

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**S. B. No. 17**

**Senator Grendell**

**Cosponsors: Senators Harris, Gardner, Schuring, Schaffer**

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**A B I L L**

To amend sections 4503.234, 4507.164, 4510.13, 1  
4511.19, 4511.193, and 4511.203 and to enact 2  
section 4511.198 of the Revised Code to increase 3  
certain penalties for repeat OVI offenders and to 4  
remove from the motor vehicle wrongful entrustment 5  
statute the requirement that the offender know or 6  
have reasonable cause to believe that the person 7  
to whom the offender provides a motor vehicle does 8  
not have a valid driver's license in order for a 9  
violation of that statute to occur. 10

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

**Section 1.** That sections 4503.234, 4507.164, 4510.13, 11  
4511.19, 4511.193, and 4511.203 be amended and section 4511.198 of 12  
the Revised Code be enacted to read as follows: 13

**Sec. 4503.234.** (A) If a court is required by section 14  
4503.233, 4503.236, 4510.11, 4510.14, 4510.16, 4510.41, 4511.19, 15  
4511.193, or 4511.203 of the Revised Code to order the criminal 16  
forfeiture of a vehicle, the order shall be issued and enforced in 17  
accordance with this division, subject to division (B) of this 18  
section. An order of criminal forfeiture issued under this 19

division shall authorize an appropriate law enforcement agency to 20  
seize the vehicle ordered criminally forfeited upon the terms and 21  
conditions that the court determines proper. No vehicle ordered 22  
criminally forfeited pursuant to this division shall be considered 23  
contraband for purposes of section 2933.41, 2933.42, or 2933.43 of 24  
the Revised Code, but the law enforcement agency that employs the 25  
officer who seized it shall hold the vehicle for disposal in 26  
accordance with this section. A forfeiture order may be issued 27  
only after the offender has been provided with an opportunity to 28  
be heard. The prosecuting attorney shall give the offender written 29  
notice of the possibility of forfeiture by sending a copy of the 30  
relevant uniform traffic ticket or other written notice to the 31  
offender not less than seven days prior to the date of issuance of 32  
the forfeiture order. A vehicle is subject to an order of criminal 33  
forfeiture pursuant to this division upon the conviction of the 34  
offender of or plea of guilty by the offender to a violation of 35  
division (A) of section 4503.236, section 4510.11, 4510.14, 36  
4510.16, or 4511.203, or division (A) of section 4511.19 of the 37  
Revised Code, or a municipal ordinance that is substantially 38  
equivalent to any of those sections or divisions. 39

(B)(1) Prior to the issuance of an order of criminal 40  
forfeiture pursuant to this section, the law enforcement agency 41  
that employs the law enforcement officer who seized the vehicle 42  
shall conduct or cause to be conducted a search of the appropriate 43  
public records that relate to the vehicle and shall make or cause 44  
to be made reasonably diligent inquiries to identify any 45  
lienholder or any person or entity with an ownership interest in 46  
the vehicle. The court that is to issue the forfeiture order also 47  
shall cause a notice of the potential order relative to the 48  
vehicle and of the expected manner of disposition of the vehicle 49  
after its forfeiture to be sent to any lienholder or person who is 50  
known to the court to have any right, title, or interest in the 51

vehicle. The court shall give the notice by certified mail, return receipt requested, or by personal service. 52  
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(2) No order of criminal forfeiture shall be issued pursuant to this section if a lienholder or other person with an ownership interest in the vehicle establishes to the court, by a preponderance of the evidence after filing a motion with the court, that the lienholder or other person neither knew nor should have known after a reasonable inquiry that the vehicle would be used or involved, or likely would be used or involved, in the violation resulting in the issuance of the order of criminal forfeiture or the violation of the order of immobilization issued under section 4503.233 of the Revised Code, that the lienholder or other person did not expressly or impliedly consent to the use or involvement of the vehicle in that violation, and that the lien or ownership interest was perfected pursuant to law prior to the seizure of the vehicle under section 4503.236, 4510.41, 4511.195, or 4511.203 of the Revised Code. If the lienholder or holder of the ownership interest satisfies the court that these criteria have been met, the court shall preserve the lienholder's or other person's lien or interest, and the court either shall return the vehicle to the holder, or shall order that the proceeds of any sale held pursuant to division (C)(2) of this section be paid to the lienholder or holder of the interest less the costs of seizure, storage, and maintenance of the vehicle. The court shall not return a vehicle to a lienholder or a holder of an ownership interest unless the lienholder or holder submits an affidavit to the court that states that the lienholder or holder will not return the vehicle to the person from whom the vehicle was seized pursuant to the order of criminal forfeiture or to any member of that person's family and will not otherwise knowingly permit that person or any member of that person's family to obtain possession of the vehicle. 54  
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(3) No order of criminal forfeiture shall be issued pursuant 84  
to this section if a person with an interest in the vehicle 85  
establishes to the court, by a preponderance of the evidence after 86  
filing a motion with the court, that the person neither knew nor 87  
should have known after a reasonable inquiry that the vehicle had 88  
been used or was involved in the violation resulting in the 89  
issuance of the order of criminal forfeiture or the violation of 90  
the order of immobilization issued under section 4503.233 of the 91  
Revised Code, that the person did not expressly or impliedly 92  
consent to the use or involvement of the vehicle in that 93  
violation, that the interest was perfected in good faith and for 94  
value pursuant to law between the time of the arrest of the 95  
offender and the final disposition of the criminal charge in 96  
question, and that the vehicle was in the possession of the 97  
interest holder at the time of the perfection of the interest. If 98  
the court is satisfied that the interest holder has met these 99  
criteria, the court shall preserve the interest holder's interest, 100  
and the court either shall return the vehicle to the interest 101  
holder or order that the proceeds of any sale held pursuant to 102  
division (C) of this section be paid to the holder of the interest 103  
less the costs of seizure, storage, and maintenance of the 104  
vehicle. The court shall not return a vehicle to an interest 105  
holder unless the holder submits an affidavit to the court stating 106  
that the holder will not return the vehicle to the person from 107  
whom the holder acquired the holder's interest, nor to any member 108  
of that person's family, and the holder will not otherwise 109  
knowingly permit that person or any member of that person's family 110  
to obtain possession of the vehicle. 111

(C) A vehicle ordered criminally forfeited to the state 112  
pursuant to this section shall be disposed of as follows: 113

(1) It shall be given to the law enforcement agency that 114  
employs the law enforcement officer who seized the vehicle, if 115

that agency desires to have it; 116

(2) If a vehicle is not disposed of pursuant to division 117  
(C)(1) of this section, the vehicle shall be sold, without 118  
appraisal, if the value of the vehicle is two thousand dollars or 119  
more as determined by publications of the national auto dealer's 120  
association, at a public auction to the highest bidder for cash. 121  
Prior to the sale, the prosecuting attorney in the case shall 122  
cause a notice of the proposed sale to be given in accordance with 123  
law. The court shall cause notice of the sale of the vehicle to be 124  
published in a newspaper of general circulation in the county in 125  
which the court is located at least seven days prior to the date 126  
of the sale. The proceeds of a sale under this division or 127  
division (F) of this section shall be applied in the following 128  
order: 129

(a) First, they shall be applied to the payment of the costs 130  
incurred in connection with the seizure, storage, and maintenance 131  
of, and provision of security for, the vehicle, any proceeding 132  
arising out of the forfeiture, and if any, the sale. 133

(b) Second, the remaining proceeds after compliance with 134  
division (C)(2)(a) of this section, shall be applied to the 135  
payment of the value of any lien or ownership interest in the 136  
vehicle preserved under division (B) of this section. 137

(c) Third, the remaining proceeds, after compliance with 138  
divisions (C)(2)(a) and (b) of this section, shall be applied to 139  
the appropriate funds in accordance with divisions (D)(1)(c) and 140  
(2) of section 2933.43 of the Revised Code, provided that the 141  
total of the amount so deposited under this division shall not 142  
exceed one thousand dollars. The remaining proceeds deposited 143  
under this division shall be used only for the purposes authorized 144  
by those divisions and division (D)(3)(a)(ii) of that section. 145

(d) Fourth, the remaining proceeds after compliance with 146

divisions (C)(2)(a) and (b) of this section and after deposit of a 147  
total amount of one thousand dollars under division (C)(2)(c) of 148  
this section shall be applied so that fifty per cent of those 149  
remaining proceeds is paid into the reparation fund established by 150  
section 2743.191 of the Revised Code, twenty-five per cent is paid 151  
into the drug abuse resistance education programs fund created by 152  
division (F)(2)(e) of section 4511.191 of the Revised Code and 153  
shall be used only for the purposes authorized by division 154  
(F)(2)(e) of that section, and twenty-five per cent is applied to 155  
the appropriate funds in accordance with division (D)(1)(c) of 156  
section 2933.43 of the Revised Code. The proceeds deposited into 157  
any fund described in section 2933.43 of the Revised Code shall be 158  
used only for the purposes authorized by division (D)(1)(c), (2), 159  
and (3)(a)(ii) of that section. 160

(D) Except as provided in division ~~(E)~~(D) of section 4511.203 161  
of the Revised Code and notwithstanding any other provision of 162  
law, neither the registrar of motor vehicles nor any deputy 163  
registrar shall accept an application for the registration of any 164  
motor vehicle in the name of any person, or register any motor 165  
vehicle in the name of any person, if both of the following apply: 166

(1) Any vehicle registered in the person's name was 167  
criminally forfeited under this section and section 4503.233, 168  
4503.236, 4510.10, 4510.11, 4510.14, 4510.16, 4510.161, 4510.41, 169  
4511.19, 4511.193, or 4511.203 of the Revised Code; 170

(2) Less than five years have expired since the issuance of 171  
the most recent order of criminal forfeiture issued in relation to 172  
a vehicle registered in the person's name. 173

(E) If a court is required by section 4503.233, 4503.236, 174  
4510.10, 4510.11, 4510.14, 4510.16, 4510.161, 4510.41, 4511.19, 175  
4511.193, or 4511.203 of the Revised Code to order the criminal 176  
forfeiture to the state of a vehicle, and the title to the motor 177  
vehicle is assigned or transferred, and division (B)(2) or (3) of 178

this section applies, in addition to or independent of any other 179  
penalty established by law, the court may fine the offender the 180  
value of the vehicle as determined by publications of the national 181  
auto dealer's association. The proceeds from any fine imposed 182  
under this division shall be distributed in accordance with 183  
division (C)(2) of this section. 184

(F) As used in this section and divisions (D)(1)(c), (D)(2), 185  
and (D)(3)(a)(ii) of section 2933.43 of the Revised Code in 186  
relation to proceeds of the sale of a vehicle under division (C) 187  
of this section, "prosecuting attorney" includes the prosecuting 188  
attorney, village solicitor, city director of law, or similar 189  
chief legal officer of a municipal corporation who prosecutes the 190  
case resulting in the conviction or guilty plea in question. 191

(G) If the vehicle to be forfeited has an average retail 192  
value of less than two thousand dollars as determined by 193  
publications of the national auto dealer's association, no public 194  
auction is required to be held. In such a case, the court may 195  
direct that the vehicle be disposed of in any manner that it 196  
considers appropriate, including assignment of the certificate of 197  
title to the motor vehicle to a salvage dealer or a scrap metal 198  
processing facility. The court shall not transfer the vehicle to 199  
the person who is the vehicle's immediate previous owner. 200

If the court assigns the motor vehicle to a salvage dealer or 201  
scrap metal processing facility and the court is in possession of 202  
the certificate of title to the motor vehicle, it shall send the 203  
assigned certificate of title to the motor vehicle to the clerk of 204  
the court of common pleas of the county in which the salvage 205  
dealer or scrap metal processing facility is located. The court 206  
shall mark the face of the certificate of title with the words 207  
"FOR DESTRUCTION" and shall deliver a photocopy of the certificate 208  
of title to the salvage dealer or scrap metal processing facility 209  
for its records. 210

If the court is not in possession of the certificate of title 211  
to the motor vehicle, the court shall issue an order transferring 212  
ownership of the motor vehicle to a salvage dealer or scrap metal 213  
processing facility, send the order to the clerk of the court of 214  
common pleas of the county in which the salvage dealer or scrap 215  
metal processing facility is located, and send a photocopy of the 216  
order to the salvage dealer or scrap metal processing facility for 217  
its records. The clerk shall make the proper notations or entries 218  
in the clerk's records concerning the disposition of the motor 219  
vehicle. 220

**Sec. 4507.164.** (A) Except as provided in divisions (C) to (E) 221  
of this section, when the license of any person is suspended 222  
pursuant to any provision of the Revised Code other than division 223  
(G) of section 4511.19 of the Revised Code and other than section 224  
4510.07 of the Revised Code for a violation of a municipal OVI 225  
ordinance, the trial judge may impound the identification license 226  
plates of any motor vehicle registered in the name of the person. 227

(B)(1) When the license of any person is suspended pursuant 228  
to division (G)(1)(a) of section 4511.19 of the Revised Code, or 229  
pursuant to section 4510.07 of the Revised Code for a municipal 230  
OVI offense when the suspension is equivalent in length to the 231  
suspension under division (G) of section 4511.19 of the Revised 232  
Code that is specified in this division, the trial judge of the 233  
court of record or the mayor of the mayor's court that suspended 234  
the license may impound the identification license plates of any 235  
motor vehicle registered in the name of the person. 236

(2) When the license of any person is suspended pursuant to 237  
division (G)(1)(b) of section 4511.19 of the Revised Code, or 238  
pursuant to section 4510.07 of the Revised Code for a municipal 239  
OVI offense when the suspension is equivalent in length to the 240  
suspension under division (G) of section 4511.19 of the Revised 241



Code that is specified in this division, the trial judge of the 242  
court of record that suspended the license shall order the 243  
impoundment of the identification license plates of the motor 244  
vehicle the offender was operating at the time of the offense and 245  
the immobilization of that vehicle in accordance with section 246  
4503.233 and division (G)(1)(b) of section 4511.19 or division 247  
(B)(2)(a) of section 4511.193 of the Revised Code ~~and may impound.~~ 248  
In addition, the trial judge of the court of record that suspended 249  
the license shall order the immobilization for one year of all the 250  
motor vehicles that are owned by or are registered in the name of 251  
the offender and the impoundment for one year of the 252  
identification license plates of ~~any other motor vehicle~~ 253  
~~registered in the name of the person whose license is suspended~~ 254  
all such vehicles in accordance with section 4503.233 and division 255  
(G)(1)(b) of section 4511.19 or division (B)(2)(a) of section 256  
4511.193 of the Revised Code. 257

(3) When the license of any person is suspended pursuant to 258  
division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised 259  
Code, or pursuant to section 4510.07 of the Revised Code for a 260  
municipal OVI offense when the suspension is equivalent in length 261  
to the suspension under division (G) of section 4511.19 of the 262  
Revised Code that is specified in this division, the trial judge 263  
of the court of record that suspended the license shall order the 264  
criminal forfeiture to the state of the motor vehicle the offender 265  
was operating at the time of the offense in accordance with 266  
section 4503.234 and division (G)(1)(c), (d), or (e) of section 267  
4511.19 or division (B)(2)(b) of section 4511.193 of the Revised 268  
Code ~~and may impound.~~ In addition, the trial judge of the court of 269  
record that suspended the license shall order the immobilization 270  
for one year of all the motor vehicles that are owned by or are 271  
registered in the name of the offender and the impoundment for one 272  
year of the identification license plates of ~~any other motor~~ 273  
~~vehicle registered in the name of the person whose license is~~ 274

suspended all such vehicles in accordance with section 4503.233 275  
and division (G)(1)(c), (d), or (e) of section 4511.19 or division 276  
(B)(2)(b) of section 4511.193 of the Revised Code except for any 277  
motor vehicle that is required to be forfeited to the state in 278  
accordance with section 4503.234 and division (G)(1)(c), (d), or 279  
(e) of section 4511.19 or division (B)(2)(b) of section 4511.193 280  
of the Revised Code. 281

(C)(1) When a person is convicted of or pleads guilty to a 282  
violation of section 4510.14 of the Revised Code or a 283  
substantially equivalent municipal ordinance and division (B)(1) 284  
or (2) of section 4510.14 or division (C)(1) or (2) of section 285  
4510.161 of the Revised Code applies, the trial judge of the court 286  
of record or the mayor of the mayor's court that imposes sentence 287  
shall order the immobilization of the vehicle the person was 288  
operating at the time of the offense and the impoundment of its 289  
identification license plates in accordance with section 4503.233 290  
and division (B)(1) or (2) of section 4510.14 or division (C)(1) 291  
or (2) of section 4510.161 of the Revised Code and may impound the 292  
identification license plates of any other vehicle registered in 293  
the name of that person. 294

(2) When a person is convicted of or pleads guilty to a 295  
violation of section 4510.14 of the Revised Code or a 296  
substantially equivalent municipal ordinance and division (B)(3) 297  
of section 4510.14 or division (C)(3) of section 4510.161 of the 298  
Revised Code applies, the trial judge of the court of record that 299  
imposes sentence shall order the criminal forfeiture to the state 300  
of the vehicle the person was operating at the time of the offense 301  
in accordance with section 4503.234 and division (B)(3) of section 302  
4510.14 or division (C)(3) of section 4510.161 of the Revised Code 303  
and may impound the identification license plates of any other 304  
vehicle registered in the name of that person. 305

~~(D)(1)~~ When a person is convicted of or pleads guilty to a 306

violation of division (A) of section 4510.16 of the Revised Code 307  
or a substantially equivalent municipal ordinance, division (B) of 308  
section 4510.16 or division (B) of section 4510.161 of the Revised 309  
Code applies in determining whether the immobilization of the 310  
vehicle the person was operating at the time of the offense and 311  
the impoundment of its identification license plates or the 312  
criminal forfeiture to the state of the vehicle the person was 313  
operating at the time of the offense is authorized or required. 314  
The trial judge of the court of record or the mayor of the mayor's 315  
court that imposes sentence may impound the identification license 316  
plates of any other vehicle registered in the name of that person. 317

(E)(1) When a person is convicted of or pleads guilty to a 318  
violation of section 4511.203 of the Revised Code and the person 319  
is sentenced pursuant to division (C)(1) or (2) of section 320  
4511.203 of the Revised Code, the trial judge of the court of 321  
record or the mayor of the mayor's court that imposes sentence 322  
shall order the immobilization of the vehicle that was involved in 323  
the commission of the offense and the impoundment of its 324  
identification license plates in accordance with division (C)(1) 325  
or (2) of section 4511.203 and section 4503.233 of the Revised 326  
Code and may impound the identification license plates of any 327  
other vehicle registered in the name of that person. 328

(2) When a person is convicted of or pleads guilty to a 329  
violation of section 4511.203 of the Revised Code and the person 330  
is sentenced pursuant to division (C)(3) of section 4511.203 of 331  
the Revised Code, the trial judge of the court of record or the 332  
mayor of the mayor's court that imposes sentence shall order the 333  
criminal forfeiture to the state of the vehicle that was involved 334  
in the commission of the offense in accordance with division 335  
(C)(3) of section 4511.203 and section 4503.234 of the Revised 336  
Code and may impound the identification license plates of any 337  
other vehicle registered in the name of that person. 338

(F) Except as provided in section 4503.233 or 4503.234 of the Revised Code, when the certificate of registration, the identification license plates, or both have been impounded, division (B) of section 4507.02 of the Revised Code is applicable.

(G) As used in this section, "municipal OVI offense" has the same meaning as in section 4511.181 of the Revised Code.

**Sec. 4510.13.** (A)(1) Divisions (A)(2) to (7) of this section apply to a judge or mayor regarding the suspension of, or the grant of limited driving privileges during a suspension of, an offender's driver's or commercial driver's license or permit or nonresident operating privilege imposed under division (G) or (H) of section 4511.19 of the Revised Code, under division (B) or (C) of section 4511.191 of the Revised Code, or under section 4510.07 of the Revised Code for a conviction of a violation of a municipal OVI ordinance.

(2) No judge or mayor shall suspend the following portions of the suspension of an offender's driver's or commercial driver's license or permit or nonresident operating privilege imposed under division (G) or (H) of section 4511.19 of the Revised Code or under section 4510.07 of the Revised Code for a conviction of a violation of a municipal OVI ordinance, provided that division (A)(2) of this section does not limit a court or mayor in crediting any period of suspension imposed pursuant to division (B) or (C) of section 4511.191 of the Revised Code against any time of judicial suspension imposed pursuant to section 4511.19 or 4510.07 of the Revised Code, as described in divisions (B)(2) and (C)(2) of section 4511.191 of the Revised Code:

(a) The first six months of a suspension imposed under division (G)(1)(a) of section 4511.19 of the Revised Code or of a comparable length suspension imposed under section 4510.07 of the Revised Code;

(b) The first year of a suspension imposed under division 370  
(G)(1)(b) or (c) of section 4511.19 of the Revised Code or of a 371  
comparable length suspension imposed under section 4510.07 of the 372  
Revised Code; 373

(c) The first three years of a suspension imposed under 374  
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 375  
or of a comparable length suspension imposed under section 4510.07 376  
of the Revised Code; 377

(d) The first sixty days of a suspension imposed under 378  
division (H) of section 4511.19 of the Revised Code or of a 379  
comparable length suspension imposed under section 4510.07 of the 380  
Revised Code. 381

(3) No judge or mayor shall grant limited driving privileges 382  
to an offender whose driver's or commercial driver's license or 383  
permit or nonresident operating privilege has been suspended under 384  
division (G) or (H) of section 4511.19 of the Revised Code, under 385  
division (C) of section 4511.191 of the Revised Code, or under 386  
section 4510.07 of the Revised Code for a municipal OVI conviction 387  
if the offender, within the preceding six years, has been 388  
convicted of or pleaded guilty to three or more violations of one 389  
or more of the Revised Code sections, municipal ordinances, 390  
statutes of the United States or another state, or municipal 391  
ordinances of a municipal corporation of another state that are 392  
identified in divisions (G)(2)(b) to (h) of section 2919.22 of the 393  
Revised Code. 394

Additionally, no judge or mayor shall grant limited driving 395  
privileges to an offender whose driver's or commercial driver's 396  
license or permit or nonresident operating privilege has been 397  
suspended under division (B) of section 4511.191 of the Revised 398  
Code if the offender, within the preceding six years, has refused 399  
three previous requests to consent to a chemical test of the 400  
person's whole blood, blood serum or plasma, breath, or urine to 401

determine its alcohol content. 402

(4) No judge or mayor shall grant limited driving privileges 403  
for employment as a driver of commercial motor vehicles to an 404  
offender whose driver's or commercial driver's license or permit 405  
or nonresident operating privilege has been suspended under 406  
division (G) or (H) of section 4511.19 of the Revised Code, under 407  
division (B) or (C) of section 4511.191 of the Revised Code, or 408  
under section 4510.07 of the Revised Code for a municipal OVI 409  
conviction if the offender is disqualified from operating a 410  
commercial motor vehicle, or whose license or permit has been 411  
suspended, under section 3123.58 or 4506.16 of the Revised Code. 412

(5) No judge or mayor shall grant limited driving privileges 413  
to an offender whose driver's or commercial driver's license or 414  
permit or nonresident operating privilege has been suspended under 415  
division (G) or (H) of section 4511.19 of the Revised Code, under 416  
division (C) of section 4511.191 of the Revised Code, or under 417  
section 4510.07 of the Revised Code for a conviction of a 418  
violation of a municipal OVI ordinance during any of the following 419  
periods of time: 420

(a) The first fifteen days of a suspension imposed under 421  
division (G)(1)(a) of section 4511.19 of the Revised Code or a 422  
comparable length suspension imposed under section 4510.07 of the 423  
Revised Code, or of a suspension imposed under division (C)(1)(a) 424  
of section 4511.191 of the Revised Code. On or after the sixteenth 425  
day of the suspension, the court may grant limited driving 426  
privileges, but the court may require that the offender shall not 427  
exercise the privileges unless the vehicles the offender operates 428  
are equipped with immobilizing or disabling devices that monitor 429  
the offender's alcohol consumption or any other type of 430  
immobilizing or disabling devices, except as provided in division 431  
(C) of section 4510.43 of the Revised Code. 432

(b) The first thirty days of a suspension imposed under 433

~~division (G)(1)(b) of section 4511.19 of the Revised Code or a~~ 434  
~~comparable length suspension imposed under section 4510.07 of the~~ 435  
~~Revised Code, or of a suspension imposed under~~ 436  
division (C)(1)(b) 437  
of section 4511.191 of the Revised Code. On or after the 438  
thirty-first day of suspension, the court may grant limited 439  
driving privileges, but the court may require that the offender 440  
shall not exercise the privileges unless the vehicles the offender 441  
operates are equipped with immobilizing or disabling devices that 442  
monitor the offender's alcohol consumption or any other type of 443  
immobilizing or disabling devices, except as provided in division 444  
(C) of section 4510.43 of the Revised Code.

(c) The first sixty days of a suspension imposed under 445  
division (H) of section 4511.19 of the Revised Code or a 446  
comparable length suspension imposed under section 4510.07 of the 447  
Revised Code. 448

(d) The first one hundred eighty days of a suspension imposed 449  
~~under division (G)(1)(c) of section 4511.19 of the Revised Code or~~ 450  
~~a comparable length suspension imposed under section 4510.07 of~~ 451  
~~the Revised Code, or of a suspension imposed~~ 452  
under division 453  
(C)(1)(c) of section 4511.191 of the Revised Code. The judge may 454  
grant limited driving privileges on or after the one hundred 455  
eighty-first day of the suspension only if the judge, at the time 456  
of granting the privileges, also issues an order prohibiting the 457  
offender, while exercising the privileges during the period 458  
commencing with the one hundred eighty-first day of suspension and 459  
ending with the first year of suspension, from operating any motor 460  
vehicle unless it is equipped with an immobilizing or disabling 461  
device that monitors the offender's alcohol consumption. After the 462  
first year of the suspension, the court may authorize the offender 463  
to continue exercising the privileges in vehicles that are not 464  
equipped with immobilizing or disabling devices that monitor the 465  
offender's alcohol consumption, except as provided in division (C)

of section 4510.43 of the Revised Code. If the offender does not 466  
petition for limited driving privileges until after the first year 467  
of suspension, the judge may grant limited driving privileges 468  
without requiring the use of an immobilizing or disabling device 469  
that monitors the offender's alcohol consumption. 470

(e) The first year of a suspension imposed under division 471  
(G)(1)(b) or (c) of section 4511.19 of the Revised Code or a 472  
comparable length suspension imposed under section 4510.07 of the 473  
Revised Code. The judge may grant limited driving privileges after 474  
the first year of suspension and, at the time of granting the 475  
privileges, also may issue an order prohibiting the offender from 476  
operating any motor vehicle for the period of suspension following 477  
the first year of suspension unless the motor vehicle is equipped 478  
with an immobilizing or disabling device that monitors the 479  
offender's alcohol consumption, except as provided in division (C) 480  
of section 4510.43 of the Revised Code. 481

(f) The first three years of a suspension imposed under 482  
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 483  
or a comparable length suspension imposed under section 4510.07 of 484  
the Revised Code, or of a suspension imposed under division 485  
(C)(1)(d) of section 4511.191 of the Revised Code. The judge may 486  
grant limited driving privileges after the first three years of 487  
suspension only if the judge, at the time of granting the 488  
privileges, also issues an order prohibiting the offender from 489  
operating any motor vehicle, for the period of suspension 490  
following the first three years of suspension, unless the motor 491  
vehicle is equipped with an immobilizing or disabling device that 492  
monitors the offender's alcohol consumption, except as provided in 493  
division (C) of section 4510.43 of the Revised Code. 494

(6) No judge or mayor shall grant limited driving privileges 495  
to an offender whose driver's or commercial driver's license or 496  
permit or nonresident operating privilege has been suspended under 497



division (B) of section 4511.191 of the Revised Code during any of 498  
the following periods of time: 499

(a) The first thirty days of suspension imposed under 500  
division (B)(1)(a) of section 4511.191 of the Revised Code; 501

(b) The first ninety days of suspension imposed under 502  
division (B)(1)(b) of section 4511.191 of the Revised Code; 503

(c) The first year of suspension imposed under division 504  
(B)(1)(c) of section 4511.191 of the Revised Code; 505

(d) The first three years of suspension imposed under 506  
division (B)(1)(d) of section 4511.191 of the Revised Code. 507

(7) In any case in which a judge or mayor grants limited 508  
driving privileges to an offender whose driver's or commercial 509  
driver's license or permit or nonresident operating privilege has 510  
been suspended under division (G)(1)(b), (c), (d), or (e) of 511  
section 4511.19 of the Revised Code, under division (G)(1)(a) of 512  
section 4511.19 of the Revised Code for a violation of division 513  
(A)(1)(f), (g), (h), or (i) of that section, or under section 514  
4510.07 of the Revised Code for a municipal OVI conviction for 515  
which sentence would have been imposed under division 516  
(G)(1)(a)(ii) or (G)(1)(b), (c), (d), or (e) of section 4511.19 of 517  
the Revised Code had the offender been charged with and convicted 518  
of a violation of section 4511.19 of the Revised Code instead of a 519  
violation of the municipal OVI ordinance, the judge or mayor shall 520  
impose as a condition of the privileges that the offender must 521  
display on the vehicle that is driven subject to the privileges 522  
restricted license plates that are issued under section 4503.231 523  
of the Revised Code, except as provided in division (B) of that 524  
section. 525

(B) Any person whose driver's or commercial driver's license 526  
or permit or nonresident operating privilege has been suspended 527  
pursuant to section 4511.19 or 4511.191 of the Revised Code or 528

under section 4510.07 of the Revised Code for a violation of a 529  
municipal OVI ordinance may file a petition for limited driving 530  
privileges during the suspension. The person shall file the 531  
petition in the court that has jurisdiction over the place of 532  
arrest. Subject to division (A) of this section, the court may 533  
grant the person limited driving privileges during the period 534  
during which the suspension otherwise would be imposed. However, 535  
the court shall not grant the privileges for employment as a 536  
driver of a commercial motor vehicle to any person who is 537  
disqualified from operating a commercial motor vehicle under 538  
section 4506.16 of the Revised Code or during any of the periods 539  
prescribed by division (A) of this section. 540

(C)(1) After a driver's or commercial driver's license or 541  
permit or nonresident operating privilege has been suspended 542  
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 2921.331, 543  
2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 4549.021, or 5743.99 544  
of the Revised Code, any provision of Chapter 2925. of the Revised 545  
Code, or section 4510.07 of the Revised Code for a violation of a 546  
municipal OVI ordinance, the judge of the court or mayor of the 547  
mayor's court that suspended the license, permit, or privilege 548  
shall cause the offender to deliver to the court the license or 549  
permit. The judge, mayor, or clerk of the court or mayor's court 550  
shall forward to the registrar the license or permit together with 551  
notice of the action of the court. 552

(2) A suspension of a commercial driver's license under any 553  
section or chapter identified in division (C)(1) of this section 554  
shall be concurrent with any period of suspension or 555  
disqualification under section 3123.58 or 4506.16 of the Revised 556  
Code. No person who is disqualified for life from holding a 557  
commercial driver's license under section 4506.16 of the Revised 558  
Code shall be issued a driver's license under this chapter during 559  
the period for which the commercial driver's license was suspended 560

under this section, and no person whose commercial driver's 561  
license is suspended under any section or chapter identified in 562  
division (C)(1) of this section shall be issued a driver's license 563  
under Chapter 4507. of the Revised Code during the period of the 564  
suspension. 565

(3) No judge or mayor shall suspend any class one suspension, 566  
or any portion of any class one suspension, imposed under section 567  
2903.04, 2903.06, 2903.08, or 2921.331 of the Revised Code. No 568  
judge or mayor shall suspend the first thirty days of any class 569  
two, class three, class four, class five, or class six suspension 570  
imposed under section 2903.06, 2903.08, 2903.11, 2923.02, or 571  
2929.02 of the Revised Code. 572

(D) The judge of the court or mayor of the mayor's court 573  
shall credit any time during which an offender was subject to an 574  
administrative suspension of the offender's driver's or commercial 575  
driver's license or permit or nonresident operating privilege 576  
imposed pursuant to section 4511.191 or 4511.192 of the Revised 577  
Code or a suspension imposed by a judge, referee, or mayor 578  
pursuant to division (B)(1) or (2) of section 4511.196 of the 579  
Revised Code against the time to be served under a related 580  
suspension imposed pursuant to any section or chapter identified 581  
in division (C)(1) of this section. 582

(E) The judge or mayor shall notify the bureau of motor 583  
vehicles of any determinations made pursuant to this section and 584  
of any suspension imposed pursuant to any section or chapter 585  
identified in division (C)(1) of this section. 586

(F)(1) If a court issues an immobilizing or disabling device 587  
order under section 4510.43 of the Revised Code, the order shall 588  
authorize the offender during the specified period to operate a 589  
motor vehicle only if it is equipped with an immobilizing or 590  
disabling device, except as provided in division (C) of that 591  
section. The court shall provide the offender with a copy of an 592

immobilizing or disabling device order issued under section 593  
4510.43 of the Revised Code, and the offender shall use the copy 594  
of the order in lieu of an Ohio driver's or commercial driver's 595  
license or permit until the registrar or a deputy registrar issues 596  
the offender a restricted license. 597

An order issued under section 4510.43 of the Revised Code 598  
does not authorize or permit the offender to whom it has been 599  
issued to operate a vehicle during any time that the offender's 600  
driver's or commercial driver's license or permit is suspended 601  
under any other provision of law. 602

(2) An offender may present an immobilizing or disabling 603  
device order to the registrar or to a deputy registrar. Upon 604  
presentation of the order to the registrar or a deputy registrar, 605  
the registrar or deputy registrar shall issue the offender a 606  
restricted license. A restricted license issued under this 607  
division shall be identical to an Ohio driver's license, except 608  
that it shall have printed on its face a statement that the 609  
offender is prohibited during the period specified in the court 610  
order from operating any motor vehicle that is not equipped with 611  
an immobilizing or disabling device. The date of commencement and 612  
the date of termination of the period of suspension shall be 613  
indicated conspicuously upon the face of the license. 614

**Sec. 4511.19.** (A)(1) No person shall operate any vehicle, 615  
streetcar, or trackless trolley within this state, if, at the time 616  
of the operation, any of the following apply: 617

(a) The person is under the influence of alcohol, a drug of 618  
abuse, or a combination of them. 619

(b) The person has a concentration of eight-hundredths of one 620  
per cent or more but less than seventeen-hundredths of one per 621  
cent by weight per unit volume of alcohol in the person's whole 622  
blood. 623

(c) The person has a concentration of ninety-six-thousandths 624  
of one per cent or more but less than two hundred four-thousandths 625  
of one per cent by weight per unit volume of alcohol in the 626  
person's blood serum or plasma. 627

(d) The person has a concentration of eight-hundredths of one 628  
gram or more but less than seventeen-hundredths of one gram by 629  
weight of alcohol per two hundred ten liters of the person's 630  
breath. 631

(e) The person has a concentration of eleven-hundredths of 632  
one gram or more but less than two hundred 633  
thirty-eight-thousandths of one gram by weight of alcohol per one 634  
hundred milliliters of the person's urine. 635

(f) The person has a concentration of seventeen-hundredths of 636  
one per cent or more by weight per unit volume of alcohol in the 637  
person's whole blood. 638

(g) The person has a concentration of two hundred 639  
four-thousandths of one per cent or more by weight per unit volume 640  
of alcohol in the person's blood serum or plasma. 641

(h) The person has a concentration of seventeen-hundredths of 642  
one gram or more by weight of alcohol per two hundred ten liters 643  
of the person's breath. 644

(i) The person has a concentration of two hundred 645  
thirty-eight-thousandths of one gram or more by weight of alcohol 646  
per one hundred milliliters of the person's urine. 647

(j) Except as provided in division (K) of this section, the 648  
person has a concentration of any of the following controlled 649  
substances or metabolites of a controlled substance in the 650  
person's whole blood, blood serum or plasma, or urine that equals 651  
or exceeds any of the following: 652

(i) The person has a concentration of amphetamine in the 653

person's urine of at least five hundred nanograms of amphetamine 654  
per milliliter of the person's urine or has a concentration of 655  
amphetamine in the person's whole blood or blood serum or plasma 656  
of at least one hundred nanograms of amphetamine per milliliter of 657  
the person's whole blood or blood serum or plasma. 658

(ii) The person has a concentration of cocaine in the 659  
person's urine of at least one hundred fifty nanograms of cocaine 660  
per milliliter of the person's urine or has a concentration of 661  
cocaine in the person's whole blood or blood serum or plasma of at 662  
least fifty nanograms of cocaine per milliliter of the person's 663  
whole blood or blood serum or plasma. 664

(iii) The person has a concentration of cocaine metabolite in 665  
the person's urine of at least one hundred fifty nanograms of 666  
cocaine metabolite per milliliter of the person's urine or has a 667  
concentration of cocaine metabolite in the person's whole blood or 668  
blood serum or plasma of at least fifty nanograms of cocaine 669  
metabolite per milliliter of the person's whole blood or blood 670  
serum or plasma. 671

(iv) The person has a concentration of heroin in the person's 672  
urine of at least two thousand nanograms of heroin per milliliter 673  
of the person's urine or has a concentration of heroin in the 674  
person's whole blood or blood serum or plasma of at least fifty 675  
nanograms of heroin per milliliter of the person's whole blood or 676  
blood serum or plasma. 677

(v) The person has a concentration of heroin metabolite 678  
(6-monoacetyl morphine) in the person's urine of at least ten 679  
nanograms of heroin metabolite (6-monoacetyl morphine) per 680  
milliliter of the person's urine or has a concentration of heroin 681  
metabolite (6-monoacetyl morphine) in the person's whole blood or 682  
blood serum or plasma of at least ten nanograms of heroin 683  
metabolite (6-monoacetyl morphine) per milliliter of the person's 684  
whole blood or blood serum or plasma. 685

(vi) The person has a concentration of L.S.D. in the person's 686  
urine of at least twenty-five nanograms of L.S.D. per milliliter 687  
of the person's urine or a concentration of L.S.D. in the person's 688  
whole blood or blood serum or plasma of at least ten nanograms of 689  
L.S.D. per milliliter of the person's whole blood or blood serum 690  
or plasma. 691

(vii) The person has a concentration of marihuana in the 692  
person's urine of at least ten nanograms of marihuana per 693  
milliliter of the person's urine or has a concentration of 694  
marihuana in the person's whole blood or blood serum or plasma of 695  
at least two nanograms of marihuana per milliliter of the person's 696  
whole blood or blood serum or plasma. 697

(viii) Either of the following applies: 698

(I) The person is under the influence of alcohol, a drug of 699  
abuse, or a combination of them, and, as measured by gas 700  
chromatography mass spectrometry, the person has a concentration 701  
of marihuana metabolite in the person's urine of at least fifteen 702  
nanograms of marihuana metabolite per milliliter of the person's 703  
urine or has a concentration of marihuana metabolite in the 704  
person's whole blood or blood serum or plasma of at least five 705  
nanograms of marihuana metabolite per milliliter of the person's 706  
whole blood or blood serum or plasma. 707

(II) As measured by gas chromatography mass spectrometry, the 708  
person has a concentration of marihuana metabolite in the person's 709  
urine of at least thirty-five nanograms of marihuana metabolite 710  
per milliliter of the person's urine or has a concentration of 711  
marihuana metabolite in the person's whole blood or blood serum or 712  
plasma of at least fifty nanograms of marihuana metabolite per 713  
milliliter of the person's whole blood or blood serum or plasma. 714

(ix) The person has a concentration of methamphetamine in the 715  
person's urine of at least five hundred nanograms of 716

methamphetamine per milliliter of the person's urine or has a 717  
concentration of methamphetamine in the person's whole blood or 718  
blood serum or plasma of at least one hundred nanograms of 719  
methamphetamine per milliliter of the person's whole blood or 720  
blood serum or plasma. 721

(x) The person has a concentration of phencyclidine in the 722  
person's urine of at least twenty-five nanograms of phencyclidine 723  
per milliliter of the person's urine or has a concentration of 724  
phencyclidine in the person's whole blood or blood serum or plasma 725  
of at least ten nanograms of phencyclidine per milliliter of the 726  
person's whole blood or blood serum or plasma. 727

(2) No person who, within twenty years of the conduct 728  
described in division (A)(2)(a) of this section, previously has 729  
been convicted of or pleaded guilty to a violation of this 730  
division, division (A)(1) or (B) of this section, or a municipal 731  
OVI offense shall do both of the following: 732

(a) Operate any vehicle, streetcar, or trackless trolley 733  
within this state while under the influence of alcohol, a drug of 734  
abuse, or a combination of them; 735

(b) Subsequent to being arrested for operating the vehicle, 736  
streetcar, or trackless trolley as described in division (A)(2)(a) 737  
of this section, being asked by a law enforcement officer to 738  
submit to a chemical test or tests under section 4511.191 of the 739  
Revised Code, and being advised by the officer in accordance with 740  
section 4511.192 of the Revised Code of the consequences of the 741  
person's refusal or submission to the test or tests, refuse to 742  
submit to the test or tests. 743

(B) No person under twenty-one years of age shall operate any 744  
vehicle, streetcar, or trackless trolley within this state, if, at 745  
the time of the operation, any of the following apply: 746

(1) The person has a concentration of at least two-hundredths 747



of one per cent but less than eight-hundredths of one per cent by 748  
weight per unit volume of alcohol in the person's whole blood. 749

(2) The person has a concentration of at least 750  
three-hundredths of one per cent but less than 751  
ninety-six-thousandths of one per cent by weight per unit volume 752  
of alcohol in the person's blood serum or plasma. 753

(3) The person has a concentration of at least two-hundredths 754  
of one gram but less than eight-hundredths of one gram by weight 755  
of alcohol per two hundred ten liters of the person's breath. 756

(4) The person has a concentration of at least twenty-eight 757  
one-thousandths of one gram but less than eleven-hundredths of one 758  
gram by weight of alcohol per one hundred milliliters of the 759  
person's urine. 760

(C) In any proceeding arising out of one incident, a person 761  
may be charged with a violation of division (A)(1)(a) or (A)(2) 762  
and a violation of division (B)(1), (2), or (3) of this section, 763  
but the person may not be convicted of more than one violation of 764  
these divisions. 765

(D)(1)(a) In any criminal prosecution or juvenile court 766  
proceeding for a violation of division (A)(1)(a) of this section 767  
or for an equivalent offense, the result of any test of any blood 768  
or urine withdrawn and analyzed at any health care provider, as 769  
defined in section 2317.02 of the Revised Code, may be admitted 770  
with expert testimony to be considered with any other relevant and 771  
competent evidence in determining the guilt or innocence of the 772  
defendant. 773

(b) In any criminal prosecution or juvenile court proceeding 774  
for a violation of division (A) or (B) of this section or for an 775  
equivalent offense, the court may admit evidence on the 776  
concentration of alcohol, drugs of abuse, controlled substances, 777  
metabolites of a controlled substance, or a combination of them in 778

the defendant's whole blood, blood serum or plasma, breath, urine, 779  
or other bodily substance at the time of the alleged violation as 780  
shown by chemical analysis of the substance withdrawn within three 781  
hours of the time of the alleged violation. The three-hour time 782  
limit specified in this division regarding the admission of 783  
evidence does not extend or affect the two-hour time limit 784  
specified in division (A) of section 4511.192 of the Revised Code 785  
as the maximum period of time during which a person may consent to 786  
a chemical test or tests as described in that section. The court 787  
may admit evidence on the concentration of alcohol, drugs of 788  
abuse, or a combination of them as described in this division when 789  
a person submits to a blood, breath, urine, or other bodily 790  
substance test at the request of a law enforcement officer under 791  
section 4511.191 of the Revised Code or a blood or urine sample is 792  
obtained pursuant to a search warrant. Only a physician, a 793  
registered nurse, or a qualified technician, chemist, or 794  
phlebotomist shall withdraw a blood sample for the purpose of 795  
determining the alcohol, drug, controlled substance, metabolite of 796  
a controlled substance, or combination content of the whole blood, 797  
blood serum, or blood plasma. This limitation does not apply to 798  
the taking of breath or urine specimens. A person authorized to 799  
withdraw blood under this division may refuse to withdraw blood 800  
under this division, if in that person's opinion, the physical 801  
welfare of the person would be endangered by the withdrawing of 802  
blood. 803

The bodily substance withdrawn under division (D)(1)(b) of 804  
this section shall be analyzed in accordance with methods approved 805  
by the director of health by an individual possessing a valid 806  
permit issued by the director pursuant to section 3701.143 of the 807  
Revised Code. 808

(2) In a criminal prosecution or juvenile court proceeding 809  
for a violation of division (A) of this section or for an 810

equivalent offense, if there was at the time the bodily substance 811  
was withdrawn a concentration of less than the applicable 812  
concentration of alcohol specified in divisions (A)(1)(b), (c), 813  
(d), and (e) of this section or less than the applicable 814  
concentration of a listed controlled substance or a listed 815  
metabolite of a controlled substance specified for a violation of 816  
division (A)(1)(j) of this section, that fact may be considered 817  
with other competent evidence in determining the guilt or 818  
innocence of the defendant. This division does not limit or affect 819  
a criminal prosecution or juvenile court proceeding for a 820  
violation of division (B) of this section or for an equivalent 821  
offense that is substantially equivalent to that division. 822

(3) Upon the request of the person who was tested, the 823  
results of the chemical test shall be made available to the person 824  
or the person's attorney, immediately upon the completion of the 825  
chemical test analysis. 826

If the chemical test was obtained pursuant to division 827  
(D)(1)(b) of this section, the person tested may have a physician, 828  
a registered nurse, or a qualified technician, chemist, or 829  
phlebotomist of the person's own choosing administer a chemical 830  
test or tests, at the person's expense, in addition to any 831  
administered at the request of a law enforcement officer. The form 832  
to be read to the person to be tested, as required under section 833  
4511.192 of the Revised Code, shall state that the person may have 834  
an independent test performed at the person's expense. The failure 835  
or inability to obtain an additional chemical test by a person 836  
shall not preclude the admission of evidence relating to the 837  
chemical test or tests taken at the request of a law enforcement 838  
officer. 839

(4)(a) As used in divisions (D)(4)(b) and (c) of this 840  
section, "national highway traffic safety administration" means 841  
the national highway traffic safety administration established as 842

an administration of the United States department of 843  
transportation under 96 Stat. 2415 (1983), 49 U.S.C.A. 105. 844

(b) In any criminal prosecution or juvenile court proceeding 845  
for a violation of division (A) or (B) of this section, of a 846  
municipal ordinance relating to operating a vehicle while under 847  
the influence of alcohol, a drug of abuse, or alcohol and a drug 848  
of abuse, or of a municipal ordinance relating to operating a 849  
vehicle with a prohibited concentration of alcohol, a controlled 850  
substance, or a metabolite of a controlled substance in the blood, 851  
breath, or urine, if a law enforcement officer has administered a 852  
field sobriety test to the operator of the vehicle involved in the 853  
violation and if it is shown by clear and convincing evidence that 854  
the officer administered the test in substantial compliance with 855  
the testing standards for any reliable, credible, and generally 856  
accepted field sobriety tests that were in effect at the time the 857  
tests were administered, including, but not limited to, any 858  
testing standards then in effect that were set by the national 859  
highway traffic safety administration, all of the following apply: 860

(i) The officer may testify concerning the results of the 861  
field sobriety test so administered. 862

(ii) The prosecution may introduce the results of the field 863  
sobriety test so administered as evidence in any proceedings in 864  
the criminal prosecution or juvenile court proceeding. 865

(iii) If testimony is presented or evidence is introduced 866  
under division (D)(4)(b)(i) or (ii) of this section and if the 867  
testimony or evidence is admissible under the Rules of Evidence, 868  
the court shall admit the testimony or evidence and the trier of 869  
fact shall give it whatever weight the trier of fact considers to 870  
be appropriate. 871

(c) Division (D)(4)(b) of this section does not limit or 872  
preclude a court, in its determination of whether the arrest of a 873

person was supported by probable cause or its determination of any 874  
other matter in a criminal prosecution or juvenile court 875  
proceeding of a type described in that division, from considering 876  
evidence or testimony that is not otherwise disallowed by division 877  
(D)(4)(b) of this section. 878

(E)(1) Subject to division (E)(3) of this section, in any 879  
criminal prosecution or juvenile court proceeding for a violation 880  
of division (A)(1)(b), (c), (d), (e), (f), (g), (h), (i), or (j) 881  
or (B)(1), (2), (3), or (4) of this section or for an equivalent 882  
offense that is substantially equivalent to any of those 883  
divisions, a laboratory report from any laboratory personnel 884  
issued a permit by the department of health authorizing an 885  
analysis as described in this division that contains an analysis 886  
of the whole blood, blood serum or plasma, breath, urine, or other 887  
bodily substance tested and that contains all of the information 888  
specified in this division shall be admitted as prima-facie 889  
evidence of the information and statements that the report 890  
contains. The laboratory report shall contain all of the 891  
following: 892

(a) The signature, under oath, of any person who performed 893  
the analysis; 894

(b) Any findings as to the identity and quantity of alcohol, 895  
a drug of abuse, a controlled substance, a metabolite of a 896  
controlled substance, or a combination of them that was found; 897

(c) A copy of a notarized statement by the laboratory 898  
director or a designee of the director that contains the name of 899  
each certified analyst or test performer involved with the report, 900  
the analyst's or test performer's employment relationship with the 901  
laboratory that issued the report, and a notation that performing 902  
an analysis of the type involved is part of the analyst's or test 903  
performer's regular duties; 904

(d) An outline of the analyst's or test performer's 905  
education, training, and experience in performing the type of 906  
analysis involved and a certification that the laboratory 907  
satisfies appropriate quality control standards in general and, in 908  
this particular analysis, under rules of the department of health. 909

(2) Notwithstanding any other provision of law regarding the 910  
admission of evidence, a report of the type described in division 911  
(E)(1) of this section is not admissible against the defendant to 912  
whom it pertains in any proceeding, other than a preliminary 913  
hearing or a grand jury proceeding, unless the prosecutor has 914  
served a copy of the report on the defendant's attorney or, if the 915  
defendant has no attorney, on the defendant. 916

(3) A report of the type described in division (E)(1) of this 917  
section shall not be prima-facie evidence of the contents, 918  
identity, or amount of any substance if, within seven days after 919  
the defendant to whom the report pertains or the defendant's 920  
attorney receives a copy of the report, the defendant or the 921  
defendant's attorney demands the testimony of the person who 922  
signed the report. The judge in the case may extend the seven-day 923  
time limit in the interest of justice. 924

(F) Except as otherwise provided in this division, any 925  
physician, registered nurse, or qualified technician, chemist, or 926  
phlebotomist who withdraws blood from a person pursuant to this 927  
section, and any hospital, first-aid station, or clinic at which 928  
blood is withdrawn from a person pursuant to this section, is 929  
immune from criminal liability and civil liability based upon a 930  
claim of assault and battery or any other claim that is not a 931  
claim of malpractice, for any act performed in withdrawing blood 932  
from the person. The immunity provided in this division is not 933  
available to a person who withdraws blood if the person engages in 934  
willful or wanton misconduct. 935

(G)(1) Whoever violates any provision of divisions (A)(1)(a) 936

to (i) or (A)(2) of this section is guilty of operating a vehicle 937  
under the influence of alcohol, a drug of abuse, or a combination 938  
of them. Whoever violates division (A)(1)(j) of this section is 939  
guilty of operating a vehicle while under the influence of a 940  
listed controlled substance or a listed metabolite of a controlled 941  
substance. The court shall sentence the offender for either 942  
offense under Chapter 2929. of the Revised Code, except as 943  
otherwise authorized or required by divisions (G)(1)(a) to (e) of 944  
this section: 945

(a) Except as otherwise provided in division (G)(1)(b), (c), 946  
(d), or (e) of this section, the offender is guilty of a 947  
misdemeanor of the first degree, and the court shall sentence the 948  
offender to all of the following: 949

(i) If the sentence is being imposed for a violation of 950  
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, a 951  
mandatory jail term of three consecutive days. As used in this 952  
division, three consecutive days means seventy-two consecutive 953  
hours. The court may sentence an offender to both an intervention 954  
program and a jail term. The court may impose a jail term in 955  
addition to the three-day mandatory jail term or intervention 956  
program. However, in no case shall the cumulative jail term 957  
imposed for the offense exceed six months. 958

The court may suspend the execution of the three-day jail 959  
term under this division if the court, in lieu of that suspended 960  
term, places the offender under a community control sanction 961  
pursuant to section 2929.25 of the Revised Code and requires the 962  
offender to attend, for three consecutive days, a drivers' 963  
intervention program certified under section 3793.10 of the 964  
Revised Code. The court also may suspend the execution of any part 965  
of the three-day jail term under this division if it places the 966  
offender under a community control sanction pursuant to section 967  
2929.25 of the Revised Code for part of the three days, requires 968

the offender to attend for the suspended part of the term a 969  
drivers' intervention program so certified, and sentences the 970  
offender to a jail term equal to the remainder of the three 971  
consecutive days that the offender does not spend attending the 972  
program. The court may require the offender, as a condition of 973  
community control and in addition to the required attendance at a 974  
drivers' intervention program, to attend and satisfactorily 975  
complete any treatment or education programs that comply with the 976  
minimum standards adopted pursuant to Chapter 3793. of the Revised 977  
Code by the director of alcohol and drug addiction services that 978  
the operators of the drivers' intervention program determine that 979  
the offender should attend and to report periodically to the court 980  
on the offender's progress in the programs. The court also may 981  
impose on the offender any other conditions of community control 982  
that it considers necessary. 983

(ii) If the sentence is being imposed for a violation of 984  
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 985  
section, except as otherwise provided in this division, a 986  
mandatory jail term of at least three consecutive days and a 987  
requirement that the offender attend, for three consecutive days, 988  
a drivers' intervention program that is certified pursuant to 989  
section 3793.10 of the Revised Code. As used in this division, 990  
three consecutive days means seventy-two consecutive hours. If the 991  
court determines that the offender is not conducive to treatment 992  
in a drivers' intervention program, if the offender refuses to 993  
attend a drivers' intervention program, or if the jail at which 994  
the offender is to serve the jail term imposed can provide a 995  
driver's intervention program, the court shall sentence the 996  
offender to a mandatory jail term of at least six consecutive 997  
days. 998

The court may require the offender, under a community control 999  
sanction imposed under section 2929.25 of the Revised Code, to 1000



attend and satisfactorily complete any treatment or education 1001  
programs that comply with the minimum standards adopted pursuant 1002  
to Chapter 3793. of the Revised Code by the director of alcohol 1003  
and drug addiction services, in addition to the required 1004  
attendance at drivers' intervention program, that the operators of 1005  
the drivers' intervention program determine that the offender 1006  
should attend and to report periodically to the court on the 1007  
offender's progress in the programs. The court also may impose any 1008  
other conditions of community control on the offender that it 1009  
considers necessary. 1010

(iii) In all cases, a fine of not less than two hundred fifty 1011  
and not more than one thousand dollars; 1012

(iv) In all cases, a class five license suspension of the 1013  
offender's driver's or commercial driver's license or permit or 1014  
nonresident operating privilege from the range specified in 1015  
division (A)(5) of section 4510.02 of the Revised Code. The court 1016  
may grant limited driving privileges relative to the suspension 1017  
under sections 4510.021 and 4510.13 of the Revised Code. 1018

(b) Except as otherwise provided in division (G)(1)(e) of 1019  
this section, an offender who, within six years of the offense, 1020  
previously has been convicted of or pleaded guilty to one 1021  
violation of division (A) or (B) of this section or one other 1022  
equivalent offense is guilty of a misdemeanor of the first degree. 1023  
The court shall sentence the offender to all of the following: 1024

(i) If the sentence is being imposed for a violation of 1025  
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, a 1026  
mandatory jail term of ten consecutive days. The court shall 1027  
impose the ten-day mandatory jail term under this division unless, 1028  
subject to division (G)(3) of this section, it instead imposes a 1029  
sentence under that division consisting of both a jail term and a 1030  
term of house arrest with electronic monitoring, with continuous 1031  
alcohol monitoring, or with both electronic monitoring and 1032

continuous alcohol monitoring. The court may impose a jail term in 1033  
addition to the ten-day mandatory jail term. The cumulative jail 1034  
term imposed for the offense shall not exceed six months. 1035

In addition to the jail term or the term of house arrest with 1036  
electronic monitoring or continuous alcohol monitoring or both 1037  
types of monitoring and jail term, the court ~~may~~ shall require the 1038  
offender to attend a drivers' intervention program that is 1039  
certified pursuant to section 3793.10 of the Revised Code. If the 1040  
operator of the program determines that the offender is alcohol 1041  
dependent, the program shall notify the court, and, subject to 1042  
division (I) of this section, the court shall order the offender 1043  
to obtain treatment through an alcohol and drug addiction program 1044  
authorized by section 3793.02 of the Revised Code. 1045

(ii) If the sentence is being imposed for a violation of 1046  
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 1047  
section, except as otherwise provided in this division, a 1048  
mandatory jail term of twenty consecutive days. The court shall 1049  
impose the twenty-day mandatory jail term under this division 1050  
unless, subject to division (G)(3) of this section, it instead 1051  
imposes a sentence under that division consisting of both a jail 1052  
term and a term of house arrest with electronic monitoring, with 1053  
continuous alcohol monitoring, or with both electronic monitoring 1054  
and continuous alcohol monitoring. The court may impose a jail 1055  
term in addition to the twenty-day mandatory jail term. The 1056  
cumulative jail term imposed for the offense shall not exceed six 1057  
months. 1058

In addition to the jail term or the term of house arrest with 1059  
electronic monitoring or continuous alcohol monitoring or both 1060  
types of monitoring and jail term, the court ~~may~~ shall require the 1061  
offender to attend a driver's intervention program that is 1062  
certified pursuant to section 3793.10 of the Revised Code. If the 1063  
operator of the program determines that the offender is alcohol 1064

dependent, the program shall notify the court, and, subject to 1065  
division (I) of this section, the court shall order the offender 1066  
to obtain treatment through an alcohol and drug addiction program 1067  
authorized by section 3793.02 of the Revised Code. 1068

(iii) In all cases, notwithstanding the fines set forth in 1069  
Chapter 2929. of the Revised Code, a fine of not less than three 1070  
hundred fifty and not more than one thousand five hundred dollars; 1071

(iv) In all cases, a class four license suspension of the 1072  
offender's driver's license, commercial driver's license, 1073  
temporary instruction permit, probationary license, or nonresident 1074  
operating privilege from the range specified in division (A)(4) of 1075  
section 4510.02 of the Revised Code. The court may grant limited 1076  
driving privileges relative to the suspension under sections 1077  
4510.021 and 4510.13 of the Revised Code. 1078

(v) In all cases, if the vehicle is registered in the 1079  
offender's name, immobilization of the vehicle involved in the 1080  
offense for ~~ninety days~~ one year in accordance with section 1081  
4503.233 of the Revised Code and impoundment of the license plates 1082  
of that vehicle for ~~ninety days~~ one year. In addition, 1083  
irrespective of whether the vehicle involved in the offense is 1084  
registered in the offender's name, the court shall order the 1085  
immobilization for one year of all motor vehicles owned by or 1086  
registered in the name of the offender and the impoundment for one 1087  
year of the license plates of all such vehicles. 1088

(vi) In all cases, a requirement that the offender wear a 1089  
monitor that provides continuous alcohol monitoring that is 1090  
remote. The court shall require the offender to wear the monitor 1091  
until the conclusion of all community control sanctions imposed 1092  
upon the offender. The offender shall pay all costs associated 1093  
with the monitor, including the cost of remote monitoring. 1094

(c) Except as otherwise provided in division (G)(1)(e) of 1095

this section, an offender who, within six years of the offense, 1096  
previously has been convicted of or pleaded guilty to two 1097  
violations of division (A) or (B) of this section or other 1098  
equivalent offenses is guilty of a misdemeanor. The court shall 1099  
sentence the offender to all of the following: 1100

(i) If the sentence is being imposed for a violation of 1101  
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, a 1102  
mandatory jail term of thirty consecutive days. The court shall 1103  
impose the thirty-day mandatory jail term under this division 1104  
unless, subject to division (G)(3) of this section, it instead 1105  
imposes a sentence under that division consisting of both a jail 1106  
term and a term of house arrest with electronic monitoring, with 1107  
continuous alcohol monitoring, or with both electronic monitoring 1108  
and continuous alcohol monitoring. The court may impose a jail 1109  
term in addition to the thirty-day mandatory jail term. 1110  
Notwithstanding the jail terms set forth in sections 2929.21 to 1111  
2929.28 of the Revised Code, the additional jail term shall not 1112  
exceed one year, and the cumulative jail term imposed for the 1113  
offense shall not exceed one year. 1114

(ii) If the sentence is being imposed for a violation of 1115  
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 1116  
section, a mandatory jail term of sixty consecutive days. The 1117  
court shall impose the sixty-day mandatory jail term under this 1118  
division unless, subject to division (G)(3) of this section, it 1119  
instead imposes a sentence under that division consisting of both 1120  
a jail term and a term of house arrest with electronic monitoring, 1121  
with continuous alcohol monitoring, or with both electronic 1122  
monitoring and continuous alcohol monitoring. The court may impose 1123  
a jail term in addition to the sixty-day mandatory jail term. 1124  
Notwithstanding the jail terms set forth in sections 2929.21 to 1125  
2929.28 of the Revised Code, the additional jail term shall not 1126  
exceed one year, and the cumulative jail term imposed for the 1127

offense shall not exceed one year. 1128

(iii) In all cases, notwithstanding the fines set forth in 1129  
Chapter 2929. of the Revised Code, a fine of not less than five 1130  
hundred fifty and not more than two thousand five hundred dollars; 1131

(iv) In all cases, a class three license suspension of the 1132  
offender's driver's license, commercial driver's license, 1133  
temporary instruction permit, probationary license, or nonresident 1134  
operating privilege from the range specified in division (A)(3) of 1135  
section 4510.02 of the Revised Code. The court may grant limited 1136  
driving privileges relative to the suspension under sections 1137  
4510.021 and 4510.13 of the Revised Code. 1138

(v) In all cases, if the vehicle is registered in the 1139  
offender's name, criminal forfeiture of the vehicle involved in 1140  
the offense in accordance with section 4503.234 of the Revised 1141  
Code. Division (G)(6) of this section applies regarding any 1142  
vehicle that is subject to an order of criminal forfeiture under 1143  
this division. In addition, the court shall order the 1144  
immobilization for one year of all other motor vehicles owned by 1145  
or registered in the name of the offender and the impoundment for 1146  
one year of the license plates of all such vehicles. 1147

If the vehicle involved in the offense is not registered in 1148  
the offender's name, the court shall order the immobilization for 1149  
one year of all motor vehicles owned by or registered in the name 1150  
of the offender and the impoundment for one year of the license 1151  
plates of all such vehicles. 1152

(vi) In all cases, participation in an alcohol and drug 1153  
addiction program authorized by section 3793.02 of the Revised 1154  
Code, subject to division (I) of this section. The operator of the 1155  
program shall determine and assess the degree of the offender's 1156  
alcohol dependency and use and shall treat the offender 1157  
accordingly. 1158

(vii) In all cases, a requirement that the offender wear a monitor that provides continuous alcohol monitoring that is remote. The court shall require the offender to wear the monitor until the conclusion of all community control sanctions imposed upon the offender. The offender shall pay all costs associated with the monitor, including the cost of remote monitoring.

(d) Except as otherwise provided in division (G)(1)(e) of this section, an offender who, within six years of the offense, previously has been convicted of or pleaded guilty to three or four violations of division (A) or (B) of this section or other equivalent offenses or an offender who, within twenty years of the offense, previously has been convicted of or pleaded guilty to five or more violations of that nature is guilty of a felony of the fourth degree. The court shall sentence the offender to all of the following:

(i) If the sentence is being imposed for a violation of division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, a mandatory prison term of one, two, three, four, or five years as required by and in accordance with division (G)(2) of section 2929.13 of the Revised Code if the offender also is convicted of or also pleads guilty to a specification of the type described in section 2941.1413 of the Revised Code or, in the discretion of the court, either a mandatory term of local incarceration of sixty consecutive days in accordance with division (G)(1) of section 2929.13 of the Revised Code or a mandatory prison term of sixty consecutive days in accordance with division (G)(2) of that section if the offender is not convicted of and does not plead guilty to a specification of that type. If the court imposes a mandatory term of local incarceration, it may impose a jail term in addition to the sixty-day mandatory term, the cumulative total of the mandatory term and the jail term for the offense shall not exceed one year, and, except as provided in division (A)(1) of

section 2929.13 of the Revised Code, no prison term is authorized 1191  
for the offense. If the court imposes a mandatory prison term, 1192  
notwithstanding division (A)(4) of section 2929.14 of the Revised 1193  
Code, it also may sentence the offender to a definite prison term 1194  
that shall be not less than six months and not more than thirty 1195  
months and the prison terms shall be imposed as described in 1196  
division (G)(2) of section 2929.13 of the Revised Code. If the 1197  
court imposes a mandatory prison term or mandatory prison term and 1198  
additional prison term, in addition to the term or terms so 1199  
imposed, the court also may sentence the offender to a community 1200  
control sanction for the offense, but the offender shall serve all 1201  
of the prison terms so imposed prior to serving the community 1202  
control sanction. 1203

(ii) If the sentence is being imposed for a violation of 1204  
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 1205  
section, a mandatory prison term of one, two, three, four, or five 1206  
years as required by and in accordance with division (G)(2) of 1207  
section 2929.13 of the Revised Code if the offender also is 1208  
convicted of or also pleads guilty to a specification of the type 1209  
described in section 2941.1413 of the Revised Code or, in the 1210  
discretion of the court, either a mandatory term of local 1211  
incarceration of one hundred twenty consecutive days in accordance 1212  
with division (G)(1) of section 2929.13 of the Revised Code or a 1213  
mandatory prison term of one hundred twenty consecutive days in 1214  
accordance with division (G)(2) of that section if the offender is 1215  
not convicted of and does not plead guilty to a specification of 1216  
that type. If the court imposes a mandatory term of local 1217  
incarceration, it may impose a jail term in addition to the one 1218  
hundred twenty-day mandatory term, the cumulative total of the 1219  
mandatory term and the jail term for the offense shall not exceed 1220  
one year, and, except as provided in division (A)(1) of section 1221  
2929.13 of the Revised Code, no prison term is authorized for the 1222  
offense. If the court imposes a mandatory prison term, 1223

notwithstanding division (A)(4) of section 2929.14 of the Revised Code, it also may sentence the offender to a definite prison term that shall be not less than six months and not more than thirty months and the prison terms shall be imposed as described in division (G)(2) of section 2929.13 of the Revised Code. If the court imposes a mandatory prison term or mandatory prison term and additional prison term, in addition to the term or terms so imposed, the court also may sentence the offender to a community control sanction for the offense, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

(iii) In all cases, notwithstanding section 2929.18 of the Revised Code, a fine of not less than eight hundred nor more than ten thousand dollars;

(iv) In all cases, a class two license 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)(2) of section 4510.02 of the Revised Code. The court may grant limited driving privileges relative to the suspension under sections 4510.021 and 4510.13 of the Revised Code.

(v) In all cases, if the vehicle is registered in the offender's name, criminal forfeiture of the vehicle involved in the offense in accordance with section 4503.234 of the Revised Code. Division (G)(6) of this section applies regarding any vehicle that is subject to an order of criminal forfeiture under this division. In addition, the court shall order the immobilization for one year of all other motor vehicles owned by or registered in the name of the offender and the impoundment for one year of the license plates of all such vehicles.

If the vehicle involved in the offense is not registered in the offender's name, the court shall order the immobilization for



one year of all motor vehicles owned by or registered in the name 1256  
of the offender and the impoundment for one year of the license 1257  
plates of all such vehicles. 1258

(vi) In all cases, participation in an alcohol and drug 1259  
addiction program authorized by section 3793.02 of the Revised 1260  
Code, subject to division (I) of this section. The operator of the 1261  
program shall determine and assess the degree of the offender's 1262  
alcohol dependency and use and shall treat the offender 1263  
accordingly. 1264

(vii) In all cases, if the court sentences the offender to a 1265  
mandatory term of local incarceration, in addition to the 1266  
mandatory term, the court, pursuant to section 2929.17 of the 1267  
Revised Code, may impose a term of house arrest with electronic 1268  
monitoring. The term shall not commence until after the offender 1269  
has served the mandatory term of local incarceration. 1270

(viii) In all cases, a requirement that the offender wear a 1271  
monitor that provides continuous alcohol monitoring that is 1272  
remote. The court shall require the offender to wear the monitor 1273  
until the conclusion of all community control sanctions or 1274  
post-release controls imposed upon the offender. The offender 1275  
shall pay all costs associated with the monitor, including the 1276  
cost of remote monitoring. 1277

(e) An offender who previously has been convicted of or 1278  
pleaded guilty to a violation of division (A) of this section that 1279  
was a felony, regardless of when the violation and the conviction 1280  
or guilty plea occurred, is guilty of a felony of the third 1281  
degree. The court shall sentence the offender to all of the 1282  
following: 1283

(i) If the offender is being sentenced for a violation of 1284  
division (A)(1)(a), (b), (c), (d), (e), or (j) of this section, a 1285  
mandatory prison term of one, two, three, four, or five years as 1286

required by and in accordance with division (G)(2) of section 1287  
2929.13 of the Revised Code if the offender also is convicted of 1288  
or also pleads guilty to a specification of the type described in 1289  
section 2941.1413 of the Revised Code or a mandatory prison term 1290  
of sixty consecutive days in accordance with division (G)(2) of 1291  
section 2929.13 of the Revised Code if the offender is not 1292  
convicted of and does not plead guilty to a specification of that 1293  
type. The court may impose a prison term in addition to the 1294  
mandatory prison term. The cumulative total of a sixty-day 1295  
mandatory prison term and the additional prison term for the 1296  
offense shall not exceed five years. In addition to the mandatory 1297  
prison term or mandatory prison term and additional prison term 1298  
the court imposes, the court also may sentence the offender to a 1299  
community control sanction for the offense, but the offender shall 1300  
serve all of the prison terms so imposed prior to serving the 1301  
community control sanction. 1302

(ii) If the sentence is being imposed for a violation of 1303  
division (A)(1)(f), (g), (h), or (i) or division (A)(2) of this 1304  
section, a mandatory prison term of one, two, three, four, or five 1305  
years as required by and in accordance with division (G)(2) of 1306  
section 2929.13 of the Revised Code if the offender also is 1307  
convicted of or also pleads guilty to a specification of the type 1308  
described in section 2941.1413 of the Revised Code or a mandatory 1309  
prison term of one hundred twenty consecutive days in accordance 1310  
with division (G)(2) of section 2929.13 of the Revised Code if the 1311  
offender is not convicted of and does not plead guilty to a 1312  
specification of that type. The court may impose a prison term in 1313  
addition to the mandatory prison term. The cumulative total of a 1314  
one hundred twenty-day mandatory prison term and the additional 1315  
prison term for the offense shall not exceed five years. In 1316  
addition to the mandatory prison term or mandatory prison term and 1317  
additional prison term the court imposes, the court also may 1318  
sentence the offender to a community control sanction for the 1319

offense, but the offender shall serve all of the prison terms so 1320  
imposed prior to serving the community control sanction. 1321

(iii) In all cases, notwithstanding section 2929.18 of the 1322  
Revised Code, a fine of not less than eight hundred nor more than 1323  
ten thousand dollars; 1324

(iv) In all cases, a class two license suspension of the 1325  
offender's driver's license, commercial driver's license, 1326  
temporary instruction permit, probationary license, or nonresident 1327  
operating privilege from the range specified in division (A)(2) of 1328  
section 4510.02 of the Revised Code. The court may grant limited 1329  
driving privileges relative to the suspension under sections 1330  
4510.021 and 4510.13 of the Revised Code. 1331

(v) In all cases, if the vehicle is registered in the 1332  
offender's name, criminal forfeiture of the vehicle involved in 1333  
the offense in accordance with section 4503.234 of the Revised 1334  
Code. Division (G)(6) of this section applies regarding any 1335  
vehicle that is subject to an order of criminal forfeiture under 1336  
this division. In addition, the court shall order the 1337  
immobilization for one year of all other motor vehicles owned by 1338  
or registered in the name of the offender and the impoundment for 1339  
one year of the license plates of all such vehicles. 1340

If the vehicle involved in the offense is not registered in 1341  
the offender's name, the court shall order the immobilization for 1342  
one year of all motor vehicles owned by or registered in the name 1343  
of the offender and the impoundment for one year of the license 1344  
plates of all such vehicles. 1345

(vi) In all cases, participation in an alcohol and drug 1346  
addiction program authorized by section 3793.02 of the Revised 1347  
Code, subject to division (I) of this section. The operator of the 1348  
program shall determine and assess the degree of the offender's 1349  
alcohol dependency and use and shall treat the offender 1350

accordingly. 1351

(vii) In all cases, a requirement that the offender wear a 1352  
monitor that provides continuous alcohol monitoring that is 1353  
remote. The court shall require the offender to wear the monitor 1354  
until the conclusion of all post-release controls imposed upon the 1355  
offender. The offender shall pay all costs associated with the 1356  
monitor, including the cost of remote monitoring. 1357

(2) An offender who is convicted of or pleads guilty to a 1358  
violation of division (A) of this section and who subsequently 1359  
seeks reinstatement of the driver's or occupational driver's 1360  
license or permit or nonresident operating privilege suspended 1361  
under this section as a result of the conviction or guilty plea 1362  
shall pay a reinstatement fee as provided in division (F)(2) of 1363  
section 4511.191 of the Revised Code. 1364

(3) If an offender is sentenced to a jail term under division 1365  
(G)(1)(b)(i) or (ii) or (G)(1)(c)(i) or (ii) of this section and 1366  
if, within sixty days of sentencing of the offender, the court 1367  
issues a written finding on the record that, due to the 1368  
unavailability of space at the jail where the offender is required 1369  
to serve the term, the offender will not be able to begin serving 1370  
that term within the sixty-day period following the date of 1371  
sentencing, the court may impose an alternative sentence under 1372  
this division that includes a term of house arrest with electronic 1373  
monitoring, with continuous alcohol monitoring, or with both 1374  
electronic monitoring and continuous alcohol monitoring. 1375

As an alternative to a mandatory jail term of ten consecutive 1376  
days required by division (G)(1)(b)(i) of this section, the court, 1377  
under this division, may sentence the offender to five consecutive 1378  
days in jail and not less than eighteen consecutive days of house 1379  
arrest with electronic monitoring, with continuous alcohol 1380  
monitoring, or with both electronic monitoring and continuous 1381  
alcohol monitoring. The cumulative total of the five consecutive 1382

days in jail and the period of house arrest with electronic 1383  
monitoring, continuous alcohol monitoring, or both types of 1384  
monitoring shall not exceed six months. The five consecutive days 1385  
in jail do not have to be served prior to or consecutively to the 1386  
period of house arrest. 1387

As an alternative to the mandatory jail term of twenty 1388  
consecutive days required by division (G)(1)(b)(ii) of this 1389  
section, the court, under this division, may sentence the offender 1390  
to ten consecutive days in jail and not less than thirty-six 1391  
consecutive days of house arrest with electronic monitoring, with 1392  
continuous alcohol monitoring, or with both electronic monitoring 1393  
and continuous alcohol monitoring. The cumulative total of the ten 1394  
consecutive days in jail and the period of house arrest with 1395  
electronic monitoring, continuous alcohol monitoring, or both 1396  
types of monitoring shall not exceed six months. The ten 1397  
consecutive days in jail do not have to be served prior to or 1398  
consecutively to the period of house arrest. 1399

As an alternative to a mandatory jail term of thirty 1400  
consecutive days required by division (G)(1)(c)(i) of this 1401  
section, the court, under this division, may sentence the offender 1402  
to fifteen consecutive days in jail and not less than fifty-five 1403  
consecutive days of house arrest with electronic monitoring, with 1404  
continuous alcohol monitoring, or with both electronic monitoring 1405  
and continuous alcohol monitoring. The cumulative total of the 1406  
fifteen consecutive days in jail and the period of house arrest 1407  
with electronic monitoring, continuous alcohol monitoring, or both 1408  
types of monitoring shall not exceed one year. The fifteen 1409  
consecutive days in jail do not have to be served prior to or 1410  
consecutively to the period of house arrest. 1411

As an alternative to the mandatory jail term of sixty 1412  
consecutive days required by division (G)(1)(c)(ii) of this 1413  
section, the court, under this division, may sentence the offender 1414

to thirty consecutive days in jail and not less than one hundred 1415  
ten consecutive days of house arrest with electronic monitoring, 1416  
with continuous alcohol monitoring, or with both electronic 1417  
monitoring and continuous alcohol monitoring. The cumulative total 1418  
of the thirty consecutive days in jail and the period of house 1419  
arrest with electronic monitoring, continuous alcohol monitoring, 1420  
or both types of monitoring shall not exceed one year. The thirty 1421  
consecutive days in jail do not have to be served prior to or 1422  
consecutively to the period of house arrest. 1423

(4) If an offender's driver's or occupational driver's 1424  
license or permit or nonresident operating privilege is suspended 1425  
under division (G) of this section and if section 4510.13 of the 1426  
Revised Code permits the court to grant limited driving 1427  
privileges, the court may grant the limited driving privileges in 1428  
accordance with that section. If division (A)(7) of that section 1429  
requires that the court impose as a condition of the privileges 1430  
that the offender must display on the vehicle that is driven 1431  
subject to the privileges restricted license plates that are 1432  
issued under section 4503.231 of the Revised Code, except as 1433  
provided in division (B) of that section, the court shall impose 1434  
that condition as one of the conditions of the limited driving 1435  
privileges granted to the offender, except as provided in division 1436  
(B) of section 4503.231 of the Revised Code. 1437

(5) Fines imposed under this section for a violation of 1438  
division (A) of this section shall be distributed as follows: 1439

(a) Twenty-five dollars of the fine imposed under division 1440  
(G)(1)(a)(iii), thirty-five dollars of the fine imposed under 1441  
division (G)(1)(b)(iii), one hundred twenty-three dollars of the 1442  
fine imposed under division (G)(1)(c)(iii), and two hundred ten 1443  
dollars of the fine imposed under division (G)(1)(d)(iii) or 1444  
(e)(iii) of this section shall be paid to an enforcement and 1445  
education fund established by the legislative authority of the law 1446

enforcement agency in this state that primarily was responsible 1447  
for the arrest of the offender, as determined by the court that 1448  
imposes the fine. The agency shall use this share to pay only 1449  
those costs it incurs in enforcing this section or a municipal OVI 1450  
ordinance and in informing the public of the laws governing the 1451  
operation of a vehicle while under the influence of alcohol, the 1452  
dangers of the operation of a vehicle under the influence of 1453  
alcohol, and other information relating to the operation of a 1454  
vehicle under the influence of alcohol and the consumption of 1455  
alcoholic beverages. 1456

(b) Fifty dollars of the fine imposed under division 1457  
(G)(1)(a)(iii) of this section shall be paid to the political 1458  
subdivision that pays the cost of housing the offender during the 1459  
offender's term of incarceration. If the offender is being 1460  
sentenced for a violation of division (A)(1)(a), (b), (c), (d), 1461  
(e), or (j) of this section and was confined as a result of the 1462  
offense prior to being sentenced for the offense but is not 1463  
sentenced to a term of incarceration, the fifty dollars shall be 1464  
paid to the political subdivision that paid the cost of housing 1465  
the offender during that period of confinement. The political 1466  
subdivision shall use the share under this division to pay or 1467  
reimburse incarceration or treatment costs it incurs in housing or 1468  
providing drug and alcohol treatment to persons who violate this 1469  
section or a municipal OVI ordinance, costs of any immobilizing or 1470  
disabling device used on the offender's vehicle, and costs of 1471  
electronic house arrest equipment needed for persons who violate 1472  
this section. 1473

(c) Twenty-five dollars of the fine imposed under division 1474  
(G)(1)(a)(iii) and fifty dollars of the fine imposed under 1475  
division (G)(1)(b)(iii) of this section shall be deposited into 1476  
the county or municipal indigent drivers' alcohol treatment fund 1477  
under the control of that court, as created by the county or 1478

municipal corporation under division (N) of section 4511.191 of 1479  
the Revised Code. 1480

(d) One hundred fifteen dollars of the fine imposed under 1481  
division (G)(1)(b)(iii), two hundred seventy-seven dollars of the 1482  
fine imposed under division (G)(1)(c)(iii), and four hundred forty 1483  
dollars of the fine imposed under division (G)(1)(d)(iii) or 1484  
(e)(iii) of this section shall be paid to the political 1485  
subdivision that pays the cost of housing the offender during the 1486  
offender's term of incarceration. The political subdivision shall 1487  
use this share to pay or reimburse incarceration or treatment 1488  
costs it incurs in housing or providing drug and alcohol treatment 1489  
to persons who violate this section or a municipal OVI ordinance, 1490  
costs for any immobilizing or disabling device used on the 1491  
offender's vehicle, and costs of electronic house arrest equipment 1492  
needed for persons who violate this section. 1493

(e) The balance of the fine imposed under division 1494  
(G)(1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), or (e)(iii) of this 1495  
section shall be disbursed as otherwise provided by law. 1496

(6) If title to a motor vehicle that is subject to an order 1497  
of criminal forfeiture under division (G)(1)(c), (d), or (e) of 1498  
this section is assigned or transferred and division (B)(2) or (3) 1499  
of section 4503.234 of the Revised Code applies, in addition to or 1500  
independent of any other penalty established by law, the court may 1501  
fine the offender the value of the vehicle as determined by 1502  
publications of the national auto dealers association. The 1503  
proceeds of any fine so imposed shall be distributed in accordance 1504  
with division (C)(2) of that section. 1505

(7) As used in division (G) of this section, "electronic 1506  
monitoring," "mandatory prison term," and "mandatory term of local 1507  
incarceration" have the same meanings as in section 2929.01 of the 1508  
Revised Code. 1509



(H) Whoever violates division (B) of this section is guilty 1510  
of operating a vehicle after underage alcohol consumption and 1511  
shall be punished as follows: 1512

(1) Except as otherwise provided in division (H)(2) of this 1513  
section, the offender is guilty of a misdemeanor of the fourth 1514  
degree. In addition to any other sanction imposed for the offense, 1515  
the court shall impose a class six suspension of the offender's 1516  
driver's license, commercial driver's license, temporary 1517  
instruction permit, probationary license, or nonresident operating 1518  
privilege from the range specified in division (A)(6) of section 1519  
4510.02 of the Revised Code. 1520

(2) If, within one year of the offense, the offender 1521  
previously has been convicted of or pleaded guilty to one or more 1522  
violations of division (A) or (B) of this section or other 1523  
equivalent offenses, the offender is guilty of a misdemeanor of 1524  
the third degree. In addition to any other sanction imposed for 1525  
the offense, the court shall impose a class four suspension of the 1526  
offender's driver's license, commercial driver's license, 1527  
temporary instruction permit, probationary license, or nonresident 1528  
operating privilege from the range specified in division (A)(4) of 1529  
section 4510.02 of the Revised Code. 1530

(3) If the offender also is convicted of or also pleads 1531  
guilty to a specification of the type described in section 1532  
2941.1416 of the Revised Code and if the court imposes a jail term 1533  
for the violation of division (B) of this section, the court shall 1534  
impose upon the offender an additional definite jail term pursuant 1535  
to division (E) of section 2929.24 of the Revised Code. 1536

(I)(1) No court shall sentence an offender to an alcohol 1537  
treatment program under this section unless the treatment program 1538  
complies with the minimum standards for alcohol treatment programs 1539  
adopted under Chapter 3793. of the Revised Code by the director of 1540  
alcohol and drug addiction services. 1541

(2) An offender who stays in a drivers' intervention program 1542  
or in an alcohol treatment program under an order issued under 1543  
this section shall pay the cost of the stay in the program. 1544  
However, if the court determines that an offender who stays in an 1545  
alcohol treatment program under an order issued under this section 1546  
is unable to pay the cost of the stay in the program, the court 1547  
may order that the cost be paid from the court's indigent drivers' 1548  
alcohol treatment fund. 1549

(J) If a person whose driver's or commercial driver's license 1550  
or permit or nonresident operating privilege is suspended under 1551  
this section files an appeal regarding any aspect of the person's 1552  
trial or sentence, the appeal itself does not stay the operation 1553  
of the suspension. 1554

(K) Division (A)(1)(j) of this section does not apply to a 1555  
person who operates a vehicle, streetcar, or trackless trolley 1556  
while the person has a concentration of a listed controlled 1557  
substance or a listed metabolite of a controlled substance in the 1558  
person's whole blood, blood serum or plasma, or urine that equals 1559  
or exceeds the amount specified in that division, if both of the 1560  
following apply: 1561

(1) The person obtained the controlled substance pursuant to 1562  
a prescription issued by a licensed health professional authorized 1563  
to prescribe drugs. 1564

(2) The person injected, ingested, or inhaled the controlled 1565  
substance in accordance with the health professional's directions. 1566

(L) The prohibited concentrations of a controlled substance 1567  
or a metabolite of a controlled substance listed in division 1568  
(A)(1)(j) of this section also apply in a prosecution of a 1569  
violation of division (D) of section 2923.16 of the Revised Code 1570  
in the same manner as if the offender is being prosecuted for a 1571  
prohibited concentration of alcohol. 1572

(M) All terms defined in section 4510.01 of the Revised Code 1573  
apply to this section. If the meaning of a term defined in section 1574  
4510.01 of the Revised Code conflicts with the meaning of the same 1575  
term as defined in section 4501.01 or 4511.01 of the Revised Code, 1576  
the term as defined in section 4510.01 of the Revised Code applies 1577  
to this section. 1578

(N)(1) The Ohio Traffic Rules in effect on January 1, 2004, 1579  
as adopted by the supreme court under authority of section 2937.46 1580  
of the Revised Code, do not apply to felony violations of this 1581  
section. Subject to division (N)(2) of this section, the Rules of 1582  
Criminal Procedure apply to felony violations of this section. 1583

(2) If, on or after January 1, 2004, the supreme court 1584  
modifies the Ohio Traffic Rules to provide procedures to govern 1585  
felony violations of this section, the modified rules shall apply 1586  
to felony violations of this section. 1587

**Sec. 4511.193.** (A) Twenty-five dollars of any fine imposed 1588  
for a violation of a municipal OVI ordinance shall be deposited 1589  
into the municipal or county indigent drivers alcohol treatment 1590  
fund created pursuant to division (H) of section 4511.191 of the 1591  
Revised Code in accordance with this section and section 733.40, 1592  
divisions (A) and (B) of section 1901.024, division (F) of section 1593  
1901.31, or division (C) of section 1907.20 of the Revised Code. 1594  
Regardless of whether the fine is imposed by a municipal court, a 1595  
mayor's court, or a juvenile court, if the fine was imposed for a 1596  
violation of an ordinance of a municipal corporation that is 1597  
within the jurisdiction of a municipal court, the twenty-five 1598  
dollars that is subject to this section shall be deposited into 1599  
the indigent drivers alcohol treatment fund of the municipal 1600  
corporation in which is located the municipal court that has 1601  
jurisdiction over that municipal corporation. Regardless of 1602  
whether the fine is imposed by a county court, a mayor's court, or 1603

a juvenile court, if the fine was imposed for a violation of an ordinance of a municipal corporation that is within the jurisdiction of a county court, the twenty-five dollars that is subject to this section shall be deposited into the indigent drivers alcohol treatment fund of the county in which is located the county court that has jurisdiction over that municipal corporation. The deposit shall be made in accordance with section 733.40, divisions (A) and (B) of section 1901.024, division (F) of section 1901.31, or division (C) of section 1907.20 of the Revised Code.

(B)(1) The requirements and sanctions imposed by divisions (B)(1) and (2) of this section are an adjunct to and derive from the state's exclusive authority over the registration and titling of motor vehicles and do not comprise a part of the criminal sentence to be imposed upon a person who violates a municipal OVI ordinance.

(2) If a person is convicted of or pleads guilty to a violation of a municipal OVI ordinance, if the vehicle the offender was operating at the time of the offense is registered in the offender's name, and if, within six years of the current offense, the offender has been convicted of or pleaded guilty to one or more violations of division (A) or (B) of section 4511.19 of the Revised Code or one or more other equivalent offenses, the court, in addition to and independent of any sentence that it imposes upon the offender for the offense, shall do whichever of the following is applicable:

(a) Except as otherwise provided in division (B)(2)(b) of this section, if, within six years of the current offense, the offender has been convicted of or pleaded guilty to one violation described in division (B)(2) of this section, the court shall order the immobilization for ~~ninety days~~ one year of that vehicle

and the impoundment for ~~ninety days~~ one year of the license plates 1635  
of that vehicle. In addition, the court shall order the 1636  
immobilization for one year of all other motor vehicles owned by 1637  
or registered in the name of the offender and the impoundment for 1638  
one year of the license plates of all such vehicles. If the 1639  
vehicle the offender was operating at the time of the offense is 1640  
not registered in the offender's name, the court shall order the 1641  
immobilization for one year of all motor vehicles owned by or 1642  
registered in the name of the offender and the impoundment for one 1643  
year of the license plates of all such vehicles. The order for the 1644  
immobilization and impoundment shall be issued and enforced in 1645  
accordance with section 4503.233 of the Revised Code. 1646

(b) If, within six years of the current offense, the offender 1647  
has been convicted of or pleaded guilty to two or more violations 1648  
described in division (B)(2) of this section, or if the offender 1649  
previously has been convicted of or pleaded guilty to a violation 1650  
of division (A) of section 4511.19 of the Revised Code under 1651  
circumstances in which the violation was a felony and regardless 1652  
of when the violation and the conviction or guilty plea occurred, 1653  
the court shall order the criminal forfeiture to the state of that 1654  
vehicle. The order of criminal forfeiture shall be issued and 1655  
enforced in accordance with section 4503.234 of the Revised Code. 1656

If the vehicle the offender was operating at the time of the 1657  
offense is not registered in the offender's name, the court shall 1658  
order the immobilization for one year of all motor vehicles owned 1659  
by or registered in the name of the offender and the impoundment 1660  
for one year of the license plates of all such vehicles. 1661

**Sec. 4511.198.** (A) If a court grants bail to a person who is 1662  
described in division (B) of this section and who is alleged to 1663  
have committed a violation of division (A) of section 4511.19 of 1664  
the Revised Code or of a substantially equivalent municipal 1665

ordinance, the court as a condition of bail shall prohibit the 1666  
person from consuming any beer or intoxicating liquor and shall 1667  
require the person to wear a monitor that provides continuous 1668  
alcohol monitoring that is remote. The court shall require the 1669  
person to wear the monitor until the person is convicted of, 1670  
pleads guilty to, or is found not guilty of the alleged violation 1671  
or the charges in the case are dismissed. Any consumption by the 1672  
person of beer or intoxicating liquor prior to that time is 1673  
grounds for revocation by the court of the person's bail. The 1674  
person shall pay all costs associated with the monitor, including 1675  
the cost of remote monitoring. 1676

(B) This section applies to the following persons: 1677

(1) A person who is alleged to have committed a violation of 1678  
division (A) of section 4511.19 of the Revised Code and who, if 1679  
convicted of the alleged violation, is required to be sentenced 1680  
under division (G)(1)(b), (c), (d), or (e) of section 4511.19 of 1681  
the Revised Code; 1682

(2) A person who is alleged to have committed a violation of 1683  
a municipal ordinance that is substantially equivalent to division 1684  
(A) of section 4511.19 of the Revised Code and who, if the law 1685  
enforcement officer who arrested and charged the person with the 1686  
violation of the municipal ordinance instead had charged the 1687  
person with a violation of division (A) of section 4511.19 of the 1688  
Revised Code, would be required to be sentenced under division 1689  
(G)(1)(b), (c), (d), or (e) of section 4511.19 of the Revised 1690  
Code. 1691

**Sec. 4511.203.** (A) No person shall permit a motor vehicle 1692  
owned by the person or under the person's control to be driven by 1693  
another if any of the following apply: 1694

(1) ~~The offender knows or has reasonable cause to believe~~ 1695  
~~that the other person does not have a valid driver's or commercial~~ 1696

driver's license or permit or valid nonresident driving 1697  
privileges. 1698

~~(2) The offender knows or has reasonable cause to believe 1699  
that the other person's driver's or commercial driver's license or 1700  
permit or nonresident operating privileges have been suspended or 1701  
canceled under Chapter 4510. or any other provision of the Revised 1702  
Code. 1703~~

~~(3) The offender knows or has reasonable cause to believe 1704  
that the other person's act of driving the motor vehicle would 1705  
violate any prohibition contained in Chapter 4509. of the Revised 1706  
Code. 1707~~

~~(4) The offender knows or has reasonable cause to believe 1708  
that the other person's act of driving would violate section 1709  
4511.19 of the Revised Code or any substantially equivalent 1710  
municipal ordinance. 1711~~

~~(B) Without limiting or precluding the consideration of any 1712  
other evidence in determining whether a violation of division 1713  
(A)(1), (2), (3), or (4) of this section has occurred, it shall be 1714  
prima facie evidence that the offender knows or has reasonable 1715  
cause to believe that the operator of the motor vehicle owned by 1716  
the offender or under the offender's control is in a category 1717  
described in division (A)(1), (2), (3), or (4) of this section if 1718  
any of the following applies: 1719~~

~~(1) Regarding an operator allegedly in the category described 1720  
in division (A)(1) or (3) of this section, the offender and the 1721  
operator of the motor vehicle reside in the same household and are 1722  
related by consanguinity or affinity. 1723~~

~~(2) Regarding an operator allegedly in the category described 1724  
in division (A)(2) of this section, the offender and the operator 1725  
of the motor vehicle reside in the same household, and the 1726  
offender knows or has reasonable cause to believe that the 1727~~

~~operator has been charged with or convicted of any violation of 1728  
law or ordinance, or has committed any other act or omission, that 1729  
would or could result in the suspension or cancellation of the 1730  
operator's license, permit, or privilege. 1731~~

~~(3) Regarding an operator allegedly in the category described 1732  
in division (A)(4) of this section, the offender and the operator 1733  
of the motor vehicle occupied the motor vehicle together at the 1734  
time of the offense. 1735~~

~~(C) Whoever violates this section is guilty of wrongful 1736  
entrustment of a motor vehicle, a misdemeanor of the first degree. 1737  
In addition to the penalties imposed under Chapter 2929. of the 1738  
Revised Code, the court shall impose a class seven suspension of 1739  
the offender's driver's license, commercial driver's license, 1740  
temporary instruction permit, probationary license, or nonresident 1741  
operating privilege from the range specified in division (A)(7) of 1742  
section 4510.02 of the Revised Code, and, if the vehicle involved 1743  
in the offense is registered in the name of the offender, the 1744  
court shall order one of the following: 1745~~

~~(1) Except as otherwise provided in division ~~(C)~~(B)(2) or (3) 1746  
of this section, the court shall order, for thirty days, the 1747  
immobilization of the vehicle involved in the offense and the 1748  
impoundment of that vehicle's license plates. The order shall be 1749  
issued and enforced under section 4503.233 of the Revised Code. 1750~~

~~(2) If the offender previously has been convicted of or 1751  
pleaded guilty to one violation of this section or a substantially 1752  
equivalent municipal ordinance, the court shall order, for sixty 1753  
days, the immobilization of the vehicle involved in the offense 1754  
and the impoundment of that vehicle's license plates. The order 1755  
shall be issued and enforced under section 4503.233 of the Revised 1756  
Code. 1757~~

~~(3) If the offender previously has been convicted of or 1758~~



pleaded guilty to two or more violations of this section or a 1759  
substantially equivalent municipal ordinance, the court shall 1760  
order the criminal forfeiture to the state of the vehicle involved 1761  
in the offense. The order shall be issued and enforced under 1762  
section 4503.234 of the Revised Code. 1763

If title to a motor vehicle that is subject to an order for 1764  
criminal forfeiture under this division is assigned or transferred 1765  
and division (B)(2) or (3) of section 4503.234 of the Revised Code 1766  
applies, in addition to or independent of any other penalty 1767  
established by law, the court may fine the offender the value of 1768  
the vehicle as determined by publications of the national auto 1769  
dealer's association. The proceeds from any fine imposed under 1770  
this division shall be distributed in accordance with division 1771  
(C)(2) of section 4503.234 of the Revised Code. 1772

~~(D)~~(C) If a court orders the immobilization of a vehicle 1773  
under division ~~(C)~~(B) of this section, the court shall not release 1774  
the vehicle from the immobilization before the termination of the 1775  
period of immobilization ordered unless the court is presented 1776  
with current proof of financial responsibility with respect to 1777  
that vehicle. 1778

~~(E)~~(D) If a court orders the criminal forfeiture of a vehicle 1779  
under division ~~(C)~~(B) of this section, upon receipt of the order 1780  
from the court, neither the registrar of motor vehicles nor any 1781  
deputy registrar shall accept any application for the registration 1782  
or transfer of registration of any motor vehicle owned or leased 1783  
by the person named in the order. The period of denial shall be 1784  
five years after the date the order is issued, unless, during that 1785  
five-year period, the court with jurisdiction of the offense that 1786  
resulted in the order terminates the forfeiture and notifies the 1787  
registrar of the termination. If the court terminates the 1788  
forfeiture and notifies the registrar, the registrar shall take 1789  
all necessary measures to permit the person to register a vehicle 1790

owned or leased by the person or to transfer the registration of 1791  
the vehicle. 1792

~~(F)~~(E) This section does not apply to motor vehicle rental 1793  
dealers or motor vehicle leasing dealers, as defined in section 1794  
4549.65 of the Revised Code. 1795

~~(G)~~(F) Evidence of a conviction of, plea of guilty to, or 1796  
adjudication as a delinquent child for a violation of this section 1797  
or a substantially similar municipal ordinance shall not be 1798  
admissible as evidence in any civil action that involves the 1799  
offender or delinquent child who is the subject of the conviction, 1800  
plea, or adjudication and that arises from the wrongful 1801  
entrustment of a motor vehicle. 1802

~~(H)~~ ~~As used in~~ For purposes of this section, a vehicle is 1803  
owned by a person if, at the time of a violation of this section, 1804  
the vehicle is registered in the person's name. 1805

**Section 2.** That existing sections 4503.234, 4507.164, 1806  
4510.13, 4511.19, 4511.193, and 4511.203 of the Revised Code are 1807  
hereby repealed. 1808