

A public hearing will be held by the Office of Attorney General Mike DeWine on Friday, December 6, 2013 at 10:00 a.m. in the large conference room at the Ohio Peace Officer Training Academy, located at 1650 State Route 56 S.W., London, Ohio 43140.

The purpose of the hearing is to solicit comment on the following proposed amended rules:

109:2-13-04 Approval of instructors.

(A) Each instructor conducting a firearms re-qualification program is required to have the approval of the executive director. Any person seeking certification as a firearms re-qualification instructor shall submit to the executive director, ~~on a form provided by the executive director,~~ an application for certification.

(B) Each person seeking certification as a firearms re-qualification instructor shall meet the following:

(1) Completion of a firearms instructor training course for each weapon for which he will be conducting a re-qualification program.

~~(2) Completion of the course titled, "Firearms instructor: weapons training and re-qualification" approved by the executive director.~~

~~(3)~~(2) Completion of three years of relevant law enforcement experience ~~as a law enforcement officer.~~

(C) No credit for completing a firearms re-qualification program will be given to any person unless the person conducting the re-qualification program has been approved and is current as a re-qualification instructor by the executive director. In no manner may an instructor requalify him/herself.

(D) Certification as a firearms re-qualification instructor must be renewed every three years.

(1) At least sixty days and no more than ninety days prior to expiration of the certificate, the instructor shall file with the executive director an application for renewal on a form supplied by the executive director. The instructor shall also file written documentation that the instructor has conducted at least two firearms re-qualification programs within the three year period. Such documentation may be in the form of a letter from a CEO or copies of proficiency records showing instructor signature and date of program.

(2) Failure to conduct two firearms re-qualification programs within the three year period will cause certification as a firearms re-qualification instructor to lapse.

(E) Denial or revocation of certification or renewal

(1) Should the executive director refuse to issue or renew a certificate, or should he revoke a certificate for just cause, the executive director shall notify the person in writing. Such notice shall state the reason for the denial or revocation, cite the law or rule directly involved and state that the party will be afforded a hearing before the commission. A copy of such notice shall be mailed to attorneys or other representatives of record representing the party.

(2) Notice of such hearings shall be made in accordance with sections 119.06 and 119.07 of the Revised Code.

(3) The commission shall conduct the hearing in conformance with the provisions of sections 119.01 to 119.13 of the Revised Code.

(4) The executive director may revoke the certificate of any instructor for the following reasons:

- (a) Failure to meet renewal criteria;
- (b) Failure to meet renewal deadline;
- (c) Submission of falsified records, application, or other documentation;
- (d) Conviction of a felony or crime of moral turpitude; or
- (e) Any other good cause shown.

(5) Upon receipt of the denial or revocation order by the firearms re-qualification program instructor, the instructor shall cease conducting or participating in any re-qualification program approved by the executive director.

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Donna Long, Ohio Peace Officer Training Commission, P.O. Box 309, London, Ohio 43140 or donna.long@ohioattorneygeneral.gov no later than Friday, November 29, 2013.

A copy of the proposed rules may be obtained from the Attorney General's website (OhioAttorneyGeneral.gov) or by calling 614-728-7275 or 800-282-0515. TTY users, please call Relay Ohio at 800-325-2223.