

4501-21-04

**Character and fitness.**

- (A) Any person connected in any manner with a remedial driving course enterprise shall be of good character and reputation and comply with all rules of this chapter.
- (B) The conviction of any person connected in any manner with a remedial driving course enterprise of any ~~felony, or a misdemeanor, that is reasonably related to a person's ability to serve safely and honestly in connection with a remedial driving course enterprise~~ disqualifying offense shall be grounds to deny issuing or renewing approval or grounds for suspending or revoking a previously issued approval.
- (C) Every person connected in any manner with a remedial driving course enterprise, shall conduct himself or herself in a professional manner and shall comply with all applicable state and federal laws which prohibit discrimination based upon race, color, national origin, sex, sexual orientation, age, handicap, disability, ancestry or religion.
- (D) The director may deny the issuance of approval to any enterprise for which the applicant has had a driver training school, driver training school manager, or driver training school instructor license revoked or denied, or a remedial driving course approval revoked or denied within the five years immediately preceding the current filing for an application or renewal.
- (E) No remedial driving course manager, chief instructor or authorizing official shall knowingly permit any course manager, chief instructor or instructor of the enterprise who is not physically or mentally unfit to instruct students or manage the course.
- (F) A remedial driving course manager, chief instructor or instructor shall notify the authorizing official of any remedial driving course enterprise with which the person is affiliated of any injury, any physical or mental impairment, or that the person is currently taking any drug or medicine that may affect that instructor's or manager's ability to effectively and safely instruct students or manage the course.
- (G) No course manager, chief instructor or authorizing official shall knowingly permit any course manager, chief instructor or instructor of the enterprise to accept cash payments or gifts from students. No instructor shall knowingly accept cash payments or gifts from any student in a course, except on behalf of the remedial driving course enterprise as payment for services.
- (H) The authorizing official of a remedial driving course enterprise shall notify the director in writing of legal action that is filed against or by the enterprise, its officers, any owner, or any instructor arising from the ~~enterprise's~~ enterprise's failure to perform or to operate its courses safely, within ten working days after the school, its officers, any owner, or any instructor has commenced the legal action or has been served with

legal process. Included with the written notification, the enterprise shall submit a file-marked copy of the petition or complaint that has been filed with the court.

Effective: 5/1/2022  
Five Year Review (FYR) Dates: 2/4/2022 and 02/01/2027

CERTIFIED ELECTRONICALLY

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Certification

04/13/2022

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Date

Promulgated Under: 119.03  
Statutory Authority: 4510.311, 4510.038, 5502.011  
Rule Amplifies: 4510.037, 4510.038  
Prior Effective Dates: 05/01/1974, 05/18/2006, 04/17/2014, 06/25/2015