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Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Klopfenstein and Lorenz

Margaret E. Marcy, Attorney

SUMMARY

Driving age

- Lowers the age at which a juvenile may obtain a temporary instruction permit from 15½ to 15.
- Expands the time a juvenile must hold a temporary instruction permit before eligibility for a probationary license from six months to one year (thus retaining age 16 as the age of eligibility for a probationary driver's license).

Driving instruction

- Requires the classroom instruction portion of driver's education courses to include instruction on defensive driving techniques.
- Modifies who qualifies as a "qualified adult" to supervise behind-the-wheel driving for student drivers.
- Authorizes the use of an electronic device or application ("driver's education app"), when approved by the Director of Public Safety, that is programmed to offer mobile and in-vehicle instruction to a student driver.
- Decreases the number of behind-the-wheel hours required to obtain an initial driver's license if the applicant completes the hours with the authorized driver's education app.
- Allows an applicant to substitute a portion of the required behind-the-wheel hours with a licensed driving instructor with hours accompanied by a qualified adult using the authorized driver's education app.
- Codifies and expands instruction requirements for the abbreviated driver training course for adults, including increasing the number of required behind-the-wheel hours associated with that training course.

DETAILED ANALYSIS

Driving age

Background

Under current law, a minor person (under 18) is eligible for a probationary driver's license (probationary license) at age 16, provided the minor meets certain conditions. A probationary license is like a regular driver's license, but the licensee is subject to special curfews (between midnight and 6 a.m.) and vehicle occupancy restrictions (may only transport one nonfamily member unless a parent, guardian, or custodian is present).¹ The conditions for obtaining a probationary license include:

1. The minor must first apply for and obtain a temporary instruction permit (permit) by passing both a written test about motor vehicle laws² and a vision screening test;³
2. The minor must be at least 15½ to obtain the permit and must hold the permit for at least six months. (Thus, the earliest the minor may obtain a probationary license is age 16.)
3. The minor's application for a permit must be signed by one of the following:
 - a. The minor applicant's parents;
 - b. The minor applicant's guardian;
 - c. Another person having custody of the minor applicant; or
 - d. A responsible person who is willing to assume liability for any negligence or willful or wanton misconduct by the minor applicant while driving.⁴
4. During the term of the permit, the minor must complete an approved driver's education or training course (which must include at least 24 hours of classroom instruction and eight hours of behind-the-wheel instruction), acquire at least 50 hours of driving experience (including at least ten night hours),⁵ and pass a driving test (maneuverability and road skills).⁶

A temporary instruction permit is valid for one year.⁷

¹ R.C. 4507.071. The probationary license is valid until the age of 18, at which point it automatically becomes a regular driver's license.

² R.C. 4507.10(A) and 4507.11, not in the bill.

³ Ohio Administrative Code (O.A.C.) 4501:1-1-08(A).

⁴ R.C. 4507.05 and 4507.071; R.C. 4507.07(A), not in the bill.

⁵ R.C. 4507.21(B) and 4508.02(C), not in the bill.

⁶ R.C. 4507.10(A) and 4507.11, not in the bill; O.A.C. 4501:1-1-10.

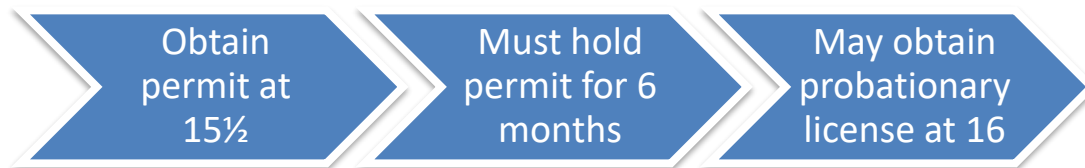
⁷ R.C. 4507.05.

Temporary instruction permit: age lowered and validity extension

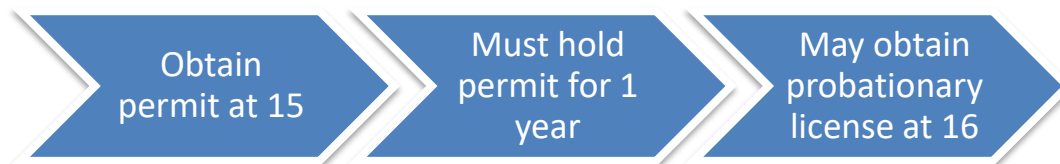
The bill lowers the age at which a minor may obtain a temporary instruction permit from 15½ to 15. It also requires the minor to hold the permit for one year, instead of six months, before obtaining a probationary license. Thus, the bill retains the earliest possible age (16) at which a minor may obtain a probationary license, but also extends the time that certain probationary license curfews and occupancy restrictions apply. Additionally, the bill extends a permit's validity period from one year to one year and six months.⁸

The diagrams below illustrate this change:

Current law



The bill



Driving instruction

Defensive driving training

The bill requires the Director of Public Safety to include defensive driver techniques for new drivers as a part of the classroom portion of drivers education courses. Such instruction applies to both in-person classroom instruction and online instruction courses. Specifically, defensive driver techniques include instruction related to all the following:

- Weather conditions, including rain, fog, hail, sleet, snow, and high winds;
- Adverse road conditions, including potholes, road debris, construction, and road detours;
- Road hazards caused by animals, including animals that enter the roadway unexpectedly;
- Incidents involving road rage, speeding, reckless driving, erratic driving, and other aggressive driving behaviors; and
- Incidents during which the motor vehicle skids, slides, or otherwise moves in an uncontrolled manner.

⁸ R.C. 4507.05(A) and (C) and 4507.071(A).

Current law includes classroom or online instruction on the dangers of driving a motor vehicle in violation of Ohio's Distracted Driving Law and OVI (operating a vehicle impaired) Law.⁹

Qualified adults

The bill modifies who qualifies as a "qualified adult" to supervise behind-the-wheel driving for student drivers. Current law requires one of the following:

1. For a student driver who is **under 21** obtaining behind-the-wheel hours, a supervising qualified adult (known as an "eligible adult" under current law) must be a parent, guardian, or custodian of the applicant, or a licensed person who is 21 or older and acts in loco parentis of the student driver; or
2. For a student driver who is **21 or older** obtaining behind-the-wheel hours, a supervising qualified adult must be an adult who holds a current valid Ohio driver's or commercial driver's license.

The bill modifies current law as follows:

1. For a student driver who is **under 18**, the same supervising qualified adult qualifications apply as specified in current law for a student driver who is under 21.
2. For a student driver who is **18 or older**, the same supervising qualified adult qualifications apply as specified in current law for a student driver who is 21 or older.¹⁰

Driving training using electronic device or application

The bill requires the Director of Public Safety to adopt rules regarding the requirements necessary for the development, approval, and use of an electronic device or application to assist in driver's education ("driver's education app"). Private parties would develop driver's education apps. If an app is approved by the Director, it may then be used by student drivers (individuals of all ages who are learning to drive) in Ohio. The Director cannot unreasonably withhold approval for a driver's education app if it meets all the Director's requirements, as established under the rules.¹¹

The primary benefit of a student driver using an approved driver's education app is that, under the bill, it lowers the required number of behind-the-wheel driving hours that a student driver needs to complete in order to take the driver's license exam and obtain his or her driver's license. The bill lowers both the number of behind-the-wheel driving hours driven with a licensed driving instructor and the hours driven with a qualified adult. The following table describes the bill's changes to the required hours if the driver opts to use the driver's education app to obtain behind-the-wheel hours.

⁹ R.C. 4508.02(C).

¹⁰ R.C. 4507.21(H)(2).

¹¹ R.C. 4508.02(A)(3).

Behind-the-wheel hours			
Type of driver	Type of supervising adult	Required hours needed under current law	Required hours needed under the bill with the driver's education app
Driver under 21 ¹²	Hours driven with a qualified adult	50 hours, with at least 10 hours at night	40 hours, with at least 10 hours at night
Driver under 21	Hours driven with a licensed driving instructor	8 hours	4 hours with the licensed driving instructor; and 4 hours with a qualified adult assisted by the app ¹³
Driver 21 and older applying for a limited term license ¹⁴	Hours driven with a qualified adult	50 hours, with at least 10 hours at night	40 hours, with at least 10 hours at night
Driver 21 and older applying for a limited term license	Hours driven with a licensed driving instructor	8 hours	4 hours with the licensed driving instructor; and 4 hours with a qualified adult assisted by the app ¹⁵

As shown in the table above, to qualify to take the driver's education exam, the bill allows a student driver to complete four of the required behind-the-wheel hours with a qualified adult using a driver's education app in lieu of completing those hours with a licensed driving instructor. For a qualified adult to replace a licensed driving instructor for a portion of the behind-the-wheel hours, all the following must apply:

- The qualified adult must be assisted by the approved driver's education app, which is programmed to offer mobile and in-vehicle instruction to the student driver;

¹² R.C. 4507.21(B)(2).

¹³ R.C. 4508.02(C).

¹⁴ R.C. 4507.21(B)(3).

¹⁵ R.C. 4508.02(C).

- The qualified adult must be in the vehicle with the student driver at all times during the active instruction provided by the driver's education app;
- The student driver must have already completed the classroom instruction portion of their driver's education training; and
- The driver's education app must be programmed to comply with the DPS driver training curriculum and be approved by the Director.¹⁶

The qualified adult may use the driver's education app to assist in supervising the behind-the-wheel hours required with the adult, in addition to the hours it replaces with a licensed driving instructor. However, the bill exempts the qualified adult from the driver training licensure requirements that would normally be required of a driving instructor.¹⁷

Abbreviated driver training course for adults

Under current law, the Director of Public Safety must adopt rules governing the abbreviated driver training course for adults.¹⁸ This course is required when any person over 21 (who is not a limited term license applicant) attempts to take the driver's license exam, fails the first attempt, and has not successfully completed a driver's training course within the past 12 months.¹⁹ According to rules, the course consists of four classroom hours of training and either four behind-the-wheel hours with a licensed driving instructor or 24 behind-the-wheel hours with a valid licensed driver.²⁰

The bill codifies and expands the requirements for the abbreviated driver training course for adults. The following table describes the bill's changes to this course.

Abbreviated driving training course for adults		
Type of instruction	Current law	Under the bill
Classroom hours	4 hours in-classroom or online as specified in rules	Same as in rules, but codified ²¹
Behind-the-wheel instruction as part of the training course	4 hours with the licensed driving instructor; or 24 hours with a licensed adult driver	8 hours with the licensed driving instructor; or 4 hours with the licensed driving instructor and 4 hours

¹⁶ R.C. 4508.041(B).

¹⁷ R.C. 4508.041(C) and (D).

¹⁸ R.C. 4508.02(F).

¹⁹ R.C. 4507.21(C).

²⁰ O.A.C. 4501-8-09.

²¹ R.C. 4508.02(F)(1).

Abbreviated driving training course for adults		
Type of instruction	Current law	Under the bill
		with a qualified adult assisted by the driver's education app ²²
Additional behind-the-wheel instruction	Only required if the student does not complete 4 hours with a licensed driving instructor	25 hours with a qualified adult; or 20 hours with a qualified adult if assisted by the driver's education app ²³

HISTORY

Action	Date
Introduced	09-23-25

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²² R.C. 4508.02(F).

²³ R.C. 4507.21(C)(2).