

As Re-Referred by the House Rules and Reference Committee

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Am. H. B. No. 463

Representatives Klopfenstein, Lorenz

Cosponsors: Representatives Williams, Gross, Miller, K., Claggett, Willis, Rogers

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, including for limited term license applicants.

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;	20 21
(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;	22 23 24 25 26
(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.	27 28 29 30 31
(2) If the permit is issued to a person who is at least sixteen years of age:	32 33
(a) The permit and identification card are in the holder's immediate possession;	34 35
(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;	36 37 38 39 40 41
(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.	42 43 44 45 46
(B) The registrar or a deputy registrar, upon receiving from any person an application for a temporary instruction	47 48

permit and temporary instruction permit identification card to 49
operate a motorcycle, motor-driven cycle or motor scooter, or 50
motorized bicycle, may issue such a permit and identification 51
card entitling the applicant, while having the permit and 52
identification card in the applicant's immediate possession, to 53
drive a motorcycle or motor-driven cycle or motor scooter, under 54
the restrictions prescribed in section 4511.53 of the Revised 55
Code, or to drive a motorized bicycle under restrictions 56
determined by the registrar. A temporary instruction permit and 57
temporary instruction permit identification card to operate a 58
motorized bicycle may be issued to a person fourteen or fifteen 59
years old. 60

(C) Any permit and identification card issued under this 61
section shall be issued in the same manner as a driver's 62
license, upon a form to be furnished by the registrar. A 63
temporary instruction permit to drive a motor vehicle other than 64
a commercial motor vehicle shall be valid for a period of one 65
year and six months. 66

(D) Any person having in the person's possession a valid 67
and current driver's license or motorcycle operator's license or 68
endorsement issued to the person by another jurisdiction 69
recognized by this state is exempt from obtaining a temporary 70
instruction permit for a driver's license and from submitting to 71
the examination for a temporary instruction permit and the 72
regular examination for obtaining a driver's license or 73
motorcycle operator's endorsement in this state if the person 74
does all of the following: 75

(1) Submits to and passes vision screening as provided in 76
section 4507.12 of the Revised Code; 77

(2) Surrenders to the registrar or deputy registrar the 78

person's driver's license issued by the other jurisdiction; and 79

(3) Complies with all other applicable requirements for 80
issuance by this state of a driver's license, driver's license 81
with a motorcycle operator's endorsement, or restricted license 82
to operate a motorcycle. 83

If the person does not comply with all the requirements of 84
this division, the person shall submit to the regular 85
examination for obtaining a driver's license or motorcycle 86
operator's endorsement in this state in order to obtain such a 87
license or endorsement. 88

(E) The registrar may adopt rules governing the use of 89
temporary instruction permits and temporary instruction permit 90
identification cards. 91

(F) (1) No holder of a permit issued under division (A) of 92
this section shall operate a motor vehicle upon a highway or any 93
public or private property used by the public for purposes of 94
vehicular travel or parking in violation of the conditions 95
established under division (A) of this section. 96

(2) Except as otherwise provided in division (F) (2) of 97
this section, no holder of a permit that is issued under 98
division (A) of this section ~~and that is issued on or after July~~ 99
~~1, 1998, and who has not attained the age of under eighteen~~ 100
~~years,~~ of age shall operate a motor vehicle upon a highway or 101
any public or private property used by the public for purposes 102
of vehicular travel or parking between the hours of midnight and 103
six a.m. 104

The holder of a permit issued under division (A) of this 105
section ~~on or after July 1, 1998, who has not attained the age~~ 106
~~of under eighteen years,~~ of age may operate a motor vehicle 107

upon a highway or any public or private property used by the 108
public for purposes of vehicular travel or parking between the 109
hours of midnight and six a.m. if, at the time of such 110
operation, the holder is accompanied by the holder's parent, 111
guardian, or custodian, and the parent, guardian, or custodian 112
holds a current valid driver's or commercial driver's license 113
issued by this state, is actually occupying a seat beside the 114
permit holder, and does not have a prohibited concentration of 115
alcohol in the whole blood, blood serum or plasma, breath, or 116
urine as provided in division (A) of section 4511.19 of the 117
Revised Code. 118

(G) (1) Notwithstanding any other provision of law to the 119
contrary, no law enforcement officer shall cause the operator of 120
a motor vehicle being operated on any street or highway to stop 121
the motor vehicle for the sole purpose of determining whether 122
each occupant of the motor vehicle is wearing all of the 123
available elements of a properly adjusted occupant restraining 124
device as required by division (A) of this section, or for the 125
sole purpose of issuing a ticket, citation, or summons if the 126
requirement in that division has been or is being violated, or 127
for causing the arrest of or commencing a prosecution of a 128
person for a violation of that requirement. 129

(2) Notwithstanding any other provision of law to the 130
contrary, no law enforcement officer shall cause the operator of 131
a motor vehicle being operated on any street or highway to stop 132
the motor vehicle for the sole purpose of determining whether a 133
violation of division (F) (2) of this section has been or is 134
being committed or for the sole purpose of issuing a ticket, 135
citation, or summons for such a violation or for causing the 136
arrest of or commencing a prosecution of a person for such 137
violation. 138

(H) As used in this section:	139
(1) "Eligible adult" means any of the following:	140
(a) An instructor of a driver training course approved by the department of public safety;	141 142
(b) Any of the following persons who holds a current valid driver's or commercial driver's license issued by this state:	143 144
(i) A parent, guardian, or custodian of the permit holder;	145
(ii) A person twenty-one years of age or older who acts in loco parentis of the permit holder;	146 147
(iii) A person twenty-one years of age or older if the permit holder is an emancipated young adult as defined in section 5180.42 of the Revised Code.	148 149 150
(2) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.	151 152
(I) Whoever violates division (F) (1) or (2) of this section is guilty of a minor misdemeanor.	153 154
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 <u>one year</u> .	155 156 157 158 159 160
(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	161 162 163 164 165

accompanied by the holder's parent or guardian. 166

(b) No holder of a probationary driver's license who has 167
held the license for twelve months or longer shall operate a 168
motor vehicle upon a highway or any public or private property 169
used by the public for purposes of vehicular travel or parking 170
between the hours of one a.m. and five a.m. unless the holder is 171
accompanied by the holder's parent or guardian. 172

(2) (a) Subject to division (D) (1) of this section, 173
division (B) (1) (a) of this section does not apply to the holder 174
of a probationary driver's license who is doing ~~either~~ any of 175
the following: 176

(i) Traveling to or from work between the hours of 177
midnight and six a.m., provided that the holder has in the 178
holder's immediate possession written documentation from the 179
holder's employer; 180

(ii) Traveling to or from an official function sponsored 181
by the school the holder attends between the hours of midnight 182
and six a.m., provided that the holder has in the holder's 183
immediate possession written documentation from an appropriate 184
official of the school; 185

(iii) Traveling to or from an official religious event 186
between the hours of midnight and six a.m., provided that the 187
holder has in the holder's immediate possession written 188
documentation from an appropriate official affiliated with the 189
event. 190

(b) Division (B) (1) (b) of this section does not apply to 191
the holder of a probationary driver's license who is doing- 192
~~either~~ any of the following: 193

(i) Traveling to or from work between the hours of one 194

a.m. and five a.m., provided that the holder has in the holder's 195
immediate possession written documentation from the holder's 196
employer; 197

(ii) Traveling to or from an official function sponsored 198
by the school the holder attends between the hours of one a.m. 199
and five a.m., provided that the holder has in the holder's 200
immediate possession written documentation from an appropriate 201
official of the school; 202

(iii) Traveling to or from an official religious event 203
between the hours of one a.m. and five a.m., provided that the 204
holder has in the holder's immediate possession written 205
documentation from an appropriate official affiliated with the 206
event. 207

(3) An employer, school official, or official affiliated 208
with a religious event is not liable in damages in a civil 209
action for any injury, death, or loss to person or property that 210
allegedly arises from, or is related to, the fact that the 211
employer, school official, or official affiliated with a 212
religious event provided the holder of a probationary driver's 213
license with the written documentation described in division (B) 214
(2) of this section. 215

The registrar of motor vehicles shall make available at no 216
cost a form to serve as the written documentation described in 217
division (B) (2) of this section, and employers, school 218
officials, officials affiliated with religious events, and 219
holders of probationary driver's licenses may utilize that form 220
or may choose to utilize any other written documentation to meet 221
the requirements of that division. 222

(4) No holder of a probationary driver's license who has 223

held the license for less than twelve months shall operate a 224
motor vehicle upon a highway or any public or private property 225
used by the public for purposes of vehicular travel or parking 226
with more than one person who is not a family member occupying 227
the vehicle unless the probationary license holder is 228
accompanied by the probationary license holder's parent, 229
guardian, or custodian. 230

(C) It is an affirmative defense to a violation of 231
division (B) (1) (a) or (b) of this section if, at the time of the 232
violation, an emergency existed that required the holder of the 233
probationary driver's license to operate a motor vehicle in 234
violation of division (B) (1) (a) or (b) of this section or the 235
holder was an emancipated minor. 236

(D) (1) If a person is issued a probationary driver's 237
license prior to attaining the age of seventeen years and the 238
person pleads guilty to, is convicted of, or is adjudicated in 239
juvenile court of having committed a moving violation during the 240
six-month period commencing on the date on which the person is 241
issued the probationary driver's license, the court with 242
jurisdiction over the violation may order that the holder must 243
be accompanied by the holder's parent or guardian whenever the 244
holder is operating a motor vehicle upon a highway or any public 245
or private property used by the public for purposes of vehicular 246
travel or parking for a period not to exceed six months or the 247
date the holder attains the age of seventeen years, whichever 248
occurs first. 249

(2) Any person who is subject to the operating 250
restrictions established under division (D) (1) of this section 251
as a result of a first moving violation may petition the court 252
for driving privileges without being accompanied by the holder's 253

parent or guardian during the period of time determined by the 254
court under that division. In granting the driving privileges, 255
the court shall specify the purposes of the privileges and shall 256
issue the person appropriate forms setting forth the privileges 257
granted. If a person is convicted of, pleads guilty to, or is 258
adjudicated in juvenile court of having committed a second or 259
subsequent moving violation, the court with jurisdiction over 260
the violation may terminate any driving privileges previously 261
granted under this division. 262

(3) No person shall violate any operating restriction 263
imposed under division (D) (1) or (2) of this section. 264

(E) No holder of a probationary license shall operate a 265
motor vehicle upon a highway or any public or private property 266
used by the public for purposes of vehicular travel or parking 267
unless the total number of occupants of the vehicle does not 268
exceed the total number of occupant restraining devices 269
originally installed in the motor vehicle by its manufacturer, 270
and each occupant of the vehicle is wearing all of the available 271
elements of a properly adjusted occupant restraining device. 272

(F) A restricted license may be issued to a person who is 273
fourteen or fifteen years of age upon proof of hardship 274
satisfactory to the registrar of motor vehicles. 275

(G) Notwithstanding any other provision of law to the 276
contrary, no law enforcement officer shall cause the operator of 277
a motor vehicle being operated on any street or highway to stop 278
the motor vehicle for the sole purpose of determining whether 279
each occupant of the motor vehicle is wearing all of the 280
available elements of a properly adjusted occupant restraining 281
device as required by division (E) of this section, or for the 282
sole purpose of issuing a ticket, citation, or summons if the 283

requirement in that division has been or is being violated, or 284
for causing the arrest of or commencing a prosecution of a 285
person for a violation of that requirement. 286

(H) Notwithstanding any other provision of law to the 287
contrary, no law enforcement officer shall cause the operator of 288
a motor vehicle being operated on any street or highway to stop 289
the motor vehicle for the sole purpose of determining whether a 290
violation of division (B) (1) (a) or (b) of this section has been 291
or is being committed or for the sole purpose of issuing a 292
ticket, citation, or summons for such a violation or for causing 293
the arrest of or commencing a prosecution of a person for such 294
violation. 295

(I) As used in this section: 296

(1) "Occupant restraining device" has the same meaning as 297
in section 4513.263 of the Revised Code. 298

(2) "Family member" of a probationary license holder 299
includes any of the following: 300

(a) A spouse; 301

(b) A child or stepchild; 302

(c) A parent, stepparent, grandparent, or parent-in-law; 303

(d) An aunt or uncle; 304

(e) A sibling, whether of the whole or half blood or by 305
adoption, a brother-in-law, or a sister-in-law; 306

(f) A son or daughter of the probationary license holder's 307
stepparent if the stepparent has not adopted the probationary 308
license holder; 309

(g) An eligible adult, as defined in section 4507.05 of 310

the Revised Code. 311

(3) "Moving violation" means any violation of any statute 312
or ordinance that regulates the operation of vehicles, 313
streetcars, or trackless trolleys on the highways or streets. 314
"Moving violation" does not include a violation of section 315
4513.263 of the Revised Code or a substantially equivalent 316
municipal ordinance, or a violation of any statute or ordinance 317
regulating pedestrians or the parking of vehicles, vehicle size 318
or load limitations, vehicle fitness requirements, or vehicle 319
registration. 320

(J) Whoever violates division (B) (1) or (4), (D) (3), or 321
(E) of this section is guilty of a minor misdemeanor. 322

Sec. 4507.21. (A) Except as provided in section 4507.061 323
of the Revised Code, each applicant for a driver's license shall 324
file an application in the office of the registrar of motor 325
vehicles or of a deputy registrar. 326

(B) (1) Except as provided in division (B) (4) of this 327
section, each person under twenty-one years of age applying for 328
~~a an initial driver's license issued in this state~~ and each 329
person twenty-one years of age or older applying for an initial 330
limited term license in this state shall present satisfactory 331
evidence of having successfully completed one of the following: 332

(a) A driver training course approved by the director of 333
public safety. 334

(b) A driver training course comparable to a driver 335
training course described in division (B) (1) (a) of this section 336
and administered by a branch of the armed forces of the United 337
States and completed by the applicant while residing outside 338
this state for the purpose of being with or near any person 339

serving in the armed forces of the United States. 340

(2) ~~Each~~ Except as provided in division (B) (4) of this 341
section, each person under twenty-one years of age applying for 342
a ~~an initial~~ driver's license also shall present, ~~on a form~~ 343
~~prescribed by the registrar, an~~ either of the following: 344

(a) An affidavit, on a form prescribed by the registrar, 345
signed by an ~~eligible~~ a qualified adult attesting that the 346
person has acquired at least fifty hours of actual driving 347
experience, with at least ten of those hours being at night; 348

(b) A certificate of completion generated by an electronic 349
device or application approved in accordance with rules adopted 350
under section 4508.02 of the Revised Code that is programmed to 351
verify that the person completed at least forty hours of actual 352
driving experience with a qualified adult utilizing the 353
electronic device or application, with at least ten of those 354
hours being at night. 355

(3) Except as provided in division (B) (4) of this section, 356
each person twenty-one years of age or older applying for an 357
initial limited term license in this state also shall present, 358
~~on a form prescribed by the registrar, an~~ either of the 359
following: 360

(a) An affidavit, on a form prescribed by the registrar, 361
signed by an a qualified adult who holds a current valid 362
~~driver's or commercial driver's license issued by this state~~ 363
attesting that the applicant has acquired at least fifty hours 364
of actual driving experience, with at least ten of those hours 365
being at night, accompanied by the signing adult; 366

(b) A certificate of completion generated by an electronic 367
device or application approved in accordance with rules adopted 368

under section 4508.02 of the Revised Code that is programmed to 369
verify that the person completed at least forty hours of actual 370
driving experience with a qualified adult utilizing the 371
electronic device or application, with at least ten of those 372
hours being at night. 373

(4) All of the following individuals are exempt from the 374
requirements specified in divisions (B) (1) ~~and to~~ (3) of this 375
section: 376

(a) A person who receives a waiver of the examination by 377
the registrar in accordance with section 4507.10 of the Revised 378
Code; 379

(b) An initial limited term license applicant twenty-one 380
years of age or older who is from a country with which the 381
registrar has a reciprocal arrangement in accordance with 382
section 4507.101 of the Revised Code; 383

(c) A person who possesses ~~both a~~ and presents all of the 384
following: 385

(i) A valid, unexpired visa issued by the United States 386
department of state and a or a valid document issued by the 387
United States citizenship and immigration services that is 388
verifiable through the systematic alien verification for 389
entitlements system to demonstrate legal presence in the United 390
States; 391

(ii) A valid, unexpired foreign driver's license and who 392
presents a; 393

(iii) A form, prescribed by the registrar and signed by 394
the person's employer or supervisor, attesting to the person's 395
employment by or similar work-based relationship with either the 396
United States military, the United States department of defense, 397

~~or any of the subordinate agencies to the department of defense.~~ 398

~~(d) A person who possesses both a valid, unexpired visa issued by the United States department of state and a valid, unexpired foreign driver's license and who presents a form, prescribed by the registrar, attesting to the person's relationship with, a hospital or a health system;~~ 399
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~~(e) A person who possesses a valid, unexpired agricultural guest worker visa in accordance with 8 U.S.C. 1188 and who presents a form, prescribed by the registrar, attesting to the person's employment on located in this state, a farm located in this state and signed by that person's employer, a professional business located in this state, or any other place of temporary but nonagricultural employment located in this state.~~ 404
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(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: 411
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(a) The applicant is twenty-one years of age or older. 416

(b) The applicant failed the road or maneuverability test required under division (A) (2) of section 4507.11 of the Revised Code. 417
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(c) In the twelve months immediately preceding the date of application, the applicant has not successfully completed a driver training course. 420
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(2) An applicant required to present satisfactory evidence under division (C) (1) of this section shall also present either of the following: 423
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(a) An affidavit, on a form prescribed by the registrar, 426
signed by a qualified adult attesting that the person has 427
acquired at least twenty-five hours of actual driving 428
experience; 429

(b) A certificate of completion generated by an electronic 430
device or application approved in accordance with rules adopted 431
under section 4508.02 of the Revised Code that is programmed to 432
verify that the person completed at least twenty hours of actual 433
driving experience with a qualified adult utilizing the 434
electronic device or application. 435

(3) An applicant shall present the satisfactory evidence 436
and affidavit or certificate of completion as required under 437
~~division~~ divisions (C) (1) and (2) of this section prior to 438
attempting the test a second or subsequent time. 439

(D) If the registrar or deputy registrar determines that 440
the applicant is entitled to the driver's license, it shall be 441
issued. If the application shows that the applicant's license 442
has been previously canceled or suspended, the deputy registrar 443
shall forward the application to the registrar, who shall 444
determine whether the license shall be granted. 445

(E) An applicant shall file an application under this 446
section in duplicate, and the deputy registrar issuing the 447
license shall immediately forward to the office of the registrar 448
the original copy of the application, together with the 449
duplicate copy of any certificate of completion if issued for 450
purposes of division (B) of this section. The registrar shall 451
prescribe rules as to the manner in which the deputy registrar 452
files and maintains the applications and other records. The 453
registrar shall file every application for a driver's or 454
commercial driver's license and index them by name and number, 455

and shall maintain a suitable record of all licenses issued, all 456
convictions and bond forfeitures, all applications for licenses 457
denied, and all licenses that have been suspended or canceled. 458

(F) For purposes of section 2313.06 of the Revised Code, 459
the registrar shall maintain accurate and current lists of the 460
residents of each county who are eighteen years of age or older, 461
have been issued, on and after January 1, 1984, driver's or 462
commercial driver's licenses that are valid and current, and 463
would be electors if they were registered to vote, regardless of 464
whether they actually are registered to vote. The lists shall 465
contain the names, addresses, dates of birth, duration of 466
residence in this state, citizenship status, and social security 467
numbers, if the numbers are available, of the licensees, and may 468
contain any other information that the registrar considers 469
suitable. 470

(G) Each person under eighteen years of age applying for a 471
motorcycle operator's endorsement or a restricted license 472
enabling the applicant to operate a motorcycle shall present 473
satisfactory evidence of having completed the courses of 474
instruction in the motorcycle safety and education program 475
described in section 4508.08 of the Revised Code or a comparable 476
course of instruction administered by a branch of the armed 477
forces of the United States and completed by the applicant while 478
residing outside this state for the purpose of being with or 479
near any person serving in the armed forces of the United 480
States. If the registrar or deputy registrar then determines 481
that the applicant is entitled to the endorsement or restricted 482
license, it shall be issued. 483

(H) No person shall knowingly make a false statement in an 484
affidavit presented in accordance with ~~division (B) (2)~~ divisions 485

<u>(B) (2) (a), (3) (a), and (C) (2) (a) of this section.</u>	486
(I) As used in this section, "eligible":	487
<u>(1) "Electronic device or application" has the same</u>	488
<u>meaning as in section 4508.02 of the Revised Code.</u>	489
<u>(2) "Qualified adult" means any of the following persons:</u>	490
(1) <u>(a) A parent, guardian, or custodian of the applicant,</u>	491
<u>if the applicant is under eighteen years of age;</u>	492
(2) <u>(b) A person over the age of twenty-one who acts in</u>	493
<u>loco parentis of the applicant and who maintains proof of</u>	494
<u>financial responsibility with respect to the operation of a</u>	495
<u>motor vehicle owned by the applicant or with respect to the</u>	496
<u>applicant's operation of any motor vehicle <u>if the applicant is</u></u>	497
<u>under eighteen years of age;</u>	498
(3) <u>(c) A person over the age of twenty-one who holds a</u>	499
<u>current valid driver's or commercial driver's license issued by</u>	500
<u>this state if the applicant is an emancipated young adult as</u>	501
<u>defined in section 5180.42 of the Revised Code;</u>	502
<u>(d) A person over the age of eighteen who holds a current</u>	503
<u>valid driver's or commercial driver's license issued by this</u>	504
<u>state if the applicant is eighteen years of age or older.</u>	505
(J) Whoever violates division (H) of this section is	506
guilty of a minor misdemeanor and shall be fined one hundred	507
dollars.	508
Sec. 4508.02. (A) (1) The director of public safety,	509
subject to Chapter 119. of the Revised Code, shall adopt and	510
prescribe such rules concerning the administration and	511
enforcement of this chapter as are necessary to protect the	512
public. The rules shall require an assessment of the holder of a	513

probationary instructor license. The director shall inspect the 514
school facilities and equipment of applicants and licensees and 515
examine applicants for instructor's licenses. 516

(2) The director shall adopt rules governing online driver 517
education courses that may be completed via the internet to 518
satisfy the classroom instruction under division (C) of this 519
section. The rules shall do all of the following: 520

(a) Establish standards that an online driver training 521
enterprise must satisfy to be licensed to offer an online driver 522
education course via the internet, including, at a minimum, 523
proven expertise in providing driver education and an acceptable 524
infrastructure capable of providing secure online driver 525
education in accord with advances in internet technology. The 526
rules shall allow an online driver training enterprise to be 527
affiliated with a licensed driver training school offering in- 528
person classroom instruction, but shall not require such an 529
affiliation. 530

(b) Establish content requirements that an online driver 531
education course must satisfy to be approved as equivalent to 532
twenty-four hours of in-person classroom instruction; 533

(c) Establish attendance standards, including a maximum 534
number of course hours that may be completed in a twenty-four- 535
hour period; 536

(d) Allow an enrolled applicant to begin the required 537
eight hours of actual behind-the-wheel instruction upon 538
completing all twenty-four hours of course instruction; 539

(e) Establish any other requirements necessary to regulate 540
online driver education. 541

(3) The director shall adopt rules that establish 542

requirements for the approval of electronic devices and 543
applications and the form of a certificate of completion that 544
may be utilized for purposes of this section and sections 545
4507.21 and 4508.041 of the Revised Code. The rules also shall 546
establish any procedures and requirements that are necessary to 547
implement the use of electronic devices and applications for 548
purposes of those sections, including procedures and 549
requirements governing the examination of electronic devices and 550
applications by the registrar of motor vehicles or a deputy 551
registrar to verify compliance with the rules. The director 552
shall not unreasonably withhold approval of an electronic device 553
or application if that device or application meets the 554
requirements set forth in rules. 555

(B) The director shall administer and enforce this 556
chapter. 557

(C) The rules shall require ~~twenty-four~~ all of the 558
following: 559

(1) Twenty-four hours of completed in-person classroom 560
instruction or the completion of an approved, equivalent online 561
driver education course offered via the internet by a licensed 562
online driver training enterprise, followed by eight hours of 563
actual behind-the-wheel instruction conducted on public streets 564
and highways of this state for all beginning drivers of 565
noncommercial motor vehicles who are required to complete the 566
training under section 4507.21 of the Revised Code. ~~The rules~~ 567
~~shall allow beginning;~~ 568

(2) Beginning drivers of noncommercial motor vehicles to 569
complete the driver education course at any point while holding 570
a valid temporary instruction permit. ~~The rules also shall~~ 571
~~require the;~~ 572

<u>(3) The classroom instruction or online driver education</u>	573
course for such drivers to include instruction on both <u>all</u> of	574
the following:	575
(1) <u>(a) The dangers of driving a motor vehicle while</u>	576
distracted, including while using an electronic wireless	577
communications device, or engaging in any other activity that	578
distracts a driver from the safe and effective operation of a	579
motor vehicle;	580
(2) <u>(b) The dangers of driving a motor vehicle while under</u>	581
the influence of a controlled substance, prescription	582
medication, or alcohol;	583
<u>(c) Proper techniques to use when driving a motor vehicle</u>	584
<u>in the following circumstances:</u>	585
<u>(i) Weather conditions, including rain, fog, hail, sleet,</u>	586
<u>snow, and high winds;</u>	587
<u>(ii) Adverse road conditions, including potholes, road</u>	588
<u>debris, construction, and road detours;</u>	589
<u>(iii) Road hazards caused by animals, including animals</u>	590
<u>that enter the roadway unexpectedly;</u>	591
<u>(iv) Incidents involving road rage, speeding, reckless</u>	592
<u>driving, erratic driving, and other aggressive driving</u>	593
<u>behaviors;</u>	594
<u>(v) Incidents during which the motor vehicle skids,</u>	595
<u>slides, or otherwise moves in an uncontrolled manner.</u>	596
<u>The rules may allow a qualified adult, pursuant to section</u>	597
<u>4508.041 of the Revised Code, to provide actual behind-the-wheel</u>	598
<u>instruction conducted on public streets and highways of this</u>	599
<u>state for not more than four of the eight hours required under</u>	600

divisions (A) (2) (d) and (C) (1) of this section, provided that 601
the qualified adult is assisted by an electronic device or 602
application. 603

(D) The rules shall state the minimum hours for classroom 604
and behind-the-wheel instruction required for beginning drivers 605
of commercial trucks, commercial cars, buses, and commercial 606
tractors, trailers, and semitrailers. 607

(E) (1) The department of public safety may charge a fee to 608
each online driver training enterprise in an amount sufficient 609
to pay the actual expenses the department incurs in the 610
regulation of online driver education courses. 611

(2) The department shall supply to each licensed online 612
driver training enterprise certificates to be used for 613
certifying an applicant's enrollment in an approved online 614
driver education course and a separate certificate to be issued 615
upon successful completion of an approved online driver 616
education course. The certificates shall be numbered serially. 617
The department may charge a fee to each online driver training 618
enterprise per certificate supplied to pay the actual expenses 619
the department incurs in supplying the certificates. 620

(F) The director shall adopt rules in accordance with 621
Chapter 119. of the Revised Code governing an abbreviated driver 622
training course for adults. The rules shall require that the 623
abbreviated driver training course for adults include both of 624
the following: 625

(1) Either four hours of classroom equivalent training 626
offered via the internet through a licensed online enterprise or 627
four hours of in-person classroom or virtual classroom 628
instruction; 629

(2) Eight hours of behind-the-wheel instruction, four 630
hours of which may be provided by a qualified adult utilizing an 631
electronic device or application. The rules shall require the 632
qualified adult to be in the vehicle at all times during the 633
active instruction provided by the electronic device or 634
application. The rules also shall require a student to submit to 635
the registrar or a deputy registrar a certificate of completion 636
of the four hours derived from the electronic device or 637
application. A qualified adult using an electronic device or 638
application in accordance with rules is exempt from the driver 639
training instructor licensure requirements of this chapter. 640

(G) As used in this section: 641

(1) "Electronic device or application" means an electronic 642
device or application that is approved by the director and is 643
programmed to offer mobile and in-vehicle instruction to a 644
student driver. 645

(2) "Qualified adult" has the same meaning as in section 646
4507.21 of the Revised Code. 647

Sec. 4508.041. (A) As used in this section, "qualified 648
adult" has the same meaning as in section 4507.21 of the Revised 649
Code. 650

(B) Notwithstanding section 4508.04 of the Revised Code, a 651
qualified adult may provide actual behind-the-wheel instruction 652
for not more than four of the eight hours required by section 653
4508.02 of the Revised Code, provided all of the following 654
apply: 655

(1) The qualified adult is assisted by an electronic 656
device or application that is programmed to offer mobile and in- 657
vehicle instruction to the student driver. 658

(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. 659
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(3) The student driver has completed the four or twenty-four hours of classroom instruction, as applicable. 662
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(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. 664
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(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. 668
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(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. 675
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Section 2. That existing sections 4507.05, 4507.071, 4507.21, and 4508.02 of the Revised Code are hereby repealed. 680
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Section 3. Section 4507.21 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 184 and H.B. 434 of the 136th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized and reconciled if reasonably capable of simultaneous 682
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operation, finds that the composite is the resulting version of	688
the section in effect prior to the effective date of the section	689
as presented in this act.	690