



Ohio Administrative Code Rule 5180:2-9-32 Transportation.

Effective: August 13, 2026

(A) What transportation responsibilities does a residential facility have?

A residential facility is to ensure that all necessary vehicles used to transport children are made available for implementing each child's service plan.

(B) What are the requirements for vehicles owned, rented, or leased by a residential facility?

- (1) Be annually inspected and approved by the Ohio state highway patrol and continually maintained in a safe operating condition.
- (2) Have written maintenance records maintained by each facility on all vehicles which are used for transporting children.
- (3) Contain first aid supplies in each vehicle, when the vehicle is used to transport children.
- (4) Be maintained in a safe condition and in compliance with all motor vehicle laws.
- (5) Be covered by liability insurance in accordance with current state laws.

(C) What are the requirements for privately owned, rented, or leased vehicles used by a residential facility?

- (1) Be annually inspected and approved by the Ohio state highway patrol and continually maintained in a safe operating condition.
- (2) The residential facility is to keep current documentation of automobile insurance for all privately owned vehicles used to transport children of the facility.
- (3) Contain first aid supplies in each privately owned vehicle when the vehicle is used to transport children of the facility.
- (4) Be maintained in a safe condition and in compliance with all motor vehicle laws and are to be covered by liability insurance in accordance with current state laws.

(D) What are the driver requirements for transporting children?

Each residential facility is to ensure that any employee is to have a valid driver's license when transporting children in either a privately owned vehicle or a vehicle owned by the facility.

(E) What supervision is needed for transporting children?



5180:2-9-32

2

Each residential facility is to ensure that supervision appropriate to the number and ages of children being transported is available in any vehicle used by the facility to transport children.

(F) What are the seat belt and child restraint requirements?

In a vehicle, the driver and all passengers are to use the passenger safety belts and be properly restrained in accordance with sections 4511.81 and 4513.263 of the Revised Code while the vehicle is in motion.

(G) What are the child restraint requirements for transporting children in residential facilities?

- (1) Children under four years old or under forty pounds must be restrained in a child restraint seat secured by a safety belt or the lower anchors and tethers for children (LATCH) system. The seat must not be placed in the front seat of a vehicle that has a back seat.
- (2) Infants under one year old or under twenty pounds must be restrained in a rear-facing position and, whenever possible, not placed in the front seat of a vehicle equipped with passenger airbags.
- (3) Children at least one year old and between twenty to forty pounds may be restrained in a rear-facing position.
- (4) Children under eight years old and under four feet nine inches must be properly restrained in a booster seat, placed in the back seat of a vehicle.
- (5) Children aged eight to fifteen years old must be restrained in either:
 - (a) A belt-positioning booster seat in a forward-facing position; or
 - (b) A seat belt that includes both a lap and shoulder belt, if available.
- (6) Children age twelve and under, when riding in a vehicle with a back seat, should not ride in the front seat, whenever possible.
- (7) Safety and recall information from the consumer product safety commission (CPSC) related to child safety seats or booster seats must be reviewed and implemented by the residential facility.

(H) What if there is a medical exception for child restraints?



5180:2-9-32

3

Paragraph (G) of this rule does not apply if the facility has a signed affidavit by a licensed Ohio physician or an Ohio licensed chiropractor stating that the child has a physical disability that makes use of standard restraint systems impossible or impractical. In such cases, the child must be safely and appropriately restrained according to the medical recommendation noted in the affidavit.