

4501-7-10

Training required for the operation of class "D" motor vehicles.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (PP) in rule 4501-7-01 of the Administrative Code.]

(A) All driver training courses for beginning drivers, who are between the ages of fifteen years and six months of age and eighteen years of age, must meet the following requirements:

- (1) No student will be accepted for a driver training course before attaining the age of fifteen years and five months without prior approval from the director;
- (2) The driver training course shall be based on the principals of and cover, at a minimum, the body of knowledge contained in the "Ohio Driver Training Curriculum." The program shall include no less than twenty-four hours of driver education, and eight hours of driver training for each student;
- (3) All required classroom, or online equivalent instruction and behind-the-wheel training, as required by paragraph (A)(2) of this rule, provided by the driver training enterprise shall be made available to, and completed by, the student within six months after the date the training began, unless mitigating circumstances occur. Those mitigating circumstances must be documented in the student's record;
- (4) All instruction provided by the online provider must have measures in place that prevent a student from completing more than four hours instruction in a twenty-four hour period;
- (5) Classroom or online equivalent instruction shall include dissemination of materials regarding anatomical gifts and anatomical gift procedures as specified in section 4508.021 of the Revised Code that are created or approved by the second chance trust fund advisory committee created under section 2108.17 of the Revised Code;
- (6) The classroom or online equivalent instruction shall include instruction in the dangers of driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication;
- (7) Not more than nine hours nor fewer than three hours of driver education shall be devoted to showing educational videos, slides or films that relate to driver training. No videos, slides or films, or activities unrelated to safe driving practices, driver knowledge, or driver skill shall be used;
- (8) Students shall be assessed both in driver knowledge and driving skills and shall successfully complete the course as required in paragraph (A)(2) of this rule before they are eligible to receive a certificate of completion of driver training;

- (9) Except for an online program, students shall be taught and supervised by a licensed instructor. Licensed instructors shall instruct students only under the authority of a licensed driver training school;
- (10) For an enterprise providing online instruction, student curriculum and content based questions and/or comments shall be responded to by an online instructor. This includes, but is not limited to, responses to message boards, chat rooms, e-mails and telephone calls.
- (11) It shall be the responsibility of the driver training enterprise offering the driver education instruction to determine each student's successful completion by means of a comprehensive final examination measuring driver knowledge.
- (B) In addition to the requirements for class "D" licensed schools listed in paragraph (A) of this rule, driver training courses for beginning drivers, who are between fifteen years and six months of age and eighteen years of age shall also meet the following requirements:
- (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 the classroom and behind-the-wheel instruction;
- (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 wear, in a conspicuous location, an identification card. The identification card shall display a clear photo of the instructor's face, the instructor's name and the name of the driver training school for which the instructor is working;
- (4) 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;
- (5) During times of behind-the-wheel instruction, use of any items or behavior that causes or can 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;

- (6) 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;
- (7) Class "D" instructors shall take a break from instruction at least every four hours;
- (8) 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, appropriate methods of maintaining discipline, and any other relevant factors;
- (9) It shall be the responsibility of the training manager and the instructor to provide each student at the completion of classroom instruction, with a comprehensive final examination measuring driver knowledge:
- (a) The final examination shall be administered and graded in-person by a licensed instructor. Only examinations approved by the director may be used. Student knowledge measured by the final examination 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 Motor Vehicle Laws." Accommodations shall be made for the final examination to assist students with confirmed learning difficulties;
 - (b) No final examination shall permit the students being tested to refer to any materials that may contain answers to the questions thereon;
 - (c) The student shall answer correctly seventy-five per cent or more of the questions comprising the final examination in order to constitute a successful completion of the classroom training. If a student fails the exam, the student may be offered no more than two additional opportunities to pass without further education. The student may not re-take an exam that the student had previously taken and failed;
 - (d) 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;
 - (e) 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.
- (10) No student shall be given more than three hours of behind-the-wheel

instruction in one day. The total training a student receives shall not exceed four hours in one day. Students receiving more than two continuous hours of training shall be permitted a break at the approximate mid-point of the lesson;

- (11) Instructors shall ensure that a beginning driver's first hour of behind-the-wheel training occurs in an area that is reasonably free from pedestrian and vehicular traffic, and that the first hour does not include operation of a vehicle on primary traffic arteries, main highway routes, and other thoroughfares that carry a large amount of traffic;
- (12) No instructor shall give a beginning driver behind-the-wheel instruction before the student has received at least two hours of classroom instruction. No instructor shall give a student who is enrolled in an online program, behind-the-wheel instruction without receiving a certificate of enrollment issued by the online provider;
- (13) No instructor shall permit a beginning driver to operate a motor vehicle on an expressway before the beginning driver has received at least two hours of behind-the-wheel instruction on a roadway that is not an expressway;
- (14) A student absent from a training session shall make up the segment of the training that was missed prior to receiving a certificate of completion;
- (15) Current textbooks or workbooks, as defined in paragraph (O) of rule 4501-7-01 of the Administrative Code, 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;
- (16) 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 is not driving;
- (17) 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;
- (18) 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;
- (19) Instructor candidates who have completed at least thirty-two hours of training can teach up to two hours of behind-the-wheel instruction 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;
- (20) Training managers shall assess all instructors annually in a written format

pre-approved by the director. The assessments shall be maintained in the instructor's file.

(C) In addition to the requirements listed in paragraph (A) of this rule, driver training courses for beginning drivers, who are between fifteen years and six months of age and eighteen years of age, that are delivered online shall meet the following requirements:

- (1) Students shall receive a certificate of enrollment after completing two hours of online internet based instruction. The two hours shall not include the time spent for registration;
- (2) Online instruction shall consist of no less than sixty minutes of instruction for each hour credited toward completion of the required training;
- (3) Any reference material required for the student to complete the online instruction must be provided to the student prior to the start of the online instruction;
- (4) Any modifications made to the online instruction, including but not limited to, design, quizzes, activities, modules, content, law updates or resources must be approved by the director prior to being placed into production;
- (5) Upon completion of the online instruction, the student must be provided with a certificate of completion of an online driver education program as required in paragraph (G) of rule 4501-7-13 of the Administrative Code.
- (6) No student shall be given more than four hours of training in an online driver education program within a twenty-four hour period. Students shall be provided with a break in instruction after two consecutive hours of training. The break shall be documented and recorded;
- (7) Personal validation questions shall appear periodically throughout the entire course and at a minimum shall appear once during the final examination. The student shall answer correctly the personal validation question within sixty seconds for the questions presented over the internet. The student shall have no more than one additional opportunity to answer another validation question if they fail to answer correctly the first question. Failure to answer both validation questions correctly shall lock the student out of the program for twenty-four hours.
- (8) Each student successfully enrolled in an online driver education course shall be provided with a username and password. This username and password shall be required for each time the student logs into the program.
- (9) The online driver education program shall provide a final examination at the completion of the program. All final examinations shall be given during the

online provider's operational hours and shall ensure an online instructor is available during this time. Final examinations shall:

(a) Include fifty questions that have been randomly drawn from the "Examination Questions Test Bank." No question shall appear more than once per final examination;

(b) Not identify the correct answer of a final examination question to the student until the entire test has been completed and submitted;

(c) No final examination shall permit the student being tested to refer to any materials that may contain answers to the questions thereon;

(d) Ensure the student answers seventy-five per cent or more of the questions comprising the final examination correctly in order to constitute a successful completion of the online training. If a student fails the exam, the student may be offered no more than two additional opportunities to pass and may take the final examination no less than twenty-four hours from the last attempt. If a student fails the final examination after three attempts, the student shall fail the course.

(10) The online provider shall create and maintain the records for each examination provided to each student. The school shall ensure that the record for each examination includes:

(a) All of the questions asked and the student's responses;

(b) The name or identity of the online instructor entering comments or responding to questions during each final examination.

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