

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 653

Representative Lorenz

A BILL

To amend sections 2903.06 and 2903.08 of the 1
Revised Code to alter the law governing 2
vehicular manslaughter and vehicular assault. 3

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

Section 1. That sections 2903.06 and 2903.08 of the 4
Revised Code be amended to read as follows: 5

Sec. 2903.06. (A) No person, while operating or 6
participating in the operation of a motor vehicle, motorcycle, 7
snowmobile, locomotive, watercraft, or aircraft, shall cause the 8
death of another or the unlawful termination of another's 9
pregnancy in any of the following ways: 10

(1) (a) As the proximate result of committing a violation 11
of division (A) of section 4511.19 of the Revised Code or of a 12
substantially equivalent municipal ordinance; 13

(b) As the proximate result of committing a violation of 14
division (A) of section 1547.11 of the Revised Code or of a 15
substantially equivalent municipal ordinance; 16

(c) As the proximate result of committing a violation of 17
division (A) (3) of section 4561.15 of the Revised Code or of a 18

substantially equivalent municipal ordinance. 19

(2) In one of the following ways: 20

(a) Recklessly; 21

(b) As the proximate result of committing, while operating 22
or participating in the operation of a motor vehicle or 23
motorcycle in a construction zone, a reckless operation offense, 24
provided that this division applies only if the person whose 25
death is caused or whose pregnancy is unlawfully terminated is 26
in the construction zone at the time of the offender's 27
commission of the reckless operation offense in the construction 28
zone and does not apply as described in division (F) of this 29
section. 30

(3) In one of the following ways: 31

(a) Negligently; 32

(b) As the proximate result of committing, while operating 33
or participating in the operation of a motor vehicle or 34
motorcycle in a construction zone, a speeding offense, provided 35
that this division applies only if the person whose death is 36
caused or whose pregnancy is unlawfully terminated is in the 37
construction zone at the time of the offender's commission of 38
the speeding offense in the construction zone and does not apply 39
as described in division (F) of this section. 40

(4) As the proximate result of committing a violation of 41
any provision of any section contained in Title XLV of the 42
Revised Code that is a minor misdemeanor or of a municipal 43
ordinance that, regardless of the penalty set by ordinance for 44
the violation, is substantially equivalent to any provision of 45
any section contained in Title XLV of the Revised Code that is a 46
minor misdemeanor. 47

(B) (1) Whoever violates division (A) (1) or (2) of this 48
section is guilty of aggravated vehicular homicide and shall be 49
punished as provided in divisions (B) (2) and (3) of this 50
section. 51

(2) (a) Except as otherwise provided in division (B) (2) (b) 52
or (c) of this section, aggravated vehicular homicide committed 53
in violation of division (A) (1) of this section is a felony of 54
the second degree and the court shall impose a mandatory prison 55
term on the offender as described in division (E) of this 56
section. 57

(b) Except as otherwise provided in division (B) (2) (c) of 58
this section, aggravated vehicular homicide committed in 59
violation of division (A) (1) of this section is a felony of the 60
first degree, and the court shall impose a mandatory prison term 61
on the offender as described in division (E) of this section, if 62
any of the following apply: 63

(i) At the time of the offense, the offender was driving 64
under a suspension or cancellation imposed under Chapter 4510. 65
or any other provision of the Revised Code or was operating a 66
motor vehicle or motorcycle, did not have a valid driver's 67
license, commercial driver's license, temporary instruction 68
permit, probationary license, or nonresident operating 69
privilege, and was not eligible for renewal of the offender's 70
driver's license or commercial driver's license without 71
examination under section 4507.10 of the Revised Code. 72

(ii) The offender previously has been convicted of or 73
pleaded guilty to a violation of this section. 74

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

assault offense. 77

(c) Aggravated vehicular homicide committed in violation 78
of division (A) (1) of this section is a felony of the first 79
degree, and the court shall sentence the offender to a mandatory 80
prison term as provided in section 2929.142 of the Revised Code 81
and described in division (E) of this section if any of the 82
following apply: 83

(i) The offender previously has been convicted of or 84
pleaded guilty to three or more prior violations of division (A) 85
of section 4511.19 of the Revised Code or of a substantially 86
equivalent municipal ordinance within the previous ten years. 87

(ii) The offender previously has been convicted of or 88
pleaded guilty to three or more prior violations of division (A) 89
of section 1547.11 of the Revised Code or of a substantially 90
equivalent municipal ordinance within the previous ten years. 91

(iii) The offender previously has been convicted of or 92
pleaded guilty to three or more prior violations of division (A) 93
(3) of section 4561.15 of the Revised Code or of a substantially 94
equivalent municipal ordinance within the previous ten years. 95

(iv) The offender previously has been convicted of or 96
pleaded guilty to three or more prior violations of division (A) 97
(1) of this section within the previous ten years. 98

(v) The offender previously has been convicted of or 99
pleaded guilty to three or more prior violations of division (A) 100
(1) of section 2903.08 of the Revised Code within the previous 101
ten years. 102

(vi) The offender previously has been convicted of or 103
pleaded guilty to three or more prior violations of section 104
2903.04 of the Revised Code within the previous ten years in 105

circumstances in which division (D) of that section applied 106
regarding the violations. 107

(vii) The offender previously has been convicted of or 108
pleaded guilty to three or more violations of any combination of 109
the offenses listed in division (B)(2)(c)(i), (ii), (iii), (iv), 110
(v), or (vi) of this section within the previous ten years. 111

(viii) The offender previously has been convicted of or 112
pleaded guilty to a second or subsequent felony violation of 113
division (A) of section 4511.19 of the Revised Code. 114

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

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

(3) Except as otherwise provided in this division, 126
aggravated vehicular homicide committed in violation of division 127
(A)(2) of this section is a felony of the third degree. 128
Aggravated vehicular homicide committed in violation of division 129
(A)(2) of this section is a felony of the second degree if, at 130
the time of the offense, the offender was driving under a 131
suspension or cancellation imposed under Chapter 4510. or any 132
other provision of the Revised Code or was operating a motor 133
vehicle or motorcycle, did not have a valid driver's license, 134

commercial driver's license, temporary instruction permit, 135
probationary license, or nonresident operating privilege, and 136
was not eligible for renewal of the offender's driver's license 137
or commercial driver's license without examination under section 138
4507.10 of the Revised Code or if the offender previously has 139
been convicted of or pleaded guilty to a violation of this 140
section or any traffic-related homicide, manslaughter, or 141
assault offense. The court shall impose a mandatory prison term 142
on the offender when required by division (E) of this section. 143

In addition to any other sanctions imposed pursuant to 144
this division for a violation of division (A) (2) of this 145
section, the court shall impose upon the offender a class two 146
suspension of the offender's driver's license, commercial 147
driver's license, temporary instruction permit, probationary 148
license, or nonresident operating privilege from the range 149
specified in division (A) (2) of section 4510.02 of the Revised 150
Code or, if the offender previously has been convicted of or 151
pleaded guilty to a traffic-related murder, felonious assault, 152
or attempted murder offense, a class one suspension of the 153
offender's driver's license, commercial driver's license, 154
temporary instruction permit, probationary license, or 155
nonresident operating privilege as specified in division (A) (1) 156
of that section. 157

(C) Whoever violates division (A) (3) of this section is 158
guilty of vehicular homicide. Except as otherwise provided in 159
this division, vehicular homicide is a misdemeanor of the first 160
degree. Vehicular homicide committed in violation of division 161
(A) (3) of this section is a felony of the fourth degree if, at 162
the time of the offense, the offender was driving under a 163
suspension or cancellation imposed under Chapter 4510. or any 164
other provision of the Revised Code or was operating a motor 165

vehicle or motorcycle, did not have a valid driver's license, 166
commercial driver's license, temporary instruction permit, 167
probationary license, or nonresident operating privilege, and 168
was not eligible for renewal of the offender's driver's license 169
or commercial driver's license without examination under section 170
4507.10 of the Revised Code or if the offender previously has 171
been convicted of or pleaded guilty to a violation of this 172
section or any traffic-related homicide, manslaughter, or 173
assault offense. The court shall impose a mandatory jail term or 174
a mandatory prison term on the offender when required by 175
division (E) of this section. 176

In addition to any other sanctions imposed pursuant to 177
this division, the court shall impose upon the offender a class 178
four suspension of the offender's driver's license, commercial 179
driver's license, temporary instruction permit, probationary 180
license, or nonresident operating privilege from the range 181
specified in division (A) (4) of section 4510.02 of the Revised 182
Code, or, if the offender previously has been convicted of or 183
pleaded guilty to a violation of this section or any traffic- 184
related homicide, manslaughter, or assault offense, a class 185
three suspension of the offender's driver's license, commercial 186
driver's license, temporary instruction permit, probationary 187
license, or nonresident operating privilege from the range 188
specified in division (A) (3) of that section, or, if the 189
offender previously has been convicted of or pleaded guilty to a 190
traffic-related murder, felonious assault, or attempted murder 191
offense, a class two suspension of the offender's driver's 192
license, commercial driver's license, temporary instruction 193
permit, probationary license, or nonresident operating privilege 194
as specified in division (A) (2) of that section. 195

(D) Whoever violates division (A) (4) of this section is 196

guilty of vehicular manslaughter. Except as otherwise provided 197
in this division, vehicular manslaughter is a misdemeanor of the 198
~~second-first~~ degree. Vehicular manslaughter is a ~~misdemeanor~~ 199
felony of the ~~first-fourth~~ degree if, at the time of the 200
offense, the offender was driving under a suspension or 201
cancellation imposed under Chapter 4510. or any other provision 202
of the Revised Code or was operating a motor vehicle or 203
motorcycle, did not have a valid driver's license, commercial 204
driver's license, temporary instruction permit, probationary 205
license, or nonresident operating privilege, and was not 206
eligible for renewal of the offender's driver's license or 207
commercial driver's license without examination under section 208
4507.10 of the Revised Code or if the offender previously has 209
been convicted of or pleaded guilty to a violation of this 210
section or any traffic-related homicide, manslaughter, or 211
assault offense. 212

In addition to any other sanctions imposed pursuant to 213
this division, the court shall impose upon the offender a class 214
~~six-four~~ suspension of the offender's driver's license, 215
commercial driver's license, temporary instruction permit, 216
probationary license, or nonresident operating privilege from 217
the range specified in division ~~(A)(6)~~ (A)(4) of section 4510.02 218
of the Revised Code or, if the offender previously has been 219
convicted of or pleaded guilty to a violation of this section, 220
any traffic-related homicide, manslaughter, or assault offense, 221
or a traffic-related murder, felonious assault, or attempted 222
murder offense, a class ~~four-three~~ suspension of the offender's 223
driver's license, commercial driver's license, temporary 224
instruction permit, probationary license, or nonresident 225
operating privilege from the range specified in division ~~(A)(4)~~ 226
(A)(3) of that section. 227

(E) (1) The court shall impose a mandatory prison term on 228
an offender who is convicted of or pleads guilty to a violation 229
of division (A) (1) of this section. Except as otherwise provided 230
in this division, the mandatory prison term shall be a definite 231
term from the range of prison terms provided in division (A) (1) 232
(b) of section 2929.14 of the Revised Code for a felony of the 233
first degree or from division (A) (2) (b) of that section for a 234
felony of the second degree, whichever is applicable, except 235
that if the violation is committed on or after March 22, 2019, 236
the court shall impose as the minimum prison term for the 237
offense a mandatory prison term that is one of the minimum terms 238
prescribed for a felony of the first degree in division (A) (1) 239
(a) of section 2929.14 of the Revised Code or one of the terms 240
prescribed for a felony of the second degree in division (A) (2) 241
(a) of that section, whichever is applicable. If division (B) (2) 242
(c) (i), (ii), (iii), (iv), (v), (vi), (vii), or (viii) of this 243
section applies to an offender who is convicted of or pleads 244
guilty to the violation of division (A) (1) of this section, the 245
court shall impose the mandatory prison term pursuant to 246
division (B) of section 2929.142 of the Revised Code. The court 247
shall impose a mandatory jail term of at least fifteen days on 248
an offender who is convicted of or pleads guilty to a 249
misdemeanor violation of division (A) (3) (b) of this section and 250
may impose upon the offender a longer jail term as authorized 251
pursuant to section 2929.24 of the Revised Code. 252

(2) The court shall impose a mandatory prison term on an 253
offender who is convicted of or pleads guilty to a violation of 254
division (A) (2) or (3) (a) of this section or a felony violation 255
of division (A) (3) (b) or (4) of this section if either division 256
(E) (2) (a) or (b) of this section applies. The mandatory prison 257
term shall be a definite term from the range of prison terms 258

provided in division (A) (3) (a) of section 2929.14 of the Revised 259
Code for a felony of the third degree or from division (A) (4) of 260
that section for a felony of the fourth degree, whichever is 261
applicable. The court shall impose a mandatory prison term on an 262
offender in a category described in this division if either of 263
the following applies: 264

(a) The offender previously has been convicted of or 265
pleaded guilty to a violation of this section or section 2903.08 266
of the Revised Code. 267

(b) At the time of the offense, the offender was driving 268
under suspension or cancellation under Chapter 4510. or any 269
other provision of the Revised Code or was operating a motor 270
vehicle or motorcycle, did not have a valid driver's license, 271
commercial driver's license, temporary instruction permit, 272
probationary license, or nonresident operating privilege, and 273
was not eligible for renewal of the offender's driver's license 274
or commercial driver's license without examination under section 275
4507.10 of the Revised Code. 276

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 277
apply in a particular construction zone unless signs of the type 278
described in section 2903.081 of the Revised Code are erected in 279
that construction zone in accordance with the guidelines and 280
design specifications established by the director of 281
transportation under section 5501.27 of the Revised Code. The 282
failure to erect signs of the type described in section 2903.081 283
of the Revised Code in a particular construction zone in 284
accordance with those guidelines and design specifications does 285
not limit or affect the application of division (A) (1), (A) (2) 286
(a), (A) (3) (a), or (A) (4) of this section in that construction 287
zone or the prosecution of any person who violates any of those 288

divisions in that construction zone. 289

(G) (1) As used in this section: 290

(a) "Mandatory prison term" and "mandatory jail term" have 291
the same meanings as in section 2929.01 of the Revised Code. 292

(b) "Traffic-related homicide, manslaughter, or assault 293
offense" means a violation of section 2903.04 of the Revised 294
Code in circumstances in which division (D) of that section 295
applies, a violation of section 2903.06 or 2903.08 of the 296
Revised Code, or a violation of section 2903.06, 2903.07, or 297
2903.08 of the Revised Code as they existed prior to March 23, 298
2000. 299

(c) "Construction zone" has the same meaning as in section 300
5501.27 of the Revised Code. 301

(d) "Reckless operation offense" means a violation of 302
section 4511.20 of the Revised Code or a municipal ordinance 303
substantially equivalent to section 4511.20 of the Revised Code. 304

(e) "Speeding offense" means a violation of section 305
4511.21 of the Revised Code or a municipal ordinance pertaining 306
to speed. 307

(f) "Traffic-related murder, felonious assault, or 308
attempted murder offense" means a violation of section 2903.01 309
or 2903.02 of the Revised Code in circumstances in which the 310
offender used a motor vehicle as the means to commit the 311
violation, a violation of division (A) (2) of section 2903.11 of 312
the Revised Code in circumstances in which the deadly weapon 313
used in the commission of the violation is a motor vehicle, or 314
an attempt to commit aggravated murder or murder in violation of 315
section 2923.02 of the Revised Code in circumstances in which 316
the offender used a motor vehicle as the means to attempt to 317

commit the aggravated murder or murder. 318

(g) "Motor vehicle" has the same meaning as in section 319
4501.01 of the Revised Code. 320

(2) For the purposes of this section, when a penalty or 321
suspension is enhanced because of a prior or current violation 322
of a specified law or a prior or current specified offense, the 323
reference to the violation of the specified law or the specified 324
offense includes any violation of any substantially equivalent 325
municipal ordinance, former law of this state, or current or 326
former law of another state or the United States. 327

Sec. 2903.08. (A) No person, while operating or 328
participating in the operation of a motor vehicle, motorcycle, 329
snowmobile, locomotive, watercraft, or aircraft, shall cause 330
serious physical harm to another person or another's unborn in 331
any of the following ways: 332

(1) (a) As the proximate result of committing a violation 333
of division (A) of section 4511.19 of the Revised Code or of a 334
substantially equivalent municipal ordinance; 335

(b) As the proximate result of committing a violation of 336
division (A) of section 1547.11 of the Revised Code or of a 337
substantially equivalent municipal ordinance; 338

(c) As the proximate result of committing a violation of 339
division (A) (3) of section 4561.15 of the Revised Code or of a 340
substantially equivalent municipal ordinance. 341

(2) In one of the following ways: 342

(a) As the proximate result of committing, while operating 343
or participating in the operation of a motor vehicle or 344
motorcycle in a construction zone, a reckless operation offense, 345

provided that this division applies only if the person to whom 346
the serious physical harm is caused or to whose unborn the 347
serious physical harm is caused is in the construction zone at 348
the time of the offender's commission of the reckless operation 349
offense in the construction zone and does not apply as described 350
in division (E) of this section; 351

(b) Recklessly. 352

(3) As the proximate result of committing, while operating 353
or participating in the operation of a motor vehicle or 354
motorcycle in a construction zone, a speeding offense, provided 355
that this division applies only if the person to whom the 356
serious physical harm is caused or to whose unborn the serious 357
physical harm is caused is in the construction zone at the time 358
of the offender's commission of the speeding offense in the 359
construction zone and does not apply as described in division 360
(E) of this section; 361

(4) As the proximate result of committing a violation of 362
any provision of any section contained in Title XLV of the 363
Revised Code that is a minor misdemeanor or of a municipal 364
ordinance that, regardless of the penalty set by ordinance for 365
the violation, is substantially equivalent to any provision of 366
any section contained in Title XLV of the Revised Code that is a 367
minor misdemeanor. 368

(B) (1) Whoever violates division (A) (1) of this section is 369
guilty of aggravated vehicular assault. Except as otherwise 370
provided in this division, aggravated vehicular assault is a 371
felony of the third degree. Aggravated vehicular assault is a 372
felony of the second degree if any of the following apply: 373

(a) At the time of the offense, the offender was driving 374

under a suspension imposed under Chapter 4510. or any other 375
provision of the Revised Code. 376

(b) The offender previously has been convicted of or 377
pleaded guilty to a violation of this section. 378

(c) The offender previously has been convicted of or 379
pleaded guilty to any traffic-related homicide, manslaughter, or 380
assault offense. 381

(d) The offender previously has been convicted of or 382
pleaded guilty to three or more prior violations of division (A) 383
of section 4511.19 of the Revised Code or a substantially 384
equivalent municipal ordinance within the previous ten years. 385

(e) The offender previously has been convicted of or 386
pleaded guilty to three or more prior violations of division (A) 387
of section 1547.11 of the Revised Code or of a substantially 388
equivalent municipal ordinance within the previous ten years. 389

(f) The offender previously has been convicted of or 390
pleaded guilty to three or more prior violations of division (A) 391
(3) of section 4561.15 of the Revised Code or of a substantially 392
equivalent municipal ordinance within the previous ten years. 393

(g) The offender previously has been convicted of or 394
pleaded guilty to three or more prior violations of any 395
combination of the offenses listed in division (B) (1) (d), (e), 396
or (f) of this section. 397

(h) The offender previously has been convicted of or 398
pleaded guilty to a second or subsequent felony violation of 399
division (A) of section 4511.19 of the Revised Code. 400

(2) In addition to any other sanctions imposed pursuant to 401
division (B) (1) of this section, except as otherwise provided in 402

this division, the court shall impose upon the offender a class 403
three suspension of the offender's driver's license, commercial 404
driver's license, temporary instruction permit, probationary 405
license, or nonresident operating privilege from the range 406
specified in division (A) (3) of section 4510.02 of the Revised 407
Code. If the offender previously has been convicted of or 408
pleaded guilty to a violation of this section, any traffic- 409
related homicide, manslaughter, or assault offense, or any 410
traffic-related murder, felonious assault, or attempted murder 411
offense, the court shall impose either a class two suspension of 412
the offender's driver's license, commercial driver's license, 413
temporary instruction permit, probationary license, or 414
nonresident operating privilege from the range specified in 415
division (A) (2) of that section or a class one suspension as 416
specified in division (A) (1) of that section. 417

(C) (1) Whoever violates division (A) (2) ~~or, (3), or (4)~~ 418
of this section is guilty of vehicular assault and shall be 419
punished as provided in divisions (C) (2) ~~and, (3), and (4)~~ of 420
this section. 421

(2) Except as otherwise provided in this division, 422
vehicular assault committed in violation of division (A) (2) of 423
this section is a felony of the fourth degree. Vehicular assault 424
committed in violation of division (A) (2) of this section is a 425
felony of the third degree if, at the time of the offense, the 426
offender was driving under a suspension imposed under Chapter 427
4510. or any other provision of the Revised Code, if the 428
offender previously has been convicted of or pleaded guilty to a 429
violation of this section or any traffic-related homicide, 430
manslaughter, or assault offense, or if, in the same course of 431
conduct that resulted in the violation of division (A) (2) of 432
this section, the offender also violated section 4549.02, 433

4549.021, or 4549.03 of the Revised Code. 434

In addition to any other sanctions imposed, the court 435
shall impose upon the offender a class four suspension of the 436
offender's driver's license, commercial driver's license, 437
temporary instruction permit, probationary license, or 438
nonresident operating privilege from the range specified in 439
division (A)(4) of section 4510.02 of the Revised Code or, if 440
the offender previously has been convicted of or pleaded guilty 441
to a violation of this section, any traffic-related homicide, 442
manslaughter, or assault offense, or any traffic-related murder, 443
felonious assault, or attempted murder offense, a class three 444
suspension of the offender's driver's license, commercial 445
driver's license, temporary instruction permit, probationary 446
license, or nonresident operating privilege from the range 447
specified in division (A)(3) of that section. 448

(3) Except as otherwise provided in this division, 449
vehicular assault committed in violation of division (A)(3) of 450
this section is a misdemeanor of the first degree. Vehicular 451
assault committed in violation of division (A)(3) of this 452
section is a felony of the fourth degree if, at the time of the 453
offense, the offender was driving under a suspension imposed 454
under Chapter 4510. or any other provision of the Revised Code 455
or if the offender previously has been convicted of or pleaded 456
guilty to a violation of this section or any traffic-related 457
homicide, manslaughter, or assault offense. 458

In addition to any other sanctions imposed, the court 459
shall impose upon the offender a class four suspension of the 460
offender's driver's license, commercial driver's license, 461
temporary instruction permit, probationary license, or 462
nonresident operating privilege from the range specified in 463

division (A) (4) of section 4510.02 of the Revised Code or, if 464
the offender previously has been convicted of or pleaded guilty 465
to a violation of this section, any traffic-related homicide, 466
manslaughter, or assault offense, or any traffic-related murder, 467
felonious assault, or attempted murder offense, a class three 468
suspension of the offender's driver's license, commercial 469
driver's license, temporary instruction permit, probationary 470
license, or nonresident operating privilege from the range 471
specified in division (A) (3) of section 4510.02 of the Revised 472
Code. 473

(4) Except as otherwise provided in this division, 474
vehicular assault committed in violation of division (A) (4) of 475
this section is a misdemeanor of the first degree. Vehicular 476
assault committed in violation of division (A) (4) of this 477
section is a felony of the fourth degree if, at the time of the 478
offense, the offender was driving under a suspension imposed 479
under Chapter 4510. or any other provision of the Revised Code 480
or if the offender previously has been convicted of or pleaded 481
guilty to a violation of this section or any traffic-related 482
homicide, manslaughter, or assault offense. 483

In addition to any other sanctions imposed, the court 484
shall impose upon the offender a class four suspension of the 485
offender's driver's license, commercial driver's license, 486
temporary instruction permit, probationary license, or 487
nonresident operating privilege from the range specified in 488
division (A) (4) of section 4510.02 of the Revised Code or, if 489
the offender previously has been convicted of or pleaded guilty 490
to a violation of this section, any traffic-related homicide, 491
manslaughter, or assault offense, or any traffic-related murder, 492
felonious assault, or attempted murder offense, a class three 493
suspension of the offender's driver's license, commercial 494

driver's license, temporary instruction permit, probationary 495
license, or nonresident operating privilege from the range 496
specified in division (A) (3) of section 4510.02 of the Revised 497
Code. 498

(D) (1) The court shall impose a mandatory prison term, as 499
described in division (D) (4) of this section, on an offender who 500
is convicted of or pleads guilty to a violation of division (A) 501
(1) of this section. 502

(2) The court shall impose a mandatory prison term, as 503
described in division (D) (4) of this section, on an offender who 504
is convicted of or pleads guilty to a violation of division (A) 505
(2) of this section or a felony violation of division (A) (3) or 506
(4) of this section if either of the following applies: 507

(a) The offender previously has been convicted of or 508
pleaded guilty to a violation of this section or section 2903.06 509
of the Revised Code. 510

(b) At the time of the offense, the offender was driving 511
under suspension under Chapter 4510. or any other provision of 512
the Revised Code. 513

(3) The court shall impose a mandatory jail term of at 514
least seven days on an offender who is convicted of or pleads 515
guilty to a misdemeanor violation of division (A) (3) or (4) of 516
this section and may impose upon the offender a longer jail term 517
as authorized pursuant to section 2929.24 of the Revised Code. 518

(4) A mandatory prison term required under division (D) (1) 519
or (2) of this section shall be a definite term from the range 520
of prison terms provided in division (A) (2) (b) of section 521
2929.14 of the Revised Code for a felony of the second degree, 522
from division (A) (3) (a) of that section for a felony of the 523

third degree, or from division (A)(4) of that section for a 524
felony of the fourth degree, whichever is applicable, except 525
that if the violation is a felony of the second degree committed 526
on or after March 22, 2019, the court shall impose as the 527
minimum prison term for the offense a mandatory prison term that 528
is one of the minimum terms prescribed for a felony of the 529
second degree in division (A)(2)(a) of section 2929.14 of the 530
Revised Code. 531

(E) Divisions (A)(2)(a) and (3) of this section do not 532
apply in a particular construction zone unless signs of the type 533
described in section 2903.081 of the Revised Code are erected in 534
that construction zone in accordance with the guidelines and 535
design specifications established by the director of 536
transportation under section 5501.27 of the Revised Code. The 537
failure to erect signs of the type described in section 2903.081 538
of the Revised Code in a particular construction zone in 539
accordance with those guidelines and design specifications does 540
not limit or affect the application of division (A)(1) or (2)(b) 541
of this section in that construction zone or the prosecution of 542
any person who violates either of those divisions in that 543
construction zone. 544

(F) As used in this section: 545

(1) "Mandatory prison term" and "mandatory jail term" have 546
the same meanings as in section 2929.01 of the Revised Code. 547

(2) "Traffic-related homicide, manslaughter, or assault 548
offense" and "traffic-related murder, felonious assault, or 549
attempted murder offense" have the same meanings as in section 550
2903.06 of the Revised Code. 551

(3) "Construction zone" has the same meaning as in section 552

5501.27 of the Revised Code. 553

(4) "Reckless operation offense" and "speeding offense" 554
have the same meanings as in section 2903.06 of the Revised 555
Code. 556

(G) For the purposes of this section, when a penalty or 557
suspension is enhanced because of a prior or current violation 558
of a specified law or a prior or current specified offense, the 559
reference to the violation of the specified law or the specified 560
offense includes any violation of any substantially equivalent 561
municipal ordinance, former law of this state, or current or 562
former law of another state or the United States. 563

Section 2. That existing sections 2903.06 and 2903.08 of 564
the Revised Code are hereby repealed. 565