

4501-7-28

Training required for the operation of commercial motor vehicles.

[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) Enterprises training drivers in the operation of commercial motor vehicles shall provide theory instruction and behind-the-wheel instruction in the operation of commercial motor vehicles. A CDL licensed school may offer instruction in class "A" instruction, class "B" instruction, or both.
- (B) Students shall be taught and supervised by a licensed instructor. Instructors shall act only under the authority and guidance of a licensed driver training enterprise. Instructors shall carry on them proper identification to prove valid licensure and provide such proof upon request. Proper identification includes:
- (1) The instructor's current and valid driver's license and the department issued instructor license if the department issued license does not have the instructor's photo printed on it; or
 - (2) The instructor's current and valid department issued instructor license if the department issued license contains the instructor's photo printed on it.
- (C) If a student completed the classroom or virtual classroom training through another enterprise, no behind-the-wheel instruction is provided until proof of completion of the classroom or virtual classroom is provided.
- (D) The training environment shall be maintained in a manner that is conducive to learning. Maintaining an environment that is conducive to learning includes consideration to the appropriate class size, providing appropriate shelter in inclement weather on the range, ensuring the safety of students in and around vehicles on the range, and any other relevant factors.
- (E) The authorizing official and/or training manager of the enterprise shall ensure that each student completes all required classroom hours and/or behind-the-wheel training hours, whichever is applicable, within two hundred seventy days after the first lesson unless mitigating circumstances occur which is documented by the school in the student's record. Mitigating circumstances include health and family issues that disrupt the student's ability to receive training.
- (F) No student is provided more than ten hours of training by an enterprise in one calendar day.

- (G) Theory instruction and behind-the-wheel instruction consists of no less than sixty minutes for each hour credited toward completion of the required instruction. Time taken for breaks or observation is not included when calculating completion of the required instruction.
- (H) No more than forty per cent of the total theory instruction hours is devoted to showing educational videos, slides or films that relate to commercial driver training. No videos, films, or activities unrelated to safe commercial driving practices, commercial driver knowledge, or commercial driver skill shall be used.
- (I) All behind-the-wheel instruction on streets and highways shall be under the direct supervision of a licensed instructor who is in the vehicle and seated in the front seat next to the driver.
- (J) If a student is observing behind-the-wheel instruction of another student and not actually driving, such time is not be credited to the student for behind-the-wheel training completed. Each student driver, with the assistance of the instructor, shall do at least one pre-trip inspection during each day of on-the-road training.
- (K) During the training of one or more motor vehicles on the range, an instructor, who is not restricted to the classroom only, is required to remain on the range to actively instruct and monitor students. The following limits exist:
 - (1) During the operation of a vehicle on the range:
 - (a) One instructor may oversee no more than eight students;
 - (b) One instructor may oversee no more than four vehicles; and
 - (c) No more than two students may be working with one vehicle at one time.
 - (2) During pre-trip inspection training, one instructor may oversee no more than eight students.
- (L) Theory instruction.
 - (1) Theory instruction for class "A" commercial motor vehicle training totals at least forty hours. The curriculum shall, at a minimum, meet all curriculum standards set forth in "Title 49 of the Code of Federal Regulations, Appendix A to Part 380" and the "Commercial Driver's License Curriculum Guideline."
 - (2) Theory instruction for class "B" commercial motor vehicle training totals at least twelve hours. The curriculum shall, at a minimum, meet all curriculum

standards set forth in "Title 49 of the Code of Federal Regulations, Appendix B to Part 380" and the "Commercial Driver's License Curriculum Guideline."

- (3) Theory instruction for a passenger endorsement totals at least eight hours. The curriculum shall at a minimum, meet all curriculum standards set forth in "Title 49 of the Code of Federal Regulations, Appendix C to Part 380" and the "Commercial Driver's License Curriculum Guideline."
- (4) School bus endorsement training curriculum. Theory instruction for a school bus endorsement totals at least eight hours and shall, at a minimum, meet all curriculum standards set forth in "Title 49 of the Code of Federal Regulations, Appendix D to Part 380" and the "Commercial Driver's License Curriculum Guideline."
- (5) Final examination. It shall be the responsibility of the commercial driver training enterprise offering the theory instruction to determine each student's successful completion by means of a comprehensive final examination measuring driver knowledge. The final examination is provided at the completion of the theory training.
 - (a) No student being tested shall be permitted to refer to any materials that may contain answers to the questions thereon.
 - (b) Student knowledge measured by the final examination shall be representative of the entire scope of knowledge of the curriculums as set forth in paragraph (L) of this rule. The number of questions shall be based on the following:
 - (i) The final examination for class "A" commercial motor vehicle training as set forth in paragraph (L)(1) of this rule includes one hundred content-based test questions.
 - (ii) The final examination for class "B" commercial motor vehicle training as set forth in paragraph (L)(2) of this rule includes fifty content-based test questions.
 - (iii) The final examination for training provided as set forth in paragraphs (L)(3) and (L)(4) of this rule includes twenty-five content-based questions.
 - (c) Each student shall answer eighty per cent or more of the questions comprising the final examination correctly in order to constitute successful completion. 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 the same exam the student had previously taken and failed. Students may not be provided a final examination less than a calendar day from the last attempt.

- (d) The final examination shall be administered and graded under the supervision of a licensed instructor. Accommodations shall be made for the final examination to assist students with confirmed learning difficulties.
 - (e) 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.
- (M) Behind-the-wheel training. Instructors providing behind-the-wheel training shall be actively instructing during all public road training sessions.
- (1) Behind-the-wheel instruction for class "A" commercial motor vehicle training shall be provided in a class "A" vehicle and total at least forty hours. No less than ten hours of behind-the-wheel instruction shall be given on off-highway ranges. No less than ten hours of behind-the-wheel instruction shall be given on streets and highways with normal traffic. Twenty hours of behind-the-wheel instruction may be used either for on-highway or off-highway training. The authorizing official, instructor or training manager shall determine which behind-the-wheel instruction would be most beneficial to the student. No student shall be taken on the road for training prior to receiving a minimum of five hours of range training. The five hours of time credited does not include observation time. The curriculum shall, at a minimum, include instruction as set forth in "Title 49 of the Code of Federal Regulations, Appendix A to Part 380" and the "Commercial Driver's License Curriculum Guideline."
 - (2) Behind-the-wheel instruction for class "B" commercial motor vehicle training shall be provided in a class "B" vehicle and total at least twenty-eight hours. No less than eight hours of behind-the-wheel instruction shall be given on ranges. No less than eight hours of behind-the-wheel instruction shall be given on streets and highways with normal traffic. Twelve hours of behind-the-wheel instruction may be used either for on-highway or off-highway training. The authorizing official, instructor or training manager shall determine which behind-the-wheel instruction would be most beneficial to the student. No student shall be taken on the road for training prior to receiving a minimum of four hours of range training. The four hours of time credited shall not include observation time. The curriculum shall, at a minimum, include instruction as set forth in "Title 49 of the Code of Federal Regulations, Appendix B to Part 380" and the "Commercial Driver's License Curriculum Guideline."

- (3) Passenger endorsement behind-the-wheel curriculum. The driver training school may include the passenger endorsement training curriculum in the Class B curriculum. For those students seeking to obtain the passenger endorsement on a current commercial driver's license, the driver training school may offer the passenger endorsement curriculum as separate behind-the-wheel instruction. The curriculum shall, at a minimum, include instruction as set forth in "Title 49 of the Code of Federal Regulations, Appendix C to Part 380" and the "Commercial Driver's License Curriculum Guideline."
- (4) School bus endorsement training curriculum. The driver training school may include the school bus endorsement training curriculum in the Class B curriculum. For those students seeking to obtain the school bus endorsement on a current commercial driver's license, the driver training school may offer the school bus endorsement curriculum as separate behind-the-wheel instruction. The curriculum shall, at a minimum, include instruction as set forth in "Title 49 of the Code of Federal Regulations, Appendix D to Part 380" and the "Commercial Driver's License Curriculum Guideline."
- (5) Proficiency. It shall be the responsibility of the commercial driver training enterprise offering the behind-the-wheel instruction to determine each student's successful completion of all range and road activities. Successful completion shall be based upon the student's ability to demonstrate proficiency in proper techniques for the range and road skills.
 - (a) The instructor shall determine and document that the student has demonstrated proficiency in all topics of behind-the-wheel instruction topics.
 - (b) The proficiency demonstration shall occur at the end of the student's training. The demonstration shall be, at a minimum, two hours in length with thirty minutes for pre-trip.

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CERTIFIED ELECTRONICALLY

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