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H.B. 425
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Klopfenstein and Kick

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SUMMARY

- Authorizes an eligible adult to act in lieu of a licensed driver training instructor while using an authorized electronic device or application for the required eight hours of behind-the-wheel instruction that is a part of a beginner driver training course.
- Establishes requirements for use of the electronic device or application as part of the instruction.
- Authorizes the eligible adult to use the electronic device or application for supervising the 50 hours of driving experience required for a minor to obtain a driver's license.
- Requires the Director of Public Safety to adopt rules establishing any procedures and requirements necessary to implement the bill's authorization for use of the electronic device or application.
- Exempts rules adopted from requirements governing the elimination of existing regulatory restrictions.

DETAILED ANALYSIS

Driving instruction devices and applications

The bill authorizes an eligible adult (e.g., a parent, guardian, custodian, or person 21 or over who acts in loco parentis for a minor driver) to act in lieu of a licensed driver training instructor for the eight hours of behind-the-wheel instruction that are required as part of a student's driver education course. The eligible adult may do so only if all of the following apply:

1. The eligible adult is assisted by an electronic device or application that is programmed to offer mobile and in-vehicle instruction to the student driver.
2. The eligible adult is in the vehicle with the student driver during the active instruction provided by the electronic device or application.

3. The student has completed the 24 hours of required classroom instruction.
4. The electronic device or application is programmed to comply with the Department of Public Safety's (DPS's) driver training curriculum. Additionally, the Director of Public Safety must first pre-approve the electronic device or application to be used in lieu of the licensed driver training instructor. The Director is prohibited from unreasonably withholding approval if the electronic device or application meets the necessary requirements established by rule.¹

In addition to using the electronic device or application for the eight hours of required course instruction, an eligible adult also may use it to assist in supervising the 50 hours of actual driving experience required of each minor driver before the driver is eligible for a probationary driver's license.² Eligible adults using the electronic device or application as part of a student driver's education are exempt from the typical driver training instructor licensure requirements.³

Regulatory restriction reduction requirement exemption

The bill requires the Director to adopt rules governing the use of the electronic devices or applications. Additionally, it exempts those rules adopted by the Director from continuing law requirements concerning reductions in regulatory restrictions.⁴ Currently, DPS must take actions to reduce regulatory restrictions, including, by June 30, 2025, reducing the amount of regulatory restrictions contained in an inventory created in 2019 in accordance with a statutory schedule. A "regulatory restriction" is any part of an administrative rule that requires or prohibits an action.

Without that exemption, DPS must do all of the following with respect to any regulatory restrictions contained in rules adopted under the bill:

- Until June 30, 2025, and for so long as DPS fails to reach the reductions required under the statutory schedule, remove two or more existing regulatory restrictions for each new restriction adopted (referred to as the "two-for-one rule");
- Refrain from adopting a regulatory restriction when doing so would negate a previous reduction;
- Beginning July 1, 2025, refrain from adopting a regulatory restriction when doing so would cause the total number of regulatory restrictions in effect to exceed a statewide cap calculated by the Joint Committee on Agency Rule Review.⁵

¹ R.C. 4508.041(A) and (B); R.C. 4507.21, not in the bill.

² R.C. 4508.041(C).

³ R.C. 4508.041(E).

⁴ R.C. 4508.041(D).

⁵ R.C. 4508.041, by reference to R.C. 121.95 to 121.953.

HISTORY

Action	Date
Introduced	02-21-24
