



Common Sense Initiative

Mike DeWine, *Governor*

Jim Tressel, *Lt. Governor*

MEMORANDUM

TO: Joseph Kirk, Ohio Department of Public Safety

FROM: Caleb White, Business Advocate

DATE: February 27, 2026

RE: **CSI Review – 4501-7 Commercial Driver Training Schools (OAC 4501-7-01, 4501-7-02, 4501-7-03, 4501-7-04, 4501-7-05, 4501-7-06, 4501-7-08, 4501-7-09, 4501-7-10, 4501-7-11, 4501-7-12, 4501-7-13, 4501-7-14, 4501-7-16, 4501-7-17, 4501-7-18, 4501-7-19, 4501-7-20, 4501-7-21, 4501-7-28, 4501-7-29, 4501-7-31, 4501-7-37, 4501-7-38, and 4501-7-39)**

Pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Department as provided for in ORC 107.54.

Analysis

This rule package consists of fifteen amended rules and ten no-change rules proposed by the Ohio Department of Public Safety (DPS) as a part of the statutory five-year review process. This rule package was submitted to the CSI Office on December 15, 2025, and the public comment period was held open through December 29, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on December 15, 2025.

The rules in this package govern the education and training of beginning and commercial drivers. They contain amendments to update, add, and remove definitions, exemptions for site approval and fire inspections for public schools, remove references to online instructors, replace requirements for an online instructor with a requirement for a mechanism to assist with curriculum support, add a

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probationary license period for licenses that have been revoked, allow more types of physicals, add an option for proof of training, eliminate a notarization requirement, update what constitutes a training manager, lengthen the timeframe a background check is valid, require criminal records to be dated within twelve months, lengthen the timeframe an abstract is valid, add an acceptable certificate of medical examination, add an option for proof of a class D instructor license, update notification requirements, remove student minimum age requirements, add a bonding requirement exemption for schools that do not charge tuition, remove education age restrictions, add daily training limitations for students, require certificates to be issued within five business days of program completion, remove a requirement related to certificates for out of state students, require written agreements for students under eighteen, update written agreement timeframes, require reasonable controls to verify the identity of minors, add an affidavit requirement for minors, update records requirements, update vehicle requirements, update language, and update materials incorporated by reference.

During early stakeholder outreach, DPS sent an email on October 29, 2025, to stakeholders on the Ohio Traffic Safety Office bulletin board housed in the Driver Education Training System. During this period DPS received comments from Aceable, Inc. and Interactive Solutions (Aceable) DBA DriversEd.com and the Ohio Driving School Association (ODSA). Aceable first expressed support for amendments in the rules that change the requirement for an online instructor to a mechanism of response for students, removing break requirements for online courses, and clarification surrounding timeframes for training agreements, but also raised several concerns with the rules. The first concern was that the proof of compliance required for security controls lacked specificity. DPS responded to this comment by stating that the changes made to the rules allowed for an “either/or” option for compliance but reverted several changes to clarify the requirements. The commenter next raised concerns about the different limits for different age groups related to maximum daily training time limits. In response to this comment, DPS reverted several changes but kept the separate limits for students under the age of eighteen and students over the age of eighteen. Lastly, the commenter stated that while she supported five-calendar-day timeframes for the issuance of certificates, she had concerns over the enforcement of this provision if delays are caused by technical issues or outages. In response to this comment DPS amended the rules to define “business day.”

ODSA raised concerns about allowing professional administrator licenses to replace three years of hands-on class D instructor experience for training managers, citing safety concerns. DPS replied that the applicants eligible would be limited to those with professional administrator licenses which have several experiential requirements of their own and exceed the qualifications for training managers including two years of successful teaching, a master’s degree, and examination requirements. ODSA next asked for the requirement of a background check in the past twelve months for driver training instructors to be extended to all applicants rather than the current 180-day requirement. DPS did not make this change as teachers affiliated with public school systems are subject to stricter monitoring of their criminal records and noted that the current rules extend the

timeline from ninety days to 180 days for regular, non-teacher instructors. ODSA next raised concerns surrounding the issuance of a certificate of completion within five calendar days as it is an impractical timeline for small-to-midsize schools, especially when the timeline encompasses weekends or state/federal holidays. DPS replied to this comment by highlighting that the rules replace the five-calendar day requirement with a five-business day requirement and amended the rules to define “business day.” ODSA then raised two issues concerning timelines. The first is that a nine-month completion window is required for integrated school training while segmented model schools are allowed a twelve-month completion window. ODSA contends that this creates a disparity between school types that penalizes integrated schools. The second issue is that the rules currently require a hard calendar date for training completion in training agreements rather than a defined timeframe which can cause logistical issues since training agreements are often signed weeks or months before the first actual lesson. DPS replied to these concerns by stating that training agreements are contracts between the parent, student, and the company which provide a defined timeline and expectation. DPS added that the current structure gives all parties clear and concise dates to meet these expectations rather than an obscure timeline and that this both helps prevent businesses from over-enrolling students and holds all parties accountable. DPS also states that these timelines are necessary as it expects an increase in students due to recently passed legislation. Lastly, ODSA raised concerns over requiring comprehensive Personally Identifiable Information on every individual classroom and behind-the-wheel lesson record as it creates a data security risk. DPS did not make changes in response to this comment and stated that it is upon schools to mitigate the risks to data security and enforce relevant policies for staff.

During the CSI public comment period, DPS received three comments. The first comment came from ODSA who raised several concerns. ODSA supported the change to require certificates to be issued within five days but again raised concerns about allowing professional administrator licenses to replace three years of hands-on class D instructor experience for training managers, stating that this would lead to an unlevel playing field for private driving schools by allowing public entities to gain an administrative shortcut, devalue the expertise of class D instructors, and constitute a regulatory overreach that does not enhance safety. DPS responded to this comment by stating that individuals seeking a professional administrator license would still be required to complete instructor training and a training manager program offered by DPS and stated that the experience required for this level of license exceeds the qualification requirements for individuals that are training managers and not teachers or administrators for a public school system. DPS further explained that provisions in House Bills 54 and 96 of the 136th General Assembly created an anticipated increase of 70,000 additional students who will require driver training, including eighteen to twenty-year-old students and limited term license applicants and that these changes are being made in response to this anticipated increase as it is believed that the capacity of the current number of driving schools will not be able to sustain the increase in students.

ODSA next raised concerns again over the nine-month completion window for integrated school training as segmented model schools are allowed a twelve-month completion window which will eliminate scheduling flexibility for integrated schools and place them at a disadvantage. DPS responded to this comment by stating that if a student takes training (both on-line classroom and behind the wheel) through one driving school then he or she will have nine months to complete the training. The aim of this bifurcated timeline is to make sure that both models function properly while meeting the anticipated increase in demand, and the different timelines pertain to whether the school is offering one service or two services such as only offering online classroom or offering both online classroom and behind-the-wheel services. DPS further stated that many students completing online-only tend to do so within three to four months of the six-month contract and therefore, the full year for someone contracting between two companies to complete the full driver education program gets held up on the behind-the-wheel portion when schools have issues scheduling students. This change is intended to minimize an anticipated backlog of students.

Next, ODSA raised concerns over the requirement for a calendar end date on contract signed at registration which creates a paperwork burden for businesses and instead requested contracts be allowed to state a timeframe rather than be subject to a fixed calendar date. DPS replied to this comment by stating that this requested change would create an additional burden for both the Department and the business community by requiring research to calculate a timeframe and stated that without established contract timelines requirement, there is no distinct timeframe provided which can lead to over-enrollment with companies who may not be able to fulfill the required training requirements, causing a training delay for students. Lastly ODSA raised issue with requiring students to list full addresses, contact information, and permit numbers of routine instruction logs which increases liability and insurance risks and instead requested daily log data be limited to student name and permit numbers. DPS replied that these requirements have been in place since 2003 and that there is no other apparatus that captures this information. DPS further states that the information contained in these documents is used to create certificates of completion or to ensure the appropriate person is being contacted during the investigation process when there is a suspected violation/investigation. If this change were made, an additional step would need to be created for businesses to capture this information.

The next comment came from Pro Driving Schools which also raised several concerns. The first concern was that the five-business day timeframe for certificate issuance would cause an issue for them as they have eighteen locations, many of which are not located near their main office. This requirement would cause a change in procedure or open an additional office and hire additional staff, all of which would cause logistical issues and cost the business time and money. DPS replied to this comment by stating that the model for driver's education and services is changing to a model that will allow schools to provide behind-the-wheel only training and that this new model has reduced the number of brick-and-mortar locations and cut costs for overhead with the schools. However, this

model requires the same or expedited customer service, and these changes require information on certificates to be accurate and in the system in order for a customer to schedule the driver's license test. DPS then states that the rules do not require a school to have the instructors drive the paperwork to the location as electronic records and signatures are permitted.

Next the commenter pointed out two rules it believed conflict with each other. DPS replied that the two rules pertain to two different types of training and therefore do not conflict. The commenter then raised concerns over a six-month completion period timeline from the day a training agreement is signed, stating that because students may sign their training agreement weeks or months before their first driving lesson, it would be unfair to count that time toward the six-month completion period. DPS replied to this comment by stating that training agreements are contracts between the parent, student, and the company and providing a structured timeline gives customers defined timelines and expectations and gives all parties clear and concise dates to meet these expectations rather than an obscure timeline. DPS further states that many businesses over-enroll students without having the resources to offer and complete the students' training and that this contract holds every party accountable. Lastly, the commenter raised concerns about language for daily training limits being unclear. DPS clarified what the intention of the language was and stated that it is written the way it is to provide clear guidance as to which portion of driver training the extended hours pertain.

The final comment came from a driving instructor who opposed the prohibition of using any driver test routes or sites of a driver license examination station for instruction during the hours the examining station is open for business, stating that this is unnecessary since each Bureau of Motor Vehicles (BMV) has its main test route and one or more alternate routes, all of which can encompass many of the main downtown streets. The commenter further stated that instructors should know all the test routes, including the alternate routes, it does not make sense that training is to be limited by avoiding most of the downtown areas in any town that has a BMV which results in them missing out on all the challenges of driving in downtown areas, and it risks complaints from the driver examiners against any given driving school if they see a driver education car on one test route. DPS replied to this commenter by stating that the purpose of the rule is to ensure that skills for handling various driving situations are being taught rather than memorizing a route to pass the driving test. DPS further stated that it is not a violation to be on routes but is a violation to only use the test routes for driver training instruction during examining station business hours and that complaints are only initiated if it is obvious that instructors are using the routes for instruction during examining station business hours.

The business community impacted by the rules includes 203 licensed driver training enterprises with 405 satellite locations and approximately 2,100+ licensed instructors and training managers. The adverse impacts created by the rules include facility requirements, application fees, renewal fees, the time associated with taking new school orientation, continuing education requirements, training

requirements, insurance and escrow requirements, security requirements, costs associated with providing completion certificates, vehicle requirements, records reporting requirements, and training agreement requirements. DPS estimates that classroom leases average about \$1281.50 per location, the total cost for an enterprise application is \$280 to \$330 consisting of a \$250 application fee, as well as a background check which costs between \$30 to \$80 (enterprise renewal fees are \$50), and online enterprise applications cost between \$885 and \$930 with a \$250 application fee, a \$600 review assessment and online driver education program, as well as a background check which costs between \$30 to \$80. DPS also estimates that instructor applications consist of a \$25 application fee, a background check between \$25 to \$105, driver abstract which costs \$8.50, and a physical which costs \$80 with renewal costs being a \$10 application fee, a continuing education course required every three years which costs between \$25 and \$50, and a \$10.50 driver abstract. Additionally, it costs \$350 for a disability certification training course with a \$50 continuing education course every three years and \$700 for a training manager certification with a \$90 continuing education course every three years. Next, DPS notes that bond and escrow requirements cost 1% to 30% of the cost of the bond or \$50,000 per location in an escrow account, that the cost of commercial driver's license insurance ranges from \$5,000 to \$22,000 annually, and that vehicle insurance costs approximately \$250 to \$320 annually, per vehicle. DPS next estimates the cost to develop a training agreement is between \$50 and \$500. Lastly, DPS estimates that the implementation of new security measures will take two to three weeks and cost \$8,000 to implement. DPS also notes several other costs such as sexual harassment prevention training estimated to take around fifteen minutes, the cost of mailing and printing certificates, and the time to complete applications and renewals which is estimated to take between two to eight hours. DPS highlights the removal of online instructor requirements as reducing the adverse impact on business. DPS states that the adverse impacts to business are justified to protect the public by setting requirements for proper instructor training and driver training courses and ensuring that instructors maintain an environment that is conducive to learning.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that DPS should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.