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| Category | Topic | NMT  | CMV | Citations |
| Driver Requirements | Driver’s License | Agency ensures that each driver has valid license. | Collect information on the job application. | OAC 5123:2-9-18(C)(5)(a)OAC 5123:2-9-24(C)(5)(a)49 CFR 391.21(5) |
|  | Obtain Driving Record | Obtain a driving record from the BMV no earlier than 14 calendar days prior to initial date of employment. | Obtain a driving record from each state where the applicant has lived for the previous 3 years.Investigate other motor carriers with whom driver was employed for prior 3 years. | OAC 5123:2-9-18(C)(5)(a)OAC 5123:2-9-24(C)(5)(c)49 CFR 391.23(a)(1) and (2) |
|  | Ongoing Driver Record Checks | Once every 3 years after the initial check. | Once every 12 months. | OAC 5123:2-9-18(C)(5)(a)OAC 5123:2-9-24(C)(5)(c)49 CFR 391.25 |
|  | General Background Checks | 1) BCI criminal record check2) List of excluded individuals maintained by the OIG3) Abuser registry4) Nurse Aide registry5) Sex-offender and child victim offender registry6) SAM7)Database of incarcerated and supervised offenders | No Provisions | OAC- 5123:2-2-02 |
|  | Insurance | Have or ensure that each driver has valid liability insurance. | $1,500,000 for vehicle with seating capacity of 15 or less$5,000,000 for vehicle with seating capacity of 16 or more | OAC 5123:2-9-18(C)(5)(b)OAC 5123:2-9-24(C)(5)(b)49 CFR 287.33 & OAC 4901:2-13-03ORC 4921.09 |
|  | Exclusions from Driving | A person having 6 or more points may not provide NMT. | Driving a CMV w/blood alcohol of 0.04% or moreDriving any vehicle under the influence as prescribed by state law.Refusal to undergo drug or alcohol testing.Driving under the influence of a schedule 1 controlled substance, an amphetamine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug.Leaving the scene of an accident while driving a CMV.A felony involving a CMV.Conviction of texting while driving a CMV.Conviction for violation of the restriction on using a hand held mobile phone while driving a CMV. | OAC 5123:2-9-18(C)(5)(c)OAC 5123:2-9-24(C)(5)(c)49 CFR 391.15 |
|  | Driver to Notify Employer | If driver accumulates 6 or more points or if license is revoked or suspended. | Once every 12 mos. drivers must furnish employers with a list of all violations of motor vehicle laws where the driver was convicted or for which they forfeited bond or collateral for the past 12 mos. | OAC 5123:2-9-18(C)(5)(d)OAC 5123:2-9-18(C)(5)(d)49 CFR 391.27 |
|  | Medical Exam | Driver shall provide a form completed and signed by a person licensed to perform a physical exam saying driver is physically qualified to provide NMT. | Driver must have a DOT physical, and carry the certificate with him at all timesMedical exam required at least once every 24 mos. | 5123:2-9-18(E)(3)49 CFR 391.41 |
|  | Drug Testing | Ensure that each driver is tested for controlled substances and determined to be drug free before providing NMT. | Random drug testing (% of employees changes yearly) | 5123:2-9-18(C)(5)(F)49 CFR 382.305 |
|  | Driver involved in an accident | Driver involved in an accident while providing NMT must be drug tested for controlled substances w/in 32 hrs. and for blood alcohol w/in 8 hrs. when the accident involves loss of life, or there is bodily injury to a person requiring medical treatment, or one or more of the vehicles was disabled at the scene. | No Provisions. | OAC 5123:2-9-18(C)(5) |
| Vehicle Requirements | Vehicle Equipment | Secure storage space for removable equipment and passenger property.Communication system that may include cellular communication, capable of 2 way communication.Fire extinguisher and first aid kit, safely secured.For Modified Vehicles: Permanent fasteners to secure wheelchairs to the floor or side ofthe vehicle to prevent wheelchair movement; safety restraints in the vehicle for the purpose of restraining individuals in wheelchairs; stable access ramp specifically designed for wheelchairs or a hydraulic lift specifically designed for wheelchairs | No Provisions. | OAC 5123:2-9-18(D)(3) |
|  | Yearly Vehicle Inspection | Inspection by the state highway patrol inspection unit or a certified. Mechanic at least once every 12 mos. | PUCO may inspect any CMV.Inspection at least every 12 mos. by state highway patrol or certified mechanic. | OAC 5123:2-9-18(D)(5)ORC 4923.0649 CFR 396.174901:2-5-11 (anytime inspection) |
|  | Daily Vehicle Inspection | First driver each day shall conduct and document inspection and testing of lights, windshield wipers, emergency equipment, mirrors, horn, tire, and brakes.For Modified Vehicles: first driver of the vehicle shall conduct anddocument inspection and testing of the wheelchair fasteners, restraints, and access ramp or hydraulic lift prior to transporting an individual in a wheelchair. | At the end of each day the driver shall prepare a report covering any issues with service brakes, parking brake, steering, lighting, tires, horn, wipers, mirrors, coupling devices, wheels & rims, emergency equipment.Before driving a CMV the driver shall (a) be satisfied the motor vehicle is in safe operating condition; (b) review the last driver vehicle inspection report; and (c) sign the report only if defects or deficiencies were noted by the driver who prepared the report to acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been completed | OAC 5123:2-9-18(D)(4)49 CFR 396.11 and 396.13 |
|  | Vehicle Registration | No Provisions | For hire CMVs that transport passengers and operate solely w/in OH must register with the PUCO.Annual registration May 1 to July1.Proof kept in vehicle.Annual Fee $30 for tractor, vehicle tractor pulling a trailer, tow vehicle or bus. $20 for vans cars etc.DOT registration is also required. | ORC 4921.03ORC 4921.19OAC 4901:2-21-03 |
|  | Markings on Vehicles | No Provisions | Legal or trade name of corporation or provider operating the CMV.The ID number issued by the PUCO or the DOT.Must appear on both sides of vehicle in letters that contrast sharply w/background.Must be legible in daylight form 50 feet. | OAC 4901:2-5-10 49 CFR 390.21 |
|  | Road Test | No Provisions | Motor carrier must issue a road test to all CMV drivers before allowing them to drive. After completing test, a certification shall be kept in the employee’s file | 49 CFR 391.32 |
|  | Written Policies | Develop and implement written policies and procedures re: vehicle accessibility, vehicle maintenance, and requirements for drivers. | No Provisions | OAC 5123:2-9-18(C)(5)(g)OAC 5123:2-9-24(C)(5)(e) |
| Compliance | Reviews | (a) **Routine compliance reviews**In accordance with priorities established by the department in the protocol for compliance reviews, the department shall coordinate with county boards to ensure that each certified provider receives a routine compliance review within one year of the certified provider's initial billing for provision of services. Thereafter, routine compliance reviews of certified providers shall be conducted so that each certified provider is reviewed once during the term of certification.(b) **Special compliance reviews**The department or a county board may conduct special compliancereviews as necessary:(i) Pertaining to the health, safety, or welfare of an individual;(ii) Based on a complaint or allegation; or(iii) Based on a major unusual incident that may indicate the certified provider's failure to comply with applicable requirements. | PUCO has ability to check compliance at any time. | OAC 5123:2-2-04 (C)(1)(A)OAC 5123:2-2-04 (C)(1)(B)ORC 4923.06 |