

*****DRAFT - NOT FOR FILING*****

4501-7-10 Driver training in the operation of Class "D" motor vehicles.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (~~SSA~~) in rule 4501-7-~~0139~~ of the Administrative Code.]

- (A) All driver training courses for beginning drivers, who are between the ages of fifteen years and six months of age and eighteen years of age, must meet the following requirements:
- (1) Except as provided in rule 4501-7-06 of the Administrative Code for a medically based hospital or rehabilitation facility that offers instruction for persons with a disability and online providers, enterprises that provide driver training shall provide both the classroom and behind-the-wheel instruction;
 - (2) No behind-the-wheel instruction shall be given to a student who does not hold and carry a valid temporary permit or operator's license. No driver shall be given behind-the-wheel instruction using a permit or license which has expired or which has been suspended or revoked
 - (3) Students shall be taught and supervised by a licensed instructor. Licensed instructors shall instruct only under the authority of a licensed driver training school.
 - (4) When a student operates a motor vehicle on the public highways, a licensed instructor shall be in the vehicle seated beside the driver. The instructor shall wear, in a conspicuous location, an identification card. The identification card shall display a clear photo of the instructor's face, the instructor's name and the name of the driver training school for which the instructor is working;
 - (5) The driver training course shall be based on the principals of and cover, at a minimum, the in-car lessons contained in the "Ohio Driver Training Curriculum." The program shall include no less than eight hours of driver training for each student;
 - (6) Behind-the-wheel instruction shall consist of no less than sixty minutes of instruction for each hour credited toward completion of the required training. Time taken for breaks in instruction shall not be included when calculating completion of the required instruction;
 - (7) No instructor shall give a beginning driver behind-the-wheel instruction before the student has received at least two hours of classroom instruction. No instructor shall give a student who is enrolled in an online program, behind-the-wheel instruction without receiving a certificate of enrollment issued by the online provider;
 - (8) Class "D" instructors shall take a ten minute break after every four consecutive hours of instruction;
 - (9) A student's good-faith effort made during the full eight hours of skills training shall constitute successful completion of the behind-the-wheel training;
 - (10) All training as required in this rule and rule 4501-7-09 of the Administrative Code, provided by the enterprise shall be made available to, and completed by, the student within six months of the first date of training, unless mitigating circumstances occur. Mitigating circumstances include health and family issues that disrupt the student's ability to receive training. Mitigating circumstances do not include the inability to schedule training due to parent or student elective or extra-curricular activities, such as sports and school clubs. Mitigating circumstances shall be documented in the student's record. Requests for special circumstances not listed to be considered "mitigating" shall be requested through the department. If no mitigating circumstances are approved, training will be voided and the student shall re-take the

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training.

- (B) In addition to the requirements for class "D" licensed schools listed in paragraph (A) of this rule, driver training courses and instructors shall maintain an environment that is conducive to learning.
- (1) If a student is operating a motor vehicle on a range, an instructor may leave the motor vehicle, but shall remain standing outside the vehicle in a position where the instructor can continue to directly observe the operation of the motor vehicle, and the instructor shall maintain a position where both the student and the instructor can hear each other and be heard by each other;
 - (2) During times of behind-the-wheel instruction, use of any items or behavior that causes or can cause unreasonable distraction shall be prohibited. No eating or drinking by students shall be permitted in the vehicle during times of instruction or while the vehicle is in motion;
 - (3) No student shall be given more than three hours of behind-the-wheel instruction in one day. The total training a student receives shall not exceed four hours in one day. Students receiving more than two continuous hours of training shall be provided a ten-minute break at the approximate mid-point of the lesson;
 - (4) Instructors shall ensure that a beginning driver's first hour of behind-the-wheel training occurs in an area that is reasonably free from pedestrian and vehicular traffic, and that the first hour does not include operation of a vehicle on primary traffic arteries, main highway routes, and other thoroughfares that carry a large amount of traffic;
 - (5) No instructor shall permit a beginning driver to operate a motor vehicle on an expressway before the beginning driver has received at least two hours of behind-the-wheel instruction on a roadway that is not an expressway;
 - (6) No more than two students may be in a vehicle while behind-the-wheel instruction is being given. No credit for the hours of required behind-the-wheel instruction shall be given to a student who is not driving;
- (C) Instructor candidates who have completed at least thirty-two hours of training can teach up to two hours of behind-the-wheel instruction for one student with the training manager supervising from the back seat. A lesson plan and route sheet provided by the training manager will be used during the lesson.