

NOTIFICATION OF PUBLIC HEARING
to amend, rescind, and adopt rules to Chapter 4501:1-1
of the Ohio Administrative Code in accordance with
Chapter 119. of the Ohio Revised Code

Notice is hereby given that the Ohio Bureau of Motor Vehicles will conduct a public hearing pursuant to R.C. 119.03, on Wednesday, February 2, 2011, at 10:00 a.m. to consider the proposal to amend, rescind, and adopt rules to Chapter 4501:1-1, entitled "Driver Licenses," of the Ohio Administrative Code. The hearing will be held at the Ohio Department of Public Safety, 1970 West Broad Street, Room 109, Columbus, Ohio.

Based on a scheduled Revised Code Section 119.032 five-year rule review, and as authorized by Sections 4501.02, 4507.01, 4506.09, 4506.22, 4507.09, and 4507.12 of the Revised Code, the Registrar of the Bureau of Motor Vehicles (BMV) has proposed to:

1) Amend Rules: 4501:1-1-04, Unsatisfactory medical report, suspension of license; 4501:1-1-07, Pre-temporary driver examination required; 4501:1-1-08, Pre-temporary driver examination procedure; 4501:1-1-09, Issuance of temporary instruction permit; 4501:1-1-10, Road test requirements for driver examination; 4501:1-1-20, Vision standards for driver license applicants; 4501:1-1-21, Acceptable identification to be submitted along with an application for a driver's license, commercial driver's license, and identification card; 4501:1-1-24, Disqualification of commercial driver for certain convictions; 4501:1-1-33, Vision and examination standards for persons using bioptic/telescopic devices; 4501:1-1-35, Residency for driving and identification purposes; 4501:1-1-36, Donor registry for anatomical gifts; 4501:1-1-37, Nonrenewable drivers licenses and nonrenewable identification cards for temporary residents; and 4501:1-1-40, Next of kin database.

Proposed changes update terminology and references, revise language for readability, delete duplicative language, clarify examination and application processes, and address changes in acceptable documentation and verification of documentation as pertains to the application for driver's licensing and identification cards.

2) Rescind Rules: 4501:1-1-05, Refusal of form or medical report - suspension of license; and 4501:1-1-23, Serious traffic violation defined for purposes of commercial driver's license sanctions. These rules are proposed for rescission as language is duplicative of that found in statute; and

3) Rescind, and adopt as New under the same rule number, Rules: 4501:1-1-02, License restrictions - suspension of license; 4501:1-1-11, Failure of driver examination; 4501:1-1-15, Identification card applications to be retained by deputy registrars; and 4501:1-1-39, Material approved for incorporation by reference. These rules are proposed for rescission and adoption as the rules have been rewritten for clarification, to establish the methods for deputy registrars to collect, maintain, and retain driver's license and identification card records, add flexibility for applicants to retake certain parts of a driver examination

during the period that their temporary instruction permits are valid, and to enhance readability.

Any persons affected by the proposed amendment, rescission, and/or adoption of these rules may appear at the hearing and be heard in person, by an attorney, or both, or may present their position, argument, or contention in writing. Persons may offer and examine witnesses and present evidence to show that the proposed rescission and adoption will be unreasonable or unlawful.

Requests for copies of the proposed rules and/or to offer public comment may be submitted in person or by mail at the following address: Office of Legal Services, Ohio Department of Public Safety, 1970 West Broad Street, Suite 531C, Columbus, Ohio 43223, Telephone: (614) 466-5605.