

## **4501-7-23 Character and fitness for CDL schools.**

(A) Any person connected in any manner with a driver training enterprise, including but not limited to an owner, partner, training manager, instructor, or authorizing official, shall be of good character and reputation.

(B) The conviction of any of the above persons of any felony or any misdemeanor, other than a minor misdemeanor, which is reasonably related to a person's ability to serve safely and honestly in connection with a driver training enterprise, shall be grounds to deny issuing or renewing a license or grounds for suspending or revoking a previously issued license.

(C) Every person connected in any manner with a driver training enterprise, including but not limited to an owner, partner, training manager, office manager, instructor, or authorizing official, shall comply with all applicable state and federal laws which prohibit discrimination based upon race, color, national origin, sex, age, handicap, disability, ancestry or religion.

(D) The director may deny the issuance of a license to any person if the person applying for a license has had a driver training school, training manager, or instructor license revoked or denied within the five years immediately preceding the current filing for an application or renewal.

After the five-year revocation period has lapsed, any training manager or instructor whose license has been revoked may apply for a license by following the training and application procedure set forth in rule [4501-7-25](#) of the Administrative Code. Granting of a license shall be based upon successful completion of the training and application procedure including an appropriate course approved by the director and no further violations of Chapter 4507. or Chapter 4508. of the Revised Code or the rules amplifying those chapters.

(E) No training manager or authorizing official shall knowingly permit any training manager or instructor of the enterprise who is physically or mentally unfit to be in contact with students.

(1) Any person who applies for or holds a commercial driver training instructor's or training manager's license shall submit to an examination of that person's physical or mental fitness when the director or the school's training manager or enterprise's authorizing official has evidence to believe the instructor, official, or manager may not be mentally or physically fit to instruct students or operate a motor vehicle.

(2) Any person who applies for or holds a commercial driver training instructor's or training manager's license shall notify the authorizing official of any driver training enterprise with which the person is affiliated of any injury, any physical or mental impairment, or any drug or medicine the person is taking that gives good cause to believe such injury, impairment, drug or medicine may affect that instructor's or manager's ability to drive or to effectively and safely instruct students or manage training.

(3) The authorizing official is responsible for maintaining records for a training manager and/or instructor's behavioral problem(s) that give good cause to believe that the training manager and/or instructor could be physically or mentally unfit and also for maintaining disciplinary actions taken to correct such behavior.

(F) Instructors and training managers shall provide an annual completed physical exam to the authorizing official of the driver training enterprise. The physical exam shall be compliant with

paragraph (D)(7) of rule [4501-7-25](#) of the Administrative Code. The authorizing official shall maintain proof of the physical in each instructor's and training manager's personnel file. The authorizing official shall make these records available for inspection upon request of the director.

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