

4501-8-05

Requirements for instructors, online instructors and adult training coordinators.

[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 give instruction for hire in the operation of a motor vehicle unless such person is the holder of a current and valid probationary instructor license or non-probationary instructor license issued by the director. No authorizing official or adult training coordinator shall allow a person to instruct driver training unless the person has applied for and obtained the appropriate instructor's license from the director. Instructors shall maintain a valid driver's license at all times during licensure. The instructor shall act only under the authority and guidance of a licensed driver training enterprise.
- (B) Adult training coordinators shall be licensed instructors and shall have completed a course for adult training coordinators.
- (C) Each person applying for an instructor or online instructor license ~~shall submit~~submits the "Abbreviated Adult Driver Training Instructor License Application" to the department. Original applications for instructors ~~shall include~~:
- (1) A fee of twenty-five dollars paid electronically or in the form of a check or money order made payable to the treasurer of the state of Ohio.
 - (2) Background checks regarding the applicant's criminal record and dated no more than ninety days prior to the date the director receives the "Abbreviated Adult Driver Training Instructor License Application." The background checks ~~shall~~ include:
 - (a) A state level check, which includes information maintained by the bureau of criminal identification and investigation, or a similar agency from the resident state of the applicant; and
 - (b) A federal level check, provided by a governmental agency, which includes information from Ohio and all other states.
 - (3) ~~Two passport size photographs. A .jpeg format photograph of the applicant that measure two by two inches square showing neck, shoulders, full face and uncovered head with a plain solid colored background and taken not more than sixty days prior to the date of the application. Photographs shall not be permanently attached to any material. Photocopies of photographs cut from other identification badges or cards will not be accepted. The photographs~~

~~will be used to create a pictured license issued by the director. Photographs submitted electronically shall be provided in a .tif or .jpeg format.~~

- (4) The applicant's driving record abstract obtained from the records maintained by the bureau of motor vehicles, or a similar agency from another state if the applicant has an out-of-state license. The abstract shall be dated no more than ninety days prior to the date the "Abbreviated Adult Driver Training Instructor License Application" is received by the director. The abstract must show the applicant has a current and valid license to operate a motor vehicle.
- (5) Except for an online instructor applicant, certification from an Ohio driver examiner that the applicant has passed the required driver training instructor testing. Testing includes:
 - (a) A vision screening;
 - (b) A knowledge test that includes questions testing the applicant's knowledge of the Administrative Code, road signs, the care and operation of motor vehicles, and the "Digest of Motor Vehicle Laws."
 - (c) A skill examination in a motor vehicle other than a commercial motor vehicle or motorcycle.
- (6) Except for an online instructor applicant, proof the applicant has completed a training program within the ten years immediately preceding the application for an instructor's license. Except for an online instructor, the proof ~~shall consist~~consists of:
 - (a) A training program approved by the director and administered by a licensed driver training school under the direction of the adult training coordinator;
or
 - (b) A valid copy of a state of Ohio department of education certificate with a driver training endorsement issued pursuant to the provisions of sections 3319.22 to 3319.31 of the Revised Code. Such certificate shall be valid at the time of applying for an instructor license; or
 - (c) Certificate issued by a college or university providing training specific to driver education and training; or
 - (d) An abbreviated training program approved by the director and administered by the licensed driver training school under the direction of the adult training coordinator. The abbreviated training program shall only be

provided to instructors who currently meet the requirements under rule 4501-7-05 of the Administrative Code.

- (7) For an online instructor applicant, the proof shall consist of a training program approved by the director. Such training shall have been completed within the ten years immediately preceding the application for an online instructor's license.
- (8) Except for an online instructor applicant, the "Driver Training Personnel Physical Examination" ~~signed by a licensed physician~~ signed by a physician, nurse practitioner, or physician's assistant acting within their scope of practice declaring that the instructor does not have a medical condition, physical condition, including vision impairment (not corrected), which could interfere with the responsibilities of being an instructor or could jeopardize the health and welfare of students and/or general public. The "Driver Training Personnel Physical Examination" shall be ~~and~~ dated no more than one year prior to the date the director receives the "Abbreviated Adult Driver Training Instructor License Application."
- (9) Proof the applicant has completed the department's online "Sexual Harassment Training."
- ~~(D)~~ ~~The enterprise or organization that completed the training shall maintain the training records of the instructors, online instructors and adult training coordinators for three years after the instructor, online instructor or adult training coordinator is no longer employed with the driver training school.~~
- ~~(E)~~ (D) Upon approval of an initial "Abbreviated Adult Driver Training Instructor License Application" the director ~~shall issue~~ issues a probationary instructor license.
 - (1) The probationary license ~~shall expire~~ express one hundred eighty days from the date of issuance.
 - (2) The probationary instructor license holder shall successfully pass an assessment, approved by the director, prior to the expiration of the probationary license. The adult training coordinator shall be responsible for assessing the instructor. The authorizing official of an online course shall assess the online instructor. The assessments shall be provided to the director at least one month prior to the expiration of the probationary license.
 - (3) A probationary license holder may not be associated with more than one driver training enterprise during the probationary term.
 - (4) If a probationary license holder fails to meet expectations as provided by the assessment, the director may extend the probationary term no more than ninety

days. The probationary instructor license holder shall successfully pass a second assessment performed by the adult training coordinator.

(5) If during the probationary term, a probationary license holder becomes associated with another driver training enterprise, the probationary term shall start over.

(6) The director shall issue a non-probationary instructor license to an applicant who has successfully completed the probationary term.

~~(F)~~(E) Every applicant for an adult training coordinator endorsement shall submit the "Abbreviated Adult Driver Training Instructor License Application" to the department.

(1) For an abbreviated adult course instructor, who does not meet the requirements set forth in paragraph ~~(F)~~(E)(2) or ~~(F)~~(E)(3) of this rule, the original application shall include:

(a) Proof the applicant has completed a course for adult training coordinators approved by the director; and

(b) Proof the applicant has held an abbreviated adult instructor license for two years and have taught, at a minimum, eight abbreviated adult courses.

(2) For an applicant who has held, within the previous three years, a training manager license for a class d driver training school pursuant to Chapter 4501-7 of the Administrative Code, the original application ~~shall include~~includes:

(a) Proof of the training manager license for a class d driver training school pursuant to Chapter 4501-7 of the Administrative Code; and

(b) Proof the applicant has completed a continuing education course for adult training coordinators approved by the director.

(3) For an applicant that is a current certified driver rehabilitation specialist, the original application ~~shall include~~includes:

(a) Proof the applicant is a current certified driver rehabilitation specialist; and

(b) Proof the applicant has completed a course for adult training coordinators approved by the director.

~~(4) Proof the applicant has completed a course for adult training coordinators approved by the director.~~

~~(G)~~(F) All non-probationary instructor, online instructor and adult training coordinator licenses ~~shall~~ expire on December thirty-first of the year the license was issued, and a license may be renewed annually upon completion of the "renewal requirements."

~~(H)~~(G) All non-probationary instructor, online instructor and adult coordinator license "renewal requirements" may be filed without penalty if filed within one year from the date of expiration of the last license issued, but such license will be effective no sooner than the date it is approved by the director.

(H) The director issues certification for training persons with a disability in one of two categories:

(1) As a disability endorsement for an instructor of an abbreviated adult training course providing classroom and behind-the-wheel instruction.

(a) An instructor applying for the disability endorsement shall file a "Abbreviated Adult Driver Training Instructor License Application" in accordance with paragraph (C) of this rule and include a certificate of successful completion of a course approved by the director for training drivers with a disability.

(b) In order to maintain current certification, an instructor shall take a continuing education course in training drivers with a disability, as approved by the director, every three years.

(2) As a license for an instructor of only a rehabilitation clinic or medically based hospital that offers driver training for beginning drivers with a disability.

(a) An instructor applying for a license, who will provide driver training in persons with a disability for a rehabilitation clinic or medically based hospital, shall file a "Abbreviated Adult Driver Training Instructor License Application" in accordance with paragraph (C) of this rule and include proof of certification as an occupational therapist or a certified driver rehabilitation specialist.

(b) In order to maintain current certification, an instructor shall show proof of continuing education every three years in training drivers with a disability.

(I) Any application for an instructor, online instructor, or adult training coordinator license received by the director more than one year after the last license expired shall be submitted as an original application.

(J) Each applicant seeking renewal ~~of an instructor's, online instructor's, or adult training coordinator's license~~ shall submit the "renewal requirements" as prescribed by the director. "Renewal requirements" include:

- (1) A fee of ten dollars paid electronically or in the form of a check or money order made payable to the treasurer of the state of Ohio.
- (2) The applicant's driving record abstract obtained from the records maintained by the bureau of motor vehicles, or a similar agency from another state if the applicant has an out-of-state license. The abstract shall be dated no more than ninety days prior to the date the "renewal requirements" are received by the director. ~~The abstract must and~~ show the applicant has a current and valid license to operate a motor vehicle.
- (3) ~~Two passport size photographs~~ A .jpeg format photograph of the applicant ~~that measure two by two inches square showing neck, shoulders, full face and uncovered head with a plain solid colored background and taken not more than sixty days prior to the date of the application. Photographs shall not be permanently attached to any material. Photocopies of photographs cut from other identification badges or cards will not be accepted. The photographs will be used to create a pictured license issued by the director. Photographs submitted electronically shall be provided in a .tif or .jpeg format.~~
- (4) The signature of the authorizing official of the driver training school with which the applicant is affiliated.

(K) Every applicant for a probationary or non-probationary instructor or online instructor license or applicant for an adult training coordinator shall:

- (1) Certify the applicant has been licensed as the operator of a motor vehicle for at least five years;
- (2) Possess a valid driver's license;
- (3) Certify that the applicant is in sound physical and mental health, does not have any injury or physical or mental impairment, and is not under the influence of or addicted to any drug or medicine which may affect that applicant's ability to drive or to effectively and safely instruct students or manage training;
- (4) Have a record free of ~~a conviction for any felony, within ten years of the date of application; or a conviction for any misdemeanor, other than a minor misdemeanor, within five years of the date of application, which is reasonable related to the applicant's ability to service safely and honestly in connection with a driver training enterprise~~ disqualifying offense;

- (5) Have a driving record free of any of the following:
- (a) Three or more chargeable crashes within the three years preceding the date of application;
 - (b) Three or more moving violation convictions under Chapter 4511. of the Revised Code, or an equivalent conviction from another jurisdiction, within the three years preceding the date of application;
 - (c) An accumulation of six points or more under Chapter 4510. of the Revised Code, or equivalent action from another jurisdiction within the preceding three years;
 - (d) A twelve-point administrative suspension under section 4510.037 of the Revised Code, or equivalent action from another jurisdiction, within the ten years preceding the date of application.
- (L) If an instructor, online instructor, or adult training coordinator failed to renew because of service in the armed forces, the license shall be renewed in accordance with section 5903.10 of the Revised Code. The instructor, online instructor, or adult training coordinator shall submit the "renewal requirements" as set forth in paragraph ~~(H)~~(I) of this rule.
- (M) If an instructor, online instructor, or adult training coordinator failed to renew because the license holder's spouse served in the armed forces and the service resulted in the holder's absence from Ohio, the license shall be renewed in accordance with section 5903.10 of the Revised Code. The instructor or adult training coordinator shall submit the "renewal requirements" as set forth in paragraph ~~(H)~~(I) of this rule.
- (N) A renewal shall not be granted unless the holder or the holder's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.
- (O) An instructor, online instructor, or adult training coordinator shall notify the enterprise's authorizing official, in writing, within ten days if any of the following occur:
- (1) The instructor, online instructor, or adult training coordinator is convicted of or pleads guilty to a moving traffic violation;
 - (2) The instructor, online instructor, or adult training coordinator is involved in a chargeable crash;

- (3) The instructor, online instructor, or adult training coordinator is convicted of a charge that assesses points against the holder's license;
 - (4) The instructor, online instructor, or adult training coordinator receives any driver license suspension, cancellation, or revocation;
 - (5) The instructor, online instructor, or adult training coordinator is convicted of or pleads guilty to any criminal charge specified ~~if in~~ paragraph (K)(4) of this rule.
- (P) The authorizing official shall notify the director, in writing, within ten days of the receipt of notice that the instructor, online instructor, or adult training coordinator received a conviction or violation specified in paragraph (O) of this rule.
- (Q) The director may refuse to issue or renew, or suspend, revoke or place on probation the probationary or non-probationary license of any instructor, online instructor, or adult training coordinator upon notice of that person's conviction for any offense for which that person may be disqualified under this rule.
- (R) The director may refuse to issue or renew, or suspend, revoke or place on probation the probationary or non-probationary license of any instructor, online instructor, or adult training coordinator upon notice of an offense determined by the director to be of a nature or severity inconsistent with the standards expected of an instructor, online instructor, or adult training coordinator which is committed beyond the periods provided herein.
- (S) No person shall submit a "Abbreviated Adult Driver Training Instructor License Application" or "renewal requirements" that are incomplete, incorrect or which contains false or misleading information. An incomplete, incorrect, false, or misleading "Abbreviated Adult Driver Training Instructor License Application" or "renewal requirements" may be rejected, returned to the applicant, or denied.
- ~~(T) The director shall issue certification for training persons with a disability in one of two categories:~~
- ~~(1) As a disability endorsement for an instructor of an abbreviated adult training course providing classroom and behind the wheel instruction. An instructor applying for the disability endorsement shall file a "Abbreviated Adult Driver Training Instructor License Application" in accordance with paragraph (C) of this rule.~~
 - ~~(a) Such application shall be accompanied by a certificate of successful completion of a course approved by the director for training drivers with a disability.~~

~~(b) In order to maintain current certification, an instructor shall take a continuing education course in training drivers with a disability, as approved by the director, every three years.~~

~~(2) As a license for an instructor of only a rehabilitation clinic or medically based hospital that offers driver training for beginning drivers with a disability. An instructor applying for a license, who will provide driver training in persons with a disability for a rehabilitation clinic or medically based hospital, shall file a "Abbreviated Adult Driver Training Instructor License Application" in accordance with paragraph (C) of this rule.~~

~~(a) The application shall be accompanied by proof of certification as an occupational therapist or a certified driver rehabilitation specialist.~~

~~(b) In order to maintain current certification, an instructor shall show proof of continuing education every three years in training drivers with a disability.~~

~~(U)~~(T) No authorizing official or adult training coordinator shall allow a person to instruct unless the person has applied for and obtained a probationary or non-probationary instructor's license in the manner and form prescribed by the director.

~~(V)~~(U) Every non-probationary instructor license holder and adult training coordinator shall complete a pre-approved continuing education course once every three years, and shall, upon request from the director, provide proof of the satisfactory completion of such training.

(1) The continuing education course shall be approved by the director and shall consist of topics related to driver's education and training or training management conducted by a college, university, or a national driver training organization.

(2) The proof of satisfactory completion shall be in a manner prescribed by the director.

(3) The director shall provide a list of approved courses upon request. In addition to the list, the director may pre-approve, on an individual basis, additional conferences, workshops, or seminars, including a driving dynamics or defensive driving course, in satisfaction of this requirement.

~~(W)~~(V) Every instructor, online instructor, and adult training coordinator shall complete the department's online "Sexual Harassment Training" annually. Proof of the course completion shall be maintained in the instructor's file and shall be made available upon request of the director.

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