As Introduced

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Representatives Klopfenstein, Lorenz
Cosponsors: Representatives Williams, Gross, Miller, K., Claggett, Willis

To amend sections 4507.05, 4507.071, 4507.21, and 4508.02 and to enact section 4508.041 of the Revised Code to make changes to driver education requirements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4507.05, 4507.071, 4507.21, and 4508.02 be amended and section 4508.041 of the Revised Code be enacted to read as follows:

Sec. 4507.05. (A) The registrar of motor vehicles, or a deputy registrar, upon receiving an application for a temporary instruction permit and a temporary instruction permit identification card for a driver's license from any person who is at least fifteen years ~~six months~~ of age, may issue such a permit and identification card entitling the applicant to drive a motor vehicle, other than a commercial motor vehicle, upon the highways under the following conditions:

(1) If the permit is issued to a person who is at least fifteen years ~~six months~~ of age, but less than sixteen years of age:

(a) The permit and identification card are in the holder's

immediate possession;

(b) The holder is accompanied by an eligible adult who actually occupies the seat beside the permit holder and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code;

(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.

(2) If the permit is issued to a person who is at least sixteen years of age:

(a) The permit and identification card are in the holder's immediate possession;

(b) The holder is accompanied by a licensed operator who is at least twenty-one years of age, is actually occupying a seat beside the driver, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code;

(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.

(B) The registrar or a deputy registrar, upon receiving from any person an application for a temporary instruction permit and temporary instruction permit identification card to

operate a motorcycle, motor-driven cycle or motor scooter, or motorized bicycle, may issue such a permit and identification card entitling the applicant, while having the permit and identification card in the applicant's immediate possession, to drive a motorcycle or motor-driven cycle or motor scooter, under the restrictions prescribed in section 4511.53 of the Revised Code, or to drive a motorized bicycle under restrictions determined by the registrar. A temporary instruction permit and temporary instruction permit identification card to operate a motorized bicycle may be issued to a person fourteen or fifteen years old.

(C) Any permit and identification card issued under this section shall be issued in the same manner as a driver's license, upon a form to be furnished by the registrar. A temporary instruction permit to drive a motor vehicle other than a commercial motor vehicle shall be valid for a period of one year and six months.

(D) Any person having in the person's possession a valid and current driver's license or motorcycle operator's license or endorsement issued to the person by another jurisdiction recognized by this state is exempt from obtaining a temporary instruction permit for a driver's license and from submitting to the examination for a temporary instruction permit and the regular examination for obtaining a driver's license or motorcycle operator's endorsement in this state if the person does all of the following:

(1) Submits to and passes vision screening as provided in section 4507.12 of the Revised Code;

(2) Surrenders to the registrar or deputy registrar the person's driver's license issued by the other jurisdiction; and

(3) Complies with all other applicable requirements for issuance by this state of a driver's license, driver's license with a motorcycle operator's endorsement, or restricted license to operate a motorcycle.

If the person does not comply with all the requirements of this division, the person shall submit to the regular examination for obtaining a driver's license or motorcycle operator's endorsement in this state in order to obtain such a license or endorsement.

(E) The registrar may adopt rules governing the use of temporary instruction permits and temporary instruction permit identification cards.

(F)(1) No holder of a permit issued under division (A) of this section shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in violation of the conditions established under division (A) of this section.

(2) Except as otherwise provided in division (F)(2) of this section, no holder of a permit that is issued under division (A) of this section ~~and that is issued on or after July 1, 1998, and who has not attained the age of~~ under eighteen years~~,~~ of age shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m.

The holder of a permit issued under division (A) of this section ~~on or after July 1, 1998, who has not attained the age of~~ under eighteen years~~,~~ of age may operate a motor vehicle upon a highway or any public or private property used by the public

for purposes of vehicular travel or parking between the hours of midnight and six a.m. if, at the time of such operation, the holder is accompanied by the holder's parent, guardian, or custodian, and the parent, guardian, or custodian holds a current valid driver's or commercial driver's license issued by this state, is actually occupying a seat beside the permit holder, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code.

(G)(1) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether each occupant of the motor vehicle is wearing all of the available elements of a properly adjusted occupant restraining device as required by division (A) of this section, or for the sole purpose of issuing a ticket, citation, or summons if the requirement in that division has been or is being violated, or for causing the arrest of or commencing a prosecution of a person for a violation of that requirement.

(2) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (F)(2) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.

(H) As used in this section:

(1) "Eligible adult" means any of the following:

(a) An instructor of a driver training course approved by the department of public safety;

(b) Any of the following persons who holds a current valid driver's or commercial driver's license issued by this state:

(i) A parent, guardian, or custodian of the permit holder;

(ii) A person twenty-one years of age or older who acts in loco parentis of the permit holder.

(2) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.

(I) Whoever violates division (F)(1) or (2) of this section is guilty of a minor misdemeanor.

Sec. 4507.071. (A) The registrar of motor vehicles or any deputy registrar shall not issue a driver's license to any person under eighteen years of age, except that the registrar or a deputy registrar may issue a probationary license to a person who is at least sixteen years of age and has held a temporary instruction permit for a period of at least ~~six months~~one year.

(B)(1)(a) No holder of a probationary driver's license who has held the license for less than twelve months shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. unless the holder is accompanied by the holder's parent or guardian.

(b) No holder of a probationary driver's license who has held the license for twelve months or longer shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking

between the hours of one a.m. and five a.m. unless the holder is accompanied by the holder's parent or guardian.

(2)(a) Subject to division (D)(1) of this section, division (B)(1)(a) of this section does not apply to the holder of a probationary driver's license who is doing ~~either~~ any of the following:

(i) Traveling to or from work between the hours of midnight and six a.m., provided that the holder has in the holder's immediate possession written documentation from the holder's employer~~.~~;

(ii) Traveling to or from an official function sponsored by the school the holder attends between the hours of midnight and six a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official of the school;

(iii) Traveling to or from an official religious event between the hours of midnight and six a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official affiliated with the event.

(b) Division (B)(1)(b) of this section does not apply to the holder of a probationary driver's license who is doing ~~either~~ any of the following:

(i) Traveling to or from work between the hours of one a.m. and five a.m., provided that the holder has in the holder's immediate possession written documentation from the holder's employer~~.~~;

(ii) Traveling to or from an official function sponsored by the school the holder attends between the hours of one a.m.

and five a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official of the school;

(iii) Traveling to or from an official religious event between the hours of one a.m. and five a.m., provided that the holder has in the holder's immediate possession written documentation from an appropriate official affiliated with the event.

(3) An employer, school official, or official affiliated with a religious event is not liable in damages in a civil action for any injury, death, or loss to person or property that allegedly arises from, or is related to, the fact that the employer, school official, or official affiliated with a religious event provided the holder of a probationary driver's license with the written documentation described in division (B)(2) of this section.

The registrar of motor vehicles shall make available at no cost a form to serve as the written documentation described in division (B)(2) of this section, and employers, school officials, officials affiliated with religious events, and holders of probationary driver's licenses may utilize that form or may choose to utilize any other written documentation to meet the requirements of that division.

(4) No holder of a probationary driver's license who has held the license for less than twelve months shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking with more than one person who is not a family member occupying the vehicle unless the probationary license holder is accompanied by the probationary license holder's parent,

guardian, or custodian.

(C) It is an affirmative defense to a violation of division (B)(1)(a) or (b) of this section if, at the time of the violation, an emergency existed that required the holder of the probationary driver's license to operate a motor vehicle in violation of division (B)(1)(a) or (b) of this section or the holder was an emancipated minor.

(D)(1) If a person is issued a probationary driver's license prior to attaining the age of seventeen years and the person pleads guilty to, is convicted of, or is adjudicated in juvenile court of having committed a moving violation during the six-month period commencing on the date on which the person is issued the probationary driver's license, the court with jurisdiction over the violation may order that the holder must be accompanied by the holder's parent or guardian whenever the holder is operating a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking for a period not to exceed six months or the date the holder attains the age of seventeen years, whichever occurs first.

(2) Any person who is subject to the operating restrictions established under division (D)(1) of this section as a result of a first moving violation may petition the court for driving privileges without being accompanied by the holder's parent or guardian during the period of time determined by the court under that division. In granting the driving privileges, the court shall specify the purposes of the privileges and shall issue the person appropriate forms setting forth the privileges granted. If a person is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed a second or

subsequent moving violation, the court with jurisdiction over the violation may terminate any driving privileges previously granted under this division.

(3) No person shall violate any operating restriction imposed under division (D)(1) or (2) of this section.

(E) No holder of a probationary license shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking unless the total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.

(F) A restricted license may be issued to a person who is fourteen or fifteen years of age upon proof of hardship satisfactory to the registrar of motor vehicles.

(G) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether each occupant of the motor vehicle is wearing all of the available elements of a properly adjusted occupant restraining device as required by division (E) of this section, or for the sole purpose of issuing a ticket, citation, or summons if the requirement in that division has been or is being violated, or for causing the arrest of or commencing a prosecution of a person for a violation of that requirement.

(H) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of

a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (B)(1)(a) or (b) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.

(I) As used in this section:

(1) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.

(2) "Family member" of a probationary license holder includes any of the following:

(a) A spouse;

(b) A child or stepchild;

(c) A parent, stepparent, grandparent, or parent-in-law;

(d) An aunt or uncle;

(e) A sibling, whether of the whole or half blood or by adoption, a brother-in-law, or a sister-in-law;

(f) A son or daughter of the probationary license holder's stepparent if the stepparent has not adopted the probationary license holder;

(g) An eligible adult, as defined in section 4507.05 of the Revised Code.

(3) "Moving violation" means any violation of any statute or ordinance that regulates the operation of vehicles, streetcars, or trackless trolleys on the highways or streets. "Moving violation" does not include a violation of section

4513.263 of the Revised Code or a substantially equivalent municipal ordinance, or a violation of any statute or ordinance regulating pedestrians or the parking of vehicles, vehicle size or load limitations, vehicle fitness requirements, or vehicle registration.

(J) Whoever violates division (B)(1) or (4), (D)(3), or (E) of this section is guilty of a minor misdemeanor.

Sec. 4507.21. (A) Except as provided in section 4507.061 of the Revised Code, each applicant for a driver's license shall file an application in the office of the registrar of motor vehicles or of a deputy registrar.

(B)(1) Except as provided in division (B)(4) of this section, each person under twenty-one years of age applying for ~~a~~ an initial driver's license ~~issued in this state~~ and each person twenty-one years of age or older applying for an initial limited term license in this state shall present satisfactory evidence of having successfully completed one of the following:

(a) A driver training course approved by the director of public safety.

(b) A driver training course comparable to a driver training course described in division (B)(1)(a) of this section and administered by a branch of the armed forces of the United States and completed by the applicant while residing outside this state for the purpose of being with or near any person serving in the armed forces of the United States.

(2) ~~Each~~ Except as provided in division (B)(4) of this section, each person under twenty-one years of age applying for ~~a~~ an initial driver's license also shall present~~, on a form prescribed by the registrar, an~~ either of the following:

(a) An affidavit, on a form prescribed by the registrar, signed by ~~an eligible~~ a qualified adult attesting that the person has acquired at least fifty hours of actual driving experience, with at least ten of those hours being at night;

(b) A certificate of completion generated by an electronic device or application approved in accordance with rules adopted under section 4508.02 of the Revised Code that is programmed to verify that the person completed at least forty hours of actual driving experience with a qualified adult utilizing the electronic device or application, with at least ten of those hours being at night.

(3) Except as provided in division (B)(4) of this section, each person twenty-one years of age or older applying for an initial limited term license in this state also shall present~~, on a form prescribed by the registrar, an~~ either of the following:

(a) An affidavit, on a form prescribed by the registrar, signed by ~~an~~ a qualified adult ~~who holds a current valid driver's or commercial driver's license issued by this state~~ attesting that the applicant has acquired at least fifty hours of actual driving experience, with at least ten of those hours being at night, accompanied by the signing adult;

(b) A certificate of completion generated by an electronic device or application approved in accordance with rules adopted under section 4508.02 of the Revised Code that is programmed to verify that the person completed at least forty hours of actual driving experience with a qualified adult utilizing the electronic device or application, with at least ten of those hours being at night.

(4) Both of the following individuals are exempt from the requirements specified in divisions (B)(1) ~~and~~ to (3) of this section:

(a) A person who receives a waiver of the examination by the registrar in accordance with section 4507.10 of the Revised Code;

(b) An initial limited term license applicant twenty-one years of age or older who is from a country with which the registrar has a reciprocal arrangement in accordance with section 4507.101 of the Revised Code.

(C)(1) An applicant for an initial driver's license shall present satisfactory evidence of successful completion of the abbreviated driver training course for adults, approved by the director of public safety under section 4508.02 of the Revised Code, if all of the following apply:

(a) The applicant is twenty-one years of age or older.

(b) The applicant failed the road or maneuverability test required under division (A)(2) of section 4507.11 of the Revised Code.

(c) In the twelve months immediately preceding the date of application, the applicant has not successfully completed a driver training course.

(2) An applicant required to present satisfactory evidence under division (C)(1) of this section shall also present either of the following:

(a) An affidavit, on a form prescribed by the registrar, signed by a qualified adult attesting that the person has acquired at least twenty-five hours of actual driving

experience;

(b) A certificate of completion generated by an electronic device or application approved in accordance with rules adopted under section 4508.02 of the Revised Code that is programmed to verify that the person completed at least twenty hours of actual driving experience with a qualified adult utilizing the electronic device or application.

(3) An applicant shall present the satisfactory evidence and affidavit or certificate of completion as required under ~~division~~ divisions (C)(1) and (2) of this section prior to attempting the test a second or subsequent time.

(D) If the registrar or deputy registrar determines that the applicant is entitled to the driver's license, it shall be issued. If the application shows that the applicant's license has been previously canceled or suspended, the deputy registrar shall forward the application to the registrar, who shall determine whether the license shall be granted.

(E) An applicant shall file an application under this section in duplicate, and the deputy registrar issuing the license shall immediately forward to the office of the registrar the original copy of the application, together with the duplicate copy of any certificate of completion if issued for purposes of division (B) of this section. The registrar shall prescribe rules as to the manner in which the deputy registrar files and maintains the applications and other records. The registrar shall file every application for a driver's or commercial driver's license and index them by name and number, and shall maintain a suitable record of all licenses issued, all convictions and bond forfeitures, all applications for licenses denied, and all licenses that have been suspended or canceled.

(F) For purposes of section 2313.06 of the Revised Code, the registrar shall maintain accurate and current lists of the residents of each county who are eighteen years of age or older, have been issued, on and after January 1, 1984, driver's or commercial driver's licenses that are valid and current, and would be electors if they were registered to vote, regardless of whether they actually are registered to vote. The lists shall contain the names, addresses, dates of birth, duration of residence in this state, citizenship status, and social security numbers, if the numbers are available, of the licensees, and may contain any other information that the registrar considers suitable.

(G) Each person under eighteen years of age applying for a motorcycle operator's endorsement or a restricted license enabling the applicant to operate a motorcycle shall present satisfactory evidence of having completed the courses of instruction in the motorcycle safety and education program described in section 4508.08 of the Revised Code or a comparable course of instruction administered by a branch of the armed forces of the United States and completed by the applicant while residing outside this state for the purpose of being with or near any person serving in the armed forces of the United States. If the registrar or deputy registrar then determines that the applicant is entitled to the endorsement or restricted license, it shall be issued.

(H) No person shall knowingly make a false statement in an affidavit presented in accordance with ~~division (B)(2)~~divisions (B)(2)(a), (3)(a), and (C)(2)(a) of this section.

(I) As used in this section~~, "eligible~~ :

(1) "Electronic device or application" has the same

meaning as in section 4508.02 of the Revised Code.

(2) "Qualified adult" means any of the following persons:

~~(1)~~ (a) A parent, guardian, or custodian of the applicant if the applicant is under eighteen years of age;

~~(2)~~ (b) A person over the age of twenty-one who acts in loco parentis of the applicant and who maintains proof of financial responsibility with respect to the operation of a motor vehicle owned by the applicant or with respect to the applicant's operation of any motor vehicle if the applicant is under eighteen years of age;

(c) A person over the age of eighteen who holds a current valid driver's or commercial driver's license issued by this state if the applicant is eighteen years of age or older.

(J) Whoever violates division (H) of this section is guilty of a minor misdemeanor and shall be fined one hundred dollars.

Sec. 4508.02. (A)(1) The director of public safety, subject to Chapter 119. of the Revised Code, shall adopt and prescribe such rules concerning the administration and enforcement of this chapter as are necessary to protect the public. The rules shall require an assessment of the holder of a probationary instructor license. The director shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.

(2) The director shall adopt rules governing online driver education courses that may be completed via the internet to satisfy the classroom instruction under division (C) of this section. The rules shall do all of the following:

(a) Establish standards that an online driver training enterprise must satisfy to be licensed to offer an online driver education course via the internet, including, at a minimum, proven expertise in providing driver education and an acceptable infrastructure capable of providing secure online driver education in accord with advances in internet technology. The rules shall allow an online driver training enterprise to be affiliated with a licensed driver training school offering in-person classroom instruction, but shall not require such an affiliation.

(b) Establish content requirements that an online driver education course must satisfy to be approved as equivalent to twenty-four hours of in-person classroom instruction;

(c) Establish attendance standards, including a maximum number of course hours that may be completed in a twenty-four-hour period;

(d) Allow an enrolled applicant to begin the required eight hours of actual behind-the-wheel instruction upon completing all twenty-four hours of course instruction;

(e) Establish any other requirements necessary to regulate online driver education.

(3) The director shall adopt rules that establish requirements for the approval of electronic devices and applications and the form of a certificate of completion that may be utilized for purposes of this section and sections 4507.21 and 4508.041 of the Revised Code. The rules also shall establish any procedures and requirements that are necessary to implement the use of electronic devices and applications for purposes of those sections, including procedures and

requirements governing the examination of electronic devices and applications by the registrar of motor vehicles or a deputy registrar to verify compliance with the rules. The director shall not unreasonably withhold approval of an electronic device or application if that device or application meets the requirements set forth in rules.

(B) The director shall administer and enforce this chapter.

(C) The rules shall require ~~twenty-four~~ all of the following:

(1) Twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are required to complete the training under section 4507.21 of the Revised Code~~. The rules shall allow beginning~~ ;

(2) Beginning drivers of noncommercial motor vehicles to complete the driver education course at any point while holding a valid temporary instruction permit~~. The rules also shall require the~~ ;

(3) The classroom instruction or online driver education course for such drivers to include instruction on ~~both~~ all of the following:

~~(1)~~ (a) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless communications device, or engaging in any other activity that

distracts a driver from the safe and effective operation of a motor vehicle;

~~(2)~~ (b) The dangers of driving a motor vehicle while under the influence of a controlled substance, prescription medication, or alcohol;

(c) Proper techniques to use when driving a motor vehicle in the following circumstances:

(i) Weather conditions, including rain, fog, hail, sleet, snow, and high winds;

(ii) Adverse road conditions, including potholes, road debris, construction, and road detours;

(iii) Road hazards caused by animals, including animals that enter the roadway unexpectedly;

(iv) Incidents involving road rage, speeding, reckless driving, erratic driving, and other aggressive driving behaviors;

(v) Incidents during which the motor vehicle skids, slides, or otherwise moves in an uncontrolled manner.

The rules may allow a qualified adult, pursuant to section 4508.041 of the Revised Code, to provide actual behind-the-wheel instruction conducted on public streets and highways of this state for not more than four of the eight hours required under divisions (A)(2)(d) and (C)(1) of this section, provided that the qualified adult is assisted by an electronic device or application.

(D) The rules shall state the minimum hours for classroom and behind-the-wheel instruction required for beginning drivers of commercial trucks, commercial cars, buses, and commercial

tractors, trailers, and semitrailers.

(E)(1) The department of public safety may charge a fee to each online driver training enterprise in an amount sufficient to pay the actual expenses the department incurs in the regulation of online driver education courses.

(2) The department shall supply to each licensed online driver training enterprise certificates to be used for certifying an applicant's enrollment in an approved online driver education course and a separate certificate to be issued upon successful completion of an approved online driver education course. The certificates shall be numbered serially. The department may charge a fee to each online driver training enterprise per certificate supplied to pay the actual expenses the department incurs in supplying the certificates.

(F) The director shall adopt rules in accordance with Chapter 119. of the Revised Code governing an abbreviated driver training course for adults. The rules shall require that the abbreviated driver training course for adults include both of the following:

(1) Either four hours of classroom equivalent training offered via the internet through a licensed online enterprise or four hours of in-person classroom or virtual classroom instruction;

(2) Eight hours of behind-the-wheel instruction, four hours of which may be provided by a qualified adult utilizing an electronic device or application. The rules shall require the qualified adult to be in the vehicle at all times during the active instruction provided by the electronic device or application. The rules also shall require a student to submit to

the registrar or a deputy registrar a certificate of completion of the four hours derived from the electronic device or application. A qualified adult using an electronic device or application in accordance with rules is exempt from the driver training instructor licensure requirements of this chapter.

(G) As used in this section:

(1) "Electronic device or application" means an electronic device or application that is approved by the director and is programmed to offer mobile and in-vehicle instruction to a student driver.

(2) "Qualified adult" has the same meaning as in section 4507.21 of the Revised Code.

Sec. 4508.041. (A) As used in this section, "qualified adult" has the same meaning as in section 4507.21 of the Revised Code.

(B) Notwithstanding section 4508.04 of the Revised Code, a qualified adult may provide actual behind-the-wheel instruction for not more than four of the eight hours required by section 4508.02 of the Revised Code, provided all of the following apply:

(1) The qualified adult is assisted by an electronic device or application that is programmed to offer mobile and in-vehicle instruction to the student driver.

(2) The qualified adult is in the vehicle with the student driver at all times during the active instruction provided by the electronic device or application.

(3) The student driver has completed the four or twenty-four hours of classroom instruction, as applicable.

(4) The electronic device or application is programmed to comply with the department of public safety's driver training curriculum and has been approved by the director of public safety.

(C) A qualified adult may use an electronic device or application that is programmed to offer mobile and in-vehicle instruction to the student driver to supervise the forty hours of actual driving experience required by division (B)(2)(b) of section 4507.21 of the Revised Code or the twenty hours of actual driving experience required by division (C)(2) of section 4507.21 of the Revised Code, as applicable.

(D) A qualified adult using an electronic device or application in accordance with this section and rules adopted under section 4508.02 of the Revised Code is exempt from the driver training instructor licensure requirements of this chapter.

Section 2. That existing sections 4507.05, 4507.071, 4507.21, and 4508.02 of the Revised Code are hereby repealed.