

As Introduced

**127th General Assembly
Regular Session
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S. B. No. 71

Senator Miller, R.

Cosponsor: Senator Smith

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A B I L L

To amend sections 2919.22, 3319.088, 3319.41, 1
4510.13, and 4510.31 of the Revised Code to 2
prohibit the use of corporal punishment on a child 3
who is less than three or more than twelve years 4
of age or by hitting a child about the face or 5
head or with any object other than a bare hand and 6
to prohibit corporal punishment in schools. 7

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

Section 1. That sections 2919.22, 3319.088, 3319.41, 4510.13, 8
and 4510.31 of the Revised Code be amended to read as follows: 9

Sec. 2919.22. (A) No person, who is the parent, guardian, 10
custodian, person having custody or control, or person in loco 11
parentis of a child under eighteen years of age or a mentally or 12
physically handicapped child under twenty-one years of age, shall 13
create a substantial risk to the health or safety of the child, by 14
violating a duty of care, protection, or support. It is not a 15
violation of a duty of care, protection, or support under this 16
division when the parent, guardian, custodian, or person having 17
custody or control of a child treats the physical or mental 18
illness or defect of the child by spiritual means through prayer 19

alone, in accordance with the tenets of a recognized religious 20
body. 21

(B) No person shall do any of the following to a child under 22
eighteen years of age or a mentally or physically handicapped 23
child under twenty-one years of age: 24

(1) Abuse the child; 25

(2) Torture or cruelly abuse the child; 26

(3) Administer corporal punishment or other physical 27
disciplinary measure, or physically restrain the child in a cruel 28
manner or for a prolonged period, which punishment, discipline, or 29
restraint is excessive under the circumstances and creates a 30
substantial risk of serious physical harm to the child, administer 31
corporal punishment to the child by hitting the child about the 32
face or head, or administer corporal punishment to the child with 33
any object other than a bare hand; 34

(4) Repeatedly administer unwarranted disciplinary measures 35
to the child, when there is a substantial risk that such conduct, 36
if continued, will seriously impair or retard the child's mental 37
health or development; 38

(5) Entice, coerce, permit, encourage, compel, hire, employ, 39
use, or allow the child to act, model, or in any other way 40
participate in, or be photographed for, the production, 41
presentation, dissemination, or advertisement of any material or 42
performance that the offender knows or reasonably should know is 43
obscene, is sexually oriented matter, or is nudity-oriented 44
matter; 45

(6) Allow the child to be on the same parcel of real property 46
and within one hundred feet of, or, in the case of more than one 47
housing unit on the same parcel of real property, in the same 48
housing unit and within one hundred feet of, any act in violation 49

of section 2925.04 or 2925.041 of the Revised Code when the person 50
knows that the act is occurring, whether or not any person is 51
prosecuted for or convicted of the violation of section 2925.04 or 52
2925.041 of the Revised Code that is the basis of the violation of 53
this division. 54

(C)(1) No person shall operate a vehicle, streetcar, or 55
trackless trolley within this state in violation of division (A) 56
of section 4511.19 of the Revised Code when one or more children 57
under eighteen years of age are in the vehicle, streetcar, or 58
trackless trolley. Notwithstanding any other provision of law, a 59
person may be convicted at the same trial or proceeding of a 60
violation of this division and a violation of division (A) of 61
section 4511.19 of the Revised Code that constitutes the basis of 62
the charge of the violation of this division. For purposes of 63
sections 4511.191 to 4511.197 of the Revised Code and all related 64
provisions of law, a person arrested for a violation of this 65
division shall be considered to be under arrest for operating a 66
vehicle while under the influence of alcohol, a drug of abuse, or 67
a combination of them or for operating a vehicle with a prohibited 68
concentration of alcohol, a controlled substance, or a metabolite 69
of a controlled substance in the whole blood, blood serum or 70
plasma, breath, or urine. 71

(2) As used in division (C)(1) of this section: 72

(a) "Controlled substance" has the same meaning as in section 73
3719.01 of the Revised Code. 74

(b) "Vehicle," "streetcar," and "trackless trolley" have the 75
same meanings as in section 4511.01 of the Revised Code. 76

(D) No person shall administer corporal punishment to a child 77
who is less than three years of age, to a child who is more than 78
twelve and less than eighteen years of age, or to a mentally or 79
physically handicapped child who is more than twelve and less than 80

twenty-one years of age. 81

~~(E)~~(1) Division (B)(5) of this section does not apply to any 82
material or performance that is produced, presented, or 83
disseminated for a bona fide medical, scientific, educational, 84
religious, governmental, judicial, or other proper purpose, by or 85
to a physician, psychologist, sociologist, scientist, teacher, 86
person pursuing bona fide studies or research, librarian, member 87
of the clergy, prosecutor, judge, or other person having a proper 88
interest in the material or performance. 89

(2) Mistake of age is not a defense to a charge under 90
division (B)(5) of this section. 91

(3) In a prosecution under division (B)(5) of this section, 92
the trier of fact may infer that an actor, model, or participant 93
in the material or performance involved is a juvenile if the 94
material or performance, through its title, text, visual 95
representation, or otherwise, represents or depicts the actor, 96
model, or participant as a juvenile. 97

(4) As used in this division and division (B)(5) of this 98
section: 99

(a) "Material," "performance," "obscene," and "sexual 100
activity" have the same meanings as in section 2907.01 of the 101
Revised Code. 102

(b) "Nudity-oriented matter" means any material or 103
performance that shows a minor in a state of nudity and that, 104
taken as a whole by the average person applying contemporary 105
community standards, appeals to prurient interest. 106

(c) "Sexually oriented matter" means any material or 107
performance that shows a minor participating or engaging in sexual 108
activity, masturbation, or bestiality. 109

~~(E)~~(F)(1) Whoever violates this section is guilty of 110

endangering children. 111

(2) If the offender violates division (A) or (B)(1) of this 112
section, endangering children is one of the following: 113

(a) Except as otherwise provided in division ~~(E)~~(F)(2)(b), 114
(c), or (d) of this section, a misdemeanor of the first degree; 115

(b) If the offender previously has been convicted of an 116
offense under this section or of any offense involving neglect, 117
abandonment, contributing to the delinquency of, or physical abuse 118
of a child, except as otherwise provided in division ~~(E)~~(F)(2)(c) 119
or (d) of this section, a felony of the fourth degree; 120

(c) If the violation is a violation of division (A) of this 121
section and results in serious physical harm to the child 122
involved, a felony of the third degree; 123

(d) If the violation is a violation of division (B)(1) of 124
this section and results in serious physical harm to the child 125
involved, a felony of the second degree. 126

(3) If the offender violates division (B)(2), (3), (4), or 127
(6) or (D) of this section, except as otherwise provided in this 128
division, endangering children is a felony of the third degree. If 129
the violation results in serious physical harm to the child 130
involved, or if the offender previously has been convicted of an 131
offense under this section or of any offense involving neglect, 132
abandonment, contributing to the delinquency of, or physical abuse 133
of a child, endangering children is a felony of the second degree. 134
If the offender violates division (B)(6) of this section and the 135
drug involved is methamphetamine, the court shall impose a 136
mandatory prison term on the offender as follows: 137

(a) If the violation is a violation of division (B)(6) of 138
this section that is a felony of the third degree under division 139
~~(E)~~(F)(3) of this section and the drug involved is 140
methamphetamine, except as otherwise provided in this division, 141

the court shall impose as a mandatory prison term one of the 142
prison terms prescribed for a felony of the third degree that is 143
not less than two years. If the violation is a violation of 144
division (B)(6) of this section that is a felony of the third 145
degree under division ~~(E)~~(F)(3) of this section, if the drug 146
involved is methamphetamine, and if the offender previously has 147
been convicted of or pleaded guilty to a violation of division 148
(B)(6) of this section, a violation of division (A) of section 149
2925.04 of the Revised Code, or a violation of division (A) of 150
section 2925.041 of the Revised Code, the court shall impose as a 151
mandatory prison term one of the prison terms prescribed for a 152
felony of the third degree that is not less than five years. 153

(b) If the violation is a violation of division (B)(6) of 154
this section that is a felony of the second degree under division 155
~~(E)~~(F)(3) of this section and the drug involved is 156
methamphetamine, except as otherwise provided in this division, 157
the court shall impose as a mandatory prison term one of the 158
prison terms prescribed for a felony of the second degree that is 159
not less than three years. If the violation is a violation of 160
division (B)(6) of this section that is a felony of the second 161
degree under division ~~(E)~~(F)(3) of this section, if the drug 162
involved is methamphetamine, and if the offender previously has 163
been convicted of or pleaded guilty to a violation of division 164
(B)(6) of this section, a violation of division (A) of section 165
2925.04 of the Revised Code, or a violation of division (A) of 166
section 2925.041 of the Revised Code, the court shall impose as a 167
mandatory prison term one of the prison terms prescribed for a 168
felony of the second degree that is not less than five years. 169

(4) If the offender violates division (B)(5) of this section, 170
endangering children is a felony of the second degree. 171

(5) If the offender violates division (C) of this section, 172
the offender shall be punished as follows: 173

(a) Except as otherwise provided in division ~~(E)~~(F)(5)(b) or 174
(c) of this section, endangering children in violation of division 175
(C) of this section is a misdemeanor of the first degree. 176

(b) If the violation results in serious physical harm to the 177
child involved or the offender previously has been convicted of an 178
offense under this section or any offense involving neglect, 179
abandonment, contributing to the delinquency of, or physical abuse 180
of a child, except as otherwise provided in division ~~(E)~~(F)(5)(c) 181
of this section, endangering children in violation of division (C) 182
of this section is a felony of the fifth degree. 183

(c) If the violation results in serious physical harm to the 184
child involved and if the offender previously has been convicted 185
of a violation of division (C) of this section, section 2903.06 or 186
2903.08 of the Revised Code, section 2903.07 of the Revised Code 187
as it existed prior to March 23, 2000, or section 2903.04 of the 188
Revised Code in a case in which the offender was subject to the 189
sanctions described in division (D) of that section, endangering 190
children in violation of division (C) of this section is a felony 191
of the fourth degree. 192

(d) In addition to any term of imprisonment, fine, or other 193
sentence, penalty, or sanction it imposes upon the offender 194
pursuant to division ~~(E)~~(F)(5)(a), (b), or (c) of this section or 195
pursuant to any other provision of law and in addition to any 196
suspension of the offender's driver's or commercial driver's 197
license or permit or nonresident operating privilege under Chapter 198
4506., 4509., 4510., or 4511. of the Revised Code or under any 199
other provision of law, the court also may impose upon the 200
offender a class seven suspension of the offender's driver's or 201
commercial driver's license or permit or nonresident operating 202
privilege from the range specified in division (A)(7) of section 203
4510.02 of the Revised Code. 204

(e) In addition to any term of imprisonment, fine, or other 205

sentence, penalty, or sanction imposed upon the offender pursuant 206
to division ~~(E)~~(F)(5)(a), (b), (c), or (d) of this section or 207
pursuant to any other provision of law for the violation of 208
division (C) of this section, if as part of the same trial or 209
proceeding the offender also is convicted of or pleads guilty to a 210
separate charge charging the violation of division (A) of section 211
4511.19 of the Revised Code that was the basis of the charge of 212
the violation of division (C) of this section, the offender also 213
shall be sentenced in accordance with section 4511.19 of the 214
Revised Code for that violation of division (A) of section 4511.19 215
of the Revised Code. 216

~~(F)~~(G)(1)(a) A court may require an offender to perform not 217
more than two hundred hours of supervised community service work 218
under the authority of an agency, subdivision, or charitable 219
organization. The requirement shall be part of the community 220
control sanction or sentence of the offender, and the court shall 221
impose the community service in accordance with and subject to 222
divisions ~~(F)~~(G)(1)(a) and (b) of this section. The court may 223
require an offender whom it requires to perform supervised 224
community service work as part of the offender's community control 225
sanction or sentence to pay the court a reasonable fee to cover 226
the costs of the offender's participation in the work, including, 227
but not limited to, the costs of procuring a policy or policies of 228
liability insurance to cover the period during which the offender 229
will perform the work. If the court requires the offender to 230
perform supervised community service work as part of the 231
offender's community control sanction or sentence, the court shall 232
do so in accordance with the following limitations and criteria: 233

(i) The court shall require that the community service work 234
be performed after completion of the term of imprisonment or jail 235
term imposed upon the offender for the violation of division (C) 236
of this section, if applicable. 237

(ii) The supervised community service work shall be subject 238
to the limitations set forth in divisions (B)(1), (2), and (3) of 239
section 2951.02 of the Revised Code. 240

(iii) The community service work shall be supervised in the 241
manner described in division (B)(4) of section 2951.02 of the 242
Revised Code by an official or person with the qualifications 243
described in that division. The official or person periodically 244
shall report in writing to the court concerning the conduct of the 245
offender in performing the work. 246

(iv) The court shall inform the offender in writing that if 247
the offender does not adequately perform, as determined by the 248
court, all of the required community service work, the court may 249
order that the offender be committed to a jail or workhouse for a 250
period of time that does not exceed the term of imprisonment that 251
the court could have imposed upon the offender for the violation 252
of division (C) of this section, reduced by the total amount of 253
time that the offender actually was imprisoned under the sentence 254
or term that was imposed upon the offender for that violation and 255
by the total amount of time that the offender was confined for any 256
reason arising out of the offense for which the offender was 257
convicted and sentenced as described in sections 2949.08 and 258
2967.191 of the Revised Code, and that, if the court orders that 259
the offender be so committed, the court is authorized, but not 260
required, to grant the offender credit upon the period of the 261
commitment for the community service work that the offender 262
adequately performed. 263

(b) If a court, pursuant to division ~~(F)~~(G)(1)(a) of this 264
section, orders an offender to perform community service work as 265
part of the offender's community control sanction or sentence and 266
if the offender does not adequately perform all of the required 267
community service work, as determined by the court, the court may 268
order that the offender be committed to a jail or workhouse for a 269

period of time that does not exceed the term of imprisonment that 270
the court could have imposed upon the offender for the violation 271
of division (C) of this section, reduced by the total amount of 272
time that the offender actually was imprisoned under the sentence 273
or term that was imposed upon the offender for that violation and 274
by the total amount of time that the offender was confined for any 275
reason arising out of the offense for which the offender was 276
convicted and sentenced as described in sections 2949.08 and 277
2967.191 of the Revised Code. The court may order that a person 278
committed pursuant to this division shall receive hour-for-hour 279
credit upon the period of the commitment for the community service 280
work that the offender adequately performed. No commitment 281
pursuant to this division shall exceed the period of the term of 282
imprisonment that the sentencing court could have imposed upon the 283
offender for the violation of division (C) of this section, 284
reduced by the total amount of time that the offender actually was 285
imprisoned under that sentence or term and by the total amount of 286
time that the offender was confined for any reason arising out of 287
the offense for which the offender was convicted and sentenced as 288
described in sections 2949.08 and 2967.191 of the Revised Code. 289

(2) Division ~~(F)~~(G)(1) of this section does not limit or 290
affect the authority of the court to suspend the sentence imposed 291
upon a misdemeanor offender and place the offender under a 292
community control sanction pursuant to section 2929.25 of the 293
Revised Code, to require a misdemeanor or felony offender to 294
perform supervised community service work in accordance with 295
division (B) of section 2951.02 of the Revised Code, or to place a 296
felony offender under a community control sanction. 297

~~(G)~~(H)(1) If a court suspends an offender's driver's or 298
commercial driver's license or permit or nonresident operating 299
privilege under division ~~(E)~~(F)(5)(d) of this section, the period 300
of the suspension shall be consecutive to, and commence after, the 301

period of suspension of the offender's driver's or commercial 302
driver's license or permit or nonresident operating privilege that 303
is imposed under Chapter 4506., 4509., 4510., or 4511. of the 304
Revised Code or under any other provision of law in relation to 305
the violation of division (C) of this section that is the basis of 306
the suspension under division ~~(E)~~(F)(5)(d) of this section or in 307
relation to the violation of division (A) of section 4511.19 of 308
the Revised Code that is the basis for that violation of division 309
(C) of this section. 310

(2) An offender is not entitled to request, and the court 311
shall not grant to the offender, limited driving privileges if the 312
offender's license, permit, or privilege has been suspended under 313
division ~~(E)~~(F)(5)(d) of this section and the offender, within the 314
preceding six years, has been convicted of or pleaded guilty to 315
three or more violations of one or more of the following: 316

(a) Division (C) of this section; 317

(b) Any equivalent offense, as defined in section 4511.181 of 318
the Revised Code. 319

~~(H)~~(I)(1) If a person violates division (C) of this section 320
and if, at the time of the violation, there were two or more 321
children under eighteen years of age in the motor vehicle involved 322
in the violation, the offender may be convicted of a violation of 323
division (C) of this section for each of the children, but the 324
court may sentence the offender for only one of the violations. 325

(2)(a) If a person is convicted of or pleads guilty to a 326
violation of division (C) of this section but the person is not 327
also convicted of and does not also plead guilty to a separate 328
charge charging the violation of division (A) of section 4511.19 329
of the Revised Code that was the basis of the charge of the 330
violation of division (C) of this section, both of the following 331
apply: 332

(i) For purposes of the provisions of section 4511.19 of the Revised Code that set forth the penalties and sanctions for a violation of division (A) of section 4511.19 of the Revised Code, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute a violation of division (A) of section 4511.19 of the Revised Code;

(ii) For purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code and that is not described in division ~~(H)~~(I)(2)(a)(i) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall constitute a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

(b) If a person is convicted of or pleads guilty to a violation of division (C) of this section and the person also is convicted of or pleads guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute, for purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code, a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

~~(I)~~(J) As used in this section:

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

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

(3) "Methamphetamine" has the same meaning as in section

2925.01 of the Revised Code. 364

Sec. 3319.088. As used in this section, "educational 365
assistant" means any nonteaching employee in a school district who 366
directly assists a teacher as defined in section 3319.09 of the 367
Revised Code, by performing duties for which a license issued 368
pursuant to sections 3319.22 to 3319.30 of the Revised Code is not 369
required. 370

(A) The state board of education shall issue educational aide 371
permits and educational paraprofessional licenses for educational 372
assistants and shall adopt rules for the issuance and renewal of 373
such permits and licenses which shall be consistent with the 374
provisions of this section. Educational aide permits and 375
educational paraprofessional licenses may be of several types and 376
the rules shall prescribe the minimum qualifications of education, 377
health, and character for the service to be authorized under each 378
type. The prescribed minimum qualifications may require special 379
training or educational courses designed to qualify a person to 380
perform effectively the duties authorized under an educational 381
aide permit or educational paraprofessional license. 382

(B)(1) Any application for a permit or license, or a renewal 383
or duplicate of a permit or license, under this section shall be 384
accompanied by the payment of a fee in the amount established 385
under division (A) of section 3319.51 of the Revised Code. Any 386
fees received under this division shall be paid into the state 387
treasury to the credit of the state board of education licensure 388
fund established under division (B) of section 3319.51 of the 389
Revised Code. 390

(2) Any person applying for or holding a permit or license 391
pursuant to this section is subject to sections 3123.41 to 3123.50 392
of the Revised Code and any applicable rules adopted under section 393
3123.63 of the Revised Code and sections 3319.31 and 3319.311 of 394

the Revised Code. 395

(C) Educational assistants shall at all times while in the 396
performance of their duties be under the supervision and direction 397
of a teacher as defined in section 3319.09 of the Revised Code. 398
Educational assistants may assist a teacher to whom assigned in 399
the supervision of pupils, in assisting with instructional tasks, 400
and in the performance of duties which, in the judgment of the 401
teacher to whom the assistant is assigned, may be performed by a 402
person not licensed pursuant to sections 3319.22 to 3319.30 of the 403
Revised Code and for which a teaching license, issued pursuant to 404
sections 3319.22 to 3319.30 of the Revised Code is not required. 405
The duties of an educational assistant shall not include the 406
assignment of grades to pupils. The duties of an educational 407
~~assistants~~ assistant need not be performed in the physical 408
presence of the teacher to whom assigned, but the activity of an 409
educational assistant shall at all times be under the direction of 410
the teacher to whom assigned. The assignment of an educational 411
assistant need not be limited to assisting a single teacher. In 412
the event an educational assistant is assigned to assist more than 413
one teacher the assignments shall be clearly delineated and so 414
arranged that the educational assistant shall never be subject to 415
simultaneous supervision or direction by more than one teacher. 416

Educational assistants assigned to supervise children shall, 417
when the teacher to whom assigned is not physically present, 418
maintain the degree of control and discipline ~~which~~ that would be 419
maintained by the teacher, ~~but an educational assistant may not~~ 420
~~render corporal punishment.~~ 421

Except when expressly permitted solely for the purposes of 422
section 3317.029 of the Revised Code, educational assistants may 423
not be used in place of classroom teachers or other employees and 424
any payment of compensation by boards of education to educational 425
assistants for such services is prohibited. The ratio between the 426

number of licensed teachers and the pupils in a school district 427
may not be decreased by utilization of educational assistants and 428
no grouping, or other organization of pupils, for utilization of 429
educational assistants shall be established which is inconsistent 430
with sound educational practices and procedures. A school district 431
may employ up to one full time equivalent educational assistant 432
for each six full time equivalent licensed employees of the 433
district. Educational assistants shall not be counted as licensed 434
employees for purposes of state support in the school foundation 435
program and no grouping or regrouping of pupils with educational 436
assistants may be counted as a class or unit for school foundation 437
program purposes. Neither special courses required by the 438
regulations of the state board of education, prescribing minimum 439
qualifications of education for an educational assistant, nor 440
years of service as an educational assistant shall be counted in 441
any way toward qualifying for a teacher license, for a teacher 442
contract of any type, or for determining placement on a salary 443
schedule in a school district as a teacher. 444

(D) Educational assistants employed by a board of education 445
shall have all rights, benefits, and legal protection available to 446
other nonteaching employees in the school district, except that 447
provisions of Chapter 124. of the Revised Code shall not apply to 448
any person employed as an educational assistant, and shall be 449
members of the school employees retirement system. Educational 450
assistants shall be compensated according to a salary plan adopted 451
annually by the board. 452

Except as provided in this section nonteaching employees 453
shall not serve as educational assistants without first obtaining 454
an appropriate educational aide permit or educational 455
paraprofessional license from the state board of education. A 456
nonteaching employee who is the holder of a valid educational aide 457
permit or educational paraprofessional license shall neither 458

render nor be required to render services inconsistent with the 459
type of services authorized by the permit or license held. No 460
person shall receive compensation from a board of education for 461
services rendered as an educational assistant in violation of this 462
provision. 463

Nonteaching employees whose functions are solely 464
secretarial-clerical and who do not perform any other duties as 465
educational assistants, even though they assist a teacher and work 466
under the direction of a teacher shall not be required to hold a 467
permit or license issued pursuant to this section. Students 468
preparing to become licensed teachers or educational assistants 469
shall not be required to hold an educational aide permit or 470
paraprofessional license for such periods of time as such students 471
are assigned, as part of their training program, to work with a 472
teacher in a school district. Such students shall not be 473
compensated for such services. 474

Following the determination of the assignment and general job 475
description of an educational assistant and subject to supervision 476
by the teacher's immediate administrative officer, a teacher to 477
whom an educational assistant is assigned shall make all final 478
determinations of the duties to be assigned to such assistant. 479
Teachers shall not be required to hold a license designated for 480
being a supervisor or administrator in order to perform the 481
necessary supervision of educational assistants. 482

(E) No person who is, or who has been employed as an 483
educational assistant shall divulge, except to the teacher to whom 484
assigned, or the administrator of the school in the absence of the 485
teacher to whom assigned, or when required to testify in a court 486
or proceedings, any personal information concerning any pupil in 487
the school district which was obtained or obtainable by the 488
educational assistant while so employed. Violation of this 489
provision is grounds for disciplinary action or dismissal, or 490

both. 491

~~Sec. 3319.41. (A)(1) Beginning September 1, 1994, and except 492
as provided in division (C) of this section, no No person employed 493
or engaged as a teacher, principal, administrator, nonlicensed 494
school employee, or bus driver in a public school may inflict or 495
cause to be inflicted corporal punishment as a means of discipline 496
upon a pupil attending such the school, unless the board of 497
education of the school district in which the school is located 498
adopts a resolution no later than September 1, 1994, to permit 499
corporal punishment as a means of discipline and does not adopt a 500
resolution prohibiting corporal punishment pursuant to division 501
(B) of this section. No board shall adopt a resolution permitting 502
corporal punishment before receiving and studying the report of 503
the local discipline task force appointed under division (A)(2) of 504
this section. 505~~

~~(2) The board of education of each city, local, exempted 506
village, and joint vocational school district that has not adopted 507
a rule prohibiting corporal punishment under section 3313.20 of 508
the Revised Code prior to the effective date of this amendment 509
shall appoint, and any board that has adopted a rule under that 510
section prior to the effective date of this amendment may appoint, 511
no later than April 1, 1994, a local discipline task force to 512
conduct a study of effective discipline measures that are 513
appropriate for that school district. Members of the task force 514
shall include teachers, administrators, nonlicensed school 515
employees, school psychologists, members of the medical 516
profession, pediatricians when available, and representatives of 517
parents' organizations. 518~~

~~The task force shall hold meetings regularly. All meetings of 519
the task force shall be open to the public and at least one of the 520
meetings shall be for the purpose of inviting public 521~~

~~participation. The board of education shall provide public notice 522
of any public meeting of the task force in newspapers or other 523
periodicals of general circulation in the school district. The 524
task force shall report its findings and recommendations in 525
writing to the board of education no later than July 15, 1994. The 526
task force's written report must be available for inspection by 527
the public at the board's offices for at least five years after 528
being submitted to the board. 529~~

~~(B)(1) At any time after September 1, 1996, the board of 530
education of any city, local, exempted village, or joint 531
vocational school district in which corporal punishment is 532
permitted may adopt a resolution to prohibit corporal punishment. 533
After the adoption of a resolution prohibiting corporal punishment 534
pursuant to division (B)(1) of this section, the board of 535
education of any city, local, exempted village, or joint 536
vocational school district may adopt a resolution permitting 537
corporal punishment after complying with division (B)(3) of this 538
section. 539~~

~~(2) At any time after September 1, 1998, the board of 540
education of any city, local, exempted village, or joint 541
vocational school district that did not adopt a resolution 542
permitting corporal punishment as a means of discipline pursuant 543
to division (A)(1) of this section may adopt a resolution 544
permitting corporal punishment after complying with division 545
(B)(3) of this section. 546~~

~~(3)(a) The board of education of each city, local, exempted 547
village, and joint vocational school district that intends to 548
adopt a resolution permitting corporal punishment as a means of 549
discipline pursuant to division (B)(1) or (2) of this section may 550
adopt that resolution permitting corporal punishment as a means of 551
discipline only after receiving and studying the report of the 552
secondary local discipline task force appointed under division 553~~

~~(E)(3)(b) of this section.~~ 554

~~(b) Any board of education described in division (B)(1) or 555
(2) of this section that intends to adopt a resolution permitting 556
corporal punishment as a means of discipline shall appoint a 557
secondary local discipline task force to conduct a study of 558
effective discipline measures that are appropriate for that school 559
district. Membership on the secondary local discipline task force 560
shall consist of the same types of persons that are required to be 561
included as members of the local discipline task force pursuant to 562
division (A)(2) of this section. The secondary local discipline 563
task force shall follow the same procedures with respect to 564
holding meetings, the provision of public notice, and the 565
production and inspection of a written report of findings and 566
recommendations that are applicable to the local discipline task 567
force pursuant to division (A)(2) of this section, except that the 568
secondary local discipline task force is not required to present 569
its written report to the board of education on a date that is no 570
later than July 15, 1994. 571~~

~~(C) The prohibition of corporal punishment by division (A) of 572
this section or by a resolution adopted under division (B) of this 573
section does not prohibit the use of reasonable force or restraint 574
in accordance with division ~~(C)~~(D) of this section. 575~~

~~(D) If the (C) The board of education of any city, local, 576
exempted village, or joint vocational school district does not 577
prohibit corporal punishment on the effective date of this 578
amendment but at any time after that date corporal punishment will 579
be prohibited in the district pursuant to division (A)(1) or (B) 580
of this section, the board shall do both of the following prior to 581
the date on which the prohibition takes effect: 582~~

~~(1) Adopt a disciplinary policy for the district that 583
includes alternative disciplinary measures other than corporal 584
punishment; 585~~

(2) Consider what in-service training, if any, school 586
district employees might need as part of implementing the policy 587
adopted under division ~~(D)~~(C)(1) of this section. 588

~~(E) A person employed or otherwise engaged as a teacher, 589
principal, or administrator by a board of education permitting 590
corporal punishment pursuant to division (A)(1) of this section or 591
by a nonpublic school, except as otherwise provided by the 592
governing authority of the nonpublic school, may inflict or cause 593
to be inflicted reasonable corporal punishment upon a pupil 594
attending the school to which the person is assigned whenever such 595
punishment is reasonably necessary in order to preserve discipline 596
while the student is subject to school authority. 597~~

~~(F) A board of education of a school district that permits 598
the use of corporal punishment as a means of discipline pursuant 599
to a resolution adopted by the board pursuant to division (A)(1) 600
of this section shall permit as part of its discipline policy the 601
parents, guardian, or custodian of a child that is attending any 602
school within the school district to request that corporal 603
punishment not be used as a means of discipline on that child; 604
upon the receipt of a request of that nature, shall ensure that an 605
alternative disciplinary measure is applied with respect to that 606
child; and shall include a procedure for the exercise of that 607
option in the resolution adopted pursuant to division (A)(1) of 608
this section. 609~~

~~(G)~~(D) Persons employed or engaged as teachers, principals, 610
or administrators in a school, whether public or private, and 611
nonlicensed school employees and school bus drivers may, within 612
the scope of their employment, use and apply such amount of force 613
and restraint as is reasonable and necessary to quell a 614
disturbance threatening physical injury to others, to obtain 615
possession of weapons or other dangerous objects upon the person 616
or within the control of the pupil, for the purpose of 617

self-defense, or for the protection of persons or property. 618

Sec. 4510.13. (A)(1) Divisions (A)(2) to (7) of this section 619
apply to a judge or mayor regarding the suspension of, or the 620
grant of limited driving privileges during a suspension of, an 621
offender's driver's or commercial driver's license or permit or 622
nonresident operating privilege imposed under division (G) or (H) 623
of section 4511.19 of the Revised Code, under division (B) or (C) 624
of section 4511.191 of the Revised Code, or under section 4510.07 625
of the Revised Code for a conviction of a violation of a municipal 626
OVI ordinance. 627

(2) No judge or mayor shall suspend the following portions of 628
the suspension of an offender's driver's or commercial driver's 629
license or permit or nonresident operating privilege imposed under 630
division (G) or (H) of section 4511.19 of the Revised Code or 631
under section 4510.07 of the Revised Code for a conviction of a 632
violation of a municipal OVI ordinance, provided that division 633
(A)(2) of this section does not limit a court or mayor in 634
crediting any period of suspension imposed pursuant to division 635
(B) or (C) of section 4511.191 of the Revised Code against any 636
time of judicial suspension imposed pursuant to section 4511.19 or 637
4510.07 of the Revised Code, as described in divisions (B)(2) and 638
(C)(2) of section 4511.191 of the Revised Code: 639

(a) The first six months of a suspension imposed under 640
division (G)(1)(a) of section 4511.19 of the Revised Code or of a 641
comparable length suspension imposed under section 4510.07 of the 642
Revised Code; 643

(b) The first year of a suspension imposed under division 644
(G)(1)(b) or (c) of section 4511.19 of the Revised Code or of a 645
comparable length suspension imposed under section 4510.07 of the 646
Revised Code; 647

(c) The first three years of a suspension imposed under 648

division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 649
or of a comparable length suspension imposed under section 4510.07 650
of the Revised Code; 651

(d) The first sixty days of a suspension imposed under 652
division (H) of section 4511.19 of the Revised Code or of a 653
comparable length suspension imposed under section 4510.07 of the 654
Revised Code. 655

(3) No judge or mayor shall grant limited driving privileges 656
to an offender whose driver's or commercial driver's license or 657
permit or nonresident operating privilege has been suspended under 658
division (G) or (H) of section 4511.19 of the Revised Code, under 659
division (C) of section 4511.191 of the Revised Code, or under 660
section 4510.07 of the Revised Code for a municipal OVI conviction 661
if the offender, within the preceding six years, has been 662
convicted of or pleaded guilty to three or more ~~violations of one~~ 663
~~or more of the Revised Code sections, municipal ordinances,~~ 664
~~statutes of the United States or another state, or municipal~~ 665
~~ordinances of a municipal corporation of another state that are~~ 666
~~identified in divisions (G)(2)(b) to (h) of equivalent offenses as~~ 667
~~defined in section ~~2919.22~~ 4511.181 of the Revised Code.~~ 668

Additionally, no judge or mayor shall grant limited driving 669
privileges to an offender whose driver's or commercial driver's 670
license or permit or nonresident operating privilege has been 671
suspended under division (B) of section 4511.191 of the Revised 672
Code if the offender, within the preceding six years, has refused 673
three previous requests to consent to a chemical test of the 674
person's whole blood, blood serum or plasma, breath, or urine to 675
determine its alcohol content. 676

(4) No judge or mayor shall grant limited driving privileges 677
for employment as a driver of commercial motor vehicles to an 678
offender whose driver's or commercial driver's license or permit 679
or nonresident operating privilege has been suspended under 680

division (G) or (H) of section 4511.19 of the Revised Code, under 681
division (B) or (C) of section 4511.191 of the Revised Code, or 682
under section 4510.07 of the Revised Code for a municipal OVI 683
conviction if the offender is disqualified from operating a 684
commercial motor vehicle, or whose license or permit has been 685
suspended, under section 3123.58 or 4506.16 of the Revised Code. 686

(5) No judge or mayor shall grant limited driving privileges 687
to an offender whose driver's or commercial driver's license or 688
permit or nonresident operating privilege has been suspended under 689
division (G) or (H) of section 4511.19 of the Revised Code, under 690
division (C) of section 4511.191 of the Revised Code, or under 691
section 4510.07 of the Revised Code for a conviction of a 692
violation of a municipal OVI ordinance during any of the following 693
periods of time: 694

(a) The first fifteen days of a suspension imposed under 695
division (G)(1)(a) of section 4511.19 of the Revised Code or a 696
comparable length suspension imposed under section 4510.07 of the 697
Revised Code, or of a suspension imposed under division (C)(1)(a) 698
of section 4511.191 of the Revised Code. On or after the sixteenth 699
day of the suspension, the court may grant limited driving 700
privileges, but the court may require that the offender shall not 701
exercise the privileges unless the vehicles the offender operates 702
are equipped with immobilizing or disabling devices that monitor 703
the offender's alcohol consumption or any other type of 704
immobilizing or disabling devices, except as provided in division 705
(C) of section 4510.43 of the Revised Code. 706

(b) The first thirty days of a suspension imposed under 707
division (G)(1)(b) of section 4511.19 of the Revised Code or a 708
comparable length suspension imposed under section 4510.07 of the 709
Revised Code, or of a suspension imposed under division (C)(1)(b) 710
of section 4511.191 of the Revised Code. On or after the 711
thirty-first day of suspension, the court may grant limited 712

driving privileges, but the court may require that the offender 713
shall not exercise the privileges unless the vehicles the offender 714
operates are equipped with immobilizing or disabling devices that 715
monitor the offender's alcohol consumption or any other type of 716
immobilizing or disabling devices, except as provided in division 717
(C) of section 4510.43 of the Revised Code. 718

(c) The first sixty days of a suspension imposed under 719
division (H) of section 4511.19 of the Revised Code or a 720
comparable length suspension imposed under section 4510.07 of the 721
Revised Code. 722

(d) The first one hundred eighty days of a suspension imposed 723
under division (G)(1)(c) of section 4511.19 of the Revised Code or 724
a comparable length suspension imposed under section 4510.07 of 725
the Revised Code, or of a suspension imposed under division 726
(C)(1)(c) of section 4511.191 of the Revised Code. The judge may 727
grant limited driving privileges on or after the one hundred 728
eighty-first day of the suspension only if the judge, at the time 729
of granting the privileges, also issues an order prohibiting the 730
offender, while exercising the privileges during the period 731
commencing with the one hundred eighty-first day of suspension and 732
ending with the first year of suspension, from operating any motor 733
vehicle unless it is equipped with an immobilizing or disabling 734
device that monitors the offender's alcohol consumption. After the 735
first year of the suspension, the court may authorize the offender 736
to continue exercising the privileges in vehicles that are not 737
equipped with immobilizing or disabling devices that monitor the 738
offender's alcohol consumption, except as provided in division (C) 739
of section 4510.43 of the Revised Code. If the offender does not 740
petition for limited driving privileges until after the first year 741
of suspension, the judge may grant limited driving privileges 742
without requiring the use of an immobilizing or disabling device 743
that monitors the offender's alcohol consumption. 744

(e) The first three years of a suspension imposed under 745
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 746
or a comparable length suspension imposed under section 4510.07 of 747
the Revised Code, or of a suspension imposed under division 748
(C)(1)(d) of section 4511.191 of the Revised Code. The judge may 749
grant limited driving privileges after the first three years of 750
suspension only if the judge, at the time of granting the 751
privileges, also issues an order prohibiting the offender from 752
operating any motor vehicle, for the period of suspension 753
following the first three years of suspension, unless the motor 754
vehicle is equipped with an immobilizing or disabling device that 755
monitors the offender's alcohol consumption, except as provided in 756
division (C) of section 4510.43 of the Revised Code. 757

(6) No judge or mayor shall grant limited driving privileges 758
to an offender whose driver's or commercial driver's license or 759
permit or nonresident operating privilege has been suspended under 760
division (B) of section 4511.191 of the Revised Code during any of 761
the following periods of time: 762

(a) The first thirty days of suspension imposed under 763
division (B)(1)(a) of section 4511.191 of the Revised Code; 764

(b) The first ninety days of suspension imposed under 765
division (B)(1)(b) of section 4511.191 of the Revised Code; 766

(c) The first year of suspension imposed under division 767
(B)(1)(c) of section 4511.191 of the Revised Code; 768

(d) The first three years of suspension imposed under 769
division (B)(1)(d) of section 4511.191 of the Revised Code. 770

(7) In any case in which a judge or mayor grants limited 771
driving privileges to an offender whose driver's or commercial 772
driver's license or permit or nonresident operating privilege has 773
been suspended under division (G)(1)(b), (c), (d), or (e) of 774
section 4511.19 of the Revised Code, under division (G)(1)(a) of 775

section 4511.19 of the Revised Code for a violation of division 776
(A)(1)(f), (g), (h), or (i) of that section, or under section 777
4510.07 of the Revised Code for a municipal OVI conviction for 778
which sentence would have been imposed under division 779
(G)(1)(a)(ii) or (G)(1)(b), (c), (d), or (e) of section 4511.19 of 780
the Revised Code had the offender been charged with and convicted 781
of a violation of section 4511.19 of the Revised Code instead of a 782
violation of the municipal OVI ordinance, the judge or mayor shall 783
impose as a condition of the privileges that the offender must 784
display on the vehicle that is driven subject to the privileges 785
restricted license plates that are issued under section 4503.231 786
of the Revised Code, except as provided in division (B) of that 787
section. 788

(B) Any person whose driver's or commercial driver's license 789
or permit or nonresident operating privilege has been suspended 790
pursuant to section 4511.19 or 4511.191 of the Revised Code or 791
under section 4510.07 of the Revised Code for a violation of a 792
municipal OVI ordinance may file a petition for limited driving 793
privileges during the suspension. The person shall file the 794
petition in the court that has jurisdiction over the place of 795
arrest. Subject to division (A) of this section, the court may 796
grant the person limited driving privileges during the period 797
during which the suspension otherwise would be imposed. However, 798
the court shall not grant the privileges for employment as a 799
driver of a commercial motor vehicle to any person who is 800
disqualified from operating a commercial motor vehicle under 801
section 4506.16 of the Revised Code or during any of the periods 802
prescribed by division (A) of this section. 803

(C)(1) After a driver's or commercial driver's license or 804
permit or nonresident operating privilege has been suspended 805
pursuant to section 2903.06, 2903.08, 2903.11, 2907.24, 2921.331, 806
2923.02, 2929.02, 4511.19, 4511.251, 4549.02, 4549.021, or 5743.99 807

of the Revised Code, any provision of Chapter 2925. of the Revised 808
Code, or section 4510.07 of the Revised Code for a violation of a 809
municipal OVI ordinance, the judge of the court or mayor of the 810
mayor's court that suspended the license, permit, or privilege 811
shall cause the offender to deliver to the court the license or 812
permit. The judge, mayor, or clerk of the court or mayor's court 813
shall forward to the registrar the license or permit together with 814
notice of the action of the court. 815

(2) A suspension of a commercial driver's license under any 816
section or chapter identified in division (C)(1) of this section 817
shall be concurrent with any period of suspension or 818
disqualification under section 3123.58 or 4506.16 of the Revised 819
Code. No person who is disqualified for life from holding a 820
commercial driver's license under section 4506.16 of the Revised 821
Code shall be issued a driver's license under this chapter during 822
the period for which the commercial driver's license was suspended 823
under this section, and no person whose commercial driver's 824
license is suspended under any section or chapter identified in 825
division (C)(1) of this section shall be issued a driver's license 826
under Chapter 4507. of the Revised Code during the period of the 827
suspension. 828

(3) No judge or mayor shall suspend any class one suspension, 829
or any portion of any class one suspension, imposed under section 830
2903.04, 2903.06, 2903.08, or 2921.331 of the Revised Code. No 831
judge or mayor shall suspend the first thirty days of any class 832
two, class three, class four, class five, or class six suspension 833
imposed under section 2903.06, 2903.08, 2903.11, 2923.02, or 834
2929.02 of the Revised Code. 835

(D) The judge of the court or mayor of the mayor's court 836
shall credit any time during which an offender was subject to an 837
administrative suspension of the offender's driver's or commercial 838
driver's license or permit or nonresident operating privilege 839

imposed pursuant to section 4511.191 or 4511.192 of the Revised Code or a suspension imposed by a judge, referee, or mayor pursuant to division (B)(1) or (2) of section 4511.196 of the Revised Code against the time to be served under a related suspension imposed pursuant to any section or chapter identified in division (C)(1) of this section.

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

(F)(1) If a court issues an immobilizing or disabling device order under section 4510.43 of the Revised Code, the order shall authorize the offender during the specified period to operate a motor vehicle only if it is equipped with an immobilizing or disabling device, except as provided in division (C) of that section. The court shall provide the offender with a copy of an immobilizing or disabling device order issued under section 4510.43 of the Revised Code, and the offender shall use the copy of the order in lieu of an Ohio driver's or commercial driver's license or permit until the registrar or a deputy registrar issues the offender a restricted license.

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

(2) An offender may present an immobilizing or disabling device order to the registrar or to a deputy registrar. Upon presentation of the order to the registrar or a deputy registrar, the registrar or deputy registrar shall issue the offender a restricted license. A restricted license issued under this division shall be identical to an Ohio driver's license, except

that it shall have printed on its face a statement that the 872
offender is prohibited during the period specified in the court 873
order from operating any motor vehicle that is not equipped with 874
an immobilizing or disabling device. The date of commencement and 875
the date of termination of the period of suspension shall be 876
indicated conspicuously upon the face of the license. 877

Sec. 4510.31. (A)(1) Except as provided in division (C) of 878
this section, the registrar of motor vehicles shall suspend the 879
probationary driver's license, restricted license, or temporary 880
instruction permit issued to any person when the person has been 881
convicted of, pleaded guilty to, or been adjudicated in juvenile 882
court of having committed, prior to the person's eighteenth 883
birthday, any of the following: 884

(a) Three separate violations of section 2903.06, 2903.08, 885
2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.20, 4511.201, 886
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 887
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised 888
Code, section 4510.14 of the Revised Code involving a suspension 889
imposed under section 4511.191 or 4511.196 of the Revised Code, 890
section 2903.04 of the Revised Code in a case in which the person 891
would have been subject to the sanctions described in division (D) 892
of that section had the person been convicted of the violation of 893
that section, former section 2903.07 of the Revised Code, or any 894
municipal ordinances similarly relating to the offenses referred 895
to in those sections; 896

(b) One violation of section 4511.19 of the Revised Code or a 897
substantially similar municipal ordinance; 898

(c) Two separate violations of any of the Revised Code 899
sections referred to in division (A)(1)(a) of this section, or any 900
municipal ordinance that is substantially similar to any of those 901
sections. 902

(2) Any person whose license or permit is suspended under 903
division (A)(1)(a), (b), or (c) of this section shall mail or 904
deliver the person's probationary driver's license, restricted 905
license, or temporary instruction permit to the registrar within 906
fourteen days of notification of the suspension. The registrar 907
shall retain the license or permit during the period of the 908
suspension. A suspension pursuant to division (A)(1)(a) of this 909
section shall be a class C suspension, a suspension pursuant to 910
division (A)(1)(b) of this section shall be a class D suspension, 911
and a suspension pursuant to division (A)(1)(c) of this section 912
shall be a class E suspension, all for the periods of time 913
specified in division (B) of section 4510.02 of the Revised Code. 914
If the person's probationary driver's license, restricted license, 915
or temporary instruction permit is under suspension on the date 916
the court imposes sentence upon the person for a violation 917
described in division (A)(1)(b) of this section, the suspension 918
shall take effect on the next day immediately following the end of 919
that period of suspension. If the person is sixteen years of age 920
or older and pleads guilty to or is convicted of a violation 921
described in division (A)(1)(b) of this section and the person 922
does not have a current, valid probationary driver's license, 923
restricted license, or temporary instruction permit, the registrar 924
shall deny the issuance to the person of a probationary driver's 925
license, restricted license, driver's license, commercial driver's 926
license, or temporary instruction permit, as the case may be, for 927
six months beginning on the date the court imposes sentence upon 928
the person for the violation. If the person has not attained the 929
age of sixteen years on the date the court imposes sentence upon 930
the person for the violation, the period of denial shall commence 931
on the date the person attains the age of sixteen years. 932

(3) The registrar shall suspend the person's license or 933
permit under division (A) of this section regardless of whether 934
the disposition of the case in juvenile court occurred after the 935

person's eighteenth birthday. 936

(B) The registrar also shall impose a class D suspension for 937
the period of time specified in division (B)(4) of section 4510.02 938
of the Revised Code of the temporary instruction permit or 939
probationary driver's license of any person under the age of 940
eighteen who has been adjudicated an unruly child, delinquent 941
child, or juvenile traffic offender for having committed any act 942
that if committed by an adult would be a drug abuse offense or a 943
violation of division (B) of section 2917.11 of the Revised Code. 944
The registrar, in the registrar's discretion, may terminate the 945
suspension if the child, at the discretion of the court, attends 946
and satisfactorily completes a drug abuse or alcohol abuse 947
education, intervention, or treatment program specified by the 948
court. Any person whose temporary instruction permit or 949
probationary driver's license is suspended under this division 950
shall mail or deliver the person's permit or license to the 951
registrar within fourteen days of notification of the suspension. 952
The registrar shall retain the permit or license during the period 953
of the suspension. 954

(C)(1) Except as provided in division (C)(3) of this section, 955
for any person who is convicted of, pleads guilty to, or is 956
adjudicated in juvenile court of having committed a second or 957
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 958
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 959
4511.75 of the Revised Code or any similar municipal ordinances 960
and whose license or permit is suspended under division (A)(1)(a) 961
or (c) of this section, the court in which the second or third 962
conviction, finding, plea, or adjudication resulting in the 963
suspension was made, upon petition of the person, may grant the 964
person limited driving privileges during the period during which 965
the suspension otherwise would be imposed under division (A)(1)(a) 966
or (c) of this section if the court finds reasonable cause to 967

believe that the suspension will seriously affect the person's 968
ability to continue in employment, educational training, 969
vocational training, or treatment. In granting the limited driving 970
privileges, the court shall specify the purposes, times, and 971
places of the privileges and may impose any other conditions upon 972
the person's driving a motor vehicle that the court considers 973
reasonable and necessary. 974

A court that grants limited driving privileges to a person 975
under this division shall retain the person's probationary 976
driver's license, restricted license, or temporary instruction 977
permit during the period the license or permit is suspended and 978
also during the period for which limited driving privileges are 979
granted, and shall deliver to the person a permit card, in a form 980
to be prescribed by the court, setting forth the date on which the 981
limited driving privileges will become effective, the purposes for 982
which the person may drive, the times and places at which the 983
person may drive, and any other conditions imposed upon the 984
person's use of a motor vehicle. 985

The court immediately shall notify the registrar, in writing, 986
of a grant of limited driving privileges under this division. The 987
notification shall specify the date on which the limited driving 988
privileges will become effective, the purposes for which the 989
person may drive, the times and places at which the person may 990
drive, and any other conditions imposed upon the person's use of a 991
motor vehicle. The registrar shall not suspend the probationary 992
driver's license, restricted license, or temporary instruction 993
permit of any person pursuant to division (A) of this section 994
during any period for which the person has been granted limited 995
driving privileges as provided in this division, if the registrar 996
has received the notification described in this division from the 997
court. 998

(2) Except as provided in division (C)(3) of this section, in 999

any case in which the temporary instruction permit or probationary driver's license of a person under eighteen years of age has been suspended under division (A) or (B) of this section or any other provision of law, the court may grant the person limited driving privileges for the purpose of the person's practicing of driving with the person's parent, guardian, or other custodian during the period of the suspension. Any grant of limited driving privileges under this division shall comply with division (D) of section 4510.021 of the Revised Code.

(3) A court shall not grant limited driving privileges to a person identified in division (C)(1) or (2) of this section if the person, within the preceding six years, has been convicted of, pleaded guilty to, or adjudicated in juvenile court of having committed three or more violations of one or more ~~of the divisions or sections set forth in divisions (G)(2)(b) to (g) of equivalent~~ offenses as defined in section ~~2919.22~~ 4511.181 of the Revised Code.

(D) If a person who has been granted limited driving privileges under division (C) of this section is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed, a violation of Chapter 4510. of the Revised Code, or a subsequent violation of any of the sections of the Revised Code listed in division (A)(1)(a) of this section or any similar municipal ordinance during the period for which the person was granted limited driving privileges, the court that granted the limited driving privileges shall suspend the person's permit card. The court or the clerk of the court immediately shall forward the person's probationary driver's license, restricted license, or temporary instruction permit together with written notification of the court's action to the registrar. Upon receipt of the license or permit and notification, the registrar shall impose a class C suspension of the person's probationary driver's license,

restricted license, or temporary instruction permit for the period 1032
of time specified in division (B)(3) of section 4510.02 of the 1033
Revised Code. The registrar shall retain the license or permit 1034
during the period of suspension, and no further limited driving 1035
privileges shall be granted during that period. 1036

(E) No application for a driver's or commercial driver's 1037
license shall be received from any person whose probationary 1038
driver's license, restricted license, or temporary instruction 1039
permit has been suspended under this section until each of the 1040
following has occurred: 1041

(1) The suspension period has expired; 1042

(2) A temporary instruction permit or commercial driver's 1043
license temporary instruction permit has been issued; 1044

(3) The person successfully completes a juvenile driver 1045
improvement program approved by the registrar under section 1046
4510.311 of the Revised Code; 1047

(4) The applicant has submitted to the examination for a 1048
driver's license as provided for in section 4507.11 or a 1049
commercial driver's license as provided in Chapter 4506. of the 1050
Revised Code. 1051

Section 2. That existing sections 2919.22, 3319.088, 3319.41, 1052
4510.13, and 4510.31 of the Revised Code are hereby repealed. 1053