

4501-7-12

Class "D" and online license school training agreements.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-7-39 of the Administrative Code.]

(A) A signed 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. ~~A signed copy of the written agreement shall be maintained in the school office files for a period of three years.~~

(B) All written agreements ~~shall~~ contain the following:

(1) The type of training the enterprise will provide;

~~(1)~~(2) The full address where the classroom instruction will be given, if applicable. Online providers shall use the office address of the company and its website address;

~~(2)~~(3) The student's date of birth if the student is a beginning driver under the age of eighteen.

~~(3)~~(4) All charges for the training course stated clearly.

~~(4)~~(5) Except for a driver training school providing only online instruction, 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)~~(6) The number of classroom or online driver education hours to be provided. If the student entering the agreement is a beginning driver and less than eighteen years old, the enterprise ~~shall agree~~agrees to provide at least twenty-four hours of classroom instruction based on the "Ohio Driver Training Curriculum."

~~(6)~~(7) The number of behind-the-wheel instruction hours to be provided by an enterprise other than an online driver education program. If the student entering the agreement is a beginning driver less than eighteen years old, the enterprise ~~shall agree~~agrees to provide at least eight hours of behind-the-wheel instruction based on the "Ohio Driver Training Curriculum."

~~(7)~~(8) The signature of an authorizing official, training manager, or instructor and the date such signature was made.

~~(8)~~(9) 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 was obtained.

- ~~(9)~~(10) A declaration of the date by which the complete program of training will be made available to and completed by the student. This date shall be no more than six months from the date the driver training begins. For schools providing both classroom or virtual training and behind-the-wheel training, a date by which the classroom or virtual training needs to be completed for the behind-the-wheel training to be offered and completed within the six months. The date for classroom or virtual training completion shall be of such length to allow the student to actually complete both portions of the training program within the six months.
- ~~(10)~~(11) The statement, "Driver training schools are licensed by the Department of Public Safety through the Driver Training Program Office, 1970 West Broad Street, Columbus, Ohio 43223."
- ~~(11)~~(12) A declaration of the conditions under which refunds may be made. If refunds are not made, the agreement ~~shall~~ clearly ~~state~~states that the enterprise makes no refunds.
- (C) A declaration of conditions under which a student may be denied training may be included in the training agreement.
- (D) 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, on the day that it is executed.
- (E) For a student enrolled in an online driver education program, an agreement must be established between the student, parent or guardian, and an enterprise offering the behind-the-wheel training. Verbal agreements are prohibited. Except for paragraph (B)~~(7)~~~~(6)~~ of this rule, all other requirements in this chapter apply to the agreement.
- (F) Driver training enterprises shall use reasonable controls to verify the parent or legal guardian's identification when enrolling in the program. For a Class "D" driving school using a web-based enrollment process, secure and reasonable controls to authenticate the parent or guardian's identity ~~shall be~~are used. An online enterprise shall develop and maintain the means to reasonably authenticate the parent's identity. This may be accomplished by a combination of the following:
- (1) Third-party database authentication;
 - (2) Biometric authentication;
 - (3) Other secure means that are based on emerging technologies and allow for reasonable assurance that the parent's identity is authenticated; or

- (4) A signed and notarized affidavit. The affidavit ~~shall include~~includes certification that the parent or guardian submitted official documents to verify the parent's or guardian's identity. The affidavit shall be received by the online enterprise before training may begin.

Effective: 5/1/2022
Five Year Review (FYR) Dates: 2/4/2022 and 04/01/2027

CERTIFIED ELECTRONICALLY

Certification

04/13/2022

Date

Promulgated Under: 119.03
Statutory Authority: 4508.02
Rule Amplifies: 4508.02, 4508.03
Prior Effective Dates: 01/07/1967, 08/25/1978, 11/23/1978, 12/01/1980,
02/29/1988, 09/04/1991 (Emer.), 12/21/1991,
07/01/1997, 10/04/2001, 01/08/2004, 10/08/2009,
10/10/2013, 12/06/2014, 07/01/2016