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4501-53-01 Definitions.

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

As used in this chapter

- (A) "Authorizing official" means any person who owns, or who maintains responsibility on behalf of an individual for, a corporation, business trust, estate, trust, partnership, or an association for the facilities, equipment, instructors, site coordinators, and other employees of a motorcycle training provider.
- (B) "Advanced riding skills" or "ARS" means the advanced rider course approved by the department.
- (C) "Basic riding skills" or "BRS" means the basic motorcycle training course approved by the department.
- (D) "Basic riding skills-returning rider" or "BRS-RR" means the basic rider course for the returning rider approved by the department.
- (E) "Basic riding skills-two" or "BRS-2" means the basic rider course for the experienced rider approved by the department.
- (F) "Chief instructor" means an instructor specially trained to perform the following duties: ~~to~~ curricula development, conduct instructor preparation courses, conduct instructor refresher workshops, ~~and perform~~ instructor evaluations, ~~to approve evaluate and paint~~ ranges, and ~~to~~ conduct provider inspections.
- (G) "Lead Instructor Training Expert" or "LITE" specially trained by a chief instructor in the following duties: instructor evaluations, range evaluation and painting, instructor training and conduct provider inspections.
- (G) "Classroom" means any room within an approved training provider facility or under contract with a training provider, in which students are taught motorcycle safety and education.
- (H) "Classroom instruction" means the portion of a motorcycle training course, in-person or virtual, devoted to teaching motorcycle knowledge which does not include the student's operation of a motorcycle.
- (I) "Completion ~~card~~ certificate" means a ~~card~~ certificate, created by the department, ~~that is~~ issued to students who have successfully complete any approved motorcycle course through an approved training provider.
- (J) "Department" means the Ohio department of public safety.
- (K) "Director" means the director of the Ohio department of public safety as set forth in division (G) of section 121.03 of the Revised Code, or the director's designee.
- (L) "Motorcycle endorsement" means any driver's license with a motorcycle endorsement.
- (M) "Instructor" means an individual certified by the department to teach motorcycle training courses approved by the department.
- (N) "Instructor of record" refers to the instructor hired by a training provider or the department to teach a given course and receive compensation for that course. An instructor volunteering ~~the instructor's~~ their teaching services, unless assigned by the provider or department as an instructor, is not considered an instructor of record.

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- (O) "Instructor preparation course" or "IPC" means a course of instruction to teach potential motorcycle instructors how to train the general public in motorcycle safety practices.
- (P) "Motorcycle Ohio" or "MO" is the motorcycle safety and education program operated by the department as provided in section 4508.08 of the Revised Code.
- (Q) "Private provider" means any private organization or corporation approved by the department to train the general public in [an approved motorcycle safety and education course.](#)
- (R) "Provider" means both private provider and public provider.
- (S) "Public provider" or "grantee" means any public agency or recognized training facility contracted by the department to train the general public in [an approved motorcycle safety and education course.](#)
- (T) "Range" or "riding range" means an off-highway site designed for training riders that does not permit traffic to pass through the site during training.
- (U) "Range instruction" means a portion of [an approved motorcycle training course](#) devoted to teaching motorcycle skills which includes the student's operation of a motorcycle.
- (V) "Site coordinator" means a person designated by the authorized official of a motorcycle training provider to carry out orders and conduct the business and manage the provider's training program.
- [\(W\) "Curriculum and Training Specialist" means an instructor specially trained to perform the following duties: design, evaluate, approve and paint training ranges, curricula development, instructor training, and to conduct provider inspections.](#)
- [\(X\) "Proper riding gear" means a D.O.T. approved helmet, eye protection \(a properly fitted face shield on a helmet, or a set of goggles, or a set of eye glasses\), long sleeved shirt or jacket with no holes, full fingered sturdy gloves with no holes, full length sturdy pants with no holes, and sturdy over-the-ankle footwear.](#)
- [\(Y\) "State Coordinator" means the motorcycle Ohio statewide coordinator.](#)
- [\(Z\) "National Standards" means the "Model National Standards for Entry-Level Motorcycle Rider Training" developed by windwalker corporation and highway safety services LLC for the national highway traffic safety administration](#)
- [\(AA\) "Motorcycle temporary instruction permit identification card \(TIPIC\)" means a motorcycle operator learner's permit issued by a person's state of residence.](#)
- [\(BB\) "Disqualifying offense" has the same meaning as in section 9.79 of the Revised Code.](#)

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4501-53-02 Basic riding skills (BRS).

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

- (A) The basic riding skills (BRS) curriculum and sequence shall be validated by motorcycle Ohio and approved by the director and shall, at a minimum, ~~meet national standards for entry level motorcycle operation, and~~ include instruction based upon the national standard and instill in the student, the knowledge, attitudes and skills necessary for the safe operation of a motorcycle on the roadway. ~~and include instructions relating to rider responsibility, the use of protective gear, distractions, and the effects and dangers of alcohol and other drugs on the operation of motorcycles.~~
- (B) The content and organization of the ~~basic riding skills~~ BRS course shall be based upon the ~~documented research that have been shown to be effective in providing safety training in accordance with the "Model National Standards, for Entry Level Motorcycle Rider Training."~~ The course curriculum and requirements ~~will~~ shall be formalized in the motorcycle Ohio policy and procedure manual.
- (C) The course shall include a rider review ~~knowledge test~~ and an on-cycle skills test approved by the director ~~and administered by the motorcycle Ohio coordinator.~~
- (D) The BRS shall have the following instructor to student ratio:
- (1) Classroom - one instructor may teach a maximum of twenty-four registered students;
 - (2) Range - one instructor may instruct no fewer than two students nor more than six students on motorcycles. Two instructors shall instruct no more than twelve students on motorcycles;
 - (3) The maximum capacity for on-cycle instruction is twelve students.
- (E) Students shall have a valid ~~temporary instruction motorcycle identification card (TIPIC)~~, a motorcycle endorsement, or a motorcycle-only license prior to participating in range instruction.
- (F) Unless otherwise approved by the department, the BRS shall use training motorcycles provided by the provider with one hundred cc to five hundred cc engine displacement.
- (G) Each student shall be assigned their own motorcycle for the purpose of range exercises.
- (H) Every student participating in the BRS range instruction must wear proper riding gear, ~~which includes helmet and eye protection that is in compliance with Chapter 4501-17 of the Administrative Code, sturdy over-the-ankle footwear, long-sleeved shirt or jacket, sturdy full-length pants without holes or tears, and full-fingered gloves.~~
- (I) Students successfully completing the BRS shall be issued a completion ~~card~~ certificate ~~as referenced in rule 4501-53-01 of the Administrative Code~~ for the purpose of course verification.
- (J) Upon completion of the BRS, the provider shall submit, electronically, to the department, ~~a student report form and any other~~ course paperwork as requested by the department including a properly signed course waiver, and retained on file for three years.
- ~~(K) The provider shall obtain a properly signed course waiver (MOP #0036) from each course participant and retain the waiver on file for three years.~~

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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~~An applicant shall meet the following conditions to be certified~~fy an individual~~ to teach the BRS: ~~if the individual meets the following conditions:~~
- (1) Submits a completed "Instructor Candidate Questionnaire" ~~"Motorcycle Ohio Instructor Candidate Application"~~ to the department. No applicant shall submit an ~~application~~ instructor candidate questionnaire that contains false or misleading information;
 - (2) Possesses a high school diploma or GED;
 - (3) ~~Possesses~~ Upon certification possess a current first aid card, 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 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 five ~~ten~~ years preceding the date of application.
 - (6) After successful completion of an instructor preparation course approved by motorcycle Ohio, the candidate completes and submits an instructor candidate questionnaire. No applicant shall submit an application that contains false or misleading information. 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~~ ninety days from the request;
 - (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 disqualifying offense:
 - ~~(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;~~

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~~(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 is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course;~~

~~(c) Any act committed in another state or jurisdiction that, if committed in Ohio, would constitute a violation set forth in this paragraph.~~

(9) Has not been adjudicated mentally incompetent, or been found not guilty by reason of ~~insanity~~insanity by a court of law;

(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;

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

(12) Upon request, provides an original signed statement from the applicant's physician, on the physician's letterhead or completion of the instructor physical examination form provided by Motorcycle Ohio, 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) 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 of the Administrative Code, shall successfully complete a special motorcycle Ohio training session conducted by ~~an~~ motorcycle Ohio~~MO~~ chief instructor.

(C) The department may access or request 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 ~~November thirtieth~~December thirty-first 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 may certify an individual to teach curricula approved by the director~~the BRS, BRS-2, BRS-RR, and/or ARS~~ 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.

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4501-53-04 Instructor professional standards.

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

Each instructor certified to teach pursuant to this chapter shall maintain and convey the following professional standards:

- (A) Provide training that conforms to standards of the current curriculum approved by the director;
- (B) Wear proper riding gear while traveling to, from, and during teaching [motorcycle MOhio](#) courses, attending [motorcycle MOhio](#) functions, or whenever any [Mmotorcycle OOhio](#) logo clothing is worn. ~~Proper riding gear includes helmet and eye protection that is in compliance with Chapter 4501-17 of the Administrative Code, sturdy over-the-ankle footwear, long-sleeved shirt or jacket, sturdy full-length pants without holes or tears, and full-fingered gloves;~~
- (C) Maintain an alcohol-free and drug-free course environment;
- (D) Conduct themselves in a professional manner in the provision of motorcycle training, including appearance and behavior;
- (E) Shall comply with all applicable state and federal laws that prohibit discrimination based upon race, color, religion, sex, age, handicap, disability, ancestry, or national origin;
- (F) Provide instruction within the scope of the instructor's certification to teach in accordance with this chapter;
- (G) Consistently demonstrate a standard of knowledge and competency that at least meets the minimal level required under the instructor's certification to teach;
- (H) Report to motorcycle Ohio any suspicion or knowledge of a violation of this chapter or the failure of any motorcycle training provider, or instructor to conform to the rules of this chapter;
- (I) Report to motorcycle Ohio in writing within ~~ten~~-[fourteen](#) days of the occurrence of any of the following events;
 - (1) The instructor receives a moving traffic violation;
 - (2) The instructor is involved in a chargeable crash;
 - (3) The instructor is convicted of an offense that assesses points against the instructor's driver's license;
 - (4) The instructor receives any license suspension, cancellation, or revocation;
 - (5) The instructor is convicted of any ~~criminal offense listed in this chapter~~[disqualifying offense](#);
- (J) Abstain from misrepresenting the instructor's professional qualifications or credentials or committing fraud in conducting a motorcycle training course or in obtaining certification to teach;
- (K) Abstain from conducting private motorcycle training for compensation on public streets and highways;
- (L) Complete additional BRS, BRS-RR, BRS-2, or ARS or other instructor training as requested by the department, including the annual instructor workshop;

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- (M) Maintain a current first aid card and a current adult CPR card as described in rule 4501-53-03 of the Administrative Code. Present valid, dated cards upon request. Sign the annual renewal application verifying the validity of first aid and adult CPR cards.
- (N) Instructors certified under this chapter shall maintain~~be of~~ good character and reputation and an environment conducive to learning.

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4501-53-05 Renewal of 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) Each instructor seeking renewal of the instructor's certification to teach shall, within ~~thirty~~ forty-five days of the expiration date of the current certification period, submit to the department a completed "Motorcycle Ohio Instructor Renewal Application."
- (B) Renewal applications received more than ~~thirty~~ forty-five days after the expiration date of the last certification period shall not be considered valid, and the applicant shall complete a new application in accordance with rule 4501-53-03 of the Administrative Code.
- (C) The application for renewal shall be signed, dated, and shall contain a statement affirming that the applicant meets the requirements for certification to teach set forth in this chapter.
- (D) ~~The department~~ An instructor shall meet the following to renew a certification to teach issued under this chapter ~~for any instructor who meets the following~~:
 - (1) Satisfies the requirements for certification to teach as set forth in rules 4501-53-03 and 4501-53-04 of the Administrative Code;
 - (2) Has taught in Ohio and specifically for the ~~MO~~ motorcycle Ohio program for a public provider, a minimum of two BRS motorcycle safety courses during the most recent certification period. This requirement may be waived or modified for good cause upon approval of the department.
 - (3) Upon request, and within ~~forty-five~~ ninety days of the request, submits to the bureau of criminal identification and investigation a request to conduct a criminal records check and request the bureau of criminal identification and investigation obtain information from the federal bureau of investigation as part of the criminal records check.
- (E) In addition to the requirements listed in paragraph (D) of this rule, a BRS -2 or BRS-RR instructor shall also, within the past three years, have taught at least ~~one~~ two BRS-2 or BRS-RR or attended a BRS-2 or BRS-RR update provided by the department.
- (F) To be eligible for ARS recertification, an instructor must maintain BRS certification and have conducted at least one ARS in the two-year period of ARS certification.
- (G) Upon request, an instructor shall provide ~~s~~ an original signed statement from the ~~applicant's~~ instructor's physician, on the physician's letterhead or completion of the instructor physical examination form provided by motorcycle Ohio, certifying that the ~~applicant~~ instructor is mentally and physically capable of providing motorcycle safety instruction.
- (H) If the instructor was decertified due to an administrative procedure process of section 119.01 of the Revised Code, the instructor must wait a period of one year from the date of decertification in order to reapply.

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4501-53-06 Private provider qualifications for certification of approval.

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

- (A) All motorcycle training courses taught pursuant to section 4508.08 of the Revised Code shall be taught through an approved provider by an instructor certified to teach under this chapter.
- (B) Any person connected in any manner with a private provider, including but not limited to an owner, partner, site coordinator, instructor, or authorizing official, shall maintain a~~be of~~ good character and reputation and an environment conducive to learning.
- (C) A private agency, corporation, or organization seeking to become an approved private provider shall submit a completed "Motorcycle Ohio Private Provider Application" to the department, ~~that~~ which demonstrates compliance with this rule.
- (1) No authorizing official shall submit an application that contains false or misleading information;
- (2) The site coordinator shall submit with the application a criminal records check from the bureau of criminal identification and investigation and request that 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 ~~sixty~~ ninety days prior to the date the director received the application. The application shall be denied if the site coordinator has been convicted of a disqualifying offense.
- ~~(a) Any felony, unless the felony conviction occurred more than ten years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course.~~
- ~~(b) Any misdemeanor of the first or second degree, unless the conviction occurred more than five years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course.~~
- (3) If there is no designated site coordinator, the authorizing official must submit such criminal records check.
- (D) ~~The~~ An applicant ~~department~~ shall ~~issue~~ meet the following requirements to receive a private provider certification of approval ~~to any applicant who demonstrates that~~ for any ~~the~~ motorcycle training course for which it seeks approval ~~meets the following requirements:~~
- (1) The established place of business is owned, leased, or rented by the private provider;
- (2) A private provider maintains at least one fixed geographic location in which a training site is operated and where training is conducted, at least one office in a fixed geographic location where records are maintained, and at least one classroom where students are instructed:
- (a) The use of a mobile or modular structure as a training facility is prohibited unless the structure is installed on a permanent foundation;
- (b) Neither a private provider nor its office shall consist of a house trailer, tent, temporary stand, post office box, rooming house, or apartment;
- (c) Neither a private provider nor its office shall be located within a residence or a room in a hotel or

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motel;

(d) No private provider may share any office or classroom with any other provider unless the same person owns both.

(e) All private provider offices, classrooms and ranges shall be located within the state of Ohio.

(3) The private provider's office meets the following standards:

(a) Has [access to a computer with internet, printer and e-mail.](#)

~~(b) Has~~ adequate space ~~and computer systems~~ to securely maintain the required records for four years;

~~(bc)~~ Has a permanent wall of sufficient construction to prevent distractions and noise in the classroom. If no permanent wall exists, the office shall remain closed for business during classroom instruction;

~~(ed)~~ Is located in the same county as, or in a county adjacent to, the provider for which student records are being stored.

(4) The private provider's classroom meets the following standards:

(a) Comfortably accommodates at least twelve students and two instructors, and has sufficient space to contain tables and chairs or desks for all students;

(b) Is equipped with a variety of audio and visual training aids that support the approved course curriculum;

(c) Is reasonably free of visible and audible distractions and presents an atmosphere adequate for learning;

(d) Has a clean and functional restroom that is available for student use within its facility;

(e) Conforms to all federal, state, and local fire, building, and safety regulations, ~~including having a fire extinguisher and first aid kit available on the riding range during exercises.~~

(5) Range instruction occurs on a suitable riding range, owned or leased by the provider, which shall consist of the following:

(a) A surface of asphalt or concrete approximately two hundred feet by three hundred feet in size, which is free from obstructions, loose gravel and debris, is capable of being blocked off from all vehicular and pedestrian traffic, and is marked to provide a clear path of travel for the students and visible cone positions for the instructor [and includes having a fire extinguisher and first aid kit available on the riding range during exercises.](#)

(b) All ranges must be approved by motorcycle Ohio and in no case shall provide less than fifty-six linear feet per student.

(6) The private provider assumes responsibility, or designates such responsibility to a site coordinator, for the following:

(a) Administration and operation of the motorcycle training course;

(b) Ongoing review and evaluation of the course content, instructors, and student performance;

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- (c) Assignment of instructors and scheduling of program courses;
 - (d) Preparation or approval of all documents required or requested to be submitted to the department;
 - (e) Assuring the adequacy of all course training materials.
 - (f) Assuring the safe operating condition of all motorcycles used by students in the BRS, BRS-2, BRS-RR, ARS and any other curriculum approved by the director.
- (7) The course meets the curriculum requirements as set forth in this chapter;
- (8) The private provider has a sufficient number of [motorcycle Ohio](#) certified ~~BRS, BRS-2, BRS-RR, and ARS~~ instructors to ensure that instructor-to-student ratios for all courses, taught at their facility, comply with this chapter;
- (9) The private provider submits written course policies and procedures for the director's approval, including all of the following:
- (a) Curriculum listed by topics;
 - (b) Instructor requirements;
 - (c) Student/teacher ratio;
 - (d) Insurance provider and limits in compliance with rule 4501-53-13 of the Administrative Code.
 - (e) Attendance requirements;
 - (i) Tardiness;
 - (ii) Course completion;
 - (iii) Make-up.
 - (f) American with Disabilities Act of 1990 policy administration;
 - (g) Registration;
 - (i) Refund;
 - (ii) Walk-in.
 - (h) Use of student-owned motorcycles in the BRS BRS-RR, BRS-2, and ARS [and any other curriculum approved by the director](#);
 - (i) Record keeping;
 - (j) Course evaluation;
 - (k) Student eligibility requirements;
 - (l) Harassment and discrimination policies;
 - (m) Complaint procedures;

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(n) Private provider instructor code of conduct.

(E) A certificate of approval issued under this rule shall expire on December thirty-first of the year the certificate is issued and may be renewed annually upon application to the department pursuant to rule 4501-53-09 of the Administrative Code.

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4501-53-07 Public provider qualifications for certification of approval.

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

- (A) All motorcycle training courses taught pursuant to section 4508.08 of the Revised Code must be taught through an approved provider by an instructor certified to teach under Chapter 4501-53 of the Administrative Code.
- (B) Any person connected in any manner with a public provider, including but not limited to an owner, partner, site coordinator, instructor, or authorized official, shall ~~be~~ maintain a ~~of~~ good character and reputation and an environment conducive to learning.
- (C) To become an eligible public provider, a public agency or recognized training facility must follow state procurement procedures, including grant application procedures, as administered by the department.
- (1) No authorizing official shall submit a grant application that contains false or misleading information;
- (2) The authorizing official shall submit upon request, ~~with the grant application~~ a criminal records check from the bureau of criminal identification and investigation and request 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 ~~sixty~~ ninety days ~~prior to the date the director receives the grant application~~ from the request.
- (D) All public provider offices, classrooms and ranges shall be located within the state of Ohio.
- (E) A certification of approval issued under this rule shall expire on December thirty-first of the calendar year in which the grant was approved.

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4501-53-08 Provider inspections.

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

- (A) All provider facilities may be inspected at any reasonable time by the department for compliance with the rules set forth in this chapter. The provider's authorizing official or site coordinator shall make any records accessible to the department for ~~impseetion~~inspection or copying.
- (B) Providers found to be in non-compliance with any rule of this chapter are subject to administrative action as set forth in Chapter 119. of the Revised Code and rule 4501-53-10 of the Administrative Code.
- (C) The ~~director~~state coordinator, or an individual designated by the ~~director~~state coordinator, may observe and evaluate courses of instruction at any time to ensure compliance with the rules set forth in this chapter.

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4501-53-09 Renewal of private provider certification of approval.

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

- (A) Each private provider seeking renewal of certification of approval shall have its authorizing official submit a "Motorcycle Ohio Private Provider Application" marked "renewal" to the department.
- (B) If a renewal application is not postmarked or received by the department at least ~~thirty~~forty-five days prior to the expiration of the current approval period, the authorizing official must submit an original "Motorcycle Ohio Private Provider Application" in accordance with rule 4501-53-06 of the Administrative Code.
- (C) The renewal application shall be signed, dated, and shall contain a statement affirming that the private provider meets the requirements for a certification of approval.
- (D) ~~The department~~An application for renewal shall meet the following to- renew a certification of approval ~~if all of the following apply:~~
- (1) The application for renewal is completed and submitted to the department no later than the ~~thirtieth~~forty-fifth day prior to expiration of the current approval period;
 - (2) The course remains in compliance with the requirements for approval as set forth in this chapter, and with the private provider's written policies and procedures as approved by the state coordinator~~director~~.
 - (3) Upon request, the site coordinator submits a criminal records check from the bureau of criminal identification and investigation and request 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~~ninety days prior to the date of such request. If there is no designated site coordinator, the authorizing official shall submit such criminal records check. The application shall be denied if the site coordinator, or authorizing official if applicable, has been convicted of any disqualifying offense:
 - ~~(a) Any felony, unless the felony conviction occurred more than ten years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course.~~
 - ~~(b) Any misdemeanor of the first or second degree, unless the conviction occurred more than five years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course.~~
- (E) In considering an application for renewal of certification of approval, the department may consider any information relevant to the requirements for approval as set forth in this chapter and Chapter 4508. of the Revised Code.

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4501-53-10 Administrative actions.

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

- (A) The director, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, may deny any application or renewal for certification when the director determines an applicant, instructor, or provider may have violated any of the provisions of this chapter or Chapter 4508. of the Revised Code.
- (B) The director, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, may issue a written reprimand, or suspend, revoke, or place on probationary status certification issued by the department under this chapter if the director discovers an applicant, instructor, or provider has violated any provision of this chapter or Chapter 4508. of the Revised Code.

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4501-53-11 Provider professional standards.

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

- (A) Any person connected in any manner with a provider, including but not limited to, an owner, partner, site coordinator, instructor or authorizing official, shall ~~be of~~maintain a good character and reputation and an environment conducive to learning.
- (B) An alcohol-free and drug free course environment shall be maintained at all times.
- (C) A provider's authorizing official and site coordinator, if applicable, shall report to motorcycle Ohio in writing within ~~ten~~fourteen days of any suspicion or knowledge of a violation of this chapter or failure of any instructor to conform to the rules in this chapter or Chapter 4508. of the Revised Code.
- (D) The conviction of an authorizing official or site coordinator of any ~~of the following offenses~~disqualifying offense or an equivalent offense from another jurisdiction, shall be grounds to deny issuing or renewing a certificate or grounds for suspending or revoking a previously issued certificate.
 - ~~(1) Any felony, unless the felony conviction occurred more than ten years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course~~
 - ~~(2) Any misdemeanor of the first or second degree, unless the conviction occurred more than five years preceding the date of application, and the conviction is not reasonably related to a person's ability to serve safely and honestly in connection with a motorcycle training course.~~

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4501-53-12 Basic riding skills two.

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

- (A) The basic riding skills two (BRS-2) curriculum and sequence shall be ~~validated by motorcycle Ohio~~ and approved by the director and shall, at a minimum, include instruction based upon the national standards and instill in the student the knowledge, attitudes, habits and skills necessary for the safe operation of a motorcycle on the roadway ~~and includes instruction relating to the effects of alcohol and drugs on the operation of motorcycles.~~
- (B) ~~At a minimum, t~~The content and organization of the BRS-2 ~~must shall~~ be based upon ~~the documented research that have shown to be effective in providing safety training in accordance with sections 3, 4 and 5 of the roadway management skills of the "Model _National Standards and for Entry Level Motorcycle Rider Training."~~ ~~The~~ the course curriculum and requirements ~~will shall~~ be formalized in the motorcycle Ohio policy and procedure manual.
- (C) The course must include an on-cycle skill test approved by the director.
- ~~(D) Such material shall not be taught out of sequence or modified by instructors unless authorized by the motorcycle Ohio coordinator or there are serious weather conditions.~~
- (E) The BRS-2 shall have the following instructor to student ratio:
- (1) One instructor may instruct no fewer than two students and no more than six students and six passengers. Two instructors shall instruct no more than twelve students and twelve passengers;
 - (2) The maximum capacity for on-cycle instruction is twelve students and twelve passengers. Only those students with a valid motorcycle endorsement or motorcycle-only license may carry a passenger.
- (F) Students shall have a valid ~~temporary instruction motorcycle identification card (TIPIC)~~, motorcycle endorsement or a motorcycle-only license prior to participating in range instruction.
- (G) Instructors and students shall use their own registered and insured motorcycles during the course. ~~Private providers may allow use of private provider motorcycles.~~
- (H) Every student participating in the BRS-2 range instruction must wear proper riding gear, ~~which includes helmet and eye protection that is in compliance with Chapter 4501-17 of the Administrative Code, sturdy over the ankle footwear, long-sleeved shirt or jacket, sturdy full-length pants without holes or tears, and full-fingered gloves.~~
- (I) Students successfully completing the BRS-2 shall be issued a completion ~~card~~certificate.
- (J) Upon completion of the BRS-2, the provider shall submit, electronically, to the department, ~~a student report form, and any other~~ course paperwork as requested by the department including a properly signed course wavier and retain on file for three years.

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4501-53-13 Private provider insurance.

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

- (A) A private provider shall maintain financial responsibility for the operation of all motorcycles provided for instruction as specified in Chapter 4508. of the Revised Code. Such insurance coverage shall be acquired from a company licensed to do business in this state, and shall be maintained as long as the approved provider is operating a motorcycle training course. Proof of the insurance coverage required by this rule shall be maintained in the private provider's office and with all motorcycles used for instruction, and the certificate of insurance shall be available for inspection during reasonable hours.
- (B) Each private provider shall maintain insurance coverage as follows:
- (1) Not less than one million dollars per occurrence and two million dollars aggregate for bodily injury or property damage;
 - (2) Medical coverage in the amount of ten thousand dollars for each individual injured. Such medical coverage is available on an excess basis to students injured on the range or in the classroom as a result of training. Students who are injured without their own medical coverage will have coverage from the first dollar;
 - (3) The private provider and the state of Ohio shall each be named as an additional insured on all such policies;
 - (4) Each student, or the student's parent or legal guardian if the student is a minor, shall sign a waiver and release form;
 - (5) Educators professional liability insurance in the amount of one million dollars.
- (C) Failure to maintain the required insurance coverage, including the record of current coverage as required by this rule, may result in the suspension or revocation of a private provider certification of approval issued under this chapter.

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4501-53-14 Basic riding skills for returning rider.

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

- (A) The basic riding skills-returning rider (BRS-RR) curriculum and sequence shall be validated by motorcycle Ohio and approved by the director and shall, at a minimum, include instruction based upon the National Standards and instill in the student the knowledge, attitudes, habits and skills necessary for the safe operation of a motorcycle on the roadway ~~and includes instruction relating to the effect of alcohol and drugs on the operation of motorcycles. Such material shall not be taught out of sequence or modified by instructors, unless authorized by the motorcycle Ohio coordinator.~~
- (B) The content and organization of the ~~basic rider course~~ BRS-RR shall ~~must~~ be based upon ~~documented research that has been shown to be effective in providing safety training in accordance with, at a minimum, sections 1, 3, 4 and 6 roadway management skills of "The Model~~ the National Standards ~~for Entry Level Motorcycle Rider Training."~~ and the course curriculum and requirements will be formalized in the motorcycle Ohio policy and procedure manual.
- (C) The course must include an on-cycle skill test approved by the director.
- (D) The BRS-RR shall have the following instructor to student ratio:
- (1) Classroom - one instructor may teach a maximum of twenty-four registered students;
 - (2) Range - one instructor may instruct no fewer than two students nor more than six students on motorcycles. Two instructors shall instruct no more than twelve students on motorcycles;
 - (3) The maximum capacity for on-cycle instruction is twelve students.
- (E) Students shall have a valid ~~temporary instruction motorcycle identification card (TIPIC)~~, a motorcycle endorsement, or a motorcycle-only license prior to participating in range instruction.
- (F) Unless otherwise approved by the department, the BRS-RR shall use training motorcycles provided by the provider with 100cc to 500cc engine displacement.
- (G) Every student participating in the BRS-RR range instruction must wear proper riding gear, ~~which includes helmet and eye protection that is in compliance with Chapter 4501-17 of the Administrative Code, sturdy over the ankle footwear, long sleeved shirt or jacket, sturdy full length pants without holes or tears, and full fingered gloves.~~
- (H) Students successfully completing the BRS-RR shall be issued a completion ~~card~~ certificate ~~for the purpose of course verification.~~
- (I) Upon completion of the BRS-RR, the provider shall submit, electronically, to the department, ~~a student report form, and any other~~ any course paperwork as requested by the department including a properly signed course waiver, and retain on file for three years.

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4501-53-15 Advanced riding skills.

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

- (A) The advanced riding skills (ARS) curriculum and sequence shall be validated by motorcycle Ohio and approved by the director and instill in the student, the knowledge, attitudes and skills necessary for the safe operation of a motorcycle on the roadway. ~~The course curriculum and requirements will be formalized in the motorcycle Ohio policy and procedure manual and shall include, at a minimum, five hours of on-cycle range work in the following, but not limited to, topics:~~
- ~~(1) Basic control;~~
 - ~~(2) Quick stops;~~
 - ~~(3) Stopping demonstration;~~
 - ~~(4) Curve adjustments;~~
 - ~~(5) Cornering and swerving;~~
 - ~~(6) Multiple curves;~~
 - ~~(7) Decreasing radius curves;~~
 - ~~(8) Gap analysis and safety margins.~~
- (B) ~~Such material shall not be taught out of sequence or modified by instructors, unless authorized by the motorcycle Ohio coordinator.~~ The course curriculum and requirements shall be formalized in the motorcycle Ohio policy and procedure manual.
- (C) ~~The ARS course shall include, at a minimum, four hours of classroom activities. Classroom activities use small group discussions and interactive activities to address personal risk management strategies; options for cornering, braking, and swerving; and strategies to improve visual perception to identify collision traps.~~
- (D) The ARS shall have the ~~following~~ instructor to student ratio for classroom and range validated by the motorcycle Ohio policy and procedure manual. ÷
- ~~(1) Classroom activities—unless restricted or modified by the department, one instructor may teach a maximum of twenty-four registered students;~~
 - ~~(2) Range—unless restricted or modified by the department, one instructor may instruct no fewer than two students or more than six students on motorcycles. Two instructors shall instruct no more than twelve students on motorcycles.~~
 - ~~(3) The maximum capacity for on-cycle instruction is twelve students.~~
- (E) Students shall have a valid motorcycle endorsement or a motorcycle-only license prior to participating in range instruction.
- (F) Instructors and students shall use their own are responsible for providing properly registered and insured motorcycles during the course. ~~Private providers may allow use of private provider motorcycles.~~ Passengers

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are not permitted in the ~~advanced riding skills course~~ [ARS](#).

~~The ARS can only be conducted on a standard size range.~~

- (G) Every student participating in the ARS range instruction must wear proper riding gear, ~~which includes helmet and eye protection that is in compliance with Chapter 4501-17 of the Administrative Code, sturdy over-the-ankle footwear, long-sleeved shirt or jacket, sturdy full-length pants without holes or tears, and full-fingered gloves.~~
- (H) Students successfully completing the ARS shall be issued a completion ~~card~~ [certificate](#) ~~for the purpose of course verification.~~
- (I) Upon completion of the ARS, the provider shall submit, electronically, to the department, ~~a student report form and any other~~ course paperwork as requested by the department [including a properly signed course waiver, and retain on file for three years.](#)

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4501-53-16 Materials incorporated by reference.

- (A) "Motorcycle Ohio Instructor Candidate Application," or form "MOP 0044," (~~September 2015~~) may be accessed via the "Motorcycle Ohio" program website at <https://publicsafety.ohio.gov/static/mop0044.pdf>.
- (B) "Motorcycle Ohio Instructor Renewal Application," or form "MOP 0052," (~~Septmeber 2015~~) may be accessed via the "Motorcycle Ohio" program website at http://www.publicsafety.ohio.gov/links/mop0052_sample.pdf.
- (C) "Motorcycle Ohio Private Provider Application," or form "MOP 0043," (~~November 2015~~) may be accessed via the "Motorcycle Ohio" program website at http://www.motorcycle.ohio.gov/private_provider.stm.
- (D) "National Standards" is the "Model National Standards for Entry-Level Motorcycle Rider Training" (August 2011) and may be accessed via the "National Highway Traffic Safety Administration" website at <http://www.nhtsa.gov/Safety/Motorcycles>.
- (E) Fire extinguisher is a 10lb class ABC fire extinguisher OSHA 1910.157 (d) (4) maintained in good working order and may be accessed at the United States department of labor website at https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9811.
- (F) First aid kit a Type III, class A, first aid kit or upgraded first aid kit conforming or surpassing ANSI/ISEA Z308.1-2015 or later revision and can be accessed at http://www.first-aid-product.com/ofinterest/osha_ansi.htm.
- (G) Course Waiver is "Motorcycle Safety Course Waiver & Indemnification", form "MOP 0036" (~~April 2015~~) and may be accessed at <http://www.publicsafety.ohio.gov/links/mop0036.pdf>.
- (H) "Motorcycle Ohio Policy and Procedure Manual" (~~2015~~) revision available at http://www.publicsafety.ohio.gov/links/mo_pp_manual.pdf.
- (I) Americans with Disabilities Act (ADA) 1990 or later revision available at <http://www.dol.gov/dol/topic/disability/ada.htm>.
- (J) "Instructor Candidate Questionnaire", or form "MOP 0144", may be accessed via the "Motorcycle Ohio" program website at <https://www.motorcycle.ohio.gov/instructors.stm>.