

## TO BE RESCINDED

4501-7-24

**Application for and renewal of a CDL school license.**

[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) No person shall establish a driver training enterprise or allow such enterprise to continue unless the authorizing official first applies for and obtains from the director a license for a driver training school. The authorizing official shall ensure the driver training school, its business enterprise, and its instructors and training managers operate in compliance with Chapter 4508. of the Revised Code and Chapter 4501-7 of the Administrative Code as well as all other applicable local, state, and federal laws. No motorcycle training or motorcycle safety program is administered under this chapter of the Administrative Code.
- (B) Each authorizing official applying for a school license shall submit the "Driver Training Enterprise Application" in writing to the department.
- (C) No driver training enterprise established after July 1, 2001, may share the same name as any other driver training enterprise unless the same person owns both.
- (D) The director issues CDL school licenses.
- (E) Each authorizing official applying for an original school license shall:
- (1) Include a fee of two hundred fifty dollars;
  - (2) Complete and submit the "Driver Training Enterprise Application." Within the application, the authorizing official, at a minimum, shall:
    - (a) Identify the person or persons who will serve as the authorizing official for the school; and
    - (b) Certify the driver training enterprise will be operated in compliance with all applicable local, state, and federal laws.
  - (3) Submit criminal background checks regarding the authorizing official and owner. The background checks shall be dated no more than ninety days prior to the date the "Driver Training Enterprise Application" is received by the director. The criminal background checks shall include:
    - (a) A state level check, which includes information maintained by the bureau of criminal identification and investigation, or a similar government agency from the resident state of the authorizing official and/or owner; and;

- (b) A federal level check, provided by a government agency, which includes information from Ohio and all other states.
  - (4) Submit proof of legal occupancy for each driver training school. The proof shall include the parties with whom the agreement is made, address of the property for which the agreement is made, monetary consideration, even if none, and term of the agreement. The signatures and date of signatures shall be included.
  - (5) Submit proof of a fire inspection compliant with all applicable local, state and federal laws. The inspection shall be performed no more than one year prior to the date the "Driver Training Enterprise Application" was received.
  - (6) Submit a copy of the training manager's certificate of training showing the training manager has completed, within the past ten years, a driver training school manager's course approved by the director.
- (F) An original school license expires on December thirty-first of the year it is issued and each license may be renewed.
- (G) Each authorizing official applying for a renewal school license shall:
- (1) Include a fee of fifty dollars;
  - (2) Meet the "renewal requirements."
- (H) Each authorizing official for a school shall ensure the department receives the "renewal requirements" by, or that it is postmarked no later than, November thirtieth of the year the license expires.
- (I) If the "renewal requirements" are not postmarked or received by the director by November thirtieth of each year, the authorizing official shall submit a new "Driver Training Enterprise Application" for an original school license in accordance with paragraph (E) of this rule.
- (J) No authorizing official shall change the school's name, ownership, authorizing official, or school location without prior notification to the director.
- (1) Any person to whom the ownership of a driver training enterprise is to be conveyed shall submit a new "Driver Training Enterprise Application" in accordance with paragraph (E) of this rule. The application for an original license shall be submitted to and approved by the director prior to the conveyance of ownership.

- (2) Any person to whom an interest in ownership is conveyed that does not constitute a change of ownership as defined in rule 4501-7-01 of the Administrative Code shall submit a new "Driver Training Enterprise Application" for conveyance of interest to the director along with the documents required in paragraph (E)(3) of this rule.
  - (3) No fees will be assessed for moving the location of a school or changing the name of a driver training enterprise.
  - (4) Any person applying to be an authorizing official of an enterprise shall complete and submit a new "Driver Training Enterprise Application" along with the documents required in paragraph (E)(3) of this rule. The application shall be approved by the director.
- (K) All license fees shall be paid and in the form of a check or money order made payable to the treasurer of the state of Ohio.
- (L) No person shall submit the "Driver Training Enterprise Application" or "renewal requirements" that are incomplete or incorrect or which contains false or misleading information. An incomplete or incorrect "Driver Training Enterprise Application" or "renewal requirements" may be rejected or returned to the applicant. An application or "renewal requirements" containing false or misleading information may be denied.
- (M) If a driver training enterprise or school closes or discontinues business for any reason, the authorizing official shall return the school license to the director immediately.
- (N) All prospective new enterprise owners and authorizing officials shall attend a new school orientation provided by the department. Attendance of the orientation shall have been completed no more than one year prior to the date the department receives the "Driver Training Enterprise Application."

Effective:

Five Year Review (FYR) Dates: 2/4/2022

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4508.02  
Rule Amplifies: 4508.01, 4508.02, 4508.03, 4508.05, 4508.09  
Prior Effective Dates: 10/04/2001, 10/08/2009, 01/15/2015, 07/01/2016