

Sub. H. B. No. 56
As Passed by the House

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "2903.06, 2903.08,"; 1
after "2929.14" insert ", 2929.41" 2

In line 3 of the title, after the first "to" insert "prohibit 3
causing the death of or serious physical harm to another while operating a 4
utility vehicle, to" 5

In line 5 of the title, after "vehicle" insert ", " 6

In line 7, after "sections" insert "2903.06, 2903.08,"; after 7
"2929.14" insert ", 2929.41" 8

After line 9, insert: 9

"**Sec. 2903.06.** (A) No person, while operating or 10
participating in the operation of a motor vehicle, motorcycle, 11
utility vehicle, snowmobile, locomotive, watercraft, or 12
aircraft, shall cause the death of another or the unlawful 13
termination of another's pregnancy in any of the following ways: 14

(1) (a) As the proximate result of committing a violation 15
of division (A) of section 4511.19 of the Revised Code or of a 16

substantially equivalent municipal ordinance; 17

(b) As the proximate result of committing a violation of 18
division (A) of section 1547.11 of the Revised Code or of a 19
substantially equivalent municipal ordinance; 20

(c) As the proximate result of committing a violation of 21
division (A) (3) of section 4561.15 of the Revised Code or of a 22
substantially equivalent municipal ordinance. 23

(2) In one of the following ways: 24

(a) Recklessly; 25

(b) As the proximate result of committing, while operating 26
or participating in the operation of a motor vehicle, utility 27
vehicle, or motorcycle in a construction zone, a reckless 28
operation offense, provided that this division applies only if 29
the person whose death is caused or whose pregnancy is 30
unlawfully terminated is in the construction zone at the time of 31
the offender's commission of the reckless operation offense in 32
the construction zone and does not apply as described in 33
division (F) of this section. 34

(3) In one of the following ways: 35

(a) Negligently; 36

(b) As the proximate result of committing, while operating 37
or participating in the operation of a motor vehicle, utility 38
vehicle, or motorcycle in a construction zone, a speeding 39
offense, provided that this division applies only if the person 40
whose death is caused or whose pregnancy is unlawfully 41
terminated is in the construction zone at the time of the 42
offender's commission of the speeding offense in the 43
construction zone and does not apply as described in division 44

(F) of this section. 45

(4) As the proximate result of committing a violation of 46
any provision of any section contained in Title XLV of the 47
Revised Code that is a minor misdemeanor or of a municipal 48
ordinance that, regardless of the penalty set by ordinance for 49
the violation, is substantially equivalent to any provision of 50
any section contained in Title XLV of the Revised Code that is a 51
minor misdemeanor. 52

(B) (1) Whoever violates division (A) (1) or (2) of this 53
section is guilty of aggravated vehicular homicide and shall be 54
punished as provided in divisions (B) (2) and (3) of this 55
section. 56

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

(b) Except as otherwise provided in division (B) (2) (c) of 63
this section, aggravated vehicular homicide committed in 64
violation of division (A) (1) of this section is a felony of the 65
first degree, and the court shall impose a mandatory prison term 66
on the offender as described in division (E) of this section, if 67
any of the following apply: 68

(i) At the time of the offense, the offender was driving 69
under a suspension or cancellation imposed under Chapter 4510. 70
or any other provision of the Revised Code or was operating a 71
motor vehicle or motorcycle, did not have a valid driver's 72
license, commercial driver's license, temporary instruction 73

permit, probationary license, or nonresident operating 74
 privilege, and was not eligible for renewal of the offender's 75
 driver's license or commercial driver's license without 76
 examination under section 4507.10 of the Revised Code. 77

(ii) The offender previously has been convicted of or 78
 pleaded guilty to a violation of this section. 79

(iii) The offender previously has been convicted of or 80
 pleaded guilty to any traffic-related homicide, manslaughter, or 81
 assault offense. 82

(c) Aggravated vehicular homicide committed in violation 83
 of division (A) (1) of this section is a felony of the first 84
 degree, and the court shall sentence the offender to a mandatory 85
 prison term as provided in section 2929.142 of the Revised Code 86
 and described in division (E) of this section if any of the 87
 following apply: 88

(i) The offender previously has been convicted of or 89
 pleaded guilty to three or more prior violations of division (A) 90
 of section 4511.19 of the Revised Code or of a substantially 91
 equivalent municipal ordinance within the previous ten years. 92

(ii) The offender previously has been convicted of or 93
 pleaded guilty to three or more prior violations of division (A) 94
 of section 1547.11 of the Revised Code or of a substantially 95
 equivalent municipal ordinance within the previous ten years. 96

(iii) The offender previously has been convicted of or 97
 pleaded guilty to three or more prior violations of division (A) 98
 (3) of section 4561.15 of the Revised Code or of a substantially 99
 equivalent municipal ordinance within the previous ten years. 100

(iv) The offender previously has been convicted of or 101

pleaded guilty to three or more prior violations of division (A) 102
(1) of this section within the previous ten years. 103

(v) The offender previously has been convicted of or 104
pleaded guilty to three or more prior violations of division (A) 105
(1) of section 2903.08 of the Revised Code within the previous 106
ten years. 107

(vi) The offender previously has been convicted of or 108
pleaded guilty to three or more prior violations of section 109
2903.04 of the Revised Code within the previous ten years in 110
circumstances in which division (D) of that section applied 111
regarding the violations. 112

(vii) The offender previously has been convicted of or 113
pleaded guilty to three or more violations of any combination of 114
the offenses listed in division (B) (2) (c) (i), (ii), (iii), (iv), 115
(v), or (vi) of this section within the previous ten years. 116

(viii) The offender previously has been convicted of or 117
pleaded guilty to a second or subsequent felony violation of 118
division (A) of section 4511.19 of the Revised Code. 119

(d) In addition to any other sanctions imposed pursuant to 120
division (B) (2) (a), (b), or (c) of this section for aggravated 121
vehicular homicide committed in violation of division (A) (1) of 122
this section, the court shall impose upon the offender a class 123
one suspension of the offender's driver's license, commercial 124
driver's license, temporary instruction permit, probationary 125
license, or nonresident operating privilege as specified in 126
division (A) (1) of section 4510.02 of the Revised Code. 127

Divisions (A) (1) to (3) of section 4510.54 of the Revised 128
Code apply to a suspension imposed under division (B) (2) (d) of 129
this section. 130

(3) Except as otherwise provided in this division, 131
aggravated vehicular homicide committed in violation of division 132
(A) (2) of this section is a felony of the third degree. 133
Aggravated vehicular homicide committed in violation of division 134
(A) (2) of this section is a felony of the second degree if, at 135
the time of the offense, the offender was driving under a 136
suspension or cancellation imposed under Chapter 4510. or any 137
other provision of the Revised Code or was operating a motor 138
vehicle or motorcycle, did not have a valid driver's license, 139
commercial driver's license, temporary instruction permit, 140
probationary license, or nonresident operating privilege, and 141
was not eligible for renewal of the offender's driver's license 142
or commercial driver's license without examination under section 143
4507.10 of the Revised Code or if the offender previously has 144
been convicted of or pleaded guilty to a violation of this 145
section or any traffic-related homicide, manslaughter, or 146
assault offense. The court shall impose a mandatory prison term 147
on the offender when required by division (E) of this section. 148

In addition to any other sanctions imposed pursuant to 149
this division for a violation of division (A) (2) of this 150
section, the court shall impose upon the offender a class two 151
suspension of the offender's driver's license, commercial 152
driver's license, temporary instruction permit, probationary 153
license, or nonresident operating privilege from the range 154
specified in division (A) (2) of section 4510.02 of the Revised 155
Code or, if the offender previously has been convicted of or 156
pleaded guilty to a traffic-related murder, felonious assault, 157
or attempted murder offense, a class one suspension of the 158
offender's driver's license, commercial driver's license, 159
temporary instruction permit, probationary license, or 160
nonresident operating privilege as specified in division (A) (1) 161

of that section. 162

(C) Whoever violates division (A) (3) of this section is 163
guilty of vehicular homicide. Except as otherwise provided in 164
this division, vehicular homicide is a misdemeanor of the first 165
degree. Vehicular homicide committed in violation of division 166
(A) (3) of this section is a felony of the fourth degree if, at 167
the time of the offense, the offender was driving under a 168
suspension or cancellation imposed under Chapter 4510. or any 169
other provision of the Revised Code or was operating a motor 170
vehicle or motorcycle, did not have a valid driver's license, 171
commercial driver's license, temporary instruction permit, 172
probationary license, or nonresident operating privilege, and 173
was not eligible for renewal of the offender's driver's license 174
or commercial driver's license without examination under section 175
4507.10 of the Revised Code or if the offender previously has 176
been convicted of or pleaded guilty to a violation of this 177
section or any traffic-related homicide, manslaughter, or 178
assault offense. The court shall impose a mandatory jail term or 179
a mandatory prison term on the offender when required by 180
division (E) of this section. 181

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

license, or nonresident operating privilege from the range 193
specified in division (A) (3) of that section, or, if the 194
offender previously has been convicted of or pleaded guilty to a 195
traffic-related murder, felonious assault, or attempted murder 196
offense, a class two suspension of the offender's driver's 197
license, commercial driver's license, temporary instruction 198
permit, probationary license, or nonresident operating privilege 199
as specified in division (A) (2) of that section. 200

(D) Whoever violates division (A) (4) of this section is 201
guilty of vehicular manslaughter. Except as otherwise provided 202
in this division, vehicular manslaughter is a misdemeanor of the 203
second degree. Vehicular manslaughter is a misdemeanor of the 204
first degree if, at the time of the offense, the offender was 205
driving under a suspension or cancellation imposed under Chapter 206
4510. or any other provision of the Revised Code or was 207
operating a motor vehicle or motorcycle, did not have a valid 208
driver's license, commercial driver's license, temporary 209
instruction permit, probationary license, or nonresident 210
operating privilege, and was not eligible for renewal of the 211
offender's driver's license or commercial driver's license 212
without examination under section 4507.10 of the Revised Code or 213
if the offender previously has been convicted of or pleaded 214
guilty to a violation of this section or any traffic-related 215
homicide, manslaughter, or assault offense. 216

In addition to any other sanctions imposed pursuant to 217
this division, the court shall impose upon the offender a class 218
six suspension of the offender's driver's license, commercial 219
driver's license, temporary instruction permit, probationary 220
license, or nonresident operating privilege from the range 221
specified in division (A) (6) of section 4510.02 of the Revised 222
Code or, if the offender previously has been convicted of or 223

pleaded guilty to a violation of this section, any traffic- 224
related homicide, manslaughter, or assault offense, or a 225
traffic-related murder, felonious assault, or attempted murder 226
offense, a class four suspension of the offender's driver's 227
license, commercial driver's license, temporary instruction 228
permit, probationary license, or nonresident operating privilege 229
from the range specified in division (A) (4) of that section. 230

(E) (1) The court shall impose a mandatory prison term on 231
an offender who is convicted of or pleads guilty to a violation 232
of division (A) (1) of this section. Except as otherwise provided 233
in this division, the mandatory prison term shall be a definite 234
term from the range of prison terms provided in division (A) (1) 235
(b) of section 2929.14 of the Revised Code for a felony of the 236
first degree or from division (A) (2) (b) of that section for a 237
felony of the second degree, whichever is applicable, except 238
that if the violation is committed on or after March 22, 2019, 239
the court shall impose as the minimum prison term for the 240
offense a mandatory prison term that is one of the minimum terms 241
prescribed for a felony of the first degree in division (A) (1) 242
(a) of section 2929.14 of the Revised Code or one of the terms 243
prescribed for a felony of the second degree in division (A) (2) 244
(a) of that section, whichever is applicable. If division (B) (2) 245
(c) (i), (ii), (iii), (iv), (v), (vi), (vii), or (viii) of this 246
section applies to an offender who is convicted of or pleads 247
guilty to the violation of division (A) (1) of this section, the 248
court shall impose the mandatory prison term pursuant to 249
division (B) of section 2929.142 of the Revised Code. The court 250
shall impose a mandatory jail term of at least fifteen days on 251
an offender who is convicted of or pleads guilty to a 252
misdemeanor violation of division (A) (3) (b) of this section and 253
may impose upon the offender a longer jail term as authorized 254

pursuant to section 2929.24 of the Revised Code. 255

(2) The court shall impose a mandatory prison term on an 256
offender who is convicted of or pleads guilty to a violation of 257
division (A) (2) or (3) (a) of this section or a felony violation 258
of division (A) (3) (b) of this section if either division (E) (2) 259
(a) or (b) of this section applies. The mandatory prison term 260
shall be a definite term from the range of prison terms provided 261
in division (A) (3) (a) of section 2929.14 of the Revised Code for 262
a felony of the third degree or from division (A) (4) of that 263
section for a felony of the fourth degree, whichever is 264
applicable. The court shall impose a mandatory prison term on an 265
offender in a category described in this division if either of 266
the following applies: 267

(a) The offender previously has been convicted of or 268
pleaded guilty to a violation of this section or section 2903.08 269
of the Revised Code. 270

(b) At the time of the offense, the offender was driving 271
under suspension or cancellation under Chapter 4510. or any 272
other provision of the Revised Code or was operating a motor 273
vehicle or motorcycle, did not have a valid driver's license, 274
commercial driver's license, temporary instruction permit, 275
probationary license, or nonresident operating privilege, and 276
was not eligible for renewal of the offender's driver's license 277
or commercial driver's license without examination under section 278
4507.10 of the Revised Code. 279

(F) Divisions (A) (2) (b) and (3) (b) of this section do not 280
apply in a particular construction zone unless signs of the type 281
described in section 2903.081 of the Revised Code are erected in 282
that construction zone in accordance with the guidelines and 283
design specifications established by the director of 284

transportation under section 5501.27 of the Revised Code. The	285
failure to erect signs of the type described in section 2903.081	286
of the Revised Code in a particular construction zone in	287
accordance with those guidelines and design specifications does	288
not limit or affect the application of division (A) (1), (A) (2)	289
(a), (A) (3) (a), or (A) (4) of this section in that construction	290
zone or the prosecution of any person who violates any of those	291
divisions in that construction zone.	292
(G) (1) As used in this section:	293
(a) "Mandatory prison term" and "mandatory jail term" have	294
the same meanings as in section 2929.01 of the Revised Code.	295
(b) "Traffic-related homicide, manslaughter, or assault	296
offense" means a violation of section 2903.04 of the Revised	297
Code in circumstances in which division (D) of that section	298
applies, a violation of section 2903.06 or 2903.08 of the	299
Revised Code, or a violation of section 2903.06, 2903.07, or	300
2903.08 of the Revised Code as they existed prior to March 23,	301
2000.	302
(c) "Construction zone" has the same meaning as in section	303
5501.27 of the Revised Code.	304
(d) "Reckless operation offense" means a violation of	305
section 4511.20 of the Revised Code or a municipal ordinance	306
substantially equivalent to section 4511.20 of the Revised Code.	307
(e) "Speeding offense" means a violation of section	308
4511.21 of the Revised Code or a municipal ordinance pertaining	309
to speed.	310
(f) "Traffic-related murder, felonious assault, or	311
attempted murder offense" means a violation of section 2903.01	312

or 2903.02 of the Revised Code in circumstances in which the
offender used a motor vehicle as the means to commit the
violation, a violation of division (A) (2) of section 2903.11 of
the Revised Code in circumstances in which the deadly weapon
used in the commission of the violation is a motor vehicle, or
an attempt to commit aggravated murder or murder in violation of
section 2923.02 of the Revised Code in circumstances in which
the offender used a motor vehicle as the means to attempt to
commit the aggravated murder or murder.

(g) "Motor vehicle" ~~has~~ and "utility vehicle" have the
same ~~meaning~~ meanings as in section 4501.01 of the Revised Code.

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

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

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

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

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

(2) In one of the following ways:

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

(b) Recklessly.

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

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

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

under a suspension imposed under Chapter 4510. or any other 371
provision of the Revised Code. 372

(b) The offender previously has been convicted of or 373
pleaded guilty to a violation of this section. 374

(c) The offender previously has been convicted of or 375
pleaded guilty to any traffic-related homicide, manslaughter, or 376
assault offense. 377

(d) The offender previously has been convicted of or 378
pleaded guilty to three or more prior violations of division (A) 379
of section 4511.19 of the Revised Code or a substantially 380
equivalent municipal ordinance within the previous ten years. 381

(e) The offender previously has been convicted of or 382
pleaded guilty to three or more prior violations of division (A) 383
of section 1547.11 of the Revised Code or of a substantially 384
equivalent municipal ordinance within the previous ten years. 385

(f) The offender previously has been convicted of or 386
pleaded guilty to three or more prior violations of division (A) 387
(3) of section 4561.15 of the Revised Code or of a substantially 388
equivalent municipal ordinance within the previous ten years. 389

(g) The offender previously has been convicted of or 390
pleaded guilty to three or more prior violations of any 391
combination of the offenses listed in division (B) (1) (d), (e), 392
or (f) of this section. 393

(h) The offender previously has been convicted of or 394
pleaded guilty to a second or subsequent felony violation of 395
division (A) of section 4511.19 of the Revised Code. 396

(2) In addition to any other sanctions imposed pursuant to 397
division (B) (1) of this section, except as otherwise provided in 398

this division, the court shall impose upon the offender a class 399
three suspension of the offender's driver's license, commercial 400
driver's license, temporary instruction permit, probationary 401
license, or nonresident operating privilege from the range 402
specified in division (A) (3) of section 4510.02 of the Revised 403
Code. If the offender previously has been convicted of or 404
pleaded guilty to a violation of this section, any traffic- 405
related homicide, manslaughter, or assault offense, or any 406
traffic-related murder, felonious assault, or attempted murder 407
offense, the court shall impose either a class two suspension of 408
the offender's driver's license, commercial driver's license, 409
temporary instruction permit, probationary license, or 410
nonresident operating privilege from the range specified in 411
division (A) (2) of that section or a class one suspension as 412
specified in division (A) (1) of that section. 413

(C) (1) Whoever violates division (A) (2) or (3) of this 414
section is guilty of vehicular assault and shall be punished as 415
provided in divisions (C) (2) and (3) of this section. 416

(2) Except as otherwise provided in this division, 417
vehicular assault committed in violation of division (A) (2) of 418
this section is a felony of the fourth degree. Vehicular assault 419
committed in violation of division (A) (2) of this section is a 420
felony of the third degree if, at the time of the offense, the 421
offender was driving under a suspension imposed under Chapter 422
4510. or any other provision of the Revised Code, if the 423
offender previously has been convicted of or pleaded guilty to a 424
violation of this section or any traffic-related homicide, 425
manslaughter, or assault offense, or if, in the same course of 426
conduct that resulted in the violation of division (A) (2) of 427
this section, the offender also violated section 4549.02, 428
4549.021, or 4549.03 of the Revised Code. 429

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

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

In addition to any other sanctions imposed, the court
shall impose upon the offender a class four suspension of the
offender's driver's license, commercial driver's license,
temporary instruction permit, probationary license, or
nonresident operating privilege from the range specified in
division (A) (4) of section 4510.02 of the Revised Code or, if
the offender previously has been convicted of or pleaded guilty

to a violation of this section, any traffic-related homicide, 461
manslaughter, or assault offense, or any traffic-related murder, 462
felonious assault, or attempted murder offense, a class three 463
suspension of the offender's driver's license, commercial 464
driver's license, temporary instruction permit, probationary 465
license, or nonresident operating privilege from the range 466
specified in division (A) (3) of section 4510.02 of the Revised 467
Code. 468

(D) (1) The court shall impose a mandatory prison term, as 469
described in division (D) (4) of this section, on an offender who 470
is convicted of or pleads guilty to a violation of division (A) 471
(1) of this section. 472

(2) The court shall impose a mandatory prison term, as 473
described in division (D) (4) of this section, on an offender who 474
is convicted of or pleads guilty to a violation of division (A) 475
(2) of this section or a felony violation of division (A) (3) of 476
this section if either of the following applies: 477

(a) The offender previously has been convicted of or 478
pleaded guilty to a violation of this section or section 2903.06 479
of the Revised Code. 480

(b) At the time of the offense, the offender was driving 481
under suspension under Chapter 4510. or any other provision of 482
the Revised Code. 483

(3) The court shall impose a mandatory jail term of at 484
least seven days on an offender who is convicted of or pleads 485
guilty to a misdemeanor violation of division (A) (3) of this 486
section and may impose upon the offender a longer jail term as 487
authorized pursuant to section 2929.24 of the Revised Code. 488

(4) A mandatory prison term required under division (D) (1) 489

or (2) of this section shall be a definite term from the range 490
of prison terms provided in division (A)(2)(b) of section 491
2929.14 of the Revised Code for a felony of the second degree, 492
from division (A)(3)(a) of that section for a felony of the 493
third degree, or from division (A)(4) of that section for a 494
felony of the fourth degree, whichever is applicable, except 495
that if the violation is a felony of the second degree committed 496
on or after March 22, 2019, the court shall impose as the 497
minimum prison term for the offense a mandatory prison term that 498
is one of the minimum terms prescribed for a felony of the 499
second degree in division (A)(2)(a) of section 2929.14 of the 500
Revised Code. 501

(E) Divisions (A)(2)(a) and (3) of this section do not 502
apply in a particular construction zone unless signs of the type 503
described in section 2903.081 of the Revised Code are erected in 504
that construction zone in accordance with the guidelines and 505
design specifications established by the director of 506
transportation under section 5501.27 of the Revised Code. The 507
failure to erect signs of the type described in section 2903.081 508
of the Revised Code in a particular construction zone in 509
accordance with those guidelines and design specifications does 510
not limit or affect the application of division (A)(1) or (2)(b) 511
of this section in that construction zone or the prosecution of 512
any person who violates either of those divisions in that 513
construction zone. 514

(F) As used in this section: 515

(1) "Mandatory prison term" and "mandatory jail term" have 516
the same meanings as in section 2929.01 of the Revised Code. 517

(2) "Traffic-related homicide, manslaughter, or assault 518
offense" and "traffic-related murder, felonious assault, or 519

attempted murder offense" have the same meanings as in section 520
2903.06 of the Revised Code. 521

(3) "Construction zone" has the same meaning as in section 522
5501.27 of the Revised Code. 523

(4) "Reckless operation offense" and "speeding offense" 524
have the same meanings as in section 2903.06 of the Revised 525
Code. 526

(G) For the purposes of this section, when a penalty or 527
suspension is enhanced because of a prior or current violation 528
of a specified law or a prior or current specified offense, the 529
reference to the violation of the specified law or the specified 530
offense includes any violation of any substantially equivalent 531
municipal ordinance, former law of this state, or current or 532
former law of another state or the United States." 533

After line 1085, insert: 534

"Sec. 2929.41. (A) Except as provided in division (B) of 535
this section, division (C) of section 2929.14, or division (D) 536
or (E) of section 2971.03 of the Revised Code, a prison term, 537
jail term, or sentence of imprisonment shall be served 538
concurrently with any other prison term, jail term, or sentence 539
of imprisonment imposed by a court of this state, another state, 540
or the United States. Except as provided in division (B) (3) of 541
this section, a jail term or sentence of imprisonment for 542
misdemeanor shall be served concurrently with a prison term or 543
sentence of imprisonment for felony served in a state or federal 544
correctional institution. 545

(B) (1) A jail term or sentence of imprisonment for a 546
misdemeanor shall be served consecutively to any other prison 547
term, jail term, or sentence of imprisonment when the trial 548

court specifies that it is to be served consecutively or when it 549
is imposed for a misdemeanor violation of section 2907.322, 550
2921.34, or 2923.131 of the Revised Code. 551

When consecutive sentences are imposed for misdemeanor 552
under this division, the term to be served is the aggregate of 553
the consecutive terms imposed, except that the aggregate term to 554
be served shall not exceed eighteen months. 555

(2) If a court of this state imposes a prison term upon 556
the offender for the commission of a felony and a court of 557
another state or the United States also has imposed a prison 558
term upon the offender for the commission of a felony, the court 559
of this state may order that the offender serve the prison term 560
it imposes consecutively to any prison term imposed upon the 561
offender by the court of another state or the United States. 562

(3) A jail term or sentence of imprisonment imposed for a 563
misdemeanor violation of section 4510.11, 4510.14, 4510.16, 564
4510.21, or 4511.19 of the Revised Code shall be served 565
consecutively to a prison term that is imposed for a felony 566
violation of section 2903.06, ~~2903.07~~, 2903.08, or 4511.19 of 567
the Revised Code or a felony violation of section 2903.04 of the 568
Revised Code involving the operation of a ~~motor~~ vehicle by the 569
offender and that is served in a state correctional institution 570
when the trial court specifies that it is to be served 571
consecutively. 572

When consecutive jail terms or sentences of imprisonment 573
and prison terms are imposed for one or more misdemeanors and 574
one or more felonies under this division, the term to be served 575
is the aggregate of the consecutive terms imposed, and the 576
offender shall serve all terms imposed for a felony before 577
serving any term imposed for a misdemeanor." 578

In line 1350, after "sections" insert "2903.06, 2903.08,"; after 579
"2929.14" insert ", 2929.41" 580

The motion was _____ agreed to.

SYNOPSIS 581

Aggravated vehicular homicide and assault 582

R.C. 2903.06, 2903.08, and 2929.41 583

Adds a utility vehicle to the list of vehicles that can be 584
used to commit a vehicular homicide or assault offense. 585

Corrects a current law reference pertaining to consecutive 586
prison terms for certain license suspension and OVI offenses 587
committed in conjunction with involuntary manslaughter. 588