

1 State Board of Education

2 Department of Education

3 Operations Division

4

5 Adopted Rules Governing Automobile and Motorcycle Driver

6 Education Programs

7

8 Rules as Adopted

9 3500.5000 AUTOMOBILE DRIVER EDUCATION PROGRAMS.

10 A school district, for the purpose of Minnesota Statutes,  
11 section 171.04, offering automobile driver education programs,  
12 directly or indirectly, shall comply with parts 3500.5010 to  
13 3500.5030.

14 3500.5010 INSTRUCTIONAL REQUIREMENTS FOR AUTOMOBILE DRIVER  
15 EDUCATION.

16 Subpart 1. Classroom curriculum. A written classroom  
17 curriculum guide must be available to and used by an instructor  
18 conducting classroom instruction. The curriculum presented to  
19 the students must include at least the following opportunities:

20 A. to analyze and assess several decision-making  
21 models and factors influencing highway-user decisions;

22 B. to analyze and simulate making decisions about the  
23 effect of alcohol and other drugs on behavior and driving  
24 performance;

25 C. to analyze and practice making decisions about  
26 using occupant restraints;

27 D. to identify and analyze a variety of driving  
28 decisions about highway users and roadway characteristics;

29 E. to analyze and practice making decisions about a  
30 vehicle's speed under different driving conditions;

31 F. to know the content and purpose of motor vehicle  
32 and traffic laws and rules for safe driving performance;

33 G. to identify, analyze, and describe proper  
34 procedures for a variety of driving situations;

35 H. to gather information and practice making

1 decisions about automobile ownership and maintenance;

2 I. to identify, analyze, and practice making  
3 decisions related to drivers' attitudes and emotions; and

4 J. to explore alternative ways to become better  
5 drivers and to improve the highway transportation system.

6 Subp. 2. Laboratory curriculum. A written laboratory  
7 curriculum guide must be available to and used by each  
8 instructor conducting laboratory instruction. The curriculum  
9 presented to the students must include at least the following:

10 A. orientation to the purpose, content, and  
11 procedures for laboratory instruction;

12 B. orientation to gauges and instruments, and  
13 preparing to move the vehicle;

14 C. basic skills in speed control and tracking on  
15 forward and backward paths;

16 D. orientation to driving and initial techniques in  
17 scanning for, recognizing, and responding to obstacles;

18 E. basic skills in parking, turning, backing, turning  
19 around, lane changing, crossing intersections, and passing;

20 F. reduced-risk city driving, highway driving,  
21 freeway driving, and interacting with other highway users;

22 G. strategies for perceiving and responding to  
23 adverse and special conditions and emergencies; and

24 H. formal evaluation, self-evaluation, and planning  
25 for future improvement.

26 Subp. 3. Place for on-street instruction. On-street  
27 instruction must be conducted on a planned practice driving  
28 route. It may not be conducted on actual routes used for road  
29 tests for state driver licenses.

30 Subp. 4. Classroom instruction. At least 30 hours of  
31 classroom instruction must be scheduled over no less than one  
32 week and not more than 36 weeks. No more than three clock hours  
33 of classroom instruction may be scheduled per day for any  
34 student.

35 Subp. 5. Laboratory instruction. At least six hours of  
36 laboratory instruction, or the equivalent, must be scheduled

1 over no less than one week and not more than 12 weeks. No more  
2 than two clock hours of laboratory instruction or the equivalent  
3 may be scheduled per day for any student.

4           A. If automobile-driving simulator instruction is  
5 provided and is not counted as classroom time, four clock hours  
6 of simulator instruction may be substituted for one clock hour  
7 of on-street instruction.

8           B. If off-street driving range instruction is  
9 provided, two clock hours of driving range instruction may be  
10 substituted for one clock hour of on-street instruction.

11           C. When simulator or driving range instruction is  
12 substituted for on-street instruction, the on-street instruction  
13 time may not be reduced to less than three clock hours.  
14 However, when both simulator and driving range instruction are  
15 substituted, on-street instruction time may not be reduced to  
16 less than two clock hours.

17           D. The student-instructor ratio for on-street  
18 laboratory instruction scheduled may not be less than two  
19 students per instructor or more than three students per  
20 instructor during a single class period.

21           Subp. 6. Sequence when simultaneous instruction. When  
22 both phases of the program are conducted during the same time  
23 period, at least five clock hours of classroom instruction must  
24 be completed before beginning laboratory instruction. The  
25 laboratory instruction must be dispersed throughout the  
26 classroom instruction.

27           Subp. 7. Sequence when successive instruction. Successful  
28 completion of classroom instruction is mandatory for enrollment  
29 in laboratory instruction, when the two phases of the program  
30 are conducted during separate time periods. The time period  
31 between the phases of instruction may not exceed six months.

32           Subp. 8. Occupant restraints. Instructors must ensure  
33 that all vehicle occupants use restraints at all times during  
34 laboratory instruction.

35           Subp. 9. Permit or driver's license. Instructors must  
36 ensure that a student is in actual possession of a valid

1 Minnesota driver instruction permit or driver's license before  
2 giving on-street driving instruction.

3 Subp. 10. Course credit. Driver education courses may  
4 carry credit toward graduation for students, whether offered  
5 directly or indirectly, as a separate course or part of another  
6 course. Credit for driver education must be granted under the  
7 same standards that credit is granted for satisfactory  
8 completion of other courses.

9 Subp. 11. Program modification. A school district which  
10 does not provide the complete laboratory instruction may offer  
11 classroom instruction only after it has consulted with an  
12 approved on-street provider within the immediate area. The  
13 district must modify its program to minimize duplication of  
14 training and ensure coordination of classroom and laboratory  
15 instruction.

16 Subp. 12. Authorized school official. A school district  
17 must identify an authorized school official to be responsible  
18 for certifying satisfactory completion of the program. The  
19 official need not be licensed under part 8700.4900 unless that  
20 person also is an instructor in the program.

21 A. When a student satisfactorily completes the driver  
22 education program, including both classroom and on-street  
23 instruction, the authorized school official must furnish the  
24 student a certificate of course completion within 15 calendar  
25 days.

26 B. When a student satisfactorily completes classroom  
27 instruction and intends to complete the program with another  
28 provider, the authorized school official must furnish the  
29 student a verification statement of completion of classroom  
30 instruction within 15 calendar days.

31 C. When a student under 16 years of age fails to  
32 continue or successfully complete the driver education course,  
33 including on-street instruction, the authorized school official  
34 must immediately notify the Department of Public Safety, Driver  
35 and Vehicle Services Division.

36 Subp. 13. Student record. A permanent record must be

1 maintained for each student completing either the classroom or  
2 laboratory phase of the automobile driver education course. The  
3 record must contain the student's legal name, including first,  
4 middle, and last; birthdate; and the completion date for each  
5 phase of the course.

6 Subp. 14. Annual report. A school district desiring  
7 approval for its automobile driver education program must submit  
8 an annual report to the Department of Education, on forms  
9 supplied by it, before conducting the course. The annual report  
10 must identify the authorized school official and all instructors  
11 who will be teaching students and each instructor's driver's  
12 license number.

13 3500.5020 VEHICLE REQUIREMENTS FOR AUTOMOBILE DRIVER EDUCATION.

14 Subpart 1. Safety standards. A vehicle used for  
15 laboratory instruction for automobile driver education must  
16 comply with federal and state motor vehicle safety standards for  
17 the model year of the vehicle.

18 Subp. 2. Required equipment. A vehicle used for on-street  
19 instruction must have the following equipment:

- 20 A. dual control brakes;
- 21 B. outside and rearview mirror for the driver's use  
22 and separate rearview mirror for the instructor's use;
- 23 C. sunvisors for both the driver and the front seat  
24 passenger;
- 25 D. windshield washers, wipers, and defroster; and
- 26 E. occupant restraints for each occupant of the  
27 vehicle.

28 Subp. 3. Display of sign. A vehicle used for on-street  
29 instruction must conspicuously display a sign on the rear that  
30 reads "Student Driver." The background and letters of the sign  
31 must be of contrasting colors. The lettering must be at least  
32 two but not more than five inches high. The sign must be  
33 removed when the vehicle is used for purposes other than driver  
34 education instruction.

35 Subp. 4. Required maintenance. A vehicle used for  
36 laboratory instruction must be maintained in safe operating

1 condition through routine care and servicing.

2 Subp. 5. Firearms, hazardous or toxic substances  
3 prohibited. Firearms or hazardous or toxic substances may not  
4 be transported in a driver education vehicle. For the purpose  
5 of this subpart, "firearms" has the definition given it in  
6 Minnesota Statutes, section 97.40, subdivision 34; "hazardous  
7 substances" and "toxic substances" have the definitions given  
8 them in Minnesota Statutes, section 24.33, clauses (d) and (e).  
9 This subpart does not apply to fuel carried in the vehicle's  
10 fuel tank or any other substance normally being used by the  
11 vehicle while it is in motion.

12 Subp. 6. Insurance or self-insurance required. The  
13 district shall provide a plan of reparation security covering  
14 each vehicle used and complying with the Minnesota No-Fault  
15 Automobile Insurance Act, Minnesota Statutes, sections 65B.41 to  
16 65B.71. However, residual liability coverage and uninsured  
17 motorist coverage must be provided in the following amounts:  
18 not less than \$100,000 because of bodily injury to or death of  
19 any one person in any one accident; not less than \$300,000  
20 because of bodily injury to or death of two or more persons in  
21 any one accident; and not less than \$50,000 because of damage to  
22 or destruction of property of others in any one accident.

23 3500.5030 EXEMPTION FOR EXPERIMENTAL PROGRAM.

24 A school district desiring an exemption from parts  
25 3500.5010 to 3500.5020 must follow the procedures contained in  
26 part 3500.1000.

27 3500.5040 MOTORCYCLE DRIVER EDUCATION PROGRAMS.

28 A school district, for the purpose of Minnesota Statutes,  
29 section 169.974, subdivision 2, offering motorcycle driver  
30 education programs, directly or indirectly, shall comply with  
31 parts 3500.5050 to 3500.5070.

32 3500.5050 INSTRUCTIONAL REQUIREMENTS FOR MOTORCYCLE DRIVER  
33 EDUCATION.

34 Subpart 1. Classroom curriculum. A written classroom  
35 curriculum guide must be available to and used by an instructor

1. conducting classroom instruction. The curriculum presented to  
2 the students must include at least the following opportunities:

3       A. to become familiar with the purpose, content, and  
4 procedures for classroom instruction;

5       B. to learn the location and operation of motorcycle  
6 controls and indicators;

7       C. to identify, analyze, and practice making  
8 decisions about proper protective gear;

9       D. to identify and become familiar with the  
10 procedures for starting, riding, and stopping a motorcycle;

11       E. to learn procedures for turning, changing gears,  
12 and using both brakes to stop a motorcycle;

13       F. to identify basic riding strategies and prepare to  
14 ride safely in traffic;

15       G. to become familiar with the various methods used  
16 to minimize, separate, and compromise riding hazards;

17       H. to learn procedures for passing, group riding, and  
18 night riding;

19       I. to prepare for handling unusual or emergency  
20 situations; and

21       J. to gather information and practice making  
22 decisions about selecting, insuring, and maintaining a  
23 motorcycle.

24       Subp. 2. Laboratory curriculum. A written laboratory  
25 curriculum guide must be available to and used by an instructor  
26 conducting laboratory instruction. The curriculum presented to  
27 the students must include at least the following:

28       A. orientation to the purpose, content, and  
29 procedures for laboratory instruction;

30       B. mounting, dismounting, starting, stopping, walking  
31 the cycle, clutch friction point, and riding in a straight line;

32       C. circles, weaving, sharp turns, and straight line  
33 shifting;

34       D. braking, turning, adjusting speed, shifting, and  
35 accelerating in a turn;

36       E. simulated on-street riding and initial scanning

1 techniques for recognizing and responding to obstacles;

2 F. passing, rear wheel skids, and quick stops;

3 G. riding on pegs, lane changing, and stopping on a  
4 curve;

5 H. reduced-risk urban, suburban, and rural riding  
6 techniques; and

7 I. formal evaluation, self-evaluation, and planning  
8 for future improvement.

9 Subp. 3. Place for on-street instruction. On-street  
10 instruction must be conducted on a planned practice driving  
11 route. It may not be on actual routes used for road tests for  
12 state driver licenses.

13 Subp. 4. Classroom instruction. At least eight clock  
14 hours of classroom instruction must be scheduled. No more than  
15 three clock hours of classroom instruction may be scheduled per  
16 day for any student.

17 Subp. 5. Laboratory instruction. Laboratory instruction  
18 must include at least six clock hours of instruction. No more  
19 than two clock hours of laboratory instruction may be scheduled  
20 per day for a student.

21 Subp. 6. Sequence when simultaneous instruction. When  
22 both phases of the program are conducted during the same time  
23 period, at least two clock hours of classroom instruction must  
24 be completed before beginning laboratory instruction. The  
25 laboratory instruction must be dispersed throughout the  
26 classroom instruction.

27 Subp. 7. Sequence when successive instruction. Successful  
28 completion of the classroom phase is mandatory for enrollment in  
29 the laboratory phase, when the two phases of the program are  
30 conducted during separate time periods. The time period between  
31 the phases of instruction may not exceed one month.

32 Subp. 8. Student-instructor ratio. The student-instructor  
33 ratio may not exceed three students per instructor for on-street  
34 instruction and eight students per instructor for off-street  
35 driving range instruction.

36 Subp. 9. Protective clothing. Instructors must ensure



1 that all students, during laboratory instruction, wear helmets,  
2 eye protective devices, and protective clothing, including  
3 gloves, jackets or long-sleeved shirts, long pants, and leather  
4 shoes or boots which cover the foot.

5 Subp. 10. Driver's license. Instructors must ensure that  
6 a student is in actual possession of a valid standard Minnesota  
7 driver's license before giving classroom instruction and a valid  
8 two-wheeled vehicle instruction permit before giving on-street  
9 instruction.

10 Subp. 11. Program modification. A school district that  
11 does not provide the complete laboratory instruction may offer  
12 classroom instruction only after it has consulted with an  
13 approved on-street provider within the immediate area. The  
14 district must modify its program to minimize duplication of  
15 training and ensure coordination of classroom and laboratory  
16 instruction.

17 Subp. 12. Authorized school official. A school district  
18 must identify an authorized school official to be responsible  
19 for certifying satisfactory completion of the program. The  
20 official need not be licensed under part 8700.4900 unless that  
21 person also is an instructor in the program.

22 A. When a student satisfactorily completes the  
23 motorcycle driver education program, including both classroom  
24 and laboratory instruction, the authorized school official must  
25 furnish the student a certificate of course completion within 15  
26 calendar days.

27 B. When a student satisfactorily completes classroom  
28 instruction and intends to complete the program with another  
29 provider, the authorized school official must furnish the  
30 student a verification statement of completion of classroom  
31 instruction within 15 calendar days.

32 Subp. 13. Student record. A permanent record must be  
33 maintained for a student completing either the classroom or  
34 laboratory phase of the motorcycle driver education course. The  
35 record must contain the student's legal name, including first,  
36 middle, and last; birthdate; and the completion date for the

1 phase of the course.

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3 approval for its motorcycle driver education program must submit  
4 an annual report to the Department of Education, on forms  
5 supplied by it, before conducting the course. The annual report  
6 must identify the authorized school official and the instructors  
7 who will be teaching students and each instructor's driver's  
8 license number.

9 3500.5060. MOTORCYCLE REQUIREMENTS FOR MOTORCYCLE DRIVER  
10 EDUCATION.

11 Subpart 1. Safety standards. A motorcycle used for  
12 laboratory instruction for motorcycle driver education must  
13 comply with all federal and state motor vehicle safety standards  
14 for the model year of the motorcycle.

15 Subp. 2. Required maintenance. A motorcycle used for  
16 laboratory instruction must be maintained in safe operating  
17 condition through routine care and servicing.

18 Subp. 3. Insurance or self-insurance required. The school  
19 district must provide a plan of reparation security covering  
20 each vehicle used. Residual liability coverage and uninsured  
21 motorist coverage must be provided in the following amounts:  
22 not less than \$100,000 because of bodily injury to or death of  
23 any one person in any one accident; not less than \$300,000  
24 because of bodily injury to or death of two or more persons in  
25 any one accident; and not less than \$50,000 because of damage to  
26 or destruction of property of others in any one accident.

27 3500.5070 EXEMPTION FOR EXPERIMENTAL PROGRAM.

28 A school district desiring an exemption from parts  
29 3500.5050 to 3500.5060 must follow the procedures contained in  
30 part 3500.1000.

31

32 REPEALER. Minnesota Rules, part 3500.4500 is repealed.