



## Ohio Administrative Code

### Rule 3304-6-02 Motor vehicle modifications, scope and limitations.

Effective: January 15, 2021

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(A) OOD may purchase automotive adaptive equipment and motor vehicle modifications in whole or in part, for an individual under the following conditions:

(1) Personal transportation is required to meet the job goals specified on the individualized plan for employment as described in Chapter 3304-2 of the Administrative Code;

(2) Other modes of transportation that would enable the individual to effectively meet the vocational goal as stated in the individualized plan for employment, such as public transportation, are not available;

(3) The vehicle is titled to the individual, spouse, parent, or sibling, or legal guardian; and

(4) OOD does not purchase the vehicle in whole or in part.

(B) Modifications excluded from coverage under these rules are the installation of adaptive equipment or modifications to any vehicle not defined as a passenger car in division (E) of section 4501.01 of the Revised Code and repairs to the standard original equipment manufacturer or adaptive equipment.

(C) OOD shall authorize and fund vehicle modifications only on the most cost-effective vehicle necessary for the individual's personal transportation for employment, using the most cost-effective means of modification when the individual complies with the following requirements:

(1) The individual completes a driver evaluation provided by a CDRS or DRS approved by OOD; and

(2) The individual completes driver training prescribed by the CDRS or DRS. Such training shall be provided by a qualified driver trainer who meets the requirements as defined in Chapter 4508. of the



Revised Code and those of the department of public safety, as defined in Chapter 4501-7 of the Administrative Code, or equivalent requirements of another state, and who has been approved by OOD; and

(3) The individual obtains a vehicle modification specification or prescription provided by a CDRS or DRS approved by OOD; and

(4) Presents a valid Ohio driver's license with appropriate restrictions as required by section 4507.14 of the Revised Code; and

(5) As it relates to modifications of transport vehicles, i.e., a vehicle for transporting a non-driver individual who uses a wheelchair, the individual participates in a vehicle modification consultation provided by a CDRS or DRS approved by OOD; and

(6) The individual signs a vehicle modification agreement form. The individual shall be solely responsible for providing replacement insurance coverage, any inspections, maintenance, repair, and upkeep to the modifications as specified in any relevant warranties.

(D) A vehicle modification shall not be performed on a used vehicle or other vehicle than that recommended by a CDRS or DRS, unless:

(1) The individual provides a written inspection report from a certified mechanic verifying the used vehicle is in sound condition or will be after repairs are completed, and any repairs are completed and meet federal motor vehicle safety standards; and

(2) The vehicle can be modified to meet the individual's needs and the individual assumes all costs associated with the modification of the vehicle in excess of the cost of modification of the recommended vehicle, and is acceptable as suitable for a modification by the converter; or

(3) The installation is a minor modification, which includes standard manual hand/foot control, pedal guard, left foot accelerator, mirrors, remote switches, wheelchair/scooter handling device, spinner knob, simple extension modifications of secondary controls that allow an individual to grasp, pull, twist, or activate control functions, wheelchair carriers, pedal extensions, shift levers, park brake,



turn signals, hazard lights, washer/wiper, ignition, lights, dimmer, seat adjustment, HVAC controls, and door locks.

(E) An eligible individual shall only receive a replacement vehicle modification provided by OOD after ten years, or after the vehicle accumulates one hundred thousand miles, from the date the retail dealer submits the final invoice for payment to OOD. The replacement modification must be necessary to enable an individual to maintain the employment outcome as defined in the individual's individualized plan for employment. In its discretion, OOD may grant an exception to the time and accumulated miles requirements and fund vehicle modifications in the following situations:

- (1) The individual is currently competitively employed, as defined in 34 C.F.R. 361.5(b)(11); and
- (2) The individual experiences a deterioration of function due to a disability such that the individual is no longer able to safely drive or be transported with the provided level of adaptive driving technology; or
- (3) The individual experiences an additional disability, such that the individual is no longer able to safely drive or be transported using the provided modification; or
- (4) When the high tech driving system manufacturer recommends a safety upgrade to the driving system and the high tech integrated driving system is out of warranty and the warranty had been maintained through appropriate maintenance.

(F) Transferred equipment. When an individual purchases a replacement vehicle and needs to have equipment that was purchased previously with OOD funds removed, adjusted, lubricated, and re-installed in the replacement vehicle, the following requirements shall apply:

- (1) The transfer occurs after ten years, or after the prior vehicle accumulates one hundred thousand miles, from the date the retail dealer submits the final invoice for payment to OOD.
- (2) The primary controls, except for reduced effort steering system and reduced effort braking system, will be considered acceptable for transfer by a retail dealer who is qualified to install the equivalent new equipment if the controls are visually and functionally inspected by a retail dealer



and found to be satisfactory.

(3) An assessment of the subsystem, which may require disassembly, shall be done on each of the following subsystems to determine if the equipment is in a satisfactory state of repair or condition to be reinstalled into a vehicle for further prolonged use:

(a) Secondary controls.

(b) Access devices.

(c) Wheelchair/scooter handling devices.

(d) Occupant protection and restraint systems; inflatable restraint systems shall not be transferred.

(e) High tech integrated driving systems.

(4) The following shall not be transferred:

(a) Structural modifications.

(b) Fuel delivery system modifications.

(c) Electrical modifications.

(G) The individual shall apply for all applicable mobility rebates. Any mobility rebate received by an individual from an original equipment manufacturer because of modifications made to a vehicle shall be transferred to OOD to defray the costs of the modifications.

(H) This rule is designed to implement the Workforce Innovation and Opportunity Act, 29 U.S.C. 32, and resulting regulations.