



Ohio Administrative Code

Rule 5123-100-03 Motor vehicle operation on the grounds of a developmental center.

Effective: November 19, 2018

(A) Purpose

This rule establishes regulations governing the operation of motor vehicles on the grounds of a developmental center under the managing responsibility of the Ohio department of developmental disabilities ("department") for promoting the safety and security of the residents, employees, visitors, and premises of the developmental center.

(B) Definitions

For the purposes of this rule, the following definitions shall apply:

(1) "Disciplinary action" means any oral counseling, written reprimand, reduction, suspension, or removal for cause as established in accordance with section 124.34 of the Revised Code and may include revocation of an employee's permission to operate any motor vehicle or a specific motor vehicle on the grounds of a developmental center.

(2) "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power.

(3) "Operator" means any person who drives or operates a motor vehicle on the grounds of a developmental center.

(C) Authority to regulate traffic

(1) Streets and roadways of a developmental center shall be considered "private roads or driveways" as defined in section 4511.01 of the Revised Code.

(2) The use of streets and roadways of a developmental center by an operator of a motor vehicle shall be by permission of the department.



(D) Duties and responsibilities of the managing officer of a developmental center

(1) The managing officer of a developmental center may establish, in accordance with section 4511.08 of the Revised Code, regulations he or she deems appropriate to control motor vehicle traffic for the safety and security of the developmental center.

(2) If the managing officer of a developmental center does not establish specific regulations governing the operation of motor vehicles on the grounds of the developmental center, the sections of Chapter 4511. of the Revised Code establishing rules of right-of-way and rules of the road shall govern.

(3) The managing officer of a developmental center may establish regulations to govern the operation of motor vehicles on the grounds of the developmental center in addition to those created by Chapter 4511. of the Revised Code, when he or she deems doing so appropriate.

(E) Regulations

(1) The sections of Chapter 4511. of the Revised Code establishing a prohibition regarding the operation of motor vehicles on private roadways shall apply to streets or roadways of a developmental center. Violation of these statutes shall subject an individual to prosecution.

(2) Operators of motor vehicles on the streets or roadways of a developmental center shall possess a valid motor vehicle operator's license in accordance with section 4507.02 of the Revised Code.

(3) An employee who fails to comply with a traffic regulation governing the operation of motor vehicles on the grounds of a developmental center shall be subject to disciplinary action.

(4) Traffic control devices, including signs denoting the names of streets, shall conform to section 4511.11 of the Revised Code.

(5) Motor vehicles, both privately-owned and state-owned, operated on the streets or roadways of a developmental center shall be maintained in a safe and operable condition in accordance with



Chapter 4513. of the Revised Code. The operator of a state-owned or state-leased motor vehicle is responsible for reporting motor vehicle defects and hazards. The owner or operator of a privately-owned vehicle is responsible for correcting the motor vehicle's defects and hazards.

(6) When a state-owned motor vehicle or a privately-owned motor vehicle operated on the grounds of a developmental center is equipped with seat belts or other occupant restraint systems, the operator is responsible for ensuring that the motor vehicle occupants use those devices.

(F) Driver requirements

An employee who operates state-owned motor vehicles:

- (1) Shall possess a valid driver's license issued by the state in which he or she lives;
- (2) Shall not transport residents of a developmental center if he or she has six or more points on his or her driving record; and
- (3) Shall successfully complete an orientation program regarding safe motor vehicle operation prior to transporting residents of a developmental center.

(G) Accidents involving state-owned motor vehicles

Accidents involving state-owned motor vehicles shall be:

- (1) Reported promptly by the operator of the motor vehicle to the developmental center;
- (2) Reported promptly by the developmental center to the Ohio state highway patrol in accordance with Ohio department of administrative services administrative policy VF-02, "State Self-Insured Vehicle Liability Program"; and
- (3) Investigated promptly by the developmental center.