

4501-8-08

Financial responsibility.

(A) Except for a driver training school providing only online instruction, the authorizing official shall maintain financial responsibility for the operation of all motor vehicles used for instruction as specified in Chapter 4509. of the Revised Code. Such insurance coverage shall be acquired from a company licensed to do business in this state. The financial responsibility shall be maintained as long as the driver training enterprise is operating a driver training school. Proof of the insurance coverage required by this rule shall be maintained in the school office and with all motor vehicles used for instruction. The certificate of insurance shall be available for inspection upon request of the director.

(B) Except for a driver training school providing only online instruction, insurance coverage shall be maintained in the following minimum limits as provided in either paragraph (B)(1) or (B)(2) of this rule. These limits shall be listed on the certificate of insurance:

(1)

(a) One hundred thousand dollars for bodily injury to or death of one person in any one crash;

(b) Three hundred thousand dollars for bodily injury to or death of two or more persons in any one crash;

(c) Twenty-five thousand dollars for injury to property of other in any one crash;

(d) Five thousand dollars medical payment for each occupant;

(e) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraphs (B)(1)(a) and (B)(1)(b) of this rule.

(2)

(a) Four hundred thousand dollars combined single limit liability coverage;

(b) Five thousand dollars medical payments for each occupant;

(c) Uninsured motorist coverage at least equal to the bodily injury coverage required in paragraph (B)(2)(a) of this rule.

(C) Except for a driver training school providing only online instruction, failure to maintain the required insurance, including the record of current coverage as required by this rule, may result in the suspension or revocation of an authorizing official's driver training enterprise license.

(D) Students with a disability providing motor vehicles for their own instruction shall

provide proof of insurance or other financial responsibility that indicates compliance with Chapter 4509. of the Revised Code. Proof of coverage shall be provided prior to using such motor vehicle for any behind-the-wheel instruction.

(E) No driver training school license will be issued or renewed until the authorizing official certifies that the enterprise maintains a continuous performance bond or escrow account for each of its schools in an amount sufficient to cover the cost of reimbursing students for training and/or services not supplied. The amount shall be based on the number of students trained by the enterprise or number of students anticipated to be trained by the enterprise. Such bond or escrow account shall be no less than ten thousand dollars for the first licensed school and no less than an additional two thousand dollars for each additional licensed school under the enterprise. The bond or escrow account shall continue in force as long as the enterprise operates a school or as long as the enterprise has students to whom it is contractually obligated.

(1) The current and valid performance bond or evidence of an escrow account shall be maintained at the school office and filed as part of the school records and made available upon request. Such bond or escrow account shall be obtained by the enterprise from a company authorized to do business in this state specifying that such enterprise shall not practice fraud or make any fraudulent representation which may cause a monetary loss to a person taking instruction from the enterprise.

(2) The bond or escrow account shall include the enterprise name, the amount of the bond or escrow account, the effective date, and the period of coverage.

(3) The bond or escrow account shall name the department of public safety and the state of Ohio as obligees and shall stipulate that the director shall be notified ten days before the bond or escrow account terminates due to its expiration, cancellation for any reason, or before the bond or escrow account is reduced in value.

(4) The bond or escrow account is required of each licensed school, but does not apply to a driver training school operated under the authority of the state of Ohio or any political subdivision approved by the director.

(5) Failure to maintain such performance bond or escrow account, including record of bond or escrow account required by this rule, during any portion of the licensure period may result in suspension or revocation of an authorizing official's enterprise license.

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Certification

06/20/2016

Date

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