committed a second 1224  
or third violation of section 4511.12, 4511.13, 4511.20 to 1225  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1226  
4511.75 of the Revised Code or any similar municipal ordinances 1227  
and whose license or permit is suspended under division (A) (1) 1228  
(a) or (c) of this section, the court in which the second or 1229  
third conviction, finding, plea, or adjudication resulting in 1230  
the suspension was made, upon petition of the person, may grant 1231  
the person limited driving privileges during the period during 1232  
which the suspension otherwise would be imposed under division 1233  
(A) (1) (a) or (c) of this section for any of the purposes set 1234  
forth in division (A) of section 4510.021 of the Revised Code. 1235  
In granting the limited driving privileges, the court shall 1236  
specify the purposes, times, and places of the privileges and 1237  
may impose any other conditions upon the person's driving a 1238

motor vehicle that the court considers reasonable and necessary. 1239

A court that grants limited driving privileges to a person 1240  
under this division shall retain the person's probationary 1241  
driver's license, restricted license, or temporary instruction 1242  
permit during the period the license or permit is suspended and 1243  
also during the period for which limited driving privileges are 1244  
granted, and shall deliver to the person a permit card, in a 1245  
form to be prescribed by the court, setting forth the date on 1246  
which the limited driving privileges will become effective, the 1247  
purposes for which the person may drive, the times and places at 1248  
which the person may drive, and any other conditions imposed 1249  
upon the person's use of a motor vehicle. 1250

The court immediately shall notify the registrar, in 1251  
writing, of a grant of limited driving privileges under this 1252  
division. The notification shall specify the date on which the 1253  
limited driving privileges will become effective, the purposes 1254  
for which the person may drive, the times and places at which 1255  
the person may drive, and any other conditions imposed upon the 1256  
person's use of a motor vehicle. The registrar shall not suspend 1257  
the probationary driver's license, restricted license, or 1258  
temporary instruction permit of any person pursuant to division 1259  
(A) of this section during any period for which the person has 1260  
been granted limited driving privileges as provided in this 1261  
division, if the registrar has received the notification 1262  
described in this division from the court. 1263

(b) Except as provided in division (C) (1) (c) of this 1264  
section, in any case in which the temporary instruction permit 1265  
or probationary driver's license of a person under eighteen 1266  
years of age has been suspended under division (A) or (B) of 1267  
this section or any other provision of law, the court may grant 1268

the person limited driving privileges for the purpose of the 1269  
person's practicing of driving with the person's parent, 1270  
guardian, or other custodian during the period of the 1271  
suspension. Any grant of limited driving privileges under this 1272  
division shall comply with division (D) of section 4510.021 of 1273  
the Revised Code. 1274

(c) A court shall not grant limited driving privileges to 1275  
a person identified in division (C) (1) (a) or (b) of this section 1276  
if the person, within the preceding six years, has been 1277  
convicted of, pleaded guilty to, or adjudicated in juvenile 1278  
court of having committed three or more violations of one or 1279  
more of the divisions or sections set forth in divisions (G) (2) 1280  
(b) to (g) of section 2919.22 of the Revised Code. 1281

(2) (a) In a case in which a person is convicted of, pleads 1282  
guilty to, or is adjudicated in juvenile court of having 1283  
committed, prior to the person's eighteenth birthday, a second 1284  
or third violation of section 4511.12, 4511.13, 4511.20 to 1285  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 1286  
4511.75 of the Revised Code or any similar municipal ordinances 1287  
and division (A) (1) (a) or (c) of this section requires the 1288  
registrar of motor vehicles to suspend the person's license or 1289  
permit, the court in which the person is convicted of, pleads 1290  
guilty to, or is adjudicated of having committed the second or 1291  
third violation may elect to order the registrar of motor 1292  
vehicles to waive the suspension if all of the following apply: 1293

(i) Prior to the date on which the court imposes sentence 1294  
upon, or makes an order of disposition for, the person for the 1295  
second or third violation, the person submits to the court a 1296  
petition requesting the court to order the registrar to waive 1297  
the prescribed suspension and describing the reasons why the 1298

person believes the suspension, if imposed, would seriously 1299  
affect the person's ability to continue in employment, 1300  
educational training, vocational training, or treatment. 1301

(ii) Prior to the date specified in division (C) (2) (a) (i) 1302  
of this section, the person submits to the court satisfactory 1303  
proof showing that the person successfully completed an advanced 1304  
juvenile driver improvement program approved by the director of 1305  
public safety under division (B) of section 4510.311 of the 1306  
Revised Code after the date the person committed that second or 1307  
third violation. 1308

(iii) Prior to imposing sentence upon, or making an order 1309  
of disposition for, the person for the second or third 1310  
violation, the court finds reasonable cause to believe that the 1311  
suspension, if imposed, would seriously affect the person's 1312  
ability to continue in employment, educational training, 1313  
vocational training, or treatment. 1314

(iv) If the court is imposing sentence upon, or making an 1315  
order of disposition for, the person for a third violation, the 1316  
person did not submit to the court that imposed sentence upon, 1317  
or made an order of disposition for, the person for the second 1318  
violation a petition of the type described in division (C) (2) (a) 1319  
(i) of this section, and the court that imposed sentence upon, 1320  
or made an order of disposition for, the person for that second 1321  
violation did not order the registrar of motor vehicles to waive 1322  
the suspension of the person's license or permit required under 1323  
division (A) (1) (c) of this section for the conviction of, plea 1324  
of guilty to, or adjudication in juvenile court of having 1325  
committed that second violation. 1326

(b) If a court elects pursuant to division (C) (2) (a) of 1327  
this section to order the registrar of motor vehicles to waive a 1328

suspension that otherwise is required under division (A) (1) (a) 1329  
or (c) of this section, the court immediately shall send a 1330  
written copy of the order to the registrar. Upon receipt of the 1331  
written copy of the order, the registrar shall not suspend 1332  
pursuant to division (A) (1) (a) or (c) of this section the 1333  
probationary driver's license, restricted license, or temporary 1334  
instruction permit of the person who is the subject of the order 1335  
for the second or third violation for which the suspension 1336  
otherwise would be imposed under that division. 1337

(D) If a person who has been granted limited driving 1338  
privileges under division (C) (1) of this section is convicted 1339  
of, pleads guilty to, or is adjudicated in juvenile court of 1340  
having committed, a violation of Chapter 4510. of the Revised 1341  
Code, or a subsequent violation of any of the sections of the 1342  
Revised Code listed in division (A) (1) (a) of this section or any 1343  
similar municipal ordinance during the period for which the 1344  
person was granted limited driving privileges, the court that 1345  
granted the limited driving privileges shall suspend the 1346  
person's permit card. The court or the clerk of the court 1347  
immediately shall forward the person's probationary driver's 1348  
license, restricted license, or temporary instruction permit 1349  
together with written notification of the court's action to the 1350  
registrar. Upon receipt of the license or permit and 1351  
notification, the registrar shall impose a class C suspension of 1352  
the person's probationary driver's license, restricted license, 1353  
or temporary instruction permit for the period of time specified 1354  
in division (B) (3) of section 4510.02 of the Revised Code. The 1355  
registrar shall retain the license or permit during the period 1356  
of suspension, and no further limited driving privileges shall 1357  
be granted during that period. 1358

(E) No application for a driver's or commercial driver's 1359

license shall be received from any person whose probationary 1360  
driver's license, restricted license, or temporary instruction 1361  
permit has been suspended under this section until each of the 1362  
following has occurred: 1363

(1) The suspension period has expired; 1364

(2) A temporary instruction permit or commercial driver's 1365  
license temporary instruction permit has been issued; 1366

(3) The person successfully completes a juvenile driver 1367  
improvement program approved by the director of public safety 1368  
under division (A) of section 4510.311 of the Revised Code; 1369

(4) The applicant has submitted to the examination for a 1370  
driver's license as provided for in section 4507.11 or a 1371  
commercial driver's license as provided in Chapter 4506. of the 1372  
Revised Code. 1373

**Sec. 4511.181.** As used in sections 4511.181 to 4511.198 of 1374  
the Revised Code: 1375

(A) "Equivalent offense" means any of the following: 1376

(1) A violation of division (A) or (B) of section 4511.19 1377  
of the Revised Code; 1378

(2) A violation of a municipal OVI ordinance; 1379

(3) A violation of section 2903.04 of the Revised Code in 1380  
a case in which the offender was subject to the sanctions 1381  
described in division ~~(D)~~ (F) of that section; 1382

(4) A violation of division (A) (1) of section 2903.06 or 1383  
2903.08 of the Revised Code or a municipal ordinance that is 1384  
substantially equivalent to either of those divisions; 1385

(5) A violation of division (A) (2), (3), or (4) of section 1386

2903.06, division (A) (2) of section 2903.08, or former section 1387  
2903.07 of the Revised Code, or a municipal ordinance that is 1388  
substantially equivalent to any of those divisions or that 1389  
former section, in a case in which a judge or jury as the trier 1390  
of fact found that the offender was under the influence of 1391  
alcohol, a drug of abuse, or a combination of them; 1392

(6) A violation of division (A) or (B) of section 1547.11 1393  
of the Revised Code; 1394

(7) A violation of a municipal ordinance prohibiting a 1395  
person from operating or being in physical control of any vessel 1396  
underway or from manipulating any water skis, aquaplane, or 1397  
similar device on the waters of this state while under the 1398  
influence of alcohol, a drug of abuse, or a combination of them 1399  
or prohibiting a person from operating or being in physical 1400  
control of any vessel underway or from manipulating any water 1401  
skis, aquaplane, or similar device on the waters of this state 1402  
with a prohibited concentration of alcohol, a controlled 1403  
substance, or a metabolite of a controlled substance in the 1404  
whole blood, blood serum or plasma, breath, or urine; 1405

(8) A violation of an existing or former municipal 1406  
ordinance, law of another state, or law of the United States 1407  
that is substantially equivalent to division (A) or (B) of 1408  
section 4511.19 or division (A) or (B) of section 1547.11 of the 1409  
Revised Code; 1410

(9) A violation of a former law of this state that was 1411  
substantially equivalent to division (A) or (B) of section 1412  
4511.19 or division (A) or (B) of section 1547.11 of the Revised 1413  
Code. 1414

(B) "Mandatory jail term" means the mandatory term in jail 1415



of three, six, ten, twenty, thirty, or sixty days that must be 1416  
imposed under division (G) (1) (a), (b), or (c) of section 4511.19 1417  
of the Revised Code upon an offender convicted of a violation of 1418  
division (A) of that section and in relation to which all of the 1419  
following apply: 1420

(1) Except as specifically authorized under section 1421  
4511.19 of the Revised Code, the term must be served in a jail. 1422

(2) Except as specifically authorized under section 1423  
4511.19 of the Revised Code, the term cannot be suspended, 1424  
reduced, or otherwise modified pursuant to sections 2929.21 to 1425  
2929.28 or any other provision of the Revised Code. 1426

(C) "Municipal OVI ordinance" and "municipal OVI offense" 1427  
mean any municipal ordinance prohibiting a person from operating 1428  
a vehicle while under the influence of alcohol, a drug of abuse, 1429  
or a combination of them or prohibiting a person from operating 1430  
a vehicle with a prohibited concentration of alcohol, a 1431  
controlled substance, or a metabolite of a controlled substance 1432  
in the whole blood, blood serum or plasma, breath, or urine. 1433

(D) "Community residential sanction," "continuous alcohol 1434  
monitoring," "jail," "mandatory prison term," "mandatory term of 1435  
local incarceration," "sanction," and "prison term" have the 1436  
same meanings as in section 2929.01 of the Revised Code. 1437

(E) "Drug of abuse" has the same meaning as in section 1438  
4506.01 of the Revised Code. 1439

(F) "Equivalent offense that is vehicle-related" means an 1440  
equivalent offense that is any of the following: 1441

(1) A violation described in division (A) (1), (2), (3), 1442  
(4), or (5) of this section; 1443

(2) A violation of an existing or former municipal ordinance, law of another state, or law of the United States that is substantially equivalent to division (A) or (B) of section 4511.19 of the Revised Code;

(3) A violation of a former law of this state that was substantially equivalent to division (A) or (B) of section 4511.19 of the Revised Code.

**Section 2.** That existing sections 2903.04, 2903.06, 2919.22, 2929.142, 4510.17, 4510.31, and 4511.181 of the Revised Code are hereby repealed.

**Section 3.** Section 2903.06 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 300 and Sub. H.B. 388 of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.