

4501-53-03

Instructor qualifications for certification to teach.

[Comment: For dates and availability of material incorporated by reference in this rule, see rule 4501-53-16 of the Administrative Code.]

(A) The department shall certify an individual to teach the ~~BRCBRS~~ if the individual meets the following conditions:

(1) ~~Submits to the department a completed "Motorcycle Ohio Instructor Candidate Application" to the department. No applicant shall submit an application that contains false or misleading information; application on a form approved by the director.~~

~~No applicant shall submit an application that contains false or misleading information;~~

(2) Possesses a high school diploma or GED;

(3) Possesses a current first aid card, ~~and~~ a current adult CPR card or equivalent, and an evaluation of skills performance as formalized in the motorcycle policy and procedure manual;

(4) Is currently an experienced motorcycle operator, licensed for at least three years preceding the date of the application with a valid motorcycle endorsement, and currently rides a motorcycle on a regular basis;

(5) Has a driving record free of any of the following:

(a) Three or more chargeable crashes within the three years preceding the date of application;

(b) Three or more moving violation convictions under Chapter 4511. of the Revised Code, or equivalent convictions from another jurisdiction, within the three years preceding the date of application;

(c) An accumulation of ~~more than five~~six or more points under Chapter 4510. of the Revised Code, or equivalent action from another jurisdiction, within the three years preceding the date of application;

(d) A twelve-point administrative action under section 4510.037 of the Revised Code, or equivalent action from another jurisdiction, within the ten years preceding the date of application;

- (e) A suspension and/or conviction under section 4511.19 of the Revised Code, or equivalent conviction from another jurisdiction, within ten years preceding the date of application.
- (6) Successfully completes an instructor preparation course approved by the director and conducted by motorcycle Ohio;
- (7) Upon request, submits a request to the bureau of criminal identification and investigation to conduct a criminal records check and requests the bureau of criminal identification and investigation obtain information from the federal bureau of investigation as part of the criminal records check. The criminal records check shall not be dated more than forty-five days from the request.~~Successfully completes the BRC within the two calendar years preceding the date the instructor preparation course is being offered;~~
- (8) ~~Upon request, submits a criminal abstract provided and dated by the bureau of criminal identification and investigation within forty five days of such request;~~
- (9)(8) Has not been convicted of, pled guilty to, had a judicial finding of guilt for, or had a judicial finding of eligibility for treatment in lieu of conviction for, any of the following:
- (a) Any felony, unless the felony conviction occurred more than ten years preceding the date of application and the felony conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course;
- (b) ~~A misdemeanor involving moral turpitude;~~
- (e)(b) A misdemeanor of the first or second degree, unless the misdemeanor conviction occurred more than five years preceding the date of application, and the misdemeanor conviction which is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course;
- (d) ~~A violation of any federal, state, county, or municipal narcotics law;~~
- (e)(c) Any act committed in another state or jurisdiction that, if committed in Ohio, would constitute a violation set forth in this paragraph.
- (10)(9) Has not been adjudicated mentally incompetent, or been found not guilty by

reason of insanity by a court of law;

~~(11)~~(10) Does not engage in the illegal use of controlled substances, alcohol, or other habit-forming drugs or chemical substances while performing the duties of a motorcycle instructor;

~~(12)~~(11) Has not committed fraud or material deception in applying for, or obtaining, certification to teach under this chapter;

~~(13)~~(12) Upon request, provides an original signed statement from the applicant's physician, on the physician's letterhead, certifying that the applicant is mentally and physically capable of providing motorcycle safety instruction;
and

(13) The individual meets all standards set forth in rule 4501-53-04 of the Administrative Code.

(B) In addition to meeting the requirements in paragraphs (A)(1) to (A)(~~6~~)(5) and (A)(8) to (A)(13) of this rule, motorcycle instructors certified by another state or military motorcycle safety program whose basic rider training curriculum has been shown to be in accordance with the national standards set forth in rule 4501-53-16, who have successfully completed an instructor preparation course and the BRC, shall successfully complete a special MO training session conducted by an MO chief instructor.

(C) The department may access an applicant's driving record to verify that the applicant meets the requirements of this rule.

(D) The department may observe and evaluate all aspects of the conduct of any course.

(E) An individual's certification to teach shall expire on ~~December thirty-first~~November thirtieth of the year of certification, and may be renewed annually upon application to the department pursuant to rule 4501-53-05 of the Administrative Code.

(F) The department ~~shall~~may certify an individual to teach the ~~BRC-2BRS, BRS-2, BRC-RRBRS-RR~~, and/or ARCARS if the individual meets the conditions of paragraphs (A)(1) to (A)(6) and (A)(8) to (A)(13) of this rule and the individual attends and successfully completes a course specific workshop or training course provided by the department.

Effective:

Five Year Review (FYR) Dates: 02/08/2016

Certification

Date

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