

Ohio Administration Code 4501-7 (Revised January 8, 2004)

Changes Summarized:

4501-7-01 Definitions.

(O) "Driver training school" or "school" means each facility where driver training is conducted. A driver training school:

(3) A board of education of a city, exempted village, local, or joint vocational school district or the governing board of an educational service center that offers a driver education course for high school students enrolled in the district or in a district served by the educational service center.

4501-7-02 Place of business.

(B)(1) The office of a driver training enterprise shall:

(d) Have access to a computer, printer, e-mail and the internet.

4501-7-05 Application and renewal of licenses for instructors and training managers.

(A) No person shall give instruction for hire in the operation of a motor vehicle unless such person is the holder of a current and valid instructor's license issued by the director. **Instructor candidates completing the forty-hour training requirement may student teach with the training manager supervising from the back seat.**

(D) Each person applying for a driver training instructor or training manager license shall make application in writing to the department on a form prescribed by the director. Original applications for driver training instructor or manager licenses shall include:

(3) Two photographs of the applicant that measure one and one-half inches square showing neck, shoulders, and uncovered head and taken not more than sixty days prior to the date of the application. Photographs shall not be permanently attached to any material. The photographs will be used to create an identification card. **The photographs shall not be required to be submitted if the Department can obtain the photograph for the instructor from records obtained by the bureau of motor vehicles.**

(9) The enterprise or organization that completed the training for three years shall maintain records of the instructors and training managers trained. Dates, times, and curriculum used shall be kept on file for inspection.

(L) In addition to the requirements set forth in paragraph (K) of this rule, an applicant for a driver training manager license shall also demonstrate that the applicant has held a valid class "D" driver instructor license for at least three years. This provision shall not apply to any person who has taken the approved driver training manager course prior to the effective date of this rule.

4501-7-10 Training required for the operation of motor vehicles other than commercial motor vehicles.

(A) The requirements in this rule apply to authorizing officials, training managers and instructors training students in the operation of motor vehicles other than commercial motor vehicles. Instruction of drivers seeking to obtain or maintain a class D operator's license shall conform to this rule.

(3) When a student operates a motor vehicle on the public highways, a licensed instructor shall be in the vehicle seated beside the driver. **The instructor shall have the identification card created by the department in the instructor's possession.**

(a) Instructor candidates who have completed at least thirty-two hours of training can teach up to two hours of behind-the-wheel instructions for one student with the training manager supervising from the back seat. A lesson plan and route sheet provided by the training manager will be used during the lesson.

(4) During times of behind-the-wheel instruction, use of any items or behavior that cause unreasonable distraction shall be prohibited. No eating or drinking by students shall be permitted in the vehicle during times of instruction or while the vehicle is in motion.

(B) The following requirements apply to authorizing officials, training managers, and instructors training beginning drivers who are between the ages of fifteen years and six months of age and eighteen years of age.

(2) The instruction shall include dissemination of materials regarding anatomical gifts and anatomical gift procedures as specified in R.C. 4508.021 that are created or approved by the second chance trust fund advisory committee created under section 2108.17 of the Revised Code.

(12)(a) (i) The final examination shall be administered and graded by a licensed instructor, and the knowledge it measures shall be representative of the entire scope of knowledge of the driver training curriculum and of motor vehicle laws.

These laws are summarized in the "Digest of Ohio Motor Vehicle Laws."

Accommodations may be made for the final test to assist students with confirmed learning difficulties.

(13) The classroom environment shall be maintained in a manner that is conducive to learning. In maintaining an environment that is conducive to learning the school shall give consideration to the appropriate class size, the appropriate methods of maintaining discipline, and any other relevant factors.

4501-7-12 Training agreements.

(A) A written agreement shall be established between the student **and the student's parent or legal guardian** and the driver training enterprise prior to the start of any training. Verbal agreements are prohibited. Evidence of a written agreement shall be maintained on file in the school office.

(B) All written agreements shall contain the following:

(10) The statement, "Driver training schools are licensed by the Department of Public Safety through the Governor's Highway Safety Office, 1970 West Broad Street, Columbus, Ohio 43223."

4501-7-13 Records.

(A) Each school shall maintain the following records for three years from the date the record was finalized.

(8) The enterprise or organization that completed the training for three years shall maintain records of the instructors and training managers trained. Dates, times, location of training, and curriculum used shall be kept on file for inspection.

Ohio Administration Code 4501-7 (Revised January 8, 2004) Complete Document

4501-7-01 Definitions.

(A) "Applicant" means any person applying for a license to be an authorizing official for a driver training school, an instructor, or a training manager.

(B) "Authorizing official" or "official" means any person who owns or who maintains responsibility on behalf of an individual, corporation, business trust, estate, trust, partnership, or an association for the facilities, equipment, instructors, managers and other employees of a driver training enterprise.

(C) "Beginning driver" means any person being trained to drive a particular class of motor vehicle who has not been previously licensed to drive that motor vehicle by any state or country.

(D) "Behind-the-wheel instruction" means that portion of a driver training course which is devoted to teaching a student driving skill, provided to a student who is operating an approved motor vehicle, and presented by a licensed instructor.

(E) "Certificate of completion" or "certificate" means a certificate furnished by the department to a licensed driver training enterprise and issued by the enterprise to students under age eighteen who have completed the required twenty-four hours of classroom instruction and eight hours of behind-the-wheel training to the satisfaction of the school's authorizing official or training manager as required by section 4508.02(C) of the Revised Code.

(F) "Chargeable crash" means a conviction of, a guilty plea to, a finding of guilty following a plea of no contest to, or the forfeiture of any bail or collateral deposited to secure an appearance for a moving traffic violation as a result of a motor vehicle crash.

(G) "Classroom" means any room within a driver training school used to teach students driver knowledge.

(H) "Classroom instruction" means that portion of a driver training course that is devoted to teaching driver knowledge and which does not include the student's operation of a motor vehicle.

(I) "Commercial driver license" means a license issued in accordance with

Chapter 4506. of the Revised Code that authorizes an individual to drive a commercial motor vehicle.

(J) “Commercial motor vehicle” means any motor vehicle designed or used to transport persons or property that meets the qualifications listed in division (E) of section

4506.01 of the Revised Code.

(K) “Current textbook or workbook” means a book published within the past ten years containing information for safe and responsible driver practices and used as part of an approved driver training curriculum.

(L) “Department” means the Ohio department of public safety.

(M) “Director” means the director of the Ohio department of public safety as set forth section 121.03(G) of the Revised Code, or the director’s designee.

(N) “Driver license” or “operator license” means a class D license issued to any person to operate a motor vehicle, other than a commercial motor vehicle, including a “probationary license” or a “restricted license” as defined in 4507.01(A) of the Revised Code.

(O) “Driver training school” or “school” means each facility where driver training is conducted. A driver training school:

(1) A business enterprise conducted by a person for the training of persons to operate motor vehicles that use public streets or highways to provide training and charges a fee for such services.

(2) A lead school district as provided in section 4508.09 of the Revised Code.

(3) A board of education of a city, exempted village, local, or joint vocational school district or the governing board of an educational service center that offers a driver education course for high school students enrolled in the district or in a district served by the educational service center.

(P) “Dual control brake” means two devices in a single motor vehicle, either of which will safely stop the motor vehicle. One device shall be a brake operated by the driver of the motor vehicle. The second device shall be a brake that can be operated by the front seat passenger of the motor vehicle.

(Q) “Enterprise” or “driver training enterprise” means a person, as defined in section 1.59 of the Revised Code, who operates a school, as defined in this chapter, for the training of persons in the operation of motor vehicles using public streets or highways.

(R) “Instructor” means any person, whether acting for self as operator of a driver training school or for such a school, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.

(S) “Manager’s course” means a course of instruction designated by the director to train driver training school authorizing officials and training managers to instruct a school’s instructors and to administer the operations of a school or driver training enterprise.

(T) “Office” means a room used for conducting school business and storing school records which meets the requirements specified in rule 4501-7-02 of the administrative code.

(U) “Original school application” means an application submitted by an enterprise

or lead school district for a school that has not previously been licensed to operate a driver training school at that location, or an application for renewal received or postmarked after November thirtieth in a given calendar year for renewal of the school license for the calendar year which begins the following January first.

(V) “Original instructor or training manager application” means an application for a license for an instructor or training manager that is submitted by a person who has not previously been licensed as a driver training instructor or training manager, or an application for renewal of a person’s driver training instructor or training manager license that is received by the director after December thirty-first in the calendar year that occurs one year after the date of expiration of the last license issued to that person.

(W) “Ownership” means the legal right of possession; proprietorship.

(1) A change in ownership of an enterprise or school includes the conveyance by a partner of his interest in the partnership that results in the dissolution of the partnership.

(2) A change in ownership of an enterprise or school does not include the conveyance by a partner of his interest to another when such conveyance does not dissolve the partnership.

(X) “Person” means an individual, corporation, business trust, estate, trust, partnership, or association as defined in section 1.59 of the Revised Code.

(Y) “Person with a disability” or “disabled person” means any person who, in the opinion of the registrar of motor vehicles, is afflicted with or suffering from a physical or mental disability or disease that prevents the person, in the absence of special training or equipment, from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle upon the highways. A person with a disability is not a person who is or who has been subject to any condition resulting in episodic impairment of consciousness or loss of muscular control and whose condition, in the opinion of the registrar, is dormant or is sufficiently under medical control that the person is capable of exercising reasonable and ordinary control over a motor vehicle. A student who is deaf is not a person with a disability for purposes of this chapter.

(Z) “Range” or “driving range” means an off-highway site designed for training motor vehicle drivers that does not permit traffic to pass through the site, except that ranges for commercial motor vehicles may include only other vehicles being used in training.

(AA) “Residence” means any dwelling used or occupied as living quarters, whether or not on a full-time basis. A residence does not include an unattached structure upon a residential property that has a separate means of ingress and egress.

(BB) “Training manager” or “manager” means a person designated by an authorizing official of a driver training enterprise to carry out orders, instruct, and conduct the business and manage the training program of a school including the training and supervision of instructors.

(CC) “Teacher’s driving institute” means any educational institute operated or sponsored by a college or university for the purpose of training instructors in the field of driver education and training which offers credit hours or a certificate for

satisfactory completion of a course that is comparable to the training provided by the department.

4501-7-02 Place of business.

(A) The established place of business of each driver training enterprise shall be owned, leased, or rented by the driver training enterprise. A driver training enterprise shall maintain at least one fixed geographic location in which a school is operated and where training is conducted, and each enterprise shall maintain at least one office in a fixed geographic location where records are maintained and at least one classroom where students are instructed. A single business enterprise may own and operate more than one school. Any facility used as a driver training school shall be inspected and approved by the director prior to its use as a school. A copy of the rental or lease agreement or deed for the property shall be kept on file with the school records. The use of a mobile or modular structure as a driver training school shall be prohibited unless the structure is installed on a permanent foundation.

(B) Neither a school nor its office shall consist of a house trailer; tent; temporary stand; post office box; rooming house or apartment. Neither a school nor its office shall be located within a residence or a room in a hotel or motel. No driver training enterprise may share any office or classroom with any other driver training enterprise unless the same person owns both. The place of business shall be occupied only by the driver training school during times of classroom instruction.

(1) The office of a driver training enterprise shall:

- (a) Have space adequate to maintain the required records, interview clients, and display the school license.
- (b) Have a permanent wall of sufficient construction to prevent distractions and noise in the classroom. If no permanent wall exists, the office shall remain closed for business during classroom instruction.
- (c) Be located in the same county as or in a county adjacent to the school for which student records are being stored.
- (d) Have access to a computer, printer, e-mail and the internet.

(2) Schools shall contain a classroom that:

- (a) Will comfortably accommodate at least ten students and an instructor, and have sufficient space to contain tables and chairs or desks for all students.
- (b) Is equipped with a variety of audio and/or visual training aids that support the course curriculum.
- (c) Is reasonably free of visible and/or audible distractions and shall present an atmosphere adequate for learning.
- (d) Has a clean and functional restroom that is available for student use within its facility.
- (e) Conforms to all federal, state, and local fire, building and safety regulations.

4501-7-03 Character and fitness.

(A) Any person connected in any manner with a driver training enterprise,

including but not limited to an owner, partner, training manager, instructor, or authorizing official, shall be of good character and reputation.

(B) The conviction of any of the above persons of a felony, as specified in section 2929.11 of the Revised Code, or an equivalent conviction from another jurisdiction, or any misdemeanor i or ii as specified in section 2929.21 of the Revised Code, which is reasonably related to a person's ability to serve safely and honestly in connection with a driver training enterprise, or an equivalent conviction from another jurisdiction, shall be grounds to deny issuing or renewing a license or grounds for suspending or revoking a previously issued license.

(C) Every person connected in any manner with a driver training enterprise, including but not limited to an owner, partner, training manager, office manager, instructor, or authorizing official, shall comply with all applicable state and federal laws which prohibit discrimination based upon race, color, national origin, sex, age, handicap, disability, ancestry or religion.

(D) The director may deny the issuance of a license to any person if the person applying for a license has had a driver training school, training manager, or instructor license revoked or denied within the five years immediately preceding the current filing for an application or renewal.

(E) No training manager or authorizing official shall knowingly permit any training manager or instructor of the enterprise who is physically or mentally unfit to be in contact with students.

(1) Any person who applies for or holds a driver training instructor's, authorizing official's school, or training manager's license shall submit to an examination of that person's physical or mental fitness when the director or the school's training manager or enterprise's authorizing official has evidence to believe the instructor, official, or manager may not be mentally or physically fit to instruct students or operate a motor vehicle.

(2) Any person who applies for or holds a driver training instructor's or training manager's license shall notify the authorizing official of any driver training enterprise with which the person is affiliated of any injury, any physical or mental impairment, or any drug or medicine the person is taking that gives good cause to believe such injury, impairment, drug or medicine may affect that instructor's or manager's ability to drive or to effectively and safely instruct students or manage training.

4501-7-04 Application for and renewal of driver training school licenses.

(A) No person shall establish a driver training enterprise or allow such enterprise to continue unless the authorizing official first applies for and obtains from the director a license for a driver training school. The authorizing official shall ensure the driver training school, its business enterprise, and its instructors and training managers operate in compliance with Chapter 4508. of the Revised Code and Chapter 4501-7 of the Administrative Code as well as all other applicable local, state, and federal laws. No motorcycle training or motorcycle safety program is administered under this chapter of the Administrative Code.

(B) Each authorizing official applying for a school license shall make application in writing to the department on a form prescribed and designated by the director.

(C) No driver training enterprise established after July 1, 2001, may share the same name as any other driver training enterprise unless the same person owns both.

(D) Driver training school licenses shall be issued by the director in one of two categories:

(1) Class D license school – schools training students in the operation of motor vehicles for class D operator’s licenses as defined in Chapter 4507. of the Revised Code, or

(2) Commercial driver license school – schools training students in the operation of commercial motor vehicles for commercial driver licenses in class A, B, or C as defined in Chapter 4506 of the Revised Code.

(E) Each authorizing official applying for an original school license shall:

(1) Include a fee of two hundred-fifty dollars;

(2) Complete and submit the form supplied by the director;

(3) Identify the person or persons who are the licensed training manager and the authorizing official for the school;

(4) Submit a criminal abstract of the authorizing official provided by the bureau of criminal identification and investigation and dated by the bureau of criminal identification and investigation not more than sixty days prior to the date the application is received by the director;

(5) Submit a copy of the training manager’s certificate of training showing the training manager has completed, within the past ten years, a driver training school manager’s course approved by the director;

(6) Certify the applicant will operate the driver training enterprise and its school in compliance with all applicable laws of the Revised Code, the administrative code, and all other applicable local, state, and federal laws.

(F) An original school license expires on December thirty-first of the year it is issued and may be renewed.

(G) Each authorizing official applying for a renewal school license shall:

(1) Include a fee of fifty dollars;

(2) Complete the form supplied by the director;

(3) Identify the person or persons who serve as the licensed training manager and the authorizing official for the school;

(4) Certify the applicant will operate the driver training enterprise and its school in compliance with all applicable laws of the Revised Code, the Administrative Code, and all other applicable local, state, and federal laws.

(5) Ensure the department receives the renewal application or that it is postmarked no later than November thirtieth of the year the license expires.

(H) If a renewal application is not postmarked or received by the director at least thirty days prior to the expiration of the current school license, the authorizing official shall submit an application for an original school license in accordance with paragraph (E) of this rule.

(I) No authorizing official shall change the school’s name, ownership, or school location without prior notification to the director.

(1) Any person to whom the ownership of a driver training enterprise is to be conveyed shall submit an original license application in accordance with

paragraph (E) of this rule. The application for an original license shall be submitted to and approved by the director prior to the conveyance of ownership.

(2) Any person to whom an interest in ownership is conveyed that does not constitute a change of ownership as defined in rule 4501-7-01 of the administrative code shall submit

an application for conveyance of interest to the director along with the documents required in paragraph (e) (2), (3), and (4) of this rule.

(3) No fees will be assessed for changing the location of a school or the name of a driver training enterprise.

(J) All license fees shall be in the form of a check or money order made payable to the treasurer of the state of Ohio.

(K) No person shall submit an application that is incomplete or incorrect or which contains false or misleading information. An incomplete or incorrect application may be rejected or returned to the applicant. An application containing false or misleading information may be denied.

(L) If a driver training enterprise or school closes or discontinues business for any reason, the authorizing official shall return the school license to the director immediately.

4501-7-05 Application and renewal of licenses for instructors and training managers.

(A) No person shall give instruction for hire in the operation of a motor vehicle unless such person is the holder of a current and valid instructor's license issued by the director. Instructor candidates completing the forty-hour training requirement may student teach with the training manager supervising from the back seat.

(B) Instructor licenses are issued in one of these classes:

(1) Instructors for class D operators – licensed instructors who teach any part of a curriculum, including classroom and behind-the-wheel instruction, for the operation of motor vehicles to persons learning to operate a motor vehicle other than a commercial motor vehicle.

(2) Instructors for commercial drivers – licensed instructors who teach any part of a curriculum, including classroom and behind-the-wheel instruction, for the operation of commercial motor vehicles as defined in division (e) of section 4506.01 of the Revised Code.

(3) Restricted instructors for commercial drivers – licensed instructors who may teach driver knowledge in the classroom but who are not permitted to instruct students on the driving range or behind the wheel of a commercial motor vehicle. Restricted instructors are not required to possess or maintain a commercial driver license.

(C) Training managers shall be licensed instructors and shall have completed a course approved by the director for driver training school managers.

(D) Each person applying for a driver training instructor or training manager license shall make application in writing to the department on a form prescribed by the director. Original applications for driver training instructor or manager

licenses shall include:

(1) A fee of twenty-five dollars in the form of a check or money order made payable to the treasurer of the state of Ohio.

(2) A criminal abstract provided by the bureau of criminal identification and investigation and dated by the bureau of criminal identification and investigation not more than sixty days prior to the date the director receives the application.

(3) Two photographs of the applicant that measure one and one-half inches square showing neck, shoulders, and uncovered head and taken not more than sixty days prior to the date of the application. Photographs shall not be permanently attached to any material. The photographs will be used to create an identification card. The photographs shall not be required to be submitted if the Department can obtain the photograph for the instructor from records obtained by the bureau of motor vehicles.

(4) The applicant's driving record abstract obtained from the records maintained by the bureau of motor vehicles, or a similar agency from another state if the applicant has an out-of-state license. The abstract shall be dated no more than sixty days prior to the date the application is received by the director, and the abstract must show the applicant has a current and valid license to operate a motor vehicle.

(5) Certification from an Ohio driver examiner that the applicant has passed the required driver training instructor testing. Testing includes:

(a) A vision screening.

(b) A knowledge test that includes questions testing the applicant's knowledge of Chapter 4501-7 of the Administrative Code, road signs, the care and operation of motor vehicles, and the "Digest of Ohio Motor Vehicle Laws."

(c) A driving skills test that is an examination of the applicant's skill in the operation of a motor vehicle. The driving skills test will be administered as follows:

i) Applicants for an instructor license for class D operators shall take a skill examination in a motor vehicle other than a commercial motor vehicle or a motorcycle.

ii) Applicants for an instructor license for commercial drivers shall take a skill examination in the class of vehicle for which the applicant intends to train.

iii) Applicants for a restricted instructor license for commercial drivers shall be required to take a skill examination in a motor vehicle other than a commercial motor vehicle or a motorcycle.

(6) Proof the applicant has completed, within the ten years immediately preceding the application for an instructor license, an approved forty-hour instructor's course in driver

training or a valid copy of a state of Ohio department of education certificate with a driver training endorsement issued pursuant to the provisions of sections 3319.22 to 3319.31 of the Revised Code. Such certificate shall be valid at the time of applying for a driver training instructor license. The forty-hour instructor's course in driver training shall have been conducted by one of the following:

(a) College or university,

- (b) Teacher's driving institute,
- (c) Program approved by the department,
- (d) A course provided by a licensed driver training school under the direction of a licensed training manager.

(7) A statement from a licensed physician that the applicant is in sound physical and mental health; that the applicant does not have any injury or physical or mental impairment, and that the applicant is not under the influence of or addicted to any drug or medicine which may affect that applicant's ability to drive or to effectively and safely instruct students or manage training. The statement shall be presented with the application on a form prescribed by the director.

(8) The signature of the enterprise's authorizing official.

(9) The enterprise or organization that completed the training for three years shall maintain records of the instructors and training managers trained. Dates, times, and curriculum used shall be kept on file for inspection.

(E) Every training manager applicant shall submit proof the manager has completed a course for driver training school managers that has been approved by the director.

(F) Each applicant for an original instructor's license to train behind the wheel of commercial motor vehicles shall also:

(1) Show proof of being licensed as the operator of a commercial motor vehicle for at least three years;

(2) Possess a valid commercial driver's license that is legal for the operation of all vehicles in which the instructor trains students.

(G) All instructor and training manager licenses expire on December thirty-first of the year the license is issued, and a license may be renewed annually upon application to the director.

(H) All instructor and training manager license renewal applications may be filed without penalty if filed within one year from the date of expiration of the last license issued, but such license will be effective no sooner than the date it is approved by the director.

(I) Any application for an instructor's or manager's license received by the director more than one year after the last license expired shall be submitted as an original application.

(J) Each applicant seeking renewal of an instructor's or manager's license shall make application in writing to the department on a form prescribed by the director. Applications for license renewal shall include:

(1) A fee of ten dollars in the form of a check or money order made payable to the treasurer of the state of Ohio.

(2) The applicant's driving record abstract obtained from the records maintained by the bureau of motor vehicles, or a similar agency from another state if the applicant has an out-of-state license. The abstract shall be dated no more than sixty days prior to the date the application is received by the director, and the abstract shall show the applicant has a current and valid license to operate a motor vehicle.

(3) The signature of the authorizing official of the driver training school with

which the applicant is affiliated.

(K) Each applicant for a driver training instructor's or training manager's license shall:

(1) Certify the applicant has been licensed as the operator of a motor vehicle for at least five years.

(2) Possess a valid driver's license to operate the class of motor vehicle for which the applicant will instruct or is instructing, except that applicants for a restricted instructor's license shall be required to possess only a class D operator's license.

(3) Certify that the applicant is in sound physical and mental health, that the applicant does not have any injury or physical or mental impairment, and that the applicant is not under the influence of or addicted to any drug or medicine which may affect that applicant's ability to drive or to effectively and safely instruct students or manage training.

(4) Have a record free of convictions for a felony, defined in section 2929.11 of the Revised Code, or an equivalent conviction from another jurisdiction, within the last ten

years and free of a misdemeanor i or ii, defined in section 2929.21 of the Revised Code, which is reasonably related to a person's ability to serve safely and honestly in connection with a driver training enterprise, or an equivalent conviction from another jurisdiction, within the last five years.

(5) Have a driving record free of any of the following:

(a) Three or more chargeable crashes within the three years preceding the date of application;

(b) Three or more moving violation convictions under chapter 4511. Of the Revised Code, or an equivalent conviction from another jurisdiction, within the three

years preceding the date of application;

(c) An accumulation of six points or more under chapter 4507. Of the Revised Code, or equivalent action from another jurisdiction, within the preceding three years;

(d) A twelve-point administrative suspension under section 4507.021 of the Revised Code, or equivalent action from another jurisdiction, within the ten years preceding the date of application.

(L) In addition to the requirements set forth in paragraph (K) of this rule, an applicant for a driver training manager license shall also demonstrate that the applicant has held a valid class "D" driver instructor license for at least three years. This provision shall not apply to any person who has taken the approved driver training manager course prior to the effective date of this rule.

(M) An instructor or training manager shall notify the enterprise's authorizing official in writing within ten days if any of the following occur:

(1) The instructor or training manager receives a moving traffic violation conviction;

(2) The instructor or training manager is involved in a chargeable crash;

(3) The instructor or training manager is convicted of a charge that assesses points against the applicant's license;

(4) The instructor or training manager receives any driver license suspension,

cancellation, or revocation;

(5) The instructor or training manager is convicted of any criminal charge listed in this rule.

(N) The authorizing official or training manager shall notify the director in writing within ten days of the official's or manager's receipt of notice that an instructor's or manager's criminal or traffic conviction, crash, or driver license suspension, revocation, or cancellation may disqualify the instructor or manager for licensing under this rule.

(O) The director may refuse to issue or renew or may suspend, revoke, or place on probation the license of any instructor or training manager upon notice of that person's conviction for any offense for which that person may be disqualified under this rule.

(P) The director may refuse to issue or renew or may suspend, revoke, or place on probation a license upon notice of an offense determined by the director to be of a nature or severity inconsistent with the standards expected of an instructor or training manager which is committed beyond the periods provided herein.

(Q) No person shall submit an application that is incomplete or incorrect or which contains false or misleading information. An incomplete or incorrect application may be rejected or returned to the applicant. An application containing false or misleading information may be denied.

(R) Every licensed instructor applying for an endorsement to teach driver training to persons with a disability shall make application in writing to the director. Such application shall be accompanied by a certificate of successful completion of a course approved by the director for training drivers with a disability. In order to maintain current certification, an instructor shall show proof the instructor has received continuing education every three years in training drivers with a disability.

(S) No authorizing official or training manager shall allow a person to instruct driver training unless the person has applied for and obtained an instructor's license in the manner and form prescribed by the director.

(T) Every training manager shall complete an advanced training course once every three years and shall, upon request from the director, provide proof of the satisfactory completion of such training.

(1) The course shall be one approved by the director or the course shall be one of continued education in driver training or training management conducted by a college, university, or a national driver training organization.

(2) The proof of satisfactory completion shall be in a manner or form prescribed by the director.

(3) The director shall provide a list of approved courses upon request. In addition to the list, the director may approve, on an individual basis, additional conferences, workshops, or seminars, including a driving dynamics or defensive driving course, in satisfaction of this requirement.

(U) The director may amend a license application form at any time.

4501-7-06 Qualifications for instructing persons with a disability.

(A) No school shall offer behind-the-wheel training programs for persons with a

disability unless that school employs a driver training instructor who is certified by the director to provide training for persons with a disability. No instructor shall provide behind-the-wheel training to a student with a disability unless that instructor has been certified by the director to train persons with a disability.

(B) A medically based hospital or rehabilitation facility that offers instruction for persons with a disability shall appoint an authorizing official who shall apply for a driver training school license for each driver training facility or school it operates. The school may offer only behind-the-wheel driver training and may refer students under the age of eighteen to another licensed driver training school for the required classroom instruction. The school shall also employ instructors certified to provide driver training instruction for persons with a disability, and only certified instructors may provide driver training.

(1) The authorizing official or training manager of the driver training school at a hospital or rehabilitation facility shall maintain complete records of each student's training at that school. If the school operated by a hospital or rehabilitation facility does not supply the required classroom training, the authorizing official or training manager shall copy all records produced at that school for students under the age of eighteen taking behind-the-wheel training and forward those records to the driver training school that will complete each student's instruction required by section 4508.02(C) of the Revised Code. The authorizing official or training manager of the driver training school in which a student under eighteen completed classroom training shall, upon the official's or manager's determination of the student's successful completion, issue the student a certificate of completion. Each school's authorizing official or training manager shall maintain complete driver training records applicable to this student, including copies of those completed by another school for the same student.

(2) The medically based hospital or rehabilitation facility shall have sufficient space for storing files. If classroom driver training is not being provided at the medically based hospital or rehabilitation facility, the requirement for a classroom is waived for this type of facility. The facility shall comply with all other requirements of a driver training school under Chapter 4501-7 of the Administrative Code.

4501-7-07 Employees of the department.

No employee of the department shall be connected in any capacity whatsoever with any driver training enterprise.

4501-7-08 Insurance and bonding for training the operation of motor vehicles other than commercial motor vehicles.

(A) The authorizing official shall maintain financial responsibility for the operation of all motor vehicles used for instruction as specified in chapter 4509. of the Revised Code. Such insurance coverage shall be acquired from a company licensed to do business in this state and shall be maintained as long as the driver training enterprise is operating a driver training school. Proof of the insurance coverage required by this rule shall be maintained in the school office and with all motor vehicles used for instruction, and the certificate of insurance shall be

available for inspection during reasonable hours.

(B) Insurance coverage shall be maintained in the following minimum limits as provided in either paragraph (B)(1) or (B)(2) of this rule, and these limits shall be listed on the

certificate of insurance:

(1)(a) One hundred thousand dollars for bodily injury to or death of one person in any one crash;

(b) Three hundred thousand dollars for bodily injury to or death of two or more persons in any one crash;

(c) Twenty-five thousand dollars for injury to property of others in any one crash;

(d) Five thousand dollars medical payments for each occupant;

(e) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraphs (B)(1)(a) and (B)(1)(b) of this rule.

(2)(a) Four hundred thousand dollars combined single limit liability coverage;

(b) Twenty-five thousand dollars for injury to property of others in any one crash;

(c) Five thousand dollars medical payments for each occupant;

(d) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraph (B)(2)(a) of this rule.

(C) Failure to maintain the required insurance, including the record of current coverage as required by this rule, may result in the suspension or revocation of an authorizing official's driver training school license.

(D) Students with a disability providing motor vehicles for their own instruction shall, before such motor vehicle is used for any instruction, provide proof of insurance or other financial responsibility that indicates compliance with Chapter 4509. of the Revised Code.

(E) No driver training school license will be issued or renewed until the authorizing official certifies that the enterprise maintains a continuous performance bond for each of its schools sufficient to cover the cost of reimbursing students for training not supplied. Such bond shall be no less than ten thousand dollars for the first school licensed by the enterprise and an additional two thousand dollars for each additional school licensed by the same enterprise. The performance bond shall continue in force as long as the enterprise operates a school or as long as the enterprise has students to whom it is contractually obligated.

(1) The current and valid performance bond shall be maintained at the school office and filed as a part of the school records and made available upon request. Such bond shall be obtained by the enterprise from a company authorized to do business in this state specifying that such enterprise shall not practice any fraud or make any fraudulent representation which may cause a monetary loss to a person taking instruction from the enterprise.

(2) The bond shall include the enterprise name, the amount of the bond, the effective date, and the period of coverage.

(3) The bond shall name the department of public safety and the state of Ohio as obligees and shall stipulate that the director shall be notified ten days before the bond terminates due to its expiration or cancellation or before the bond is reduced in value.

(4) The above bond is required of each licensed school but does not apply to a driver training school operated under the authority of the state of Ohio or any political subdivision approved by the director.

(5) Failure to maintain such performance bond, including the record of bond required by this rule, during any portion of the licensure period may result in suspension or revocation of an authorizing official's driver training school license.

4501-7-09 Insurance and bonding for training the operation of commercial motor vehicles.

(A) The authorizing official shall maintain financial responsibility for the operation of all motor vehicles used for instruction as specified in chapter 4509. of the Revised Code. Such insurance coverage shall be acquired from a company licensed to do business in this state and shall be maintained as long as the driver training enterprise is operating a driver training school. Proof of the insurance coverage required by this rule shall be maintained in the school office and with all motor vehicles used for instruction, and the certificate of insurance shall be available for inspection during reasonable hours.

(B) Insurance coverage shall be maintained in the following minimum limits as provided in either paragraph (B)(1) or (B)(2) of this rule and these limits shall be listed on the certificate of insurance:

(1)(a) One hundred thousand dollars for bodily injury to or death of one person in any one crash;

(b) Three hundred thousand dollars for bodily injury to or death of two or more persons in any one crash;

(c) Twenty-five thousand dollars for injury to property of others in any one crash;

(d) Five thousand dollars medical payments for each occupant;

(e) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraphs (B)(1)(a) and (B)(1)(b) of this rule.

(2)(a) Five hundred thousand dollars combined single limit liability coverage;

(b) Twenty-five thousand dollars for injury to property of others in any one crash;

(c) Five thousand dollars medical payments for each occupant;

(d) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraph (b)(2)(a) of this rule.

(C) Failure to maintain the required insurance, including the record of current coverage as required by this rule, may result in the suspension or revocation of an authorizing official's driver training school license.

(D) No driver training school licensed to train commercial motor vehicle operators shall be issued or renewed until the authorizing official certifies that the enterprise maintains a continuous performance bond for each of its schools in an amount sufficient to cover the cost of reimbursing students for training not supplied. Such bond shall be no less than one hundred thousand dollars for each school licensed by the enterprise. The performance bond shall continue in force as long as the enterprise operates a school or as long as the enterprise has students to whom it is contractually obligated.

- (1) The current and valid performance bond shall be maintained at the school office and filed as a part of the school records and made available upon request. Such bond shall be obtained by the enterprise from a company authorized to do business in this state specifying that such enterprise shall not practice any fraud or make any fraudulent representation which may cause a monetary loss to a person taking instruction from the enterprise.
- (2) The bond shall include the enterprise name, the amount of the bond, and the effective dates of the bond.
- (3) The bond shall name the department of public safety and the state of Ohio as obligees and shall stipulate that the director shall be notified ten days before the bond terminates due to its expiration or cancellation or before the bond is reduced in value.
- (4) The above bond does not apply to a driver training school operated under the authority of the state of Ohio or any political subdivision approved by the director.
- (5) Failure to maintain such performance bond, including the record of bond required by this rule, during any portion of the licensure period may result in suspension or revocation of an authorizing official's driver training school license.

4501-7-10 Training required for the operation of motor vehicles other than commercial motor vehicles.

(A) The requirements in this rule apply to authorizing officials, training managers and instructors training students in the operation of motor vehicles other than commercial motor vehicles. Instruction of drivers seeking to obtain or maintain a class D operator's license shall conform to this rule.

(1) No behind-the-wheel instruction shall be given to a student who does not hold and carry a valid temporary permit or operator's license. No driver shall be given behind-the-wheel instruction using a permit or license which has expired or which has been suspended or revoked.

(2) Except as provided in rule 4501-7-06 of the administrative code for a medically based hospital or rehabilitation facility that offers instruction for persons with a disability, driver training enterprises that teach the operation of motor vehicles shall provide both classroom instruction and behind-the-wheel instruction. Students shall be taught and supervised by a licensed instructor. Licensed instructors shall instruct students only under the authority and guidance of a licensed driver training school.

(3) When a student operates a motor vehicle on the public highways, a licensed instructor shall be in the vehicle seated beside the driver. The instructor shall have the identification card created by the department in the instructor's possession.

(a) Instructor candidates who have completed at least thirty-two hours of training can teach up to two hours of behind-the-wheel instructions for one student with the training manager supervising from the back seat. A lesson plan and route sheet provided by the training manager will be used during the lesson.

(b) If a student is operating a motor vehicle on a range, an instructor may leave the motor vehicle, but shall remain standing outside the vehicle in a position

where the instructor can continue to directly observe the operation of the motor vehicle, and the instructor shall maintain a position where both the student and the instructor can hear each other and be heard by each other at all times.

(4) During times of behind-the-wheel instruction, use of any items or behavior that cause unreasonable distraction shall be prohibited. No eating or drinking by students shall be permitted in the vehicle during times of instruction or while the vehicle is in motion.

(5) Classroom and behind-the-wheel instruction shall consist of no less than sixty minutes of instruction for each hour credited toward completion of the required training. Time taken for breaks in instruction shall not be included when calculating completion of the required instruction.

(6) Instructors shall train students for no more than four hours without taking a break from instruction.

(B) The following requirements apply to authorizing officials, training managers, and instructors training beginning drivers who are between the ages of fifteen years and six months of age and eighteen years of age.

(1) The training program will be based on the principles of and cover, at a minimum, the body of knowledge contained in the "Ohio Driver Training Curriculum" prepared August, 2002. The program shall include no less than twenty-four hours of classroom instruction and eight hours of behind-the-wheel instruction for each student.

(2) The instruction shall include dissemination of materials regarding anatomical gifts and anatomical gift procedures as specified in R.C. 4508.021 that are created or approved by the second chance trust fund advisory committee created under section 2108.17 of the Revised Code.

(3) No student will be accepted for driver training before attaining the age of fifteen years and five months without approval from the director.

(4) All required classroom instruction and behind-the-wheel training shall be made available to the student by the driver training enterprise within six months after the date the training required by section (B)(1) of this rule begins.

(5) No student shall be given more than four hours of classroom or behind-the-wheel instruction in one day.

(6) No instructor shall give a beginning driver behind-the-wheel instruction prior to the student receiving at least two hours of classroom instruction. No instructor shall permit a beginning driver to operate a motor vehicle on an interstate highway until the beginning driver first receives at least two hours of behind-the-wheel instruction on a roadway that is not an interstate highway.

(7) Not more than nine hours nor fewer than three hours of classroom training shall be devoted to showing educational videos, slides or films that relate to driver training. No videos, slides, films, or activities unrelated to safe driving practices, driver knowledge, or driver skill shall be used.

(8) A student absent from a training session shall make up that segment of the training prior to receiving a certificate of completion.

(9) Current textbooks or workbooks or other materials used for classroom instruction shall be available to every student taking that instruction. Instructional materials referenced during classroom instruction shall be provided for each

student.

(10) No more than two students may be in a vehicle while behind-the-wheel instruction is being given. No credit for the hours of required behind-the-wheel instruction shall be given to a student who not is driving.

(11) Instructors shall ensure that a beginning driver's first hour of training behind the wheel is reasonably free from pedestrian and vehicular traffic, and that the first hour does not include primary traffic arteries, main highway routes, and other thoroughfares that carry a large amount of traffic.

(12) Students shall be assessed both in driver knowledge and driving skills and shall successfully complete the course required by section (B)(1) of this rule before they are eligible to receive a certificate of completion of driver training.

(a) It shall be the responsibility of the training manager and the instructor to determine each student's successful completion of the classroom instruction by means of a comprehensive final examination measuring driver knowledge.

(i) The final examination shall be administered and graded by a licensed instructor, and the knowledge it measures shall be representative of the entire scope of knowledge of the driver training curriculum and of motor vehicle laws.

These laws are summarized in the "Digest of Ohio Motor Vehicle Laws."

Accommodations may be made for the final test to assist students with confirmed learning difficulties.

(ii) No final examination shall permit the students being tested to refer to any materials that may contain answers to the questions thereon.

(iii) The student shall answer correctly seventy-five percent or more of the questions comprising the final examination in order to constitute successful completion of the classroom training.

(iv) The record of all final examinations given shall include the date the test was given, the student's score, the name and signature of the instructor who administered and graded the test, and the student's name and signature.

(v) The school's training manager or authorizing official shall store the results of such measurements and maintain the results in the school office for three years.

(b) A student's good-faith effort made during the full eight hours of skills training shall constitute successful completion of the behind-the-wheel training.

(c) A final report of the student's score on the comprehensive examination of knowledge, acquired driving skill, and application of driver knowledge shall be given to the student and the student's parent or legal guardian at the completion of training.

(13) The classroom environment shall be maintained in a manner that is conducive to learning. In maintaining an environment that is conducive to learning the school shall give consideration to the appropriate class size, the appropriate methods of maintaining discipline, and any other relevant factors.

4501-7-11 Training required for the operation of commercial motor vehicles.

(A) The following requirements apply to enterprises and instructors training drivers in the operation of commercial motor vehicles.

(1) The enterprise shall make all required classroom and behind-the-wheel training available to the student within two hundred seventy days after the first

lesson.

(2) No enterprise shall provide more than ten hours of training to any one student in one calendar day.

(3) Classroom instruction for beginning drivers shall total at least forty hours and include the use of the curriculum listed in this rule.

(4) Classroom instruction shall include, at a minimum, the following topics:

(a) Traffic laws.

(b) Rules and regulations of the public utility commission of Ohio.

(c) Federal motor carrier safety regulations relating to the operation of trucks, commercial cars, commercial tractors, trailers and semi-tractors, and motor vehicles transporting flammable and/or hazardous cargo. In addition the enterprise shall provide the student with a copy of the Code of Federal Regulations, Title 49, parts 383 and 391 of the Federal Motor Carrier Safety Regulations.

(d) Federal laws relating to vehicle brake systems, lighting, and display of emergency equipment.

(e) Registration and licensing laws.

(f) Special taxes such as the International Registration Plan (IRP), the International Fuel Tax Alliance (IFTA), and the Single State Registration System (SSRS).

(g) Crash reporting and financial responsibility laws.

(h) The effects of driver fatigue.

(i) Safe driving practices.

(j) Courteous driving practices.

(k) Routine services and pretrip safety check.

(l) Use of occupant protection devices, including their benefits and effectiveness in motor vehicle collisions.

(m) Sharing the road.

(n) Commercial driver license requirements.

(o) The effect of alcohol and drugs.

(p) Proper public thoroughfare railroad grade crossing procedure.

(q) The possibility of other vehicles traveling beside a commercial vehicle out of the driver's view known as the "no zone."

(6) No more than forty percent of the total classroom hours shall be devoted to showing educational videos, slides or films that relate to commercial driver training. No videos, films, or activities unrelated to safe commercial driving practices, commercial driver knowledge, or commercial driver skill shall be used.

(7) Behind-the-wheel instruction shall total at least forty hours and include, at a minimum, all of the following topics:

(a) Starting.

(b) Stopping.

(c) Turning.

(d) Shifting.

(e) Braking.

(f) Parking.

(g) Docking.

(h) Hooking up and unhooking trailers and semi-trailers.

- (i) Display of emergency equipment.
- (j) Use of hazard lighting systems.
- (k) Checking and servicing the parts of commercial motor vehicles.
- (l) Sharing the road.
- (m) Safe driving practices.
- (n) Proper public thoroughfare railroad grade crossing procedure.
- (8) No less than ten hours of instruction behind-the-wheel on off-highway ranges. At least four hours of instruction shall be given off the highway and behind-the-wheel before any on-highway, behind-the-wheel instruction can be offered.
- (9) No less than ten hours of behind-the-wheel instruction on streets and highways with normal traffic.
- (10) Twenty hours of behind-the-wheel instruction may be used either for on-highway or off-highway training. The authorizing official or training manager who may consider which behind-the-wheel training would be most beneficial to the student shall make such determination. A maximum of two hours of pre-trip and/or post trip instruction is to be credited toward the twenty hours of behind-the-wheel instruction required by this paragraph.
- (11) If a student is observing behind-the-wheel training of another student and not actually driving, such time shall not be credited to the student for behind-the-wheel training completed.
- (12) A minimum of one instructor, who is not an instructor restricted to the classroom, for every five vehicles shall be on the driving range at any time a student is operating a motor vehicle. At such times a maximum of two students shall be assigned to each vehicle. This rule allows a maximum of ten students per instructor during instruction on the range.
- (13) All behind-the-wheel training on streets and highways shall be under the direct supervision of a licensed instructor who is in the vehicle and seated in the front seat next to the driver.
- (B) Enterprises training drivers in the operation of commercial motor vehicles shall provide both classroom and behind-the-wheel instruction in the operation of commercial motor vehicles. Students shall be taught and supervised by a licensed instructor.
- (C) Classroom and behind-the-wheel instruction shall consist of no less than sixty minutes for each hour credited toward completion of the required instruction. Time taken for breaks in instruction shall not be included when calculating completion of the required instruction.

4501-7-12 Training agreements.

- (A) A written agreement shall be established between the student and the student's parent or legal guardian and the driver training enterprise prior to the start of any training. Verbal agreements are prohibited. Evidence of a written agreement shall be maintained on file in the school office.
- (B) All written agreements shall contain the following:
 - (1) The full address where the classroom instruction will be given.
 - (2) The student's date of birth if the student is a beginning driver under the age of eighteen.

- (3) All charges for the training course stated clearly.
- (4) A statement whether the use of an enterprise-owned vehicle for the license examination is included in the charges, and if not included, any additional charge for this service.
- (5) The number of classroom hours to be provided. If the student entering the agreement is a beginning driver and less than eighteen years old, the enterprise shall agree to provide at least twenty-four hours of classroom instruction based on the "Ohio Driver Training Curriculum" prepared August, 2002.
- (6) The number of behind-the-wheel training hours to be provided. If the student entering the agreement is a beginning driver less than eighteen years old, the enterprise shall agree to provide at least eight hours of behind-the-wheel instruction based on the "Ohio Driver Training Curriculum" prepared August, 2002.
- (7) The signature of an authorizing official, training manager, or instructor and the date such signature was made.
- (8) The signature of the student and for a student under eighteen years old, the signature of the student's parent or legal guardian, and the date each signature or signatures was made.
- (9) A declaration of the date by which the complete program of training will be made available to the student.
 - (a) For training operators of motor vehicles other than commercial motor vehicles, this date shall be no more than six months from the date the driver training begins.
 - (b) For training operators of commercial motor vehicles, this date shall be no more than two hundred-seventy days from the date the driver training begins.
- (10) The statement, "Driver training schools are licensed by the Department of Public Safety through the Governor's Highway Safety Office, 1970 West Broad Street, Columbus, Ohio 43223."
- (11) A declaration of the conditions under which refunds may be made. If refunds are not made, the agreement shall clearly state that the enterprise makes no refunds.
 - (C) A signed copy of the agreement shall be given to the student, or to a parent or legal guardian if the student is under the age of eighteen, and a copy shall be retained in the school office files for a period of three years.

4501-7-13 Records.

- (A) Each school shall maintain the following records for three years from the date the record was finalized.
 - (1) A record of the material taught for each student in each training session, regardless of whether the student has completed all training.
 - (a) The record shall include the student's name and address; driver license or permit number and, if applicable, its validation date; the date of each training session; and the starting time, and the ending time for each session the student completed.
 - (b) Each session notation shall be signed or initialed by the student.
 - (c) The instructor who provided the instruction for each session shall initial the

record and record the instructor's license number for each session.

(d) The training manager or a licensed instructor shall sign the final record. The signature of the training manager or instructor shall confirm all training has been successfully completed.

(e) A distinct record shall be kept for classroom training, and a distinct record shall be kept for behind-the-wheel training.

(2) The record for each student who is less than eighteen years of age shall include the following notations, if applicable to that student:

(a) That the student received all classroom instruction required by this chapter and section 4508.02(C) of the Revised Code.

(b) That the student satisfactorily completed the behind-the-wheel instruction required by this chapter and section 4508.02(C) of the Revised Code.

(c) The student's score on any examination of knowledge or skill required by rule 4501-7-10 of the Administrative Code.

(d) A record of the certificate of completion issued including its number and the date of issue.

(3) A record of every driver training certificate of completion issued by the enterprise to students under eighteen years of age. This record shall be maintained on forms supplied by the director.

(4) A copy of the training agreement between the enterprise and each student trained.

(5) The completed and signed training record which has been given to each student upon completion of the training.

(6) A record of each training session administered by the school including the date, time, topic of instruction, instructor of record, and complete roster of the students attending such session.

(7) For each student in a training course for the operation of commercial motor vehicles, the records shall include the following notations, if applicable:

(a) That the student received all classroom training required by rule 4501-7-11 of the Administrative Code.

(b) That the student satisfactorily completed the behind-the-wheel instruction required by this chapter.

(c) The student's final test score.

(8) The enterprise or organization that completed the training for three years shall maintain records of the instructors and training managers trained. Dates, times, location of training, and curriculum used shall be kept on file for inspection.

(B) In addition to student records listed in paragraph (A), the authorizing official or training manager of a driver training enterprise or school shall maintain a permanent file of the following records:

(1) A copy of each instructor's current license.

(2) A copy of the authorization from the department for instructors employed by that enterprise to train persons with disabilities.

(3) A complete copy of the driver training curriculum used by the school and any supporting textbooks, articles, or other sources of driver training information used for classroom or behind-the-wheel instruction.

(4) The current school license. A copy shall be stored in the files maintained by

the enterprise and the original school license shall be posted in the school in a conspicuous location where any person who enters the school can see it. If a license cannot be posted at the school, the license, or a copy thereof, shall be carried to each training session provided in that school, and it shall be made available to any person upon request.

(5) A certificate of insurance verifying an active policy covering each vehicle used by the enterprise or its instructors for driver training with limits set forth in paragraph (B) of rule 4501-7-08 and paragraph (B) of rule 4501-7-09 of the Administrative Code.

(6) A valid and current continuous performance bond covering the enterprise's obligations to provide student instruction as set forth in paragraph (E) of rule 4501-7-08 and paragraph (D) of rule 4501-7-09 of the Administrative Code.

(7) A record of all driver training instructor's and manager's training provided to instructors and managers who are or who have been employed by the enterprise. The enterprise shall maintain this record for all instructors currently employed and it shall be maintained for at least three years following the termination of an instructor's employment.

(C) All of the documents listed in this rule shall be kept accurately and stored in a file in the office of the school. These documents shall be furnished upon request to the director.

(D) If a school closes or an enterprise discontinues business for any reason, the authorizing official or training manager shall advise the director in writing at least thirty days prior to closing where the school's records will be stored.

(E) Driver training enterprises shall issue certificates of completion to beginning drivers who are under the age of eighteen who have successfully completed the training required by division (C) of section 4508.02 of the Revised Code.

(1) The director shall supply certificates of completion for the course of training required by section 4508.02(C) of the Revised Code and shall maintain a record of all certificates supplied to each enterprise. This record will include the date certificates were supplied and the name of the enterprise to which they were supplied. The certificates will be supplied to a licensed enterprise and shall not be transferred to or issued by any other enterprise. The director shall also supply the forms for recording the certificates issued to students.

(2) The authorizing official or training manager shall issue certificates to students in numerical sequence based upon the date a student completes the training. No authorizing official or training manager shall issue a certificate before the student has completed all required training.

(3) The authorizing official or training manager shall keep a record of the certificates issued using the form supplied by the director. This record shall include the name and license number of the school and the student's name, address, and certificate number and the certificate's date of issue.

(4) The authorizing official and training manager shall be accountable for the security of the unissued certificates of completion and the records thereof. In the event of theft or loss of any certificates of completion, the authorizing official or training manager shall immediately advise the department in writing of the circumstances of the loss and the numbers of the certificates of completion

missing.

(5) When a driver training enterprise closes for any reason, including a license suspension or revocation, all unused certificates of completion and any completed or partially completed forms listing certificates of completion issued shall be immediately returned to the director.

(6) When an authorizing official or training manager determines that a certificate of completion must be voided, the term, "void" shall be written across its face. The authorizing official or manager shall attach the voided certificate of completion to the certificates-issued list and return the voided certificate to the department with the completed certificates-issued list. The voided certificate of completion shall be noted on the certificates-issued list.

(7) In the event a certificate of completion is lost or stolen after being issued to a student, the student may obtain a new certificate of completion from the driver training enterprise from where it was issued. The student shall first complete a request for a new certificate of completion on a form supplied by the director explaining the theft or loss. The student's signature shall be notarized. A parent or legal guardian's signature may be accepted in lieu of the student's signature. The completed request from the student shall be retained by the enterprise and attached to the certificates-issued list as a notice to the director that the certificate of completion was lost. The training manager or authorizing official, or a designee, shall log the issuance of the new certificate of completion on the certificates-issued list. No driver training school may charge a fee for a replacement certificate of completion that exceeds the actual cost of preparing the certificate of completion.

(8) All certificates of completion shall be typed or printed electronically. An authorizing official or training manager of the school which issues the certificate shall sign and date each certificate. If an instructor, authorizing official, or manager permits the use of a stamped or electronically produced signature, that instructor, official, or manager shall be responsible for the securing of such stamp or electronic means, and that instructor, official, or manager shall be responsible for any document on which that instructor's, official's, or manager's signature is produced.

(F) The instructor's license, or a photocopy of the license, shall be maintained by the instructor, and by each enterprise for which the instructor trains. The license, or a photocopy thereof, shall be kept in the instructor's possession at any time the instructor is training students.

(G) No person shall falsify, alter, or in any manner tamper with any records required to be kept by this chapter.

(H) All records required to be maintained by an enterprise under the rules of this chapter, including those maintained on a computer database, shall be kept in a school's designated office that conforms to the standards under this chapter. The authorizing official or training manager shall make all records available for inspection by the director or by a student and/or the student's parent or legal guardian at any and all reasonable times. Any records required to be maintained which are in a computer database shall be accessible and capable of being distinguished from non-related

records.

4501-7-14 Vehicles used to train the operation of motor vehicles other than commercial motor vehicles.

(A) Every driver training enterprise that provides students with behind-the-wheel instruction in the operation of motor vehicles shall supply all equipment necessary to give the required instruction for operating motor vehicles, except that a student with a disability may provide a motor vehicle that is specially equipped for that student's disability.

(B) Every motor vehicle used to provide behind-the-wheel instruction shall be maintained in safe mechanical condition and shall be in compliance with all applicable provisions of Chapter 4513. of the Revised Code.

(C) Safety belts that meet the standards set forth in section 4513.262 of the Revised Code shall be provided for all occupants of motor vehicles used for driver training. Such belts shall be in use by all occupants of a driver training vehicle at all times.

(D) All motor vehicles used for behind-the-wheel training shall be equipped with dual controls as defined in this chapter of the administrative code. The auxiliary control device shall be securely fastened and easily accessible to the person seated in the front seat on the right side of the vehicle.

(E) All motor vehicles used for behind-the-wheel training shall be equipped with inside rearview mirrors for both the driver and instructor and outside rearview mirrors on the driver's and passenger's side of the vehicle. A visor mirror shall not be used as an inside rear view mirror.

(F) All motor vehicles used for training shall be equipped with signs containing words reading, "student driver" which are visible and legible outside of the motor vehicle from both the front and the rear. Such words shall be a minimum of three inches high and use material that reflects light at night. Any other words on such signs shall be no more than two inches high. Additional signs on the front, rear, or doors that indicate the vehicle is being used as a driver-training vehicle are permitted.

(G) Every motor vehicle shall carry a current financial responsibility identification card or insurance identification Card that complies with rule 4501:1-2-02 of the Administrative Code.

(H) The authorizing official or training manager of the school shall make all motor vehicles used by the school available for inspection by the director at any and all reasonable times.

(1) Every motor vehicle used by the school shall be inspected during the school's annual inspection. No motor vehicle shall be used for driver training unless it displays a valid motor vehicle inspection decal issued within the past fourteen months by the state highway patrol.

(2) When a driver training enterprise obtains vehicles after the annual inspection to add to its fleet for instructional purposes, the authorizing official or training manager shall immediately notify the state highway patrol and ask for a motor vehicle inspection

and decal. The state highway patrol shall schedule a motor vehicle inspection in response to such a request from a driver training school official, manager, or instructor.

(a) The authorizing official or training manager may inspect and approve a newly acquired motor vehicle for use if the official or manager determines the vehicle complies with the provisions in paragraphs (A), (B), (C), (D), (E), (F), and (G) of this rule. Once the state highway patrol has been notified and an inspection has been scheduled, the vehicle may be used after the authorizing official or training manager has inspected it and determines the vehicle complies with all applicable provisions of this rule and state and federal laws.

(b) If the motor vehicle acquired by the enterprise meets the provisions of this rule as determined by the authorizing official or training manager but does not display the decal required by this rule, the motor vehicle may be used for a period not to exceed thirty days from the date the vehicle was acquired by the driver training enterprise.

(I) A person who has a disability may provide and receive instruction in a motor vehicle that has been altered for the purpose of providing the person with special equipment. Any

vehicle provided for this purpose shall be in a safe operating condition as determined by the licensed driver training instructor, training manager or authorizing official, and the vehicle shall be insured as provided in paragraph (D) of rule 4501-7-08 of the Administrative Code.

4501-7-15 Vehicles used to train the operation of commercial motor vehicles.

(A) Every driver training enterprise that provides students with behind-the-wheel instruction in commercial motor vehicles shall supply all the equipment necessary to give the required instruction for operating commercial motor vehicles.

(B) Every commercial motor vehicle used on streets and highways to provide behind-the-wheel instruction shall meet all applicable regulations of the public utilities commission of Ohio and Federal Motor Carrier Safety Regulations. Every commercial motor vehicle used to provide behind-the-wheel instruction shall be in compliance with all applicable provisions of Chapters 4513. and 5577. of the Revised Code.

(C) Safety belts that meet the standards set forth in section 4513.262 of the Revised Code shall be provided for all occupants of vehicles used for driver training. Such belts shall be in use by all occupants of a driver training vehicle at all times.

(D) All commercial vehicles used on streets and highways to provide behind-the-wheel instruction shall be equipped with a securely fastened dual control brake that is easily accessible to the person seated in the front seat on the right side of the vehicle. In the absence of a dual control brake, the vehicle shall have a hand brake that is readily accessible to the instructor. The brake shall permit the driver training instructor to bring the vehicle to a safe stop while the instructor is seated in the right front seat of the vehicle with the safety belt fastened. Such dual control or hand brake is not required on training vehicles used by driver training enterprises for commercial motor vehicles that are operated exclusively on off-

highway driving ranges with no traffic other than the commercial motor vehicles used in training.

(E) All commercial motor vehicles used to provide behind-the-wheel instruction shall be equipped with outside driver and passenger-side mirrors to enable both the student and the instructor to see to the rear.

(F) All commercial motor vehicles used on streets and highways to provide behind-the-wheel instruction by a driver training enterprise shall be equipped with a sign on the front and a sign on the rear of the vehicle containing the words, "Student Driver." The words of both signs shall be visible and legible from the outside of both the front and rear of the vehicle, or combination of vehicles. The words shall be a minimum of three inches high and shall reflect light at night. Any other wording on such signs shall not be more than two inches high. Any additional signs on the front, rear or doors that indicate that the vehicle is being used for a driver-training vehicle are permissible.

(G) Every motor vehicle used in the school's operations shall carry a current financial responsibility identification card or insurance identification card that complies with rule 4501:1-2-02 of the Administrative Code.

(H) The authorizing official or training manager of the school shall make all motor vehicles used by the school available for inspection by the director at any and all reasonable times.

(1) Every motor vehicle used by the school shall be inspected during the school's annual inspection. No motor vehicle shall be used for driver training unless it displays a valid motor vehicle inspection decal issued within the past fourteen months by the state highway patrol.

(2) When a driver training enterprise obtains vehicles after the annual inspection to add to its fleet for instructional purposes, the authorizing official or training manager shall immediately notify the state highway patrol and ask for a motor vehicle inspection and decal. The state highway patrol shall schedule a motor vehicle inspection in response to such a request from a driver training school official, manager, or instructor.

(a) The authorizing official or training manager may inspect and approve a newly acquired motor vehicle for use if the official or manager determines the vehicle complies with the provisions in paragraphs (A), (B), (C), (D), (E), (F), and (G) of this rule. Once the state highway patrol has been notified and an inspection has been scheduled, the vehicle may be used after the authorizing official or training manager has inspected it and determines the vehicle complies with all applicable provisions of this rule and state and federal laws.

(b) If the motor vehicle acquired by the enterprise meets the provisions of this rule as determined by the authorizing official or training manager but does not display the decal required by this rule, the motor vehicle may be used for a period not to exceed thirty days from the date the vehicle was acquired by the driver training enterprise.

4501-7-16 Safe operation of vehicles.

To assure the safety and welfare of students and instructors when providing behind-the-wheel instruction, the driver training enterprise's authorizing officials,

managers, and instructors shall assess all factors that affect driving conditions and shall take corrective action to ensure the continued safe operation of driver training vehicles. Officials, managers, and instructors shall evaluate road conditions, the environment, vehicle condition, road construction, traffic, weather, and any other factors that may affect the safe operation of a motor vehicle before and during any behind-the-wheel instruction.

4501-7-17 Use of driver examination test routes prohibited.

(A) No authorizing official or training manager of a driver training enterprise or school shall use, or permit the school's instructors to use, any driver test routes or sites of a driver license examination station for instruction during the hours the examining station is open for business.

(B) No driver training instructor shall use any driver test routes or sites of a driver license examination station for instruction during the hours that the examining station is open for business.

4501-7-18 Advertising and soliciting business.

(A) A driver training enterprise shall not use any name other than its licensed name for advertising or publicity purposes, nor shall a driver training enterprise advertise or imply it is supervised, recommended, or endorsed by the director, the department, or the state highway patrol.

(B) A driver training enterprise shall not advertise or imply that it is endorsed or sanctioned by any organization unless such endorsement or sanction is maintained on file in written form at the school office and can be produced upon demand of any person.

(C) No person shall advertise in any manner a course of driver training instruction prior to being licensed as a driver training school.

(D) Advertisements shall not list program information or offer discounts that are inaccurate or not available during the time that the advertisement is valid.

(E) Advertisements shall not include any erroneous, misleading, or false information.

(F) Advertisements posted in classified sections of any published media shall not state that a position of employment shall result from the training received. No published advertisement for driver employment shall contain the name or phone number of a driver training enterprise. This rule shall not limit the ability of a driver training enterprise to solicit employees for the driver training enterprise itself.

(G) No driver training enterprise shall solicit or advertise for business at or in the immediate area used by patrons of any office used for conducting driver license examinations. The use of an enterprise's licensed name on its motor vehicles or place of business shall not be construed as advertising or soliciting under this rule.

(H) No driver training enterprise shall solicit or advertise for business without supplying its name and the location where training is conducted.

4501-7-19 Guarantees.

No person associated with a driver training enterprise shall assert or imply that the person or the enterprise will guarantee a license to operate a motor vehicle as a result of the training received. No person associated with a driver training enterprise shall assert or imply that the enterprise will guarantee employment in the operation of a motor vehicle upon completion of the course, nor shall any person associated with the enterprise assert that the enterprise will guarantee that the student will pass the state examinations in the operation of motor vehicles.

4501-7-20 School, vehicles, and records inspections.

Every place used as an office or classroom by a driver training enterprise shall be subject to inspection by the director during reasonable hours. The enterprise's authorizing official or the school's training manager shall make school records, vehicles, and facilities required by this chapter of the administrative code available to the director for inspection. The training manager or authorizing official shall make any records accessible for copying.

4501-7-21 The director may take action against a license.

(A) The director may reject any application for license when the director determines the applicant may have violated any of the provisions of Chapter 4501-7 of the Administrative Code or Chapter 4508. of the Revised Code.

(B) When the director has rejected an application for a new or renewal license, or when the director determines that a licensee may have violated any of the provisions of Chapter 4501-7 of the Administrative Code, the applicant shall be afforded an opportunity for a hearing in accordance with sections 119.01 to 119.13 of the Revised Code.

(C) The director may reprimand, deny, suspend, revoke, or place on probationary status the license of any driver training school, training manager, or instructor when the director determines that the applicant or licensee has violated any of the provisions of Chapter 4501-7 of the Administrative Code or Chapter 4508. of the Revised Code.