

As Introduced

**124th General Assembly
Regular Session
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H. B. No. 377

REPRESENTATIVES Setzer, Faber, White, Carmichael, Webster, Lendrum

A B I L L

To amend section 4511.99 of the Revised Code to allow 1
nonprofit alcohol awareness programs and agencies 2
to utilize a percentage of fines imposed for 3
certain violations to inform the public of the laws 4
governing the operation of a motor vehicle while 5
under the influence of alcohol and other related 6
information. 7

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

Section 1. That section 4511.99 of the Revised Code be 8
amended to read as follows: 9

Sec. 4511.99. (A) Whoever violates division (A)(1), (2), (3), 10
or (4) of section 4511.19 of the Revised Code, in addition to the 11
license suspension or revocation provided in section 4507.16 of 12
the Revised Code and any disqualification imposed under section 13
4506.16 of the Revised Code, shall be punished as provided in 14
division (A)(1), (2), (3), or (4) of this section. Whoever 15
violates division (A)(5), (6), or (7) of section 4511.19 of the 16
Revised Code, in addition to the license suspension or revocation 17
provided in section 4507.16 of the Revised Code and any 18
disqualification imposed under section 4506.16 of the Revised 19
Code, shall be punished as provided in division (A)(5), (6), (7), 20

or (8) of this section. 21

(1) Except as otherwise provided in division (A)(2), (3), or 22
(4) of this section, the offender is guilty of a misdemeanor of 23
the first degree and the court shall sentence the offender to a 24
term of imprisonment of three consecutive days and may sentence 25
the offender pursuant to section 2929.21 of the Revised Code to a 26
longer term of imprisonment. In addition, the court shall impose 27
upon the offender a fine of not less than two hundred fifty and 28
not more than one thousand dollars. 29

The court may suspend the execution of the mandatory three 30
consecutive days of imprisonment that it is required to impose by 31
this division, if the court, in lieu of the suspended term of 32
imprisonment, places the offender on probation and requires the 33
offender to attend, for three consecutive days, a drivers' 34
intervention program that is certified pursuant to section 3793.10 35
of the Revised Code. The court also may suspend the execution of 36
any part of the mandatory three consecutive days of imprisonment 37
that it is required to impose by this division, if the court 38
places the offender on probation for part of the three consecutive 39
days; requires the offender to attend, for that part of the three 40
consecutive days, a drivers' intervention program that is 41
certified pursuant to section 3793.10 of the Revised Code; and 42
sentences the offender to a term of imprisonment equal to the 43
remainder of the three consecutive days that the offender does not 44
spend attending the drivers' intervention program. The court may 45
require the offender, as a condition of probation, to attend and 46
satisfactorily complete any treatment or education programs that 47
comply with the minimum standards adopted pursuant to Chapter 48
3793. of the Revised Code by the director of alcohol and drug 49
addiction services, in addition to the required attendance at a 50
drivers' intervention program, that the operators of the drivers' 51
intervention program determine that the offender should attend and 52

to report periodically to the court on the offender's progress in
the programs. The court also may impose any other conditions of
probation on the offender that it considers necessary.

Of the fine imposed pursuant to this division, twenty-five
dollars shall be paid to an enforcement and education fund
established by the legislative authority of the law enforcement
agency in this state that primarily was responsible for the arrest
of the offender, as determined by the court that imposes the fine.
This share shall be used by the law enforcement agency to pay only
those costs it incurs in enforcing section 4511.19 of the Revised
Code or a substantially similar municipal ordinance and by the law
enforcement agency and nonprofit alcohol awareness programs and
agencies in informing the public of the laws governing the
operation of a motor vehicle while under the influence of alcohol,
the dangers of operating a motor vehicle while under the influence
of alcohol, and other information relating to the operation of a
motor vehicle and the consumption of alcoholic beverages. Fifty
dollars of the fine imposed pursuant to this division shall be
paid to the political subdivision that pays the cost of housing
the offender during the offender's term of incarceration to the
credit of the fund that pays the cost of the incarceration. If the
offender was confined as a result of the offense prior to being
sentenced for the offense but is not sentenced to a term of
incarceration, the fifty dollars shall be paid to the political
subdivision that paid the cost of housing the offender during that
period of confinement. The political subdivision shall use this
share to pay or reimburse incarceration or treatment costs it
incurs in housing or providing drug and alcohol treatment to
persons who violate section 4511.19 of the Revised Code or a
substantially similar municipal ordinance and to pay for ignition
interlock devices and electronic house arrest equipment for
persons who violate that section. Twenty-five dollars of the fine

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imposed pursuant to this division shall be deposited into the 85
county indigent drivers alcohol treatment fund or municipal 86
indigent drivers alcohol treatment fund under the control of that 87
court, as created by the county or municipal corporation pursuant 88
to division (N) of section 4511.191 of the Revised Code. The 89
balance of the fine shall be disbursed as otherwise provided by 90
law. 91

(2)(a) Except as otherwise provided in division (A)(4) of 92
this section, the offender is guilty of a misdemeanor of the first 93
degree, and, except as provided in this division, the court shall 94
sentence the offender to a term of imprisonment of ten consecutive 95
days and may sentence the offender pursuant to section 2929.21 of 96
the Revised Code to a longer term of imprisonment if, within six 97
years of the offense, the offender has been convicted of or 98
pleaded guilty to one violation of the following: 99

(i) Division (A) or (B) of section 4511.19 of the Revised 100
Code; 101

(ii) A municipal ordinance relating to operating a vehicle 102
while under the influence of alcohol, a drug of abuse, or alcohol 103
and a drug of abuse; 104

(iii) A municipal ordinance relating to operating a vehicle 105
with a prohibited concentration of alcohol in the blood, breath, 106
or urine; 107

(iv) Section 2903.04 of the Revised Code in a case in which 108
the offender was subject to the sanctions described in division 109
(D) of that section; 110

(v) Division (A)(1) of section 2903.06 or division (A)(1) of 111
section 2903.08 of the Revised Code or a municipal ordinance that 112
is substantially similar to either of those divisions; 113

(vi) Division (A)(2), (3), or (4) of section 2903.06, 114
division (A)(2) of section 2903.08, or former section 2903.07 of 115

the Revised Code, or a municipal ordinance that is substantially similar to any of those divisions or that former section, in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(vii) A statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code.

As an alternative to the term of imprisonment required to be imposed by this division, but subject to division (A)(12) of this section, the court may impose upon the offender a sentence consisting of both a term of imprisonment of five consecutive days and not less than eighteen consecutive days of electronically monitored house arrest as defined in division (A) of section 2929.23 of the Revised Code. The five consecutive days of imprisonment and the period of electronically monitored house arrest shall not exceed six months. The five consecutive days of imprisonment do not have to be served prior to or consecutively with the period of electronically monitored house arrest.

In addition, the court shall impose upon the offender a fine of not less than three hundred fifty and not more than one thousand five hundred dollars.

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The cost of the treatment shall be paid by the offender.

Of the fine imposed pursuant to this division, thirty-five 148
dollars shall be paid to an enforcement and education fund 149
established by the legislative authority of the law enforcement 150
agency in this state that primarily was responsible for the arrest 151
of the offender, as determined by the court that imposes the fine. 152
This share shall be used by the law enforcement agency to pay only 153
those costs it incurs in enforcing section 4511.19 of the Revised 154
Code or a substantially similar municipal ordinance and by the law 155
enforcement agency and nonprofit alcohol awareness programs and 156
agencies in informing the public of the laws governing the 157
operation of a motor vehicle while under the influence of alcohol, 158
the dangers of operating a motor vehicle while under the influence 159
of alcohol, and other information relating to the operation of a 160
motor vehicle and the consumption of alcoholic beverages. One 161
hundred fifteen dollars of the fine imposed pursuant to this 162
division shall be paid to the political subdivision that pays the 163
cost of housing the offender during the offender's term of 164
incarceration. This share shall be used by the political 165
subdivision to pay or reimburse incarceration or treatment costs 166
it incurs in housing or providing drug and alcohol treatment to 167
persons who violate section 4511.19 of the Revised Code or a 168
substantially similar municipal ordinance and to pay for ignition 169
interlock devices and electronic house arrest equipment for 170
persons who violate that section, and shall be paid to the credit 171
of the fund that pays the cost of the incarceration. Fifty dollars 172
of the fine imposed pursuant to this division shall be deposited 173
into the county indigent drivers alcohol treatment fund or 174
municipal indigent drivers alcohol treatment fund under the 175
control of that court, as created by the county or municipal 176
corporation pursuant to division (N) of section 4511.191 of the 177
Revised Code. The balance of the fine shall be disbursed as 178
otherwise provided by law. 179

(b) Regardless of whether the vehicle the offender was 180
operating at the time of the offense is registered in the 181
offender's name or in the name of another person, the court, in 182
addition to the penalties imposed under division (A)(2)(a) of this 183
section and all other penalties provided by law and subject to 184
section 4503.235 of the Revised Code, shall order the 185
immobilization for ninety days of the vehicle the offender was 186
operating at the time of the offense and the impoundment for 187
ninety days of the identification license plates of that vehicle. 188
The order for the immobilization and impoundment shall be issued 189
and enforced in accordance with section 4503.233 of the Revised 190
Code. 191

(3)(a) Except as otherwise provided in division (A)(4) of 192
this section and except as provided in this division, if, within 193
six years of the offense, the offender has been convicted of or 194
pleaded guilty to two violations identified in division (A)(2) of 195
this section, the court shall sentence the offender to a term of 196
imprisonment of thirty consecutive days and may sentence the 197
offender to a longer definite term of imprisonment of not more 198
than one year. As an alternative to the term of imprisonment 199
required to be imposed by this division, but subject to division 200
(A)(12) of this section, the court may impose upon the offender a 201
sentence consisting of both a term of imprisonment of fifteen 202
consecutive days and not less than fifty-five consecutive days of 203
electronically monitored house arrest as defined in division (A) 204
of section 2929.23 of the Revised Code. The fifteen consecutive 205
days of imprisonment and the period of electronically monitored 206
house arrest shall not exceed one year. The fifteen consecutive 207
days of imprisonment do not have to be served prior to or 208
consecutively with the period of electronically monitored house 209
arrest. 210

In addition, the court shall impose upon the offender a fine 211

of not less than five hundred fifty and not more than two thousand
five hundred dollars.

In addition to any other sentence that it imposes upon the
offender, the court shall require the offender to attend an
alcohol and drug addiction program authorized by section 3793.02
of the Revised Code. The cost of the treatment shall be paid by
the offender. If the court determines that the offender is unable
to pay the cost of attendance at the treatment program, the court
may order that payment of the cost of the offender's attendance at
the treatment program be made from that court's indigent drivers
alcohol treatment fund.

Of the fine imposed pursuant to this division, one hundred
twenty-three dollars shall be paid to an enforcement and education
fund established by the legislative authority of the law
enforcement agency in this state that primarily was responsible
for the arrest of the offender, as determined by the court that
imposes the fine. This share shall be used by the law enforcement
agency to pay only those costs it incurs in enforcing section
4511.19 of the Revised Code or a substantially similar municipal
ordinance and by the law enforcement agency and nonprofit alcohol
awareness programs and agencies in informing the public of the
laws governing the operation of a motor vehicle while under the
influence of alcohol, the dangers of operating a motor vehicle
while under the influence of alcohol, and other information
relating to the operation of a motor vehicle and the consumption
of alcoholic beverages. Two hundred seventy-seven dollars of the
fine imposed pursuant to this division shall be paid to the
political subdivision that pays the cost of housing the offender
during the offender's term of incarceration. This share shall be
used by the political subdivision to pay or reimburse
incarceration or treatment costs it incurs in housing or providing
drug and alcohol treatment to persons who violate section 4511.19

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of the Revised Code or a substantially similar municipal ordinance 244
and to pay for ignition interlock devices and electronic house 245
arrest equipment for persons who violate that section and shall be 246
paid to the credit of the fund that pays the cost of 247
incarceration. The balance of the fine shall be disbursed as 248
otherwise provided by law. 249

(b) Regardless of whether the vehicle the offender was 250
operating at the time of the offense is registered in the 251
offender's name or in the name of another person, the court, in 252
addition to the penalties imposed under division (A)(3)(a) of this 253
section and all other penalties provided by law and subject to 254
section 4503.235 of the Revised Code, shall order the criminal 255
forfeiture to the state of the vehicle the offender was operating 256
at the time of the offense. The order of criminal forfeiture shall 257
be issued and enforced in accordance with section 4503.234 of the 258
Revised Code. 259

(4)(a)(i) If, within six years of the offense, the offender 260
has been convicted of or pleaded guilty to three or more 261
violations identified in division (A)(2) of this section, and if 262
sentence is not required to be imposed under division 263
(A)(4)(a)(ii) of this section, the offender is guilty of a felony 264
of the fourth degree and, notwithstanding division (A)(4) of 265
section 2929.14 of the Revised Code, may be sentenced to a 266
definite prison term that shall be not less than six months and 267
not more than thirty months. The court shall sentence the offender 268
in accordance with sections 2929.11 to 2929.19 of the Revised Code 269
and shall impose as part of the sentence either a mandatory term 270
of local incarceration of sixty consecutive days of imprisonment 271
in accordance with division (G)(1) of section 2929.13 of the 272
Revised Code or a mandatory prison term of sixty consecutive days 273
of imprisonment in accordance with division (G)(2) of that 274
section. If the court requires the offender to serve a mandatory 275

term of local incarceration of sixty consecutive days of 276
imprisonment in accordance with division (G)(1) of section 2929.13 277
of the Revised Code, the court, pursuant to section 2929.17 of the 278
Revised Code, may impose upon the offender a sentence that 279
includes a term of electronically monitored house arrest, provided 280
that the term of electronically monitored house arrest shall not 281
commence until after the offender has served the mandatory term of 282
local incarceration. 283

(ii) If the offender previously has been convicted of or 284
pleaded guilty to a violation of division (A) of section 4511.19 285
of the Revised Code under circumstances in which the violation was 286
a felony, regardless of when the prior violation and the prior 287
conviction or guilty plea occurred, the offender is guilty of a 288
felony of the third degree. The court shall sentence the offender 289
in accordance with sections 2929.11 to 2929.19 of the Revised Code 290
and shall impose as part of the sentence a mandatory prison term 291
of sixty consecutive days of imprisonment in accordance with 292
division (G)(2) of section 2929.13 of the Revised Code. 293

(iii) In addition to all other sanctions imposed on an 294
offender under division (A)(4)(a)(i) or (ii) of this section, the 295
court shall impose upon the offender, pursuant to section 2929.18 296
of the Revised Code, a fine of not less than eight hundred nor 297
more than ten thousand dollars. 298

In addition to any other sanction that it imposes upon the 299
offender under division (A)(4)(a)(i) or (ii) of this section, the 300
court shall require the offender to attend an alcohol and drug 301
addiction program authorized by section 3793.02 of the Revised 302
Code. The cost of the treatment shall be paid by the offender. If 303
the court determines that the offender is unable to pay the cost 304
of attendance at the treatment program, the court may order that 305
payment of the cost of the offender's attendance at the treatment 306
program be made from the court's indigent drivers alcohol 307

treatment fund. 308

Of the fine imposed pursuant to this division, two hundred 309
ten dollars shall be paid to an enforcement and education fund 310
established by the legislative authority of the law enforcement 311
agency in this state that primarily was responsible for the arrest 312
of the offender, as determined by the court that imposes the fine. 313
This share shall be used by the law enforcement agency to pay only 314
those costs it incurs in enforcing section 4511.19 of the Revised 315
Code or a substantially similar municipal ordinance and by the law 316
enforcement agency and nonprofit alcohol awareness programs and 317
agencies in informing the public of the laws governing operation 318
of a motor vehicle while under the influence of alcohol, the 319
dangers of operation of a motor vehicle while under the influence 320
of alcohol, and other information relating to the operation of a 321
motor vehicle and the consumption of alcoholic beverages. Four 322
hundred forty dollars of the fine imposed pursuant to this 323
division shall be paid to the political subdivision that pays the 324
cost of housing the offender during the offender's term of 325
incarceration. This share shall be used by the political 326
subdivision to pay or reimburse incarceration or treatment costs 327
it incurs in housing or providing drug and alcohol treatment to 328
persons who violate section 4511.19 of the Revised Code or a 329
substantially similar municipal ordinance and to pay for ignition 330
interlock devices and electronic house arrest equipment for 331
persons who violate that section, and shall be paid to the credit 332
of the fund that pays the cost of incarceration. The balance of 333
the fine shall be disbursed as otherwise provided by law. 334

(b) Regardless of whether the vehicle the offender was 335
operating at the time of the offense is registered in the 336
offender's name or in the name of another person, the court, in 337
addition to the sanctions imposed under division (A)(4)(a) of this 338
section and all other sanctions provided by law and subject to 339

section 4503.235 of the Revised Code, shall order the criminal
forfeiture to the state of the vehicle the offender was operating
at the time of the offense. The order of criminal forfeiture shall
be issued and enforced in accordance with section 4503.234 of the
Revised Code.

(c) As used in division (A)(4)(a) of this section, "mandatory
prison term" and "mandatory term of local incarceration" have the
same meanings as in section 2929.01 of the Revised Code.

If title to a motor vehicle that is subject to an order for
criminal forfeiture under this section is assigned or transferred
and division (C)(2) or (3) of section 4503.234 of the Revised Code
applies, in addition to or independent of any other penalty
established by law, the court may fine the offender the value of
the vehicle as determined by publications of the national auto
dealer's association. The proceeds from any fine imposed under
this division shall be distributed in accordance with division
(D)(4) of section 4503.234 of the Revised Code.

(5)(a) Except as otherwise provided in division (A)(6), (7),
or (8) of this section, the offender is guilty of a misdemeanor of
the first degree, and the court shall sentence the offender to one
of the following:

(i) A term of imprisonment of at least three consecutive days
and a requirement that the offender attend, for three consecutive
days, a drivers' intervention program that is certified pursuant
to section 3793.10 of the Revised Code;

(ii) If the court determines that the offender is not
conducive to treatment in the program, if the offender refuses to
attend the program, or if the place of imprisonment can provide a
drivers' intervention program, a term of imprisonment of at least
six consecutive days.

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(b) In addition, the court shall impose upon the offender a fine of not less than two hundred fifty and not more than one thousand dollars.

The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to Chapter 3793. of the Revised Code by the director of alcohol and drug addiction services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on the offender's progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

Of the fine imposed pursuant to this division, twenty-five dollars shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. The law enforcement agency shall use this share to pay only those costs it incurs in enforcing section 4511.19 of the Revised Code or a substantially similar municipal ordinance and by the law enforcement agency and nonprofit alcohol awareness programs and agencies in informing the public of the laws governing the operation of a motor vehicle while under the influence of alcohol, the dangers of operating a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. Fifty dollars of the fine imposed pursuant to this division shall be paid to the political subdivision that pays the cost of housing the offender during the offender's term of incarceration to the credit of the fund that pays the cost of the incarceration. The

political subdivision shall use this share to pay or reimburse 403
incarceration or treatment costs it incurs in housing or providing 404
drug and alcohol treatment to persons who violate section 4511.19 405
of the Revised Code or a substantially similar municipal ordinance 406
and to pay for ignition interlock devices and electronic house 407
arrest equipment for persons who violate that section. Twenty-five 408
dollars of the fine imposed pursuant to this division shall be 409
deposited into the county indigent drivers alcohol treatment fund 410
or municipal indigent drivers alcohol treatment fund under the 411
control of that court, as created by the county or municipal 412
corporation pursuant to division (N) of section 4511.191 of the 413
Revised Code. The balance of the fine shall be disbursed as 414
otherwise provided by law. 415

(6)(a) Except as otherwise provided in division (A)(8) of 416
this section and except as provided in this division, if, within 417
six years of the offense, the offender has been convicted of or 418
pleaded guilty to one violation of division (A) or (B) of section 419
4511.19 of the Revised Code, a municipal ordinance relating to 420
operating a vehicle while under the influence of alcohol, a drug 421
of abuse, or alcohol and a drug of abuse, a municipal ordinance 422
relating to operating a vehicle with a prohibited concentration of 423
alcohol in the blood, breath, or urine, section 2903.04 of the 424
Revised Code in a case in which the offender was subject to the 425
sanctions described in division (D) of that section, section 426
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 427
ordinance that is substantially similar to section 2903.07 of the 428
Revised Code in a case in which the jury or judge found that the 429
offender was under the influence of alcohol, a drug of abuse, or 430
alcohol and a drug of abuse, or a statute of the United States or 431
of any other state or a municipal ordinance of a municipal 432
corporation located in any other state that is substantially 433
similar to division (A) or (B) of section 4511.19 of the Revised 434
Code, the offender is guilty of a misdemeanor of the first degree, 435

and the court shall sentence the offender to a term of
imprisonment of twenty consecutive days and may sentence the
offender pursuant to section 2929.21 of the Revised Code to a
longer term of imprisonment. As an alternative to the term of
imprisonment required to be imposed by this division, but subject
to division (A)(12) of this section, the court may impose upon the
offender a sentence consisting of both a term of imprisonment of
ten consecutive days and not less than thirty-six consecutive days
of electronically monitored house arrest as defined in division
(A) of section 2929.23 of the Revised Code. The ten consecutive
days of imprisonment and the period of electronically monitored
house arrest shall not exceed six months. The ten consecutive days
of imprisonment do not have to be served prior to or consecutively
with the period of electronically monitored house arrest.

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In addition, the court shall impose upon the offender a fine
of not less than three hundred fifty and not more than one
thousand five hundred dollars.

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In addition to any other sentence that it imposes upon the
offender, the court may require the offender to attend a drivers'
intervention program that is certified pursuant to section 3793.10
of the Revised Code. If the officials of the drivers' intervention
program determine that the offender is alcohol dependent, they
shall notify the court, and the court shall order the offender to
obtain treatment through an alcohol and drug addiction program
authorized by section 3793.02 of the Revised Code. The offender
shall pay the cost of the treatment.

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Of the fine imposed pursuant to this division, thirty-five
dollars shall be paid to an enforcement and education fund
established by the legislative authority of the law enforcement
agency in this state that primarily was responsible for the arrest
of the offender, as determined by the court that imposes the fine.

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The law enforcement agency shall use this share to pay only those costs it incurs in enforcing section 4511.19 of the Revised Code or a substantially similar municipal ordinance and by the law enforcement agency and nonprofit alcohol awareness programs and agencies in informing the public of the laws governing the operation of a motor vehicle while under the influence of alcohol, the dangers of operating a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. One hundred fifteen dollars of the fine imposed pursuant to this division shall be paid to the political subdivision that pays the cost of housing the offender during the offender's term of incarceration. The political subdivision shall use this share to pay or reimburse incarceration or treatment costs it incurs in housing or providing drug and alcohol treatment to persons who violate section 4511.19 of the Revised Code or a substantially similar municipal ordinance and to pay for ignition interlock devices and electronic house arrest equipment for persons who violate that section, and this share shall be paid to the credit of the fund that pays the cost of the incarceration. Fifty dollars of the fine imposed pursuant to this division shall be deposited into the county indigent drivers alcohol treatment fund or municipal indigent drivers alcohol treatment fund under the control of that court, as created by the county or municipal corporation pursuant to division (N) of section 4511.191 of the Revised Code. The balance of the fine shall be disbursed as otherwise provided by law.

(b) Regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, the court, in addition to the penalties imposed under division (A)(6)(a) of this section and all other penalties provided by law and subject to

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section 4503.235 of the Revised Code, shall order the
immobilization for ninety days of the vehicle the offender was
operating at the time of the offense and the impoundment for
ninety days of the identification license plates of that vehicle.
The order for the immobilization and impoundment shall be issued
and enforced in accordance with section 4503.233 of the Revised
Code.

(7)(a) Except as otherwise provided in division (A)(8) of
this section and except as provided in this division, if, within
six years of the offense, the offender has been convicted of or
pleaded guilty to two violations of division (A) or (B) of section
4511.19 of the Revised Code, a municipal ordinance relating to
operating a vehicle while under the influence of alcohol, a drug
of abuse, or alcohol and a drug of abuse, a municipal ordinance
relating to operating a vehicle with a prohibited concentration of
alcohol in the blood, breath, or urine, section 2903.04 of the
Revised Code in a case in which the offender was subject to the
sanctions described in division (D) of that section, section
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal
ordinance that is substantially similar to section 2903.07 of the
Revised Code in a case in which the jury or judge found that the
offender was under the influence of alcohol, a drug of abuse, or
alcohol and a drug of abuse, or a statute of the United States or
of any other state or a municipal ordinance of a municipal
corporation located in any other state that is substantially
similar to division (A) or (B) of section 4511.19 of the Revised
Code, the court shall sentence the offender to a term of
imprisonment of sixty consecutive days and may sentence the
offender to a longer definite term of imprisonment of not more
than one year. As an alternative to the term of imprisonment
required to be imposed by this division, but subject to division
(A)(12) of this section, the court may impose upon the offender a

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sentence consisting of both a term of imprisonment of thirty
consecutive days and not less than one hundred ten consecutive
days of electronically monitored house arrest as defined in
division (A) of section 2929.23 of the Revised Code. The thirty
consecutive days of imprisonment and the period of electronically
monitored house arrest shall not exceed one year. The thirty
consecutive days of imprisonment do not have to be served prior to
or consecutively with the period of electronically monitored house
arrest.

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In addition, the court shall impose upon the offender a fine
of not less than five hundred fifty and not more than two thousand
five hundred dollars.

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In addition to any other sentence that it imposes upon the
offender, the court shall require the offender to attend an
alcohol and drug addiction program authorized by section 3793.02
of the Revised Code. The offender shall pay the cost of the
treatment. If the court determines that the offender is unable to
pay the cost of attendance at the treatment program, the court may
order that payment of the cost of the offender's attendance at the
treatment program be made from that court's indigent drivers
alcohol treatment fund.

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Of the fine imposed pursuant to this division, one hundred
twenty-three dollars shall be paid to an enforcement and education
fund established by the legislative authority of the law
enforcement agency in this state that primarily was responsible
for the arrest of the offender, as determined by the court that
imposes the fine. The law enforcement agency shall use this share
to pay only those costs it incurs in enforcing section 4511.19 of
the Revised Code or a substantially similar municipal ordinance
and by the law enforcement agency and nonprofit alcohol awareness
programs and agencies in informing the public of the laws
governing the operation of a motor vehicle while under the

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influence of alcohol, the dangers of operating a motor vehicle 564
while under the influence of alcohol, and other information 565
relating to the operation of a motor vehicle and the consumption 566
of alcoholic beverages. Two hundred seventy-seven dollars of the 567
fine imposed pursuant to this division shall be paid to the 568
political subdivision that pays the cost of housing the offender 569
during the offender's term of incarceration. The political 570
subdivision shall use this share to pay or reimburse incarceration 571
or treatment costs it incurs in housing or providing drug and 572
alcohol treatment to persons who violate section 4511.19 of the 573
Revised Code or a substantially similar municipal ordinance and to 574
pay for ignition interlock devices and electronic house arrest 575
equipment for persons who violate that section, and this share 576
shall be paid to the credit of the fund that pays the cost of 577
incarceration. The balance of the fine shall be disbursed as 578
otherwise provided by law. 579

(b) Regardless of whether the vehicle the offender was 580
operating at the time of the offense is registered in the 581
offender's name or in the name of another person, the court, in 582
addition to the penalties imposed under division (A)(7)(a) of this 583
section and all other penalties provided by law and subject to 584
section 4503.235 of the Revised Code, shall order the 585
immobilization for one hundred eighty days of the vehicle the 586
offender was operating at the time of the offense and the 587
impoundment for one hundred eighty days of the identification 588
license plates of that vehicle. The order for the immobilization 589
and impoundment shall be issued and enforced in accordance with 590
section 4503.233 of the Revised Code. 591

(8)(a)(i) If, within six years of the offense, the offender 592
has been convicted of or pleaded guilty to three or more 593
violations of division (A) or (B) of section 4511.19 of the 594
Revised Code, a municipal ordinance relating to operating a 595

vehicle while under the influence of alcohol, a drug of abuse, or
alcohol and a drug of abuse, a municipal ordinance relating to
operating a vehicle with a prohibited concentration of alcohol in
the blood, breath, or urine, section 2903.04 of the Revised Code
in a case in which the offender was subject to the sanctions
described in division (D) of that section, section 2903.06,
2903.07, or 2903.08 of the Revised Code or a municipal ordinance
that is substantially similar to section 2903.07 of the Revised
Code in a case in which the jury or judge found that the offender
was under the influence of alcohol, a drug of abuse, or alcohol
and a drug of abuse, or a statute of the United States or of any
other state or a municipal ordinance of a municipal corporation
located in any other state that is substantially similar to
division (A) or (B) of section 4511.19 of the Revised Code, and if
sentence is not required to be imposed under division
(A)(8)(a)(ii) of this section, the offender is guilty of a felony
of the fourth degree and, notwithstanding division (A)(4) of
section 2929.14 of the Revised Code, may be sentenced to a
definite prison term that shall be not less than six months and
not more than thirty months. The court shall sentence the offender
in accordance with sections 2929.11 to 2929.19 of the Revised Code
and shall impose as part of the sentence either a mandatory term
of local incarceration of one hundred twenty consecutive days of
imprisonment in accordance with division (G)(1) of section 2929.13
of the Revised Code or a mandatory prison term of one hundred
twenty consecutive days of imprisonment in accordance with
division (G)(2) of that section. If the court requires the
offender to serve a mandatory term of local incarceration of one
hundred twenty consecutive days of imprisonment in accordance with
division (G)(1) of section 2929.13 of the Revised Code, the court,
pursuant to section 2929.17 of the Revised Code, may impose upon
the offender a sentence that includes a term of electronically
monitored house arrest, provided that the term of electronically

monitored house arrest shall not commence until after the offender
has served the mandatory term of local incarceration.

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(ii) If the offender previously has been convicted of or
pleaded guilty to a violation of division (A) of section 4511.19
of the Revised Code under circumstances in which the violation was
a felony, regardless of when the prior violation and the prior
conviction or guilty plea occurred, the offender is guilty of a
felony of the third degree. The court shall sentence the offender
in accordance with sections 2929.11 to 2929.19 of the Revised Code
and shall impose as part of the sentence a mandatory prison term
of one hundred twenty consecutive days of imprisonment in
accordance with division (G)(2) of section 2929.13 of the Revised
Code.

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(iii) In addition to all other sanctions imposed on an
offender under division (A)(8)(a)(i) or (ii) of this section, the
court shall impose upon the offender, pursuant to section 2929.18
of the Revised Code, a fine of not less than eight hundred nor
more than ten thousand dollars.

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In addition to any other sanction that it imposes upon the
offender under division (A)(8)(a)(i) or (ii) of this section, the
court shall require the offender to attend an alcohol and drug
addiction program authorized by section 3793.02 of the Revised
Code. The cost of the treatment shall be paid by the offender. If
the court determines that the offender is unable to pay the cost
of attendance at the treatment program, the court may order that
payment of the cost of the offender's attendance at the treatment
program be made from the court's indigent drivers alcohol
treatment fund.

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Of the fine imposed pursuant to this division, two hundred
ten dollars shall be paid to an enforcement and education fund
established by the legislative authority of the law enforcement

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agency in this state that primarily was responsible for the arrest
of the offender, as determined by the court that imposes the fine.
The law enforcement agency shall use this share to pay only those
costs it incurs in enforcing section 4511.19 of the Revised Code
or a substantially similar municipal ordinance and by the law
enforcement agency and nonprofit alcohol awareness programs and
agencies in informing the public of the laws governing operation
of a motor vehicle while under the influence of alcohol, the
dangers of operation of a motor vehicle while under the influence
of alcohol, and other information relating to the operation of a
motor vehicle and the consumption of alcoholic beverages. Four
hundred forty dollars of the fine imposed pursuant to this
division shall be paid to the political subdivision that pays the
cost of housing the offender during the offender's term of
incarceration. The political subdivision shall use this share to
pay or reimburse incarceration or treatment costs it incurs in
housing or providing drug and alcohol treatment to persons who
violate section 4511.19 of the Revised Code or a substantially
similar municipal ordinance and to pay for ignition interlock
devices and electronic house arrest equipment for persons who
violate that section, and this share shall be paid to the credit
of the fund that pays the cost of incarceration. The balance of
the fine shall be disbursed as otherwise provided by law.

(b) Regardless of whether the vehicle the offender was
operating at the time of the offense is registered in the
offender's name or in the name of another person, the court, in
addition to the sanctions imposed under division (A)(8)(a) of this
section and all other sanctions provided by law and subject to
section 4503.235 of the Revised Code, shall order the criminal
forfeiture to the state of the vehicle the offender was operating
at the time of the offense. The order of criminal forfeiture shall
be issued and enforced in accordance with section 4503.234 of the

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(c) As used in division (A)(8)(a) of this section, "mandatory
prison term" and "mandatory term of local incarceration" have the
same meanings as in section 2929.01 of the Revised Code.

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(d) If title to a motor vehicle that is subject to an order
for criminal forfeiture under this section is assigned or
transferred and division (C)(2) or (3) of section 4503.234 of the
Revised Code applies, in addition to or independent of any other
penalty established by law, the court may fine the offender the
value of the vehicle as determined by publications of the national
auto dealer's association. The proceeds from any fine imposed
under this division shall be distributed in accordance with
division (D)(4) of section 4503.234 of the Revised Code.

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(9)(a) Except as provided in division (A)(9)(b) of this
section, upon a showing that imprisonment would seriously affect
the ability of an offender sentenced pursuant to division (A)(1),
(2), (3), (4), (5), (6), (7), or (8) of this section to continue
the offender's employment, the court may authorize that the
offender be granted work release from imprisonment after the
offender has served the three, six, ten, twenty, thirty, or sixty
consecutive days of imprisonment or the mandatory term of local
incarceration of sixty or one hundred twenty consecutive days that
the court is required by division (A)(1), (2), (3), (4), (5), (6),
(7), or (8) of this section to impose. No court shall authorize
work release from imprisonment during the three, six, ten, twenty,
thirty, or sixty consecutive days of imprisonment or the mandatory
term of local incarceration or mandatory prison term of sixty or
one hundred twenty consecutive days that the court is required by
division (A)(1), (2), (3), (4), (5), (6), (7), or (8) of this
section to impose. The duration of the work release shall not
exceed the time necessary each day for the offender to commute to

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and from the place of employment and the place of imprisonment and
the time actually spent under employment.

(b) An offender who is sentenced pursuant to division (A)(2),
(3), (6), or (7) of this section to a term of imprisonment
followed by a period of electronically monitored house arrest is
not eligible for work release from imprisonment, but that person
shall be permitted work release during the period of
electronically monitored house arrest. The duration of the work
release shall not exceed the time necessary each day for the
offender to commute to and from the place of employment and the
offender's home or other place specified by the sentencing court
and the time actually spent under employment.

(10) Notwithstanding any section of the Revised Code that
authorizes the suspension of the imposition or execution of a
sentence, the placement of an offender in any treatment program in
lieu of imprisonment, or the use of a community control sanction
for an offender convicted of a felony, no court shall suspend the
ten, twenty, thirty, or sixty consecutive days of imprisonment
required to be imposed on an offender by division (A)(2), (3),
(6), or (7) of this section, no court shall place an offender who
is sentenced pursuant to division (A)(2), (3), (4), (6), (7), or
(8) of this section in any treatment program in lieu of
imprisonment until after the offender has served the ten, twenty,
thirty, or sixty consecutive days of imprisonment or the mandatory
term of local incarceration or mandatory prison term of sixty or
one hundred twenty consecutive days required to be imposed
pursuant to division (A)(2), (3), (4), (6), (7), or (8) of this
section, no court that sentences an offender under division (A)(4)
or (8) of this section shall impose any sanction other than a
mandatory term of local incarceration or mandatory prison term to
apply to the offender until after the offender has served the
mandatory term of local incarceration or mandatory prison term of

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sixty or one hundred twenty consecutive days required to be 757
imposed pursuant to division (A)(4) or (8) of this section, and no 758
court that imposes a sentence of imprisonment and a period of 759
electronically monitored house arrest upon an offender under 760
division (A)(2), (3), (6), or (7) of this section shall suspend 761
any portion of the sentence or place the offender in any treatment 762
program in lieu of imprisonment or electronically monitored house 763
arrest. Notwithstanding any section of the Revised Code that 764
authorizes the suspension of the imposition or execution of a 765
sentence or the placement of an offender in any treatment program 766
in lieu of imprisonment, no court, except as specifically 767
authorized by division (A)(1) or (5) of this section, shall 768
suspend the three or more consecutive days of imprisonment 769
required to be imposed by division (A)(1) or (5) of this section 770
or place an offender who is sentenced pursuant to division (A)(1) 771
or (5) of this section in any treatment program in lieu of 772
imprisonment until after the offender has served the three or more 773
consecutive days of imprisonment required to be imposed pursuant 774
to division (A)(1) or (5) of this section. 775

(11) No court shall sentence an offender to an alcohol 776
treatment program pursuant to division (A)(1), (2), (3), (4), (5), 777
(6), (7), or (8) of this section unless the treatment program 778
complies with the minimum standards adopted pursuant to Chapter 779
3793. of the Revised Code by the director of alcohol and drug 780
addiction services. 781

(12) No court shall impose the alternative sentence of a term 782
of imprisonment plus a term of electronically monitored house 783
arrest permitted to be imposed by division (A)(2), (3), (6), or 784
(7) of this section, unless within sixty days of the date of 785
sentencing, the court issues a written finding, entered into the 786
record, that due to the unavailability of space at the 787
incarceration facility where the offender is required to serve the 788

term of imprisonment imposed upon the offender, the offender will 789
not be able to commence serving the term of imprisonment within 790
the sixty-day period following the date of sentencing. If the 791
court issues such a written finding, the court may impose the 792
alternative sentence comprised of a term of imprisonment and a 793
term of electronically monitored house arrest permitted to be 794
imposed by division (A)(2), (3), (6), or (7) of this section. 795

(B) Whoever violates section 4511.192, 4511.251, or 4511.85 796
of the Revised Code is guilty of a misdemeanor of the first 797
degree. The court, in addition to or independent of all other 798
penalties provided by law, may suspend for a period not to exceed 799
one year the driver's or commercial driver's license or permit or 800
nonresident operating privilege of any person who pleads guilty to 801
or is convicted of a violation of section 4511.192 of the Revised 802
Code. 803

(C) Whoever violates section 4511.63, 4511.76, 4511.761, 804
4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code is 805
guilty of one of the following: 806

(1) Except as otherwise provided in division (C)(2) of this 807
section, a minor misdemeanor. 808

(2) If the offender previously has been convicted of or 809
pleaded guilty to one or more violations of section 4511.63, 810
4511.76, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the 811
Revised Code or a municipal ordinance that is substantially 812
similar to any of those sections, a misdemeanor of the fourth 813
degree. 814

(D)(1) Whoever violates any provision of sections 4511.01 to 815
4511.76 or section 4511.84 of the Revised Code, for which no 816
penalty otherwise is provided in this section is guilty of one of 817
the following: 818

(a) Except as otherwise provided in division (D)(1)(b), 819

(1)(c), (2), (3), or (4) of this section, a minor misdemeanor; 820

(b) If, within one year of the offense, the offender 821
previously has been convicted of or pleaded guilty to one 822
violation of any provision of sections 4511.01 to 4511.76 or 823
section 4511.84 of the Revised Code for which no penalty otherwise 824
is provided in this section or a municipal ordinance that is 825
substantially similar to any provision of sections 4511.01 to 826
4511.76 or section 4511.84 of the Revised Code for which no 827
penalty otherwise is provided in this section, a misdemeanor of 828
the fourth degree; 829

(c) If, within one year of the offense, the offender 830
previously has been convicted of or pleaded guilty to two or more 831
violations of any provision described in division (D)(1)(b) of 832
this section or any municipal ordinance that is substantially 833
similar to any of those provisions, a misdemeanor of the third 834
degree. 835

(2) When any person is found guilty of a first offense for a 836
violation of section 4511.21 of the Revised Code upon a finding 837
that the person operated a motor vehicle faster than thirty-five 838
miles an hour in a business district of a municipal corporation, 839
or faster than fifty miles an hour in other portions, or faster 840
than thirty-five miles an hour while passing through a school zone 841
during recess or while children are going to or leaving school 842
during the opening or closing hours, the person is guilty of a 843
misdemeanor of the fourth degree. 844

(3) Notwithstanding section 2929.21 of the Revised Code, upon 845
a finding that such person operated a motor vehicle in a 846
construction zone where a sign was then posted in accordance with 847
section 4511.98 of the Revised Code, the court, in addition to all 848
other penalties provided by law, shall impose a fine of two times 849
the usual amount imposed for the violation. No court shall impose 850
a fine of two times the usual amount imposed for the violation 851

upon an offender who alleges, in an affidavit filed with the court 852
prior to the offender's sentencing, that the offender is indigent 853
and is unable to pay the fine imposed pursuant to this division, 854
provided the court determines the offender is an indigent person 855
and is unable to pay the fine. 856

(4) Notwithstanding section 2929.21 of the Revised Code, upon 857
a finding that a person operated a motor vehicle in violation of 858
division (C) of section 4511.213 of the Revised Code, the court, 859
in addition to all other penalties provided by law, shall impose a 860
fine of two times the usual amount imposed for the violation. 861
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(E) Whenever a person is found guilty in a court of record of 863
a violation of section 4511.761, 4511.762, or 4511.77 of the 864
Revised Code, the trial judge, in addition to or independent of 865
all other penalties provided by law, may suspend for any period of 866
time not exceeding three years, or revoke the license of any 867
person, partnership, association, or corporation, issued under 868
section 4511.763 of the Revised Code. 869

(F) Whoever violates division (E) or (F) of section 4511.51, 870
division (A), (D), or (E) of section 4511.521, section 4511.681, 871
division (A) or (C) of section 4511.69, section 4511.772, or 872
division (A) or (B) of section 4511.82 of the Revised Code is 873
guilty of a minor misdemeanor. 874

(G) Whoever violates division (A) of section 4511.75 of the 875
Revised Code may be fined an amount not to exceed five hundred 876
dollars. A person who is issued a citation for a violation of 877
division (A) of section 4511.75 of the Revised Code is not 878
permitted to enter a written plea of guilty and waive the person's 879
right to contest the citation in a trial, but instead must appear 880
in person in the proper court to answer the charge. 881

(H)(1) Whoever is a resident of this state and violates 882

division (A) or (B) of section 4511.81 of the Revised Code shall
be punished as follows:

(a) Except as otherwise provided in division (H)(1)(b) of
this section, the offender is guilty of a minor misdemeanor.

(b) If the offender previously has been convicted of or
pleaded guilty to a violation of division (A) or (B) of section
4511.81 of the Revised Code or of a municipal ordinance that is
substantially similar to either of those divisions, the offender
is guilty of a misdemeanor of the fourth degree.

(2) Whoever is not a resident of this state, violates
division (A) or (B) of section 4511.81 of the Revised Code, and
fails to prove by a preponderance of the evidence that the
offender's use or nonuse of a child restraint system was in
accordance with the law of the state of which the offender is a
resident is guilty of a minor misdemeanor on a first offense; on a
second or subsequent offense, that person is guilty of a
misdemeanor of the fourth degree.

(3) All fines imposed pursuant to division (H)(1) or (2) of
this section shall be forwarded to the treasurer of state for
deposit in the "child highway safety fund" created by division (G)
of section 4511.81 of the Revised Code.

(I) Whoever violates section 4511.202 of the Revised Code is
guilty of operating a motor vehicle without being in control of
it, a minor misdemeanor.

(J) Whoever violates division (B) of section 4511.74,
division (B)(1), (2), or (3), (C), or (E)(1), (2), or (3) of
section 4511.83 of the Revised Code is guilty of a misdemeanor of
the first degree.

(K) Except as otherwise provided in this division, whoever
violates division (E) of section 4511.11, division (A) or (C) of
section 4511.17, or section 4511.18 of the Revised Code is guilty

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of a misdemeanor of the third degree. If a violation of division
(A) or (C) of section 4511.17 of the Revised Code creates a risk
of physical harm to any person, the offender is guilty of a
misdemeanor of the first degree. A violation of division (A) or
(C) of section 4511.17 of the Revised Code that causes serious
physical harm to property that is owned, leased, or controlled by
a state or local authority is a felony of the fifth degree.

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(L) Whoever violates division (H) of section 4511.69 of the
Revised Code shall be punished as follows:

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(1) Except as otherwise provided in division (L)(2) of this
section, the offender shall be issued a warning.

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(2) If the offender previously has been convicted of or
pleaded guilty to a violation of division (H) of section 4511.69
of the Revised Code or of a municipal ordinance that is
substantially similar to that division, the offender shall not be
issued a warning but shall be fined twenty-five dollars for each
parking location that is not properly marked or whose markings are
not properly maintained.

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(M) Whoever violates division (A)(1) or (2) of section
4511.45 of the Revised Code is guilty of a misdemeanor of the
fourth degree on a first offense; on a second offense within one
year after the first offense, the person is guilty of a
misdemeanor of the third degree; and on each subsequent offense
within one year after the first offense, the person is guilty of a
misdemeanor of the second degree.

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(N)(1) Whoever violates division (B) of section 4511.19 of
the Revised Code is guilty of operating a motor vehicle after
under-age alcohol consumption and shall be punished as follows:

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(a) Except as otherwise provided in division (N)(1)(b) of
this section, the offender is guilty of a misdemeanor of the
fourth degree.

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(b) The offender is guilty of a misdemeanor of the third degree if, within one year of the offense, the offender has been convicted of or pleaded guilty to any violation of the following:	945 946 947
(i) Division (A) or (B) of section 4511.19 of the Revised Code;	948 949
(ii) A municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;	950 951 952
(iii) A municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine;	953 954 955
(iv) Section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section;	956 957 958
(v) Division (A)(1) of section 2903.06 or division (A)(1) of section 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to either of those divisions;	959 960 961
(vi) Division (A)(2), (3), or (4) of section 2903.06 or division (A)(2) of section 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to any of those divisions, or former section 2903.07 of the Revised Code or a substantially similar municipal ordinance, in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;	962 963 964 965 966 967 968
(vii) A statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code.	969 970 971 972
(2) In addition to or independent of all other penalties provided by law, the offender's driver's or commercial driver's	973 974

license or permit or nonresident operating privilege shall be 975
suspended in accordance with, and for the period of time specified 976
in, division (E) of section 4507.16 of the Revised Code. 977

(O) Whoever violates section 4511.62 of the Revised Code is 978
guilty of a misdemeanor of the fourth degree. 979

(P) Whoever violates division (F)(1)(a) or (b) of section 980
4511.69 of the Revised Code is guilty of a misdemeanor and shall 981
be fined not less than two hundred fifty nor more than five 982
hundred dollars, but in no case shall an offender be sentenced to 983
any term of imprisonment. 984

Arrest or conviction for a violation of division (F)(1)(a) or 985
(b) of section 4511.69 of the Revised Code does not constitute a 986
criminal record and need not be reported by the person so arrested 987
or convicted in response to any inquiries contained in any 988
application for employment, license, or other right or privilege, 989
or made in connection with the person's appearance as a witness. 990

Every fine collected under this division shall be paid by the 991
clerk of the court to the political subdivision in which the 992
violation occurred. Except as provided in this division, the 993
political subdivision shall use the fine moneys it receives under 994
this division to pay the expenses it incurs in complying with the 995
signage and notice requirements contained in division (E) of 996
section 4511.69 of the Revised Code. The political subdivision may 997
use up to fifty per cent of each fine it receives under this 998
division to pay the costs of educational, advocacy, support, and 999
assistive technology programs for persons with disabilities, and 1000
for public improvements within the political subdivision that 1001
benefit or assist persons with disabilities, if governmental 1002
agencies or nonprofit organizations offer the programs. 1003

Section 2. That existing section 4511.99 of the Revised Code 1004
is hereby repealed. 1005