

4501-7-03

Character and fitness for class "D" license schools.

- (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~~.

After the five-year revocation period has lapsed, any training manager or instructor whose license has been revoked may apply for a license by following the training procedure set forth in rule 4501-7-05 of the Administrative Code. Granting of a license shall be based upon successful completion of the training procedure including an appropriate course approved by the director and no further violations of Chapter 4507. or Chapter 4508. of the Revised Code or the rules amplifying those chapters.

- (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.
- (3) The authorizing official is responsible for maintaining records for a training manager and/or instructor's behavioral problem(s) that give good cause for the belief that the training manager and/or instructor could be physically or mentally unfit to perform their duties. The authorizing official is also responsible for maintaining records of disciplinary actions taken to correct such behavior.

Effective:

R.C. 119.032 review dates: 04/03/2009

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4508.02
Rule Amplifies: 4508.02, 4508.03, 4508.04
Prior Effective Dates: 1/7/67, 3/1/76, 12/1/80, 2/29/88, 12/21/91, 7/1/97,
10/4/01