

4501-8-03

**Character and fitness for adult driver training courses.**

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501-8-21 of the Administrative Code.]

- (A) Any person connected in any manner with a driver training enterprise, including but not limited to an owner, partner, adult training coordinator, instructor, online instructor, or authorizing official, shall be of good character and reputation.
- (B) The conviction of any of the above persons of any ~~felony or any misdemeanor, other than a minor misdemeanor, which is reasonably related to a person's ability to serve safely and honestly in connection with a driver training enterprise~~disqualifying offense, shall be grounds to deny issuing or renewing a license or grounds for suspending or revoking a previously issued license.
- (C) Every person connected in any manner with a driver training enterprise, including but not limited to an owner, partner, adult training coordinator, office manager, instructor, or authorizing official, shall comply with all applicable state and federal laws which prohibit discrimination based upon race, color, national origin, sex, age, handicap, disability, ancestry, or religion.
- (D) The director may deny the issuance of a license to any person if the person applying for a license has had a driver training school, adult training coordinator, instructor, or online instructor license revoked or denied within the five years immediately preceding the current filing for an application.

After the five-year revocation period has lapsed, any adult training coordinator, instructor or online instructor whose license has been revoked or denied may apply for a license by following the training procedure set forth in rule 4501-8-05 of the Administrative Code. Granting of a license shall be based upon successful completion of the training procedure, which includes an appropriate course approved by the director, and successful completion of the probationary license period, and no further violations of Chapter 4507. or Chapter 4508. of the Revised Code or the rules amplifying those chapters.

- (E) No adult training coordinator or authorizing official shall knowingly permit any adult training coordinator, instructor, or online instructor of the enterprise who is not physically or mentally ~~unfit~~unsound to be in contact with students.
- (1) Any person who applies for or holds an abbreviated adult driver training instructor's, online instructor's, authorizing official's school, or adult training coordinator's license shall submit to an examination of that person's physical or mental fitness when the director or the school's adult training coordinator or enterprise's authorizing official has evidence to believe the instructor, online

instructor, or coordinator may not be mentally or physically fit to instruct students or operate a motor vehicle.

- (2) Any person who applies for or holds a driver training instructor's, online instructor's, or adult training coordinator's license shall notify the authorizing official of any driver training enterprise with which the person is affiliated of any injury, any physical or mental impairment, or any drug or medicine the person is taking that gives good cause to believe such injury, impairment, drug or medicine may affect that instructor's, online instructor's or adult training coordinator's ability to drive or to effectively and safely instruct students or manage training.
- ~~(3) The authorizing official is responsible for maintaining records for an instructor's or adult training coordinator's behavioral problem(s) that give good cause for the belief that the instructor, online instructor, or adult training coordinator could be physically or mentally unfit to perform their duties. The authorizing official is also responsible for maintaining records of disciplinary actions taken to correct such behavior in the instructor's or training manager's file.~~
- (F) Except for an online instructor, instructors and adult training coordinators shall provide ~~an annual~~ completed "Driver Training Personnel Physical Examination" to the authorizing official of the enterprise every two years. ~~The authorizing official shall maintain the "Driver Training Personnel Physical Examination" in each instructor's and adult training coordinator's personnel file. The authorizing official shall make these records available for inspection upon request of the director.~~

Effective: 9/3/2022

Five Year Review (FYR) Dates: 6/7/2022 and 06/01/2027

CERTIFIED ELECTRONICALLY

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Certification

08/24/2022

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Date

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