

4501-8-01

Definitions.

- (A) "Abbreviated adult driver training course" or "abbreviated adult course" means a driver training course, as establish in paragraph (F) of section 4508.02 of the Revised Code, consisting of classroom education, online education, and may include on the road training.
- (B) "Adult student" or "student" means a person, who is at least eighteen years of age, and meets the requirements as set forth in paragraph (C) of section 4507.21 of the Revised Code.
- (C) "Adult training coordinator" or "adult coordinator" means a person designated by an authorizing official of a driver training enterprise to carry out orders, instruct, conduct the business and manage the training program of a school, assess, train and supervise current and candidate instructors.
- (D) "Applicant" or "candidate" means any person applying for a license to be an authorizing official for a driver training enterprise or school, an instructor or a training manager.
- (E) "Armed forces" means the armed forces of the United States, including the army, navy, air force, marine corps, coast guard, or any reserve components of those forces; the national guard of any state; the commissioned corps of the United State public health service; the merchant marine service during wartime; such other service as may be designated by congress; or the Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.
- (F) "Authorizing official" or "official" means any person who owns or who maintains responsibility on behalf of an individual, corporation, business trust, estate, trust, partnership, or an association for the facilities, equipment, instructors, managers and other employees of a driver training enterprise.
- (G) "Behind-the-wheel instruction" means that portion of a driver training course which is devoted to teaching a student driving skill, provided to a student who is operating an approved motor vehicle, and presented by a licensed instructor.
- (H) "Biometric authentication" means the verification of a user's identity by means of a physical trait or behavioral characteristic.
- (I) "Certificate of completion" means a certificate electronically furnished by the department to a licensed driver training enterprise and issued by the enterprise to students who have completed the required four hours of classroom instruction or the online instruction and four hours of behind-the-wheel instruction to the satisfaction of the school's authorizing official or adult training coordinator as required by division (C) of section 4508.02 of the Revised Code.
- (J) "Chargeable crash" means a conviction of, a guilty plea to, a finding of guilty following a plea of no contest to, or the forfeiture of any bail or collateral deposited

to secure an appearance for a moving traffic violation as a result of a motor vehicle crash.

(K) "Classroom" means any room within a driver training school used to teach students driver knowledge.

(L) "Classroom instruction" means that portion of an abbreviated adult training course that is devoted to teaching driver knowledge and provided in a classroom. Classroom instruction does not include the student's operation of a motor vehicle.

(M) "Current textbook or workbook" means a book published within the past ten years containing information for safe and responsible driver practices and used as part of an approved driver training curriculum.

(N) "Department" means the "Ohio Department of Public Safety."

(O) "Director" means the director of the "Ohio Department of Public Safety" as set forth in division (G) of section 121.03 of the Revised Code, or the director's designee.

(P) "Driver license" or "operator license" means a class D license issued to any person to operate a motor vehicle, other than a commercial motor vehicle, including a "probationary license" or a "restricted license" as defined in division (A) of Section 4507.01 of the Revised Code.

(Q) "Driver training school," "adult driver training school" or "school" means each facility where an abbreviated adult driver training course is conducted. A driver training school includes:

(1) A business enterprise conducted by a person for the training of persons to operate a motor vehicle that use public streets or highways to provide training and charges a fee for such services;

(2) A business enterprise that offers the equivalent to classroom instruction via an online internet education program,

(3) A lead school district as provided in section 4508.09 of the Revised Code; or

(4) A board of education of a city, exempted village, local, or joint vocational school district or the governing board of an educational service center that offers an adult driver training course for high school students enrolled in the district or in a district served by the educational service center.

(R) "Dual control brake" means two devices in a single motor vehicle, either of which will safely stop the motor vehicle.

(S) "Enterprise," "driver training enterprise," or "business enterprise" means a person, as defined in section 1.59 of the Revised Code, who operates a school, as defined in

this chapter, for the education and training of persons in the operation of motor vehicles using public streets or highways or an online driver education program.

(T) "Instructor" means any person, whether acting for self as operator of a driver training school or for such a school, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.

(U) "Occupational therapist" means a person who is licensed or holds a limited permit to practice occupational therapy and who offers such services to the public under any title incorporating the words "occupational therapy," "occupational therapist," or similar title or description of services as defined in Chapter 4755.04 of the Revised Code.

(V) "Office" means a room used for conducting school business and storing school records which meets the requirements specified in rules 4501-8-02 of the Administrative Code.

(W) "Online driver education program" means a licensed driver training course that is the equivalent to in-person classroom instruction approved by the director and offered by an online provider.

(X) "Online instructor" means a person who is available for curriculum content support for those students enrolled in an online driver education program. Curriculum content support may be provided through, but is not limited to, open forums, message boards, chat rooms, telephone support, or e-mail correspondences.

(Y) "Online provider" means a business that provides an online program of classroom instruction via the internet for the training of persons to operate Class "D" vehicles, including a driver training school as defined in paragraph (R)(2) of this rule.

(Z) "Original school application" means an application and all required supporting documents submitted by an enterprise or lead school district for a school that has not previously been licensed to operate a driver training school at that location, or an application for renewal received or postmarked after November thirtieth in a given calendar year for renewal of the school license for the calendar year which begins the following January first.

(AA) "Original instructor or training manager application" means an application and all required documents for a license for an instructor or training manager that is submitted by a person who has not previously been licensed as a driver training instructor or training manager, or an application for renewal of a person's driver training instructor or training manager license that is received by the director after December thirty-first in the calendar year that occurs one year after the date of expiration of the last license issued to that person.

(BB) "Ownership" means the legal right of possession; proprietorship.

(1) A change in ownership of an enterprise or school includes the conveyance by a partner of his interest in the partnership that results in the dissolution of the partnership.

(2) A change in ownership of an enterprise or school does not include the conveyance by a partner of his interest to another when such conveyance does not dissolve the partnership.

(CC) "Person" means an individual, corporation, business trust, estate, trust, partnership, or association as defined in section 1.59 of the Revised Code.

(DD) "Person with a disability" or "disabled person" means any person who, in the opinion of the registrar of motor vehicles, is afflicted with or suffering from a physical or mental disability or disease that prevents the person, in the absence of special training or equipment, from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle upon the highways. A person with a disability is not a person who is or who has been subject to any condition resulting in episodic impairment of consciousness or loss of muscular control and whose condition, in the opinion of the registrar, is dormant or is sufficiently under medical control that the person is capable of exercising reasonable and ordinary control over a motor vehicle. A student who is deaf is not a person with a disability for purposes of this chapter.

(EE) "Physician" means a person licensed to practice medicine or surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code.

(FF) "Residence" means any dwelling used or occupied as living quarters, whether or not on a full-time basis. A residence does not include an unattached structure upon a residential property that has a separate means of ingress and egress.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4508.02
Rule Amplifies: 4508.02 to 4508.09