

4501-7-01

Definitions.

- (A) "Applicant" or "candidate" 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, or owner of an enterprise conducting training pursuant to the on-line internet based pilot training program who owns or who maintains responsibility on behalf of an individual, corporation, business trust, estate, trust, partnership, or an association for the facilities, equipment, instructor, manager, and other employees.
- (C) "Beginning driver" or "beginning student" 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 an online 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 instruction to the satisfaction of the school's authorizing official or training manager as required by division (C) of section 4508.02 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) "Class D license school" means any school training students in the operation of motor vehicles for class "D" operator's licenses as defined in Chapter 4507. of the Revised Code.
- (H) "Class ~~D~~" operators are 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.

- (I) "Classroom" means any room within a driver training school used to teach students driver knowledge.
- (J) "Classroom instruction" means that portion of a driver training course that is devoted to teaching driver knowledge, including training conducted in accordance with the on-line internet based pilot training program. Classroom instruction ~~and~~ does not include the student's operation of a motor vehicle.
- (K) "Commercial driver license" or "CDL" means a license issued in accordance with Chapter 4506. of the Revised Code that authorizes an individual to drive a commercial motor vehicle.
- (L) "Commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets the qualifications listed in divisions (E) and (D) of section 4506.01 of the Revised Code.
- (M) "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.
- (N) "Department" means the Ohio department of public safety.
- (O) "Director" means the director of the Ohio department of public safety as set forth in division (G) of section 121.03 of the Revised Code, or the director's designee.
- (P) "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 division (A) of section 4507.01 of the Revised Code.
- (Q) "Driver training school" or "school" means each facility where driver training is conducted. A driver training school includes:
- (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 business conducted for the training of persons to operate class "D" motor vehicles via the on-line internet based pilot training program;
 - ~~(2)~~(3) A lead school district as provided in section 4508.09 of the Revised Code, ~~or;~~

- ~~(3)~~(4) 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; or
- ~~(4)~~(5) A college or university that offers training in licensure classes other than a class "D" license.
- (R) "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.
- (S) "Enterprise", or "driver training enterprise", or "business 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 or in accordance with the on-line internet based pilot training program.
- (T) "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. The term "instructor" does not apply to paragraph (Q)(2) of this rule.
- (U) "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.
- (V) "Office" means a room used for conducting school business and storing school records which meets the requirements specified in rules 4501-7-02 and 4501-7-22 of the Administrative Code.
- (W) "On-line internet based pilot training program" means the pilot program established by the department to determine the effectiveness of an on-line driver training program. The pilot program begins on the effective date of this rule and concludes on December 31, 2012, or at the discretion of the department. This pilot training program does not apply to driver training schools providing instruction for commercial driver's licenses as defined in paragraph (II) of this rule.
- (X) "On-line provider" means a business who provides on-line classroom training of persons to operate class "D" motor vehicles via the on-line internet based pilot

training program, including a driver training school as defined in paragraph (Q)(2) of this rule.

~~(W)~~(Y) "Original school application" means an application and all required supporting documents 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.

~~(X)~~(Z) "Original instructor or training manager application" means an application and all required documents 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.

~~(Y)~~(AA) "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.

~~(Z)~~(BB) "Person" means an individual, corporation, business trust, estate, trust, partnership, or association as defined in section 1.59 of the Revised Code.

~~(AA)~~(CC) "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.

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

~~(CC)~~(EE) "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.

~~(DD)~~(FF) "Training manager" or "manager" means a person designated by an authorizing official of a driver training enterprise to carry out orders, instruct, conduct the business and manage the training program of a school, and assess and supervise current and candidate instructors.

~~(EE)~~(GG) "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.

~~(FF)~~(HH) "Route sheet", as it applies to class "D", means a map or list of specific roads taken during a given behind-the-wheel lesson.

~~(GG)~~(II) "Commercial driver license school" or "CDL school" means any school training students to operate a commercial motor vehicle for purposes of obtaining a class "A", "B", or "C" commercial driver licenses as defined in Chapter 4506. of the Revised Code.

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Certification

09/12/2011

Date

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