

4501-8-04

Application for and renewal of an abbreviated adult driver training school and online license.

[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) No person shall establish a driver training enterprise or allow such an 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, online instructors and adult training coordinators operate in compliance with Chapter 4508. of the Revised Code and Chapter 4501-8 of the Administrative Code, as well as all other applicable local, state, and federal laws.

(B) No driver training enterprise may share the same name as any other driver training enterprise unless the same person owns both.

(C) The director issues driver training school licenses. An authorizing official may apply for one or both of the following types of driver training school licenses:

(1) Abbreviated adult school, which offers traditional classroom instruction and behind-the-wheel training that complies with requirements of division (F) of section 4508.02 of the Revised Code;

(2) Online abbreviated adult school license, which offers a course of study via the internet, that is the content equivalent of the classroom instruction offered by a class "D" school.

(D) Each authorizing official applying for an original abbreviated adult driver training school license shall:

(1) Complete and submit the "Driver Training Enterprise Application" to the department. 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.

(2) Include an application fee of two hundred fifty dollars;

(3) Submit criminal background checks regarding the authorizing official and owner. The criminal 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 who 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 for each school location that is compliant with all applicable local, state and federal laws. The inspection shall be dated no more than one year prior to the date the was received.
 - (6) Submit a copy of the adult training coordinator's certificate of training showing completion of an adult coordinator's course approved by the department.
- (E) Each authorizing official applying for an original online abbreviated adult school license shall:
 - (1) Include a fee of eight hundred fifty dollars, which includes:
 - (a) Two hundred fifty dollar application fee; and
 - (b) Six hundred dollars for review of the assessment and online driver education program;
 - (2) Submit criminal background checks regarding the authorizing official and owner. The criminal 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 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.
 - (3) Submit proof of legal occupancy for the enterprise office. 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.

- (4) Submit proof of a fire inspection for the office that is compliant with all applicable local, state and federal laws. The inspection shall be dated no more than one year prior to the date the "Driver Training Enterprise Application" was received.
 - (5) Submit evidence of expertise in providing driver education and/or driver training which may include, but is not limited to, proof of prior or current driver's education and/or training certification or licensure issued in Ohio or another state. The director may consider all evidence provided;
 - (6) 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.
 - (7) Submit the complete proposed online driver education program in written format and include full access to the proposed internet based website or portal for review;
 - (8) Complete and submit the "Online Driver Education Security Assessment." The assessment shall be signed and notarized.
- (F) An original online school license may be issued to the applicant based on all licensing requirements and the following:
- (1) The online program has met an "Acceptable" rating for all requirements as prescribed by the director and set forth in the "Minimum Standards for an Online Abbreviated Adult Course";
 - (2) The online program has not been denied a license by the director within one year of the date of an original application filing.
- (G) The authorizing official for an online school shall provide the director with an "Online Driver Education Security Assessment" describing any significant system changes for approval within thirty days of enabling the specific changes.
- (H) Each original school and online license expires on December thirty-first of the year it is issued and may be renewed.

(I) Each authorizing official applying for a renewal of an abbreviated adult driver training course shall:

(1) Pay an application fee of fifty dollars; and

(2) Meet the "renewal requirements."

(J) Each authorizing official applying for a renewal online school license shall:

(1) Pay an application fee of fifty dollars; and

(2) Meet the "renewal requirements."

(K) Each authorizing official for a school, as specified in paragraph (C) of this rule, 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.

(L) If the "renewal requirements" are not postmarked or received by the director by November thirtieth of year of expiration, the authorizing official shall submit a new "Driver Training Enterprise Application" for an original school license in accordance with paragraph (D) or (E) of this rule, whichever is applicable.

(M) 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 is conveyed of a driver training enterprise shall submit a new "Driver Training Enterprise Application" in accordance with paragraph (D) or (E) of this rule, whichever is applicable. The original application shall be submitted to and approved by the director prior to 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 4501-8-01 of the Administrative Code shall submit a new "Driver Training Enterprise Application" for the conveyance of interest to the director along with the documents required in paragraphs (D)(1) and (D)(3), or (E)(2) and (E)(6) of this rule, whichever is applicable. The application shall be approved by the director.

(3) No fees will be assessed for changing the location of a school or 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 (D)(2) or (E)(2) of this rule, whichever is applicable. The application shall be approved by the director.

(N) All license fees shall be in the form of a check or money order made payable to the treasurer of the state of Ohio.

(O) No person shall submit the "Driver Training Enterprise Application" or "renewal requirements" that are incomplete or incorrect or which contain false or misleading information. An incomplete, incorrect, false or misleading "Driver Training Enterprise Application" or "renewal requirements" may be rejected, returned to the applicant, or denied.

(P) 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.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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