

29-A §1357. ADVANCED DRIVER EDUCATION

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1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Advanced driver education" means any type of classroom instruction in the driving of an automobile, excluding a motorcycle, given for remuneration or course credit to an individual who possesses or who previously possessed a valid driver's license. [2005, c. 174, §1 (NEW).]

B. "Instructor" means a person engaged in teaching advanced driver education. [2005, c. 174, §1 (NEW).]

[2005, c. 174, §1 (NEW).]

2. Advanced driver education course authorized. Notwithstanding sections 1351, 1352, 1353 and 1354, a person may provide advanced driver education in accordance with the following provisions.

A. A person may not provide advanced driver education unless licensed by the Secretary of State. An instructor license is valid for 3 years from the date of issuance. An applicant for an instructor license must meet the following requirements.

- (1) The person is at least 21 years of age and has a high school diploma or its equivalent.
- (2) The person has at least 4 years of driving experience as a licensed operator and possesses a valid driver's license.
- (3) The person has not been convicted for a moving criminal traffic offense within the last 3 years, except for operating without a driver's license if the license was expired less than 5 years and operating with an expired registration.
- (4) The person has not been designated as an accident-prone driver pursuant to section 1308 within the last year.
- (5) The person has not had a driver's license suspended or revoked within the last 6 years pursuant to section 2411, 2453, 2454, 2456, 2457, 2472, 2521, 2525, 2554 or 2555, former section 2557 or section 2557-A or 2558.
- (6) The person has not been convicted within the last 10 years for any crimes for which more than one year of incarceration may be ordered.
- (7) The person must have at least one year of training, education or experience in driver education, driver evaluation, assessment or testing or teaching defensive driving. [2005, c. 606, Pt. B, §3 (AMD).]

B. An advanced driver education course must include instruction that imparts the understanding and skills necessary to operate a motor vehicle safely. An instructor is responsible for the facilities, operation and curriculum of an advanced driver education course. The curriculum must be filed with the Secretary of State annually. [2005, c. 174, §1 (NEW).]

C. A student record sheet must be kept for each student and maintained for a period of at least 3 years from the date advanced driver education was provided. The student record sheet must contain the following information:

- (1) The name and address of the student; and
- (2) The name of the instructor who provided the instruction and the location where the instruction was provided. [2005, c. 174, §1 (NEW).]

D. An instructor must, prior to the start of the course, advise students in writing of the following:

- (1) The refund policy of the instructor;

(2) That completion of the course will not entitle students to an insurance discount; and

(3) That completion of the course will not provide point credits on driver's licenses. [2005, c. 174, §1 (NEW).]

E. An instructor shall allow the Secretary of State access to records to ensure compliance with statutory requirements. [2005, c. 174, §1 (NEW).]

F. An instructor may not make any false, misleading or deceitful claims, statements or representations in any advertisement or solicitation. [2005, c. 174, §1 (NEW).]

G. The fee for issuance and renewal of an instructor license under subsection 2, paragraph A is \$40. [2005, c. 174, §1 (NEW).]

[2005, c. 606, Pt. B, §3 (AMD) .]

3. Penalties. A person who conducts advanced driver education without a valid instructor license commits a Class E crime.

[2005, c. 174, §1 (NEW) .]

4. Suspension or revocation of license; hearings. The Secretary of State may suspend, revoke or refuse to issue or renew an instructor license for noncompliance with statutory requirements. A person refused a license or whose license is suspended or revoked may request a hearing with the Secretary of State. A requested hearing must be conducted pursuant to chapter 23, subchapter 2, article 3.

§1357. Communication services for deaf and hard-of-hearing persons

(As enacted by PL 2005, c. 411, §4 is REALLOCATED TO TITLE 29-A, SECTION 1358)

[2005, c. 174, §1 (NEW) .]

SECTION HISTORY

2005, c. 174, §1 (NEW). 2005, c. 411, §4 (NEW). 2005, c. 606, §B3 (AMD). RR 2005, c. 1, §13 (RAL).

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