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H.B. 203*
136th General Assembly

Bill Analysis

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Version: As Reported by House Judiciary

Primary Sponsors: Reps. T. Hall and Williams

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SUMMARY

- Increases the penalties for vehicular manslaughter and vehicular assault that are the proximate result of speeding or the commission of a traffic offense in an active school zone.
- Authorizes a court to double the fine for certain traffic offenses that occur in a school-adjacent sector.
- Authorizes a court to require an offender who committed vehicular homicide or assault in an active school zone to complete a remedial driving course prior to reinstating that offender's driver's license.
- Establishes requirements governing the posting of signage in school zones warning motorists of the bill's increased penalties.
- Entitles the bill "Aspen Runnels Law."

DETAILED ANALYSIS

Introduction

The bill establishes new requirements for traffic offenses committed within an active school zone or within a school-adjacent sector. In general, it increases certain penalties for an offender who commits vehicular manslaughter or vehicular assault in an active school zone involving speeding or another moving traffic violation. It also increases penalties for traffic violations committed in a school-adjacent sector (a specified portion of an active school zone) that do not involve killing or causing serious physical harm to another person. Finally, it requires

* This analysis was prepared before the report of the House Judiciary Committee appeared in the House Journal. Note that the legislative history may be incomplete.

the installation of certain signage in school zones notifying the public of the bill's increased penalties.

Under current law, a school zone generally means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway. The speed limit in a school zone is 20 m.p.h. during the times the school zone is active. A school zone is active when school zone speed limit signs are erected and children:

1. Are arriving or leaving school during opening or closing hours; or
2. Are at recess.[1]

Vehicular manslaughter

As indicated above, the bill increases the penalties for vehicular manslaughter (causing the death of another person as the proximate result of actions taken while operating a vehicle) when the offense takes place in an active school zone. In particular, the penalties increase if an offender commits the vehicular manslaughter in an active school zone and the offense involves speeding or committing another traffic violation in the school zone.[2]

The tables below provide an overview of the differences between the base penalties in current law and under the bill for vehicular manslaughter that is the proximate result of speeding in an active school zone and committing another moving traffic offense in an active school zone. The base penalties in the tables increase under certain circumstances. For example, if an offender commits the offense while driving under a suspended driver's license or has a similar prior offense, penalties are increased. However, these potential increased penalties are not reflected in the table. Only the base penalties are included.

[1] R.C. 4511.01(NNNN) and 4511.21(B).

[2] While the bill adds an express prohibition against aggravated vehicular homicide in an active school zone involving reckless operation, it does not increase the penalties for aggravated vehicular homicide when the offense involves impaired driving (OVI) or reckless operation in a school zone. The base penalties for an OVI-related aggravated vehicular homicide under current law and the bill are a second degree felony, up to a $15,000 fine, and a class 2 suspension (three years to life) of the offender's driver's license. The base penalties for reckless aggravated vehicular homicide are a third degree felony, up to a $10,000 fine, and class 2 suspension (three years to life) of an offender's driver's license. The base penalties for aggravated vehicular homicide can increase depending on the circumstances, including the number of prior offenses committed by the offender. R.C. 2903.06(A)(1) and (2).

Vehicular manslaughter: speeding		
Penalty	**Current law[3]**	**Under the bill: speeding in an active school zone[4]**
Degree of offense	1st degree misdemeanor	4th degree felony
Financial sanctions	Up to $1,000	Up to $5,000
Confinement	Jail term: Up to 90 days (15-day mandatory jail term)	Prison term: between 6 to 18 months
Driver's license suspension	Class 4 suspension (1 to 5 years)	Class 3 suspension (2 years to 10 years)

Vehicular manslaughter: traffic offenses		
Penalty	**Current law[5]**	**Under the bill: traffic offenses in an active school zone[6]**
Degree of offense	2nd degree misdemeanor	4th degree felony
Financial sanctions	Up to $750	Up to $5,000
Confinement	Jail term: Up to 90 days	Prison term: between 6 to 18 months
Driver's license suspension	Class 6 suspension (3 months to 2 years)	Class 3 suspension (2 years to 10 years)

Vehicular assault

Like vehicular manslaughter, the bill increases the penalties for vehicular assault (causing serious physical harm to another person as the proximate result of actions taken while operating a vehicle) when the offense takes place in an active school zone. In particular, the penalties

[3] R.C. 2903.06(A)(3)(b) and (C); R.C. 2929.28(A)(2)(a)(ii), 2929.24(A)(2), and 4510.02, not in the bill.

[4] R.C. 2903.06(A)(3)(c) and (D)(2)(a) and (4); R.C. 2929.18(A)(3)(d), 2929.14(A)(4), and 4510.02, not in the bill.

[5] R.C. 2903.06(A)(4)(a) and (D)(3); R.C. 2929.28(A)(2)(a)(ii), 2929.24(A)(2), and 4510.02, not in the bill.

[6] R.C. 2903.06(A)(4)(b), (D)(2)(a) and (4); R.C. 2929.18(A)(3)(d), 2929.14(A)(4), and 4510.02, not in the bill.

increase if an offender commits the offense in an active school zone and the offense involves speeding or committing a traffic violation in the school zone.[7]

The tables below provide an overview of the differences between the penalties in current law and under the bill for vehicular assault that is the proximate result of speeding in an active school zone and committing another traffic offense in an active school zone. The base penalties in the tables increase under certain circumstances. For example, if an offender commits the offense while driving under a suspended driver's license or has a similar prior offense, penalties are increased. However, these potential increased penalties are not reflected in the table. Only the base penalties are included.

Vehicular assault: speeding		
Penalty	**Current law[8]**	**Under the bill: speeding in an active school zone[9]**
Degree of offense	1st degree misdemeanor	5th degree felony
Financial sanctions	Up to $1,000	Up to $2,500
Confinement	Up to 180 days (mandatory 7-day jail term)	Prison term: between 6 to 12 months
Driver's license suspension	Class 4 suspension (1 to 5 years)	Same as current law

[7] While the bill adds an express prohibition against aggravated vehicular homicide in an active school zone involving reckless operation, it does not increase the penalties for aggravated vehicular assault when the offense involves impaired driving (OVI) or vehicular assault involving reckless operation in a school zone. The base penalties for an OVI-related aggravated vehicular assault under current law and the bill are a third degree felony, up to a $10,000 fine, and a class 3 suspension (two to ten years) of the offender's driver's license. The base penalties for reckless vehicular assault are a fourth degree felony, up to a $5,000 fine, and class 4 suspension (one to five years) of an offender's driver's license. The base penalties for aggravated vehicular assault and reckless vehicular assault can increase depending on the circumstances, including the number of prior offenses committed by the offender. R.C. 2903.08(A)(1) and (2).

[8] R.C. 2903.08(A)(3)(a), (C)(3)(a) and (C)(3)(d); R.C. 2929.28(A)(2)(a)(i), 2929.24(A)(1), and 4510.02, not in the bill.

[9] R.C. 2903.08(A)(3)(b), (C)(3)(b), and (C)(3)(d); R.C. 2929.18(A)(3)(e), 2929.14(A)(5), and 4510.02, not in the bill.

Vehicular assault: traffic offenses		
Penalty	**Current Law**	**Under the bill: traffic offenses in an active school zone[10]**
Degree of offense	No specific penalties provided for vehicular assault that proximately results from a traffic offense (other than speeding) in a school zone	5th degree felony
Financial sanctions		Up to $2,500
Confinement		Prison term: between 6 to 12 months
Driver's license suspension		Class 4 suspension (1 to 5 years)

Traffic offenses in a school-adjacent sector

School-adjacent sector

The bill creates and designates a portion of an active school zone that is more likely to have increased pedestrian traffic as a "school-adjacent sector." A school-adjacent sector is the portion of a street or highway within an active school zone to which either of the following applies:

1. The portion includes a crosswalk abutting school property that is used by pedestrians to access the school property; or

2. The portion is surrounded by school property on both sides of the street or highway.[11]

Traffic offenses that apply in school-adjacent sectors

The bill allows a court to impose an enhanced penalty that applies when a person commits certain traffic violations while in a school-adjacent sector (even if the offense does not result in the death or serious physical harm of another person). Specifically, a court may impose a fine of two times the usual amount, which is generally up to $150, for all the traffic offenses listed in the table below.

Traffic offenses in a school-adjacent sector	
Description	**Citation**
Failing to comply with the requirements for proceeding through an intersection with a malfunctioning traffic control signal	R.C. 4511.132

[10] R.C. 2903.08(A)(3)(c). Also, see footnote 9.

[11] R.C. 4511.01(OOOO).

Traffic offenses in a school-adjacent sector	
Description	**Citation**
Reckless operation	R.C. 4511.20
Operating a vehicle without reasonable control	R.C. 4511.202
Use of an electronic wireless communication device (EWCD) while driving	R.C. 4511.204
Use of EWCD while driving by a person under 18	R.C. 4511.205
Speeding[12]	R.C. 4511.21
Operating a vehicle on the wrong side of the road, unless an exception applies	R.C. 4511.25
Street racing	R.C. 4511.251
Failing to give half of the roadway to a vehicle proceeding in the opposite direction	R.C. 4511.26
Violating the requirements for passing a vehicle proceeding in the same direction	R.C. 4511.27, 4511.28, and 4511.29
Driving left-of-center where prohibited	R.C. 4511.30 and 4511.31
Driving the wrong direction on a one-way road or through a rotary traffic island	R.C. 4511.32
Failing to comply with lane requirements	R.C. 4511.33
Following another vehicle more closely than is reasonable, or violating a specified requirement for following another vehicle	R.C. 4511.34

[12] The bill exempts an offender who is indigent from paying a doubled fine for speeding in a school-adjacent sector. R.C. 4511.21(P)(5).

Traffic offenses in a school-adjacent sector	
Description	**Citation**
On a divided highway, operating a vehicle other than on the right side or operating over, across, or within the dividing space	R.C. 4511.35
Failing to comply with the law governing turning at an intersection or any traffic control device that indicates how to turn at an intersection	R.C. 4511.36
Proceeding in the wrong direction, upon a curve or near the crest of a grade, if the vehicle cannot be seen within 500 feet by any driver	R.C. 4511.37
Starting a vehicle before movement may be made with reasonable safety; backing up without exercising vigilance	R.C. 4511.38
Turning or changing lanes without exercising due care; failing to use a turn or stop signal	R.C. 4511.39
Failing to comply with the provisions of law governing vehicle right-of-way	R.C. 4511.41 and 4511.42
Failing to abide by a stop sign or yield sign	R.C. 4511.43
Failing to stop before crossing a sidewalk or entering a street from an alley, building, private road, or driveway	R.C. 4511.431
Failing to yield the right-of-way before entering or crossing a highway	R.C. 4511.44
Failing to yield the right-of-way to a pedestrian on a sidewalk	R.C. 4511.441
Failing to yield the right-of-way to a pedestrian where the right-of-way is unclear	R.C. 4511.46
Permitting a person on a bicycle, coaster, roller skates, sled, or other toy vehicle to attach to a vehicle	R.C. 4511.54
Driving through a safety zone	R.C. 4511.60
Driving a vehicle on a sidewalk	R.C. 4511.711

Traffic offenses in a school-adjacent sector	
Description	**Citation**
Obstructing an intersection, crosswalk, or railroad-grade crossing	R.C. 4511.712

Driver's license reinstatement

Remedial instruction course

Under the bill, when an offender's driver's license is suspended as a result of a conviction for vehicular manslaughter or vehicular assault in an active school zone, a court may prohibit the offender from being eligible for driver's license reinstatement or limited driving privileges until the offender completes a remedial driving instruction course and provides proof of financial responsibility. The Director of Public Safety must prescribe the course content in accordance with the following parameters:

- At least 25% of the number of hours of instruction must be devoted to instruction on driver attitude;
- An offender must attend at least 50% of the course in-person; and
- The course must include a specified number of hours, determined by the Director, devoted to instruction in the area of school zone safety and operation of a motor vehicle in active school zones.[13]

Proof of financial responsibility

In addition to completing the remedial driving instruction course, the court may require an offender to provide and maintain proof of financial responsibility, as generally required under current law for reinstatement of a driver's license after it has been suspended. Under current law, a person must continuously maintain proof of financial responsibility throughout the registration period of a motor vehicle, or if not the owner of the vehicle, must have such proof with respect to the person's operation of the vehicle.[14]

Signs in active school zones

The bill requires the Department of Transportation (ODOT), boards of county commissioners, and boards of township trustees to install signs in areas that become active school zones. The ODOT Director must adopt rules governing the posting of the signs, which must advise motorists that increased penalties apply for certain traffic offenses occurring in an active

[13] R.C. 4510.039.

[14] R.C. 4510.039; R.C. 4509.101 and 4509.45, not in the bill.

school zone. The Director also must establish guidelines for where the signs are most appropriate that may include the following considerations:

- The number of students who typically walk to the school rather than arrive on buses or by motor vehicles;
- The existence of any unusual or hazardous conditions;
- The speed limit of the highways adjacent to the school when the active school zone speed limit is not in effect;
- The volume of traffic on the street or highway; and
- Any other appropriate factors.[15]

"Aspen Runnels' Law"

The bill is officially named Aspen Runnels' Law.[16]

HISTORY

Action	Date
Introduced	03-26-25
Reported, H. Judiciary	---

ANHB0203RH-136/ts

[15] R.C. 2903.081 and 5501.27(B)(3).

[16] Section 3.