

4501-8-07

**Disqualifying Offenses.**

(A) "Disqualifying offense" means a conviction, judicial finding of guilt, or plea of guilty to a criminal offense that has is directly related to the duties and responsibilities related to the operation of a driver training school, the operation as an instructor or training manager, or both. A conviction of attempt, conspiracy, or complicity to any section or offense listed in subsection (C) of this rule is considered a disqualifying offense.

(B) "Offense" for the purposes of this rule means an offense as listed in sections of the Revised Code as listed in this rule and includes any municipal ordinance, law of this state, any other state or the United States that is substantially equivalent to any section or offense listed in subsection (C) of this rule.

(C) For any license issued by the department pursuant to Chapter 4508., with the exception of section 4508.08, of the Revised Code and the related rules adopted by the director, the following offenses are disqualifying offenses:

(1) Violent offenses: section 2903.01 (aggravated murder), 2903.02 (murder), 2903.03 (voluntary manslaughter), 2903.04 (involuntary manslaughter), 2903.041 (reckless homicide), 2903.05 (negligent homicide), 2903.11 (felonious assault), 2903.12 (aggravated assault), 2903.13 (assault), 2903.21 (aggravated menacing), 2903.211 (menacing by stalking), or 2909.24 (terrorism) of the Revised Code;

(2) Sexually-oriented offenses: section 2907.02 (rape), 2907.03 (sexual battery), 2907.04 (unlawful sexual conduct with a minor), 2907.05 (gross sexual imposition), 2907.06 (gross sexual imposition), 2907.07 (importuning), 2907.08 (voyeurism), 2907.09 (public indecency), 2907.19 (commercial sexual exploitation of a minor), 2907.21 (compelling prostitution), 2907.22 (promoting prostitution), 2907.23 (enticement or solicitation to patronize a prostitute; procurement of a prostitute for another), 2907.231 (pandering obscenity involving minor or impaired person), 2907.31 (disseminating matter harmful to juveniles), 2907.311 (Displaying matter harmful to juveniles), 2907.32 (pandering obscenity), 2907.321 (pandering obscenity involving minor or impaired person), 2907.322 (pandering sexually oriented matter involving a minor or impaired person), or 2907.323 (illegal use of a minor or impaired person in nudity-oriented material or performance) of the Revised Code or a violation of former section 2907.12 (felonious sexual penetration) of the Revised Code;

(3) Child-related violent offenses: section 2903.15 (permitting child abuse), 2905.05 (criminal child enticement); 2919.22 (endangering children), 2919.24 (contributing to the unruliness or delinquency of a child), of the Revised Code;

- (4) Arson offenses: section 2909.02 (aggravated arson), and 2909.03 (arson) of the Revised Code;
- (5) Vandalism and related offenses: section 2909.05 (vandalism), 2909.06 (criminal damaging or endangering), 2909.09 (vehicular vandalism) of the Revised Code;
- (6) Major motor vehicle offenses: section 4511.19 (operating a motor vehicle under the influence), section 4511.194 (having physical control of vehicle while under the influence), 2903.06 (aggravated vehicular homicide, vehicular homicide, vehicular manslaughter), 2903.08 (aggravated vehicular assault, vehicular assault) of the Revised Code;
- (7) Terrorism-related offenses: section 2909.22 (soliciting or providing support for act of terrorism), 2909.23 (making a terroristic threat), 2909.24 (terrorism), 2909.26 (criminal possession of chemical, biological, radiological, or nuclear weapon or explosive device), 2909.27 (criminal use of chemical, biological, radiological, or nuclear weapon or explosive device), 2909.27 (illegal assembly or possession of chemicals or substances for manufacture of prohibited weapons), and 2909.29 (money laundering) of the Revised Code;
- (8) Theft-related offenses: section 2911.01 (aggravated robbery); 2911.02 (robbery); 2911.11 (aggravated burglary); 2911.12 (burglary); 2911.13 (breaking and entering); 2921.13 (falsification- in theft offense - to purchase firearm); 2921.41 (theft in office); of the Revised Code;
- (9) Weapons-related offenses: section 2923.02 (attempt to commit an offense); section 2923.12 (carrying concealed weapons); 2923.122 (illegal conveyance of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone); 2923.1211 (falsification of concealed handgun license - possessing a revoked or suspended concealed handgun license); 2923.13 (having weapons while under disability); section 2923.132 (use of firearm or dangerous ordnance by violent career criminal); section 2923.15 (using weapons while intoxicated); section 2923.16 (improperly handling firearms in a motor vehicle); section 2923.161 (improperly discharging firearm at or into a habitation, in a school safety zone or with intent to cause harm or panic to persons in a school building or at a school function); section 2923.162 (discharge of firearm on or near prohibited premises); section 2923.17 (unlawful possession of dangerous ordnance - illegally manufacturing or processing explosives); section 2923.19 (failure to secure dangerous ordnance); section 2923.20 (unlawful transaction in weapons); section 2923.201 (possessing a defaced firearm); section 2923.21 (Improperly furnishing firearms to minor); section 2923.211 (underage purchase of firearm or handgun); section 2923.24 (possessing criminal tools); section 2923.241

(hidden compartments in vehicles); section 2923.32 (engaging in pattern of corrupt activity); section 2923.42 (participating in criminal gang) of the Revised Code;

- (10) Drug related offenses: section 2925.02 (corrupting another with drugs); section 2925.03 (trafficking, aggravated trafficking in drugs); section 2925.04 (illegal manufacture of drugs - illegal cultivation of marihuana - methamphetamine offenses); section 2925.041 (illegal assembly or possession of chemicals for manufacture of drugs); section 2925.05 (funding, aggravated funding of drug or marihuana trafficking); section 2925.06 (illegal administration or distribution of anabolic steroids); section 2925.11 (possession of controlled substances); section 2925.12 (possessing drug abuse instruments); section 2925.13 (permitting drug abuse); section 2925.14 (illegal use or possession of drug paraphernalia); section 2925.22 (deception to obtain a dangerous drug); section 2925.23 (illegal processing of drug documents); section 2925.24 (tampering with drugs); section 2925.31 (abusing harmful intoxicants); section 2925.32 (trafficking in harmful intoxicants - improperly dispensing or distributing nitrous oxide); section 2925.36 (illegal dispensing of drug samples); section 2925.37 (counterfeit controlled substance offenses) of the Revised Code;
- (11) Failing to provide for a functionally impaired person as set forth in section 2903.16 of the Revised Code;
- (12) Menacing by stalking as set forth in section 2903.211 of the Revised Code;
- (13) Patient abuse or neglect as set forth in section 2903.34 of the Revised Code;
- (14) Patient endangerment as set forth in section 2903.341 of the Revised Code;
- (15) Kidnapping as set forth in section 2905.01 of the Revised Code;
- (16) Abduction as set forth in section 2905.02 of the Revised Code;
- (17) Extortion as set forth in section 2905.11 of the Revised Code;
- (18) Coercion as set forth in section 2905.12 of the Revised Code;
- (19) Trafficking in persons as set forth in section 2905.32 of the Revised Code;
- (20) Disrupting public services as set forth in section 2909.04 of the Revised Code;
- (21) Aggravated trespass as set forth in section 2911.211 of the Revised Code;

- (22) Safecracking as set forth in section 2911.31 of the Revised Code;
- (23) Tampering with coin machines as set forth in section 2911.32 of the Revised Code;
- (24) Operating a gambling house as set forth in section 2915.03 of the Revised Code;
- (25) Inciting to violence as set forth in section 2917.01 of the Revised Code;
- (26) Riot as set forth in section 2917.03 of the Revised Code;
- (27) Telecommunications harassment as set forth in section 2917.21 of the Revised Code;
- (28) Inducing panic as set forth in section 2917.31 of the Revised Code;
- (29) Making false alarms as set forth in section 2917.32 of the Revised Code;
- (30) Unlawful possession or use of a hoax weapon of mass destruction as set forth in section 2917.33 of the Revised Code;
- (31) Improperly handling infectious agents as set forth in section 2917.47 of the Revised Code;
- (32) Unlawful abortion upon a minor as set forth in section 2919.121 of the Revised Code;
- (33) Unlawful distribution of an abortion-inducing drug as set forth in section 2919.123 of the Revised Code;
- (34) Abortion manslaughter as set forth in section 2919.13 of the Revised Code;
- (35) Abortion trafficking as set forth in section 2919.14 of the Revised Code;
- (36) Dismemberment abortion as set forth in section 2919.15 of the Revised Code;
- (37) Partial birth feticide as set forth in section 2919.151 of the Revised Code;
- (38) Terminating or attempting to terminate human pregnancy after viability as set forth in section 2919.17 of the Revised Code;
- (39) Abortion after gestational age of twenty weeks as set forth in section 2919.201 of the Revised Code;
- (40) Domestic violence as set forth in section 2919.25 of the Revised Code;

- (41) Violating protection order as set forth in section 2919.27 of the Revised Code;
- (42) Bribery as set forth in section 2921.02 of the Revised Code;
- (43) Intimidation as set forth in section 2921.03 of the Revised Code;
- (44) Intimidation of attorney, victim or witness in criminal case of delinquent child action proceeding as set forth in section 2921.04 of the Revised Code;
- (45) Retaliation as set forth in section 2921.05 of the Revised Code;
- (46) Perjury as set forth in section 2921.11 of the Revised Code;
- (47) Tampering with evidence as set forth in section 2921.12 of the Revised Code;
- (48) Making or causing false report of child abuse or neglect as set forth in section 2921.14 of the Revised Code;
- (49) Making false allegation of peace officer misconduct as set forth in section 2921.15 of the Revised Code;
- (50) Compounding a crime as set forth in section 2921.21 of the Revised Code;
- (51) Obstructing official business as set forth in section 2921.31 of the Revised Code;
- (52) Obstructing justice as set forth in section 2921.32 of the Revised Code;
- (53) Failure to comply with order or signal of police officer as set forth in section 2921.331 of the Revised Code;
- (54) Aiding escape or resistance to lawful authority as set forth in section 2921.35 of the Revised Code;
- (55) Illegal conveyance of weapons, drugs, or other prohibited items onto grounds of detention facility or institution as set forth in section 2921.36 of the Revised Code;
- (56) Dereliction of duty as set forth in section 2921.44 of the Revised Code;
- (57) Impersonation of peace officer or private police officer as set forth in section 2921.51 of the Revised Code;
- (58) Contaminating substance for human consumption or use or contamination with hazardous chemical, biological, or radioactive substance - spreading false report of contamination as set forth in section 2927.24 of the Revised Code.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4508.02  
Rule Amplifies: 9.79, 4508.02, 4508.03, 4508.04