

1 Department of Public Safety  
2 Driver and Vehicle Services Division  
3  
4 Adopted Permanent Rules Relating to Driver Training Programs  
5  
6 Rules as Adopted

7 7411.0100 DEFINITIONS.

8 Subpart 1. Scope. The terms used in parts 7411.0100 to  
9 7411.0900 have the meanings given them in this part.

10 Subp. 2. and 3. [See Repealer.]

11 Subp. 4. Certificate. "Certificate" refers to the written  
12 document issued by the commissioner to a private or parochial  
13 college, university, or high school that offers driver training  
14 to persons under 18 years of age as part of the normal program  
15 for that institution, ~~commercial-driver-education-school-or~~  
16 institute indicating the department's approval of the  
17 school's ~~or-institute's-courses-in~~ driver education training  
18 under Minnesota Statutes, section 171.04, clause (1), and parts  
19 7411.0100 to 7411.0900.

20 Subp. 5. Certified; certified program. "Certified" and  
21 "certified program" refer to a private, ~~commercial-driver~~  
22 ~~education-school-or-institute-that-holds-a-currently-valid~~  
23 ~~certificate-from-the-commissioner-indicating-the-department's~~  
24 ~~approval-of-the-school's-or-institute's-courses-in-driver~~  
25 ~~education-under-Minnesota-Statutes, section 171.04, clause~~  
26 ~~(1)~~ or parochial college, university, or high school that offers  
27 driver training as part of the normal program for that  
28 institution and that holds a current certificate from the  
29 commissioner indicating that it complies with department driver  
30 training requirements.

31 Subp. 6. Class A vehicle. "Class A vehicle" means a  
32 vehicle that requires its operator to have a class A driver's  
33 license before it may be driven, under Minnesota Statutes,  
34 section 171.02, subdivision 2.

35 Subp. 7. Class B vehicle. "Class B vehicle" means a

1 vehicle that requires its operator to have only a class B  
 2 driver's license before it may be driven, under Minnesota  
 3 Statutes, section 171.02, subdivision 2, but may also be  
 4 operated by the holder of a class A license.

5 Subp. 8. **Class C vehicle.** "Class C vehicle" means a  
 6 vehicle that requires its operator to have only a class C  
 7 driver's license before it may be driven, under Minnesota  
 8 Statutes, section 171.02, subdivision 2, but may also be  
 9 operated by the holder of a class A or class B license. A  
 10 motorcycle is not a class C vehicle for purposes of parts  
 11 7411.0100 to 7411.0900.

12 Subp. 9. **Commercial driver training school.** "Commercial  
 13 driver training school" ~~has the meaning given it in Minnesota~~  
 14 ~~Statutes, section 171.33, subdivision 1.~~ means a business  
 15 enterprise conducted by an individual, association, partnership,  
 16 or corporation, that charges a fee to educate and train persons  
 17 to drive motor vehicles or to prepare an applicant for a  
 18 driver's license examination given by the state, and that is  
 19 required to be licensed by the commissioner under Minnesota  
 20 Statutes, sections 171.33 to 171.41.

21 Subp. 10. **Commissioner.** "Commissioner" means the  
 22 commissioner of the Department of Public Safety or an authorized  
 23 agent.

24 Subp. 11. **Department.** "Department" means the Department  
 25 of Public Safety or the department's authorized agent.

26 Subp. 12. **Driver training program; program.** "Driver  
 27 training program" or "program" means:

28 A. a commercial driver training school ~~that is~~  
 29 ~~required to be licensed by the commissioner under Minnesota~~  
 30 ~~Statutes, sections 171.33 to 171.41;~~

31 B. a ~~private, commercial driver education school or~~  
 32 ~~institute that is required to be approved by the commissioner~~  
 33 ~~under Minnesota Statutes, section 171.04, clause (1)~~ certified  
 34 program; or

35 C. a private or commercial school or institute  
 36 offering a two-wheeled vehicle driver's safety course that is

1 required to be approved by the commissioner under Minnesota  
2 Statutes, section 169.974, subdivision 2.

3 Subp. 13. **Good cause to believe.** "Good cause to believe"  
4 means grounds put forth in good faith that are not arbitrary,  
5 irrational, unreasonable, or irrelevant and that are based on at  
6 least one of the following sources:

7 A. written information from an identified person;

8 B. facts supplied by the program, instructor, or  
9 applicant;

10 C. driver's license or accident records;

11 D. court or police records; or

12 E. facts of which the commissioner or the  
13 commissioner's employees or agents have personal knowledge.

14 Subp. 14. **Hazardous material.** "Hazardous material" has  
15 the meaning given it in Minnesota Statutes, section 221.011,  
16 subdivision 29.

17 Subp. 15. **Hazardous substance.** "Hazardous substance" has  
18 the meaning given it in Minnesota Statutes, section 221.011,  
19 subdivision 30.

20 Subp. 16. **Hazardous waste.** "Hazardous waste" has the  
21 meaning given it in Minnesota Statutes, section 221.011,  
22 subdivision 31.

23 Subp. 17. **Instruction.** "Instruction" means lecture,  
24 tutoring, practice driving, lessons, or other teaching method  
25 given to teach the proper operation of a motor vehicle. One  
26 hour of instruction time means 60 minutes of actual instruction.  
27 Breaks and time between instruction are not counted as  
28 instruction time.

29 Subp. 18. **Instructor.** "Instructor" means a person,  
30 whether acting as an operator of a driver training program or as  
31 an employee of the program, who teaches or supervises persons  
32 learning to drive motor vehicles or preparing to take an  
33 examination for a driver's license, and a person who supervises  
34 the work of another instructor.

35 Subp. 19. **Laboratory instruction.** "Laboratory instruction"  
36 means behind-the-wheel instruction for class A, class B, and

1 class C vehicles and astride-the-motorcycle instruction for  
2 motorcycles.

3 Subp. 20. **Log book offense.** "Log book offense" means a  
4 violation of Federal Motor Carrier Safety Regulations, Code of  
5 Federal Regulations, title 49, section 395.8.

6 Subp. 21. **Motorcycle.** "Motorcycle" has the meaning given  
7 it in Minnesota Statutes, section 171.01, subdivision 17.

8 Subp. 22. **Parking or motor vehicle equipment offense.**  
9 "Parking or motor vehicle equipment offense" means a violation  
10 of Minnesota Statutes, section 169.34, 169.346, 169.35, 169.36,  
11 or 169.47, or an ordinance in conformity with these sections.

12 Subp. 23. **Semitrailer.** "Semitrailer" has the meaning  
13 given it in Minnesota Statutes, section 169.01, subdivision 11.

14 Subp. 24. **Traffic violation.** "Traffic violation" means a  
15 violation of:

16 A. a traffic law or ordinance involving the operation  
17 of a motor vehicle that is not a parking or motor vehicle  
18 equipment offense, a log book offense, or an offense involving  
19 the nonpayment of a fine;

20 B. Minnesota Statutes, section 169.09, or a  
21 comparable law of another state; or

22 C. Minnesota Statutes, section 65B.48, or a  
23 comparable law of another state.

24 Subp. 25. **Truck-tractor.** "Truck-tractor" has the meaning  
25 given it in Minnesota Statutes, section 169.01, subdivision 7.

26 Subp. 26. **Vehicle.** "Vehicle" has the meaning given it in  
27 Minnesota Statutes, section 171.01, subdivision 2.

28 7411.0200 PURPOSE.

29 The purpose of parts 7411.0100 to 7411.0900 is to carry out  
30 the mandate of the legislature in Minnesota Statutes, sections  
31 169.974, subdivision 2; 171.04; and 171.33 to 171.41, for  
32 regulating and licensing driver training programs and  
33 instructors.

34 7411.0300 SCOPE.

35 The scope of parts 7411.0100 to 7411.0900 is intended to be

1 confined within the framework of and consistent with Minnesota  
2 Statutes, sections 169.974, subdivision 2; 171.04; and 171.33 to  
3 171.41.

4 7411.0400 VEHICLE REQUIREMENTS.

5 Subpart 1. **Safety standards.** A vehicle used for driver  
6 training instruction must comply with the federal and state  
7 motor vehicle safety standards for the model year of the  
8 vehicle. A vehicle must also be maintained in a safe operating  
9 condition. The vehicle age limits in subpart 3 do not relieve a  
10 program of its responsibility to ensure that a vehicle used by  
11 the program is maintained in a safe operating condition. An  
12 instructor shall report in writing to the program a mechanical  
13 problem affecting the safe operation of a vehicle. The program  
14 shall correct the problem before again using the vehicle for  
15 driver training instruction. If a vehicle used for driver  
16 training instruction is not maintained in a safe operating  
17 condition, the commissioner shall prohibit the program from  
18 using the vehicle for instruction until the unsafe condition has  
19 been corrected. The commissioner shall also suspend or revoke  
20 the license or certificate of the program or instructor, or  
21 both, if the commissioner determines that the unsafe condition  
22 could foreseeably be the cause of serious personal injury or  
23 property damage and that the program or instructor had notice,  
24 or should have had notice through the ordinary discharge of  
25 duties, of the unsafe condition of the vehicle.

26 Subp. 1a. **Equipment required.** A class A, class B, or  
27 class C vehicle used for driver training instruction must have  
28 an outside rearview mirror on each side of the vehicle and seat  
29 belts for each occupant of the vehicle as required by law. In  
30 addition:

31 A. a class C vehicle must have dual control brakes  
32 and, when applicable, a dual control clutch pedal; and

33 B. a class A vehicle must have a parabolic mirror not  
34 less than five inches in diameter on each side of the vehicle,  
35 tandem drive axles for truck-tractors, and tandem axles for

1 semitrailers.

2       Subp. 2. **Vehicle age; exemption.** Except as otherwise  
3 provided in this subpart, a class C vehicle and a motorcycle  
4 used for driver training purposes may not be used for more than  
5 six years from the date it was first put into service and a  
6 class A or class B vehicle used for driver training purposes may  
7 not be used for more than ten years from the date it was first  
8 put into service. "The date first put into service" means the  
9 date the vehicle was first driven more than the limited driving  
10 necessary to move or road test the vehicle before delivery to a  
11 customer. If a vehicle is used by a dealer as a demonstration  
12 model, "the date first put into service" means the date the  
13 vehicle was first driven by a potential customer. If records  
14 are not available to show this date, then "the date first put  
15 into service" means the date of the beginning of the model year  
16 of the vehicle.

17       The following exceptions apply:

18           A. A class A or class B vehicle may be used for more  
19 than ten years from the date it was first put into service, only  
20 if:

21                   (1) the vehicle is used only on the program's  
22 driving range;

23                   (2) the vehicle has been inspected during the  
24 previous 12 months by a mechanic for an authorized diesel truck  
25 dealer;

26                   (3) all repairs and replacements of parts  
27 indicated by the inspection have been made; and

28                   (4) records are available to show inspections,  
29 repairs, and replacements of parts.

30       B. Semitrailers are exempt from the age limitation.

31       C. A motorcycle may be used for more than six years  
32 but not more than eight years from the date it was first put  
33 into service only if:

34                   (1) tires, tubes, and control cables are no more  
35 than three years old;

36                   (2) the fuel line, spark plugs, front and rear

1 brake pads and shoes, hydraulic brake hoses, wheel bearings,  
2 drive chain, battery, fork oil, and brake and clutch cables have  
3 been inspected during the previous 12 months and each part not  
4 meeting operating specifications contained in the manufacturer's  
5 factory repair manual has been replaced; and

6 (3) records are available to show inspections and  
7 replacements of parts.

8 Subp. 3. **Vehicle list.** A list of vehicles used for driver  
9 training must be maintained and filed with the commissioner.  
10 The program shall keep the vehicle list current by submitting  
11 additions, deletions, or revisions to the commissioner within  
12 ten days from the date the changes occur.

13 Subp. 4. **Marking.** While being used for laboratory  
14 instruction, class A, class B, and class C vehicles must have  
15 signs conspicuously displayed on front and rear, with background  
16 and letters of contrasting colors stating "Student Driver." On  
17 vehicles used for class C driver training, the lettering must be  
18 at least two but not more than five inches in height. On  
19 vehicles used for class A and class B driver training, the  
20 lettering must be at least ten inches in height. No other signs  
21 or advertising may be displayed without the approval of the  
22 commissioner.

23 Subp. 5. **Inspections.** When the commissioner has good  
24 cause to believe a vehicle used for driver training purposes  
25 does not meet the requirements of parts 7411.0100 to 7411.0900,  
26 the commissioner shall inspect or shall require the inspection  
27 of the vehicle.

28 Subp. 6. **Commercial use.** A vehicle may be used for  
29 commercial purposes during the training program only if each of  
30 the following conditions is met:

31 A. The commercial purpose occurs during observation  
32 hours and amounts to at most 50 percent of the total observation  
33 hours.

34 B. All use for commercial purposes takes place during  
35 the last 50 percent of the total training program.

36 C. Hazardous materials, hazardous substances, and

1 hazardous waste are not transported.

2           D. An instructor accompanies the student in the  
3 vehicle while it is being used for commercial purposes.

4           E. The student is covered by the program's insurance  
5 as set out in part 7411.0700, subpart 1, item A.

6           **Subp. 7. Vehicle supplied by instructor or student.** If  
7 the instructor or the student supplies the vehicle to be used  
8 for driver training, the program must verify that the vehicle  
9 meets the safety, age, equipment, and insurance requirements  
10 before the vehicle may be used for driver training. If the  
11 student is already in possession of a license to operate the  
12 vehicle, the vehicle is exempt from the age, dual control  
13 brakes, and dual control clutch pedal requirements.

14 7411.0510 STUDENT AND COURSE REQUIREMENTS; CLASS A, B, AND C  
15 VEHICLES.

16           **Subpart 1. Scope.** This part applies to driver training in  
17 class A, class B, and class C vehicles and does not apply to  
18 driver training on motorcycles.

19           **Subp. 2. Required age and qualifications of students.** A  
20 driver training program may not offer class A driver training to  
21 a student who is not at least 18 years old and in possession of  
22 at least a class C license.

23           A program may not offer class B driver training to a  
24 student who is not at least 16 years old and in possession of at  
25 least a class C license.

26           **Subp. 3. Classroom curriculum.** A written classroom  
27 curriculum guide must be available to and used by an instructor  
28 conducting classroom instruction. The program shall submit the  
29 curriculum to the commissioner for approval. The commissioner  
30 shall approve the curriculum if it meets the requirements of  
31 this subpart. The program may not use the curriculum until the  
32 curriculum has been approved. The curriculum must present the  
33 student with the opportunity to:

34           A. analyze and assess several decision-making models  
35 and factors influencing highway-user decisions;



1 B. analyze and simulate making decisions about the  
2 effect of alcohol and other drugs on behavior and driving  
3 performance;

4 C. analyze and practice making decisions about using  
5 occupant restraints;

6 D. identify and analyze a variety of driving  
7 decisions about highway users and roadway characteristics;

8 E. analyze and practice making decisions about a  
9 vehicle's speed under different driving conditions;

10 F. know the content and purpose of motor vehicle and  
11 traffic laws and rules for safe driving performance;

12 G. identify, analyze, and describe proper procedures  
13 for a variety of driving situations;

14 H. gather information and practice making decisions  
15 about automobile ownership and maintenance;

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

18 J. explore alternative ways to become better drivers  
19 and to improve the highway transportation system.

20 Subp. 4. **Classroom schedule requirements.** A program may  
21 offer no more than three hours of classroom instruction per day  
22 to a student who has not yet obtained a driver's license.

23 A program shall provide a driver training student who is  
24 less than 18 years old with a minimum of 30 hours of approved  
25 classroom instruction.

26 Subp. 5. **Classroom instruction materials.** Written tests  
27 or materials used by a program must not substantially duplicate  
28 any part of a Minnesota driver's examination.

29 Subp. 6. **Concurrent classroom and laboratory instruction.**  
30 When a program conducts classroom and laboratory phases of  
31 instruction concurrently for those wishing to obtain a class C  
32 license, the program may not provide laboratory instruction to a  
33 student until the student has completed at least five hours of  
34 classroom instruction. An authorized school operator or  
35 instructor may then complete a certificate of enrollment  
36 indicating when laboratory instruction will begin. The

1 certificate must specify that the classroom instruction is being  
2 conducted concurrently with the laboratory instruction. The  
3 department accepts this certificate from the student at driver  
4 examination stations when the student is applying for an  
5 instruction permit. The program may not provide laboratory  
6 instruction to a student who has not obtained the instruction  
7 permit.

8 A program offering class A and class B driver training must  
9 have a concurrent course consisting of at least 40 hours of  
10 classroom instruction, 60 hours of laboratory instruction, and  
11 60 hours of observation time for each student.

12 Subp. 7. **Nonconcurrent classroom and laboratory**  
13 **instruction.** When a program conducts the classroom and  
14 laboratory phases of instruction during separate time periods  
15 for those wishing to obtain a class C license, the program may  
16 not provide laboratory instruction to a student until the  
17 student has **successfully** completed the required classroom  
18 instruction phase. ~~The time period between the two phases of~~  
19 ~~instruction may not exceed six months.~~ When a student has  
20 **satisfactorily** completed the required classroom instruction  
21 phase, an authorized operator or instructor may complete a  
22 certificate of enrollment indicating when laboratory instruction  
23 will begin. The department accepts this certificate from the  
24 student at driver examination stations when the student is  
25 applying for an instruction permit. The program may not provide  
26 laboratory instruction to a student who has not obtained the  
27 instruction permit.

28 Subp. 8. **Laboratory curriculum.** A written laboratory  
29 guide must be available to and used by an instructor conducting  
30 laboratory instruction. The program shall submit the curriculum  
31 to the commissioner for approval. The commissioner shall  
32 approve the curriculum if it meets the requirements of this  
33 subpart. The program may not use the curriculum until the  
34 curriculum has been approved. The curriculum must include:

35 A. orientation to the purpose, content, and  
36 procedures for laboratory instruction;

1 B. orientation to gauges and instruments, and  
2 preparing to move the vehicle;

3 C. basic skills in speed control and tracking on  
4 forward and backward paths;

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

7 E. basic skills in parking, turning, backing, turning  
8 around, changing lanes, crossing intersections, and passing;

9 F. reduced-risk city driving, highway driving,  
10 freeway driving, and interacting with highway users;

11 G. strategies for perceiving and responding to  
12 adverse and special conditions and emergencies; and

13 H. formal evaluation, self-evaluation, and planning  
14 for future improvement.

15 Subp. 9. **Laboratory schedule requirements.** A program:

16 A. may offer no more than two hours of laboratory  
17 instruction per day to a student who has not yet obtained a  
18 driver's license;

19 B. shall provide a driver training student who is  
20 less than 18 years old with a minimum of six hours of laboratory  
21 instruction;

22 C. and instructor, except for the training offered in  
23 class A or class B vehicles, shall not give a student more than  
24 30 hours of laboratory instruction without the written  
25 authorization of the commissioner; and

26 D. may substitute simulation and range driving for  
27 laboratory instruction if the following requirements are  
28 fulfilled:

29 (1) Four hours of simulation may be substituted  
30 for one hour of laboratory instruction.

31 (2) Two hours of range instruction may be  
32 substituted for one hour of laboratory instruction.

33 (3) Total on-street time may not be less than  
34 three hours.

35 Subp. 10. **Laboratory instruction requirements.** The  
36 following requirements apply to laboratory instruction:

1           A. A program shall not provide laboratory instruction  
2 on the actual routes used for state driver's license road tests,  
3 except when unavoidable due to lack of alternatives.

4           B. An instructor shall ensure that each laboratory  
5 student is in possession of a valid instruction permit or  
6 driver's license from the student's home state or country,  
7 applicable to the class of vehicle in which instruction is being  
8 given.

9           C. An instructor shall ensure that seat belts are  
10 used at all times by persons in the vehicle.

11           D. A program may not provide class A driver training  
12 in a vehicle that does not require an unrestricted class A  
13 license for its operation.

14           E. A program may not provide class B driver training  
15 in a vehicle that does not require a class B license for its  
16 operation.

17           F. A program offering class A or class B training  
18 shall provide a paved driving range of at least 90,000 square  
19 feet. If more than two class A vehicles are to be used on the  
20 driving range at the same time, an additional 45,000 square feet  
21 of driving range must be provided for each added motor vehicle,  
22 but the surface of the additional area need not be paved.

23           Subp. 11. **Outside practice.** A program or instructor shall  
24 encourage students to practice outside the school instruction  
25 course when permissible by law and considered appropriate by the  
26 instructor.

27           Subp. 12. **Additional training for license holders.** A  
28 program may provide hourly training to increase the proficiency  
29 of persons already licensed to operate a vehicle.

30           Subp. 13. **Training limitations.** After a student receiving  
31 class A or class B driver training has completed 50 percent of  
32 the required observation time, the program may offer the student  
33 up to 15 hours per day of observation time. If a student  
34 receives eight or more hours of observation time in a day, the  
35 student may not receive classroom or laboratory training that  
36 day.

1 Except as otherwise provided in this subpart; subpart 4,  
2 item A; subpart 9, item A; or in other rule or statute, a  
3 program may offer a student up to a total of eight hours of  
4 training per day.

5 7411.0550 STUDENT AND COURSE REQUIREMENTS; MOTORCYCLES.

6 Subpart 1. **Scope.** This part applies to driver training on  
7 motorcycles.

8 Subp. 2. **Classroom curriculum.** A written classroom  
9 curriculum guide must be available to and used by an instructor  
10 conducting classroom instruction. The driver training program  
11 shall submit the curriculum to the commissioner for approval.  
12 The commissioner shall approve the curriculum if it meets the  
13 requirements of this subpart. The program may not use the  
14 curriculum until the curriculum has been approved. The  
15 curriculum must present a student with the opportunity to:

16 A. become familiar with the purpose, content, and  
17 procedures for classroom instruction;

18 B. learn the location and operation of motorcycle  
19 controls and indicators;

20 C. identify, analyze, and practice making decisions  
21 about proper protective gear;

22 D. identify and become familiar with the procedures  
23 for starting, riding, and stopping a motorcycle;

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

26 F. identify basic riding strategies and prepare to  
27 ride safely in traffic;

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

30 H. learn procedures for passing, group riding, and  
31 night riding;

32 I. prepare for handling unusual or emergency  
33 situations;

34 J. gather information and practice making decisions  
35 about selecting, insuring, and maintaining a motorcycle;

1 K. understand how alcohol and other drugs affect a  
2 motorcyclist's ability to ride safely; and

3 L. have the student's knowledge evaluated in the  
4 classroom.

5 Subp. 3. **Classroom schedule requirements.** A program shall  
6 provide a driver training student who is less than 18 years old  
7 with a minimum of seven hours of approved classroom instruction.

8 Subp. 4. **Classroom instruction materials.** Written tests  
9 or materials used by a program must not substantially duplicate  
10 any part of the state permit, license, or endorsement  
11 examinations.

12 Subp. 5. **Laboratory curriculum.** A written laboratory  
13 curriculum guide must be available to and used by an instructor  
14 conducting laboratory instruction. The program shall submit the  
15 curriculum to the commissioner for approval. The commissioner  
16 shall approve the curriculum if it meets the requirements of  
17 this subpart. The program may not use the curriculum until the  
18 curriculum has been approved. The curriculum must include:

19 A. orientation to the purpose, content, and  
20 procedures for laboratory instruction;

21 B. mounting, dismounting, starting, stopping, and  
22 walking the motorcycle; understanding the clutch friction zone;  
23 and riding in a straight line;

24 C. riding in circles, weaving, making sharp turns,  
25 and straight-line shifting;

26 D. braking, turning, adjusting speed, shifting, and  
27 accelerating in a turn;

28 E. scanning techniques for recognizing, and  
29 responding to ~~and surmounting~~ obstacles;

30 F. rear wheel skids and quick stops;

31 G. changing lanes and stopping on a curve;

32 H. ~~counterbalancing and decreasing radius turns~~  
33 selecting a safe speed in cornering maneuvers;

34 I. countersteering and changing lanes quickly; and

35 J. formal skills evaluation.

36 Subp. 6. **Laboratory schedule requirements.** A program

1 shall provide a driver training student who is less than 18  
2 years old with at least eight hours of approved laboratory  
3 instruction.

4 A program may use machines that simulate motorcycle driving  
5 but may not substitute simulator training for the required eight  
6 hours of laboratory training.

7 Subp. 7. **Laboratory instruction requirements.** The  
8 following requirements apply to motorcycle laboratory  
9 instruction:

10 A. The student-instructor ratio may not exceed three  
11 students per instructor for on-street instruction and eight  
12 students per instructor for driving range instruction.

13 B. A program that includes laboratory instruction  
14 shall conduct that instruction on a planned practice driving  
15 route. The planned practice driving route must not include  
16 routes used for state driver's license road tests, except when  
17 unavoidable due to lack of alternatives.

18 C. Before giving laboratory instruction on a public  
19 street or highway, the instructor shall ensure that a student is  
20 in immediate possession of a valid standard Minnesota driver's  
21 license and a valid two-wheeled vehicle instruction permit.

22 D. Before giving laboratory instruction on a driving  
23 range that does not include a public street or highway, an  
24 instructor shall ensure that a student is in immediate  
25 possession of a valid standard Minnesota driver's license or a  
26 valid motor vehicle instruction permit.

27 E. The instructor shall ensure that the student,  
28 during laboratory instruction, wears a helmet, eye protective  
29 device, and protective clothing, including gloves, a jacket or  
30 long-sleeved shirt, long pants, and shoes or boots that cover  
31 the feet and ankles.

32 F. A driving range used for laboratory instruction  
33 must be at least 160 feet long and 60 feet wide. No more than  
34 eight students may receive instruction at one time on a range of  
35 this size. Up to 12 students may receive instruction at one  
36 time if the dimensions of the driving range are at least 220

1 feet by 120 feet. There must be at least 20 feet of level  
2 runout space around the outside of the range and between an  
3 intended path of travel and the nearest obstacle. The driving  
4 range area must be paved. The commissioner shall waive the  
5 requirements for the minimum dimensions of the driving range if  
6 a suitable paved area is not available and if the program  
7 demonstrates that the required laboratory curriculum objectives  
8 can be met on the proposed driving range without compromising  
9 the safety of the students. The program shall obtain the waiver  
10 before instruction begins.

11           G. A student wishing to take the motorcycle training  
12 course shall enroll for both the classroom and laboratory  
13 portions of the course.

14           **Subp. 8. Concurrent classroom and laboratory instruction.**  
15 When a program offers both phases of the course during the same  
16 time period, at least two hours of classroom instruction must be  
17 completed before beginning laboratory instruction. The  
18 laboratory instruction must be dispersed throughout the  
19 classroom instruction.

20           **Subp. 9. Consecutive classroom and laboratory**  
21 **instruction.** When a program conducts the two phases of the  
22 training course in two separate time periods, a student shall  
23 successfully complete the classroom phase before beginning the  
24 laboratory phase. The two phases of the program must not be  
25 separated by more than one month.

26           **Subp. 10. Outside practice.** A program or instructor shall  
27 encourage students to practice outside the school instruction  
28 course when permissible by law.

29           **Subp. 11. Additional training.** A program may provide  
30 hourly training to a person older than 18 years of age to  
31 increase the proficiency of a person who has already obtained a  
32 motorcycle endorsement or to prepare the person to take the test  
33 to obtain a motorcycle endorsement.

34           **Subp. 12. Training limitations.** A program may offer a  
35 student no more than a total of eight hours of motorcycle  
36 training per day.



1 7411.0610 INSTRUCTOR REQUIREMENTS.

2 Subpart 1. License required. Each instructor for a  
3 commercial driver training school and each instructor of a  
4 two-wheeled vehicle safety course shall obtain an instructor's  
5 license under part 7411.0800. Each instructor for a certified  
6 driver training program shall fulfill the licensure requirements  
7 of parts 8700.4901 and 8700.4902.

8 Subp. 2. General. A program instructor must:

- 9 A. be at least 21 years old;  
10 B. have been a licensed driver for three years;  
11 C. have a valid driver's license; and  
12 D. have a high school diploma or the equivalent.

13 Subp. 3. Certified copy of driving record.

14 A. An applicant for a new instructor's license shall  
15 submit a certified copy of the applicant's driving record to the  
16 program.

17 B. A new instructor at a certified program shall  
18 submit a certified copy of the instructor's driving record to  
19 the program.

20 C. An instructor who does not have a Minnesota  
21 driver's license shall submit a certified copy of the  
22 instructor's driving record to the commissioner at the time of  
23 becoming an instructor and annually after that time. For a  
24 licensed instructor, the annual certified copy must be submitted  
25 with the instructor's license renewal application. For an  
26 instructor at a certified program, the annual certified copy  
27 must be submitted with the program's annual application for  
28 renewal of its certificate.

29 D. A certified copy of a driving record submitted  
30 under this subpart must be dated not earlier than 30 days before  
31 the date the program or the commissioner receives it.

32 Subp. 4. Driving record. An instructor shall notify the  
33 commissioner if the instructor is convicted of a traffic  
34 violation or is involved in a motor vehicle accident. The  
35 commissioner shall review the driving records of each applicant

1 for an instructor's license and of each new instructor at a  
2 certified program. The commissioner shall also annually review  
3 the driving record of each instructor. A person is ineligible  
4 to be an instructor if:

5           A. the person's driver's license has been revoked or  
6 suspended for a traffic violation within the preceding three  
7 years;

8           B. the person has been convicted of three or more  
9 traffic violations within a one-year period and one year has not  
10 elapsed since the last conviction; or

11           C. the person has been convicted of four or more  
12 traffic violations within a three-year period and one year has  
13 not elapsed since the last conviction.

14       Subp. 5. **Health.** An applicant for a new instructor's  
15 license or a new instructor at a certified program shall submit  
16 to the department a statement signed by a physician licensed to  
17 practice medicine. This statement must be submitted with the  
18 application for an instructor's license or with the program's  
19 annual application for renewal of its certificate. An  
20 instructor shall submit a statement to the department at least  
21 once every three years, signed by a physician licensed to  
22 practice medicine. When the commissioner has good cause to  
23 believe that an instructor has a physical or mental disability  
24 that will interfere with the safe operation of a motor vehicle,  
25 the commissioner shall require a physician's statement as often  
26 as necessary for the commissioner to monitor the instructor's  
27 condition. The physician's statement must be submitted no later  
28 than 30 days after the examination on which the statement is  
29 based. The physician's statement must certify that the  
30 applicant or instructor:

31           A. has no communicable diseases of the kinds  
32 described by the Minnesota Department of Health in parts  
33 4605.7030 to 4605.7300;

34           B. is able to speak and hear well enough to conduct a  
35 normal verbal conversation with another at a distance of five  
36 feet, with or without a hearing aid; and

1 C. has no physical or mental disability that will  
2 interfere with driver training instruction or the safe operation  
3 of a motor vehicle.

4 Subp. 6. **Vision.** An applicant or instructor with worse  
5 than 20/40 corrected visual acuity in the best eye is not  
6 qualified to be a program laboratory instructor.

7 Subp. 7. **Criminal history.** Each applicant for a new  
8 instructor's license and each new instructor at a certified  
9 program shall furnish the commissioner with one photograph and  
10 authorize an investigation to determine if the applicant or  
11 instructor has a criminal record. The photograph and  
12 authorization must be submitted with the application for an  
13 instructor's license or with the program's annual application  
14 for renewal of its certificate. If a person has been convicted  
15 of a gross misdemeanor or felony, then that person is ineligible  
16 to be an instructor unless:

17 A. the commissioner determines under Minnesota  
18 Statutes, section 364.03, subdivision 2, that the crime does not  
19 directly relate to the position of instructor; or

20 B. the person has shown competent evidence of  
21 sufficient rehabilitation and present fitness to perform the  
22 duties of an instructor under Minnesota Statutes, section  
23 364.03, subdivision 3.

24 Subp. 8. **Training for truck, bus, and automobile**  
25 **instructors.** The training requirements for an instructor who  
26 teaches a class A, class B, or class C vehicle driver training  
27 course are contained in this subpart. A licensed instructor  
28 must have satisfactorily completed a 40-hour course of driver  
29 and traffic safety education approved or supervised by the  
30 department or have satisfactorily fulfilled the licensure  
31 requirements of parts 8700.4901 and 8700.4902. An instructor  
32 for a certified program must have satisfactorily fulfilled the  
33 licensure requirements of parts 8700.4901 and 8700.4902. The  
34 department shall require instructors to complete driver and  
35 traffic safety education periodically when these courses are  
36 approved or supervised by the department. A simulator

1 instructor shall complete a course in simulation approved by the  
2 commissioner.

3 Subp. 9. Tests for truck, bus, and automobile instructors.

4 The test requirements for an instructor who teaches a class A,  
5 class B, or class C vehicle driver training course are contained  
6 in this subpart.

7 A. To be eligible for an instructor's license, an  
8 applicant must pass a written test and a road test. The tests  
9 must cover motor vehicle operation, traffic laws, road signs,  
10 rules, and other material pertaining to and affecting the  
11 driver, traffic, motor vehicle, and methods of teaching.

12 B. The written test must be developed or approved by  
13 the commissioner and must be administered by the commissioner.

14 C. The road test must be developed and administered  
15 by the commissioner. When an applicant fails the road test  
16 portion, the commissioner shall require the applicant to undergo  
17 a driver evaluation interview given by the department.

18 D. The portion of the tests involving methods of  
19 teaching must consist of an evaluation of the instructor's  
20 teaching methods and ability while the applicant is giving  
21 classroom and laboratory instruction.

22 E. An applicant who fails to pass any part of the  
23 test fails the entire test. An applicant who fails the test  
24 twice within six months may not retest for six months after the  
25 second test.

26 F. When the commissioner has good cause to believe  
27 that an instructor is not able to properly teach driver training  
28 courses or safely operate a motor vehicle, the commissioner  
29 shall require a licensed instructor to submit to a  
30 reexamination, consisting of all or part of the tests specified  
31 in parts 7411.0100 to 7411.0900, or to a review of the  
32 instructor's teaching methods and ability while actually  
33 instructing students.

34 G. A program shall not use any substantial part of  
35 the state instructor's license tests to train an instructor.

36 Subp. 10. Training for motorcycle instructors. The

1 training requirements for an instructor who teaches a  
2 two-wheeled vehicle safety course are contained in this  
3 subpart. An instructor must have satisfactorily completed a  
4 motorcycle instructor's course that has been approved by the  
5 commissioner. The motorcycle instructor's course must consist  
6 of a minimum of 68 hours of instruction. The course of  
7 instruction must include the following minimum requirements:

8           A. eight hours of in-classroom instruction in riding  
9 skills;

10           B. 12 hours of instruction in teaching techniques;

11           C. nine hours of participation in a classroom peer  
12 teaching situation, with each instructor-student acting as both  
13 an instructor and a student to other instructor-students in the  
14 class;

15           D. ten hours of instruction in laboratory skills;

16           E. 14 hours of participation in a laboratory peer  
17 teaching situation, with each instructor-student acting as both  
18 an instructor and a student to other instructor-students in the  
19 class; and

20           F. 15 hours of participation in a beginner's  
21 motorcycle instruction course, with each instructor-student  
22 teaching a portion of both the classroom and laboratory phases  
23 of motorcycle instruction.

24           **Subp. 11. Test for motorcycle instructors.** The test  
25 requirements for an instructor who teaches a two-wheeled vehicle  
26 safety course are contained in this subpart.

27           A. To teach two-wheeled vehicle safety courses, a  
28 person shall first pass a written test. The test must cover  
29 knowledge of motor vehicle operation, traffic laws, road signs,  
30 rules, and other material pertaining to and affecting the  
31 driver, traffic, motor vehicle, and methods of teaching.

32           B. The test must be developed or approved by the  
33 commissioner and administered by the commissioner.

34           C. An applicant who fails the test twice within six  
35 months may not retest for six months after the second test.

36           D. When the commissioner has good cause to believe

1 that an instructor is not able to properly teach driver training  
2 courses or safely operate a motor vehicle, the commissioner  
3 shall require a licensed instructor to submit to a  
4 reexamination, consisting of a road test or to a review of the  
5 instructor's teaching methods and ability while actually  
6 instructing students.

7 E. A program shall not use any substantial part of  
8 the state instructor's license test to train an instructor.

9 Subp. 12. **Other requirements for motorcycle instructors.**

10 A motorcycle instructor must have a driver's license with a  
11 motorcycle endorsement. Further, an instructor shall teach at  
12 least three two-wheeled vehicle safety courses during each  
13 three-year period.

14 Subp. 13. **Exemptions.** The department shall waive the  
15 following instructor requirements, as indicated:

16 A. The department shall waive the training  
17 requirements for an instructor contained in subpart 10 if the  
18 instructor was licensed and qualified to teach a two-wheeled  
19 vehicle safety course before the effective date of parts  
20 7411.0100 to 7411.0900 and has maintained the instructor's  
21 license continuously since that time.

22 B. The department shall waive the testing  
23 requirements for a new instructor contained in subpart 11, if  
24 the person has met the training requirements for an instructor  
25 contained in subpart 2 before the effective date of parts  
26 7411.0100 to 7411.0900 and has taught at least two two-wheeled  
27 vehicle safety courses in the two-year period immediately  
28 preceding that date.

29 7411.0700 PROGRAM REQUIREMENTS.

30 Subpart 1. **Insurance and safety.** Insurance and safety  
31 requirements are as follows:

32 A. The program shall file with the commissioner  
33 evidence of liability insurance obtained from a company  
34 authorized to do business in Minnesota in the amounts of at  
35 least \$100,000 because of bodily injury to, or death of, any one

1 person in any one accident; at least \$300,000 because of bodily  
2 injury to, or death of, two or more persons in any one accident;  
3 at least \$50,000 because of damage to, or destruction of,  
4 property of others in any one accident; at least \$20,000 for  
5 medical expenses; and at least the minimum amount of uninsured  
6 motorist coverage.

7           B. The program shall furnish evidence of coverage to  
8 the commissioner stipulating that the insurance may not be  
9 canceled or terminated, except upon ten days' prior written  
10 notice to the commissioner.

11           C. If the insurance is canceled, the program's  
12 license or certificate terminates automatically. Vehicles used  
13 in the operation of the program may not be used for program  
14 purposes unless the program obtains adequate insurance coverage  
15 and notifies the commissioner of the coverage, and the  
16 commissioner notifies the program in writing that the license or  
17 certificate has been reinstated. When vehicle insurance is  
18 provided by the instructor or lessor and it is canceled, the  
19 vehicle must immediately be removed from the program's approved  
20 list as filed with the commissioner or the program's license or  
21 certificate terminates automatically. Program licenses or  
22 certificates terminated under this item must be surrendered to  
23 the commissioner within ten days.

24           D. The commercial driver training school owner or  
25 operator shall secure and submit with the application a  
26 continuous surety company bond in the principal sum of \$10,000  
27 for the protection of the contractual rights of students,  
28 undertaken by a company authorized to do business in Minnesota.  
29 The aggregate liability of the surety for all breaches of the  
30 bond must not exceed the principal sum of \$10,000. The school  
31 shall furnish satisfactory evidence of coverage to the  
32 commissioner. The concerned surety company may cancel the bond  
33 upon giving 30 days' written notice to the commissioner. The  
34 surety company is relieved of all liability for the breach of a  
35 condition of the bond occurring after the effective date of  
36 cancellation.

1 Subp. 2. Location of program. Location requirements are  
2 as follows:

3 A. A driver training program must have a permanent  
4 location in Minnesota with adequate office facilities and  
5 equipment and available classrooms of at least 300 square feet.  
6 The program must have continuous and exclusive control of the  
7 permanent location either through ownership or a lease for a  
8 period of one year or more. The program must have a program  
9 license or certificate for its permanent location. Records  
10 required by subpart 3 must be stored in Minnesota. If the  
11 program stores records at a location other than at a licensed or  
12 certified location, the program shall notify the commissioner.

13 B. A program must have a separate program license or  
14 certificate for each additional location in which the program  
15 has exclusive use of classroom or laboratory space for a  
16 continuous period of 90 days or more.

17 C. A program may obtain classroom and laboratory  
18 facilities at temporary locations. The program shall notify the  
19 commissioner of each temporary location before using it for  
20 instruction.

21 D. Each licensed, certified, or temporary location  
22 must be in a nonresidential building. However, this requirement  
23 does not apply to a program licensed or certified before the  
24 effective date of this item. If the program is moved to a new  
25 location or enlarged through the establishment of another  
26 licensed or certified location or if the program is sold, the  
27 provisions of a new license or certificate issued must require  
28 conformance with this item.

29 E. A program may not change a licensed or certified  
30 location without previous approval of the commissioner.

31 F. Each licensed or certified location must be  
32 identified by a permanent, legible sign with the complete name  
33 of the program on it.

34 G. No licensed, certified, or temporary program  
35 location may be within 150 feet of a building where any part of  
36 a driver's license examination is administered. However, this



1 requirement does not apply to a previously licensed or certified  
2 program operating at the same location before the driver's  
3 license examination station was established.

4 Subp. 3. **Records.** The program shall maintain the  
5 following records for the current year and three preceding years:

6 A. The program shall keep an instruction record of  
7 every person enrolled, whether or not the person was given  
8 instruction or other services relating to classroom or  
9 laboratory instruction in operating a motor vehicle. The record  
10 for each person must contain the person's legal name, including  
11 first, middle, and last names, address, date of birth, contract  
12 number, date of first instruction, and type of instruction. For  
13 a student who has completed a phase of the driver training  
14 instruction, the record must also contain the completion date of  
15 the phase of the instruction and the name of the instructor.

16 B. The program shall keep a contract file containing  
17 the original and subsequent contracts or renewal agreements  
18 entered into between the program and every person receiving  
19 instruction or other services relating to operating a motor  
20 vehicle.

21 C. The program shall keep a current vehicle file  
22 listing the vehicles used by the program for driver training  
23 purposes. The vehicle file must contain the inspection and  
24 maintenance records for each vehicle listed.

25 The records described in items A to C must be maintained in  
26 a businesslike manner. Only standard abbreviations are to be  
27 used. The records are subject to inspection by the commissioner  
28 during reasonable business hours. The loss, mutilation, or  
29 destruction of records required to be maintained by the program  
30 must be reported immediately to the commissioner by affidavit,  
31 stating the date the records were lost, destroyed, or mutilated;  
32 the circumstances involving the loss, destruction, or  
33 mutilation; the names of the law enforcement officer or fire  
34 department official to whom the loss was reported; and the date  
35 of the report.

36 Subp. 4. **Advertising.** A driver training program shall not:

- 1           A. publish, advertise, or intimate that a driver's  
2 license is guaranteed or assured;
- 3           B. advertise free instruction;
- 4           C. duplicate or reproduce in whole or in part, for  
5 use in advertising, forms used by the state;
- 6           D. use the word "state" in a sign or other medium of  
7 advertising, except as permitted in this subpart;
- 8           E. advertise or intimate that an instructor's license  
9 or program's license or certificate encompasses licensing by the  
10 Minnesota Department of Education;
- 11           F. advertise the address of a location other than a  
12 licensed or certified location or a temporary location of which  
13 the commissioner has been notified;
- 14           G. advertise the address of a temporary location  
15 without identifying it as a temporary location and without also  
16 indicating the address of the program's permanent location; or
- 17           H. distribute advertising material within 150 feet of  
18 a driver's license examination station, except as permitted in  
19 this part.

20           Program instructors may appear at driver test locations  
21 operated by the state with students who are scheduled for an  
22 examination, in program vehicles on which appear signs or  
23 identification that may be required or that are authorized under  
24 parts 7411.0100 to 7411.0900.

25           A licensed program may use in its advertising or on forms,  
26 contracts, and other materials, the phrase "This program is  
27 licensed by the state of Minnesota."

28           A certified program may use in its advertising or on forms,  
29 contracts, and other materials, the phrase "This program is  
30 certified by the state of Minnesota."

31           **Subp. 5. Agreements and contracts.** Contractual  
32 requirements are as follows:

33           A. A contract between a program and a student must be  
34 on a form approved by the commissioner.

35           B. A commercial driver training school shall not give  
36 a person instruction or other service relating to instruction in

1 motor vehicle operation unless and until a written contract has  
2 been executed between the school and the student.

3 C. Each program must file and maintain with the  
4 commissioner a list of those persons authorized on behalf of the  
5 program to execute contracts or renewal agreements, certificates  
6 of enrollment, and certificates of completion. A complete  
7 signature record form must be filed with the commissioner for  
8 each person authorized to sign these documents for the program.

9 D. No program shall represent or agree orally, in  
10 writing, or as part of an inducement to sign a contract or  
11 enroll for instruction, to give instruction until a driver's  
12 license or license endorsement is obtained or to offer premiums  
13 or provide discounts if a driver's license is not obtained.

14 E. A contract must be limited to a maximum of ten  
15 hours of laboratory instruction, except for class A or class B  
16 driver training courses provided in item F. A contract may be  
17 renewable only by mutual agreement in writing in a manner and  
18 form approved by the commissioner. At the expiration of the  
19 original contract and each subsequent contract or renewal  
20 agreement for laboratory instruction, the instructor shall  
21 evaluate with the student the progress made and determine how  
22 much further training, if any, is necessary.

23 F. A contract for a review course in a class A or  
24 class B vehicle must be limited to 20 hours of laboratory  
25 instruction. Contracts for complete training courses in class A  
26 or class B vehicles must state that at least 40 hours of  
27 classroom training, 60 hours of laboratory training, and 60  
28 hours of observation time will be provided for each student.  
29 The supervisor and the instructor shall evaluate the progress  
30 made with each student enrolled in a class A or class B training  
31 course after 40 hours of training, and shall then determine if  
32 the student can successfully complete the course. If a  
33 determination is made that the student cannot successfully  
34 complete the course, the program shall notify the commissioner  
35 in writing and may continue training that student only if  
36 authorized to do so in writing.

1 G. Contracts must not contain the term "No Refund."

2 Subp. 6. **Conduct with department employees.** An owner,  
3 operator, partner, officer, authorized representative, or  
4 employee of a program shall not influence, or attempt to  
5 influence, a decision of an employee of the department to issue  
6 a license or endorsement to a student of the program, or other  
7 person; nor imply to a student or other person that the program  
8 or the instructor can influence driver's license examiners or  
9 other employees of the department.

10 Subp. 7. **Use of driver training vehicle for test.** An  
11 instructor shall accompany an applicant appearing for the state  
12 driver's license road test when a driver training vehicle is to  
13 be used. The instructor must be employed by the program that  
14 owns or leases the vehicle.

15 Subp. 8. **Authorized official; certificates.** A program  
16 shall designate an authorized official to perform the following  
17 duties:

18 A. The authorized official shall furnish the student:

19 (1) a certificate of course completion within 15  
20 calendar days after a student ~~satisfactorily~~ completes  
21 instruction, including both the required course of classroom  
22 instruction and the required course of laboratory instruction;  
23 or

24 (2) a verification statement of completion of  
25 classroom instruction within 15 calendar days after the student  
26 ~~satisfactorily~~ completes the required course of classroom  
27 instruction and notifies the program that the student intends to  
28 complete laboratory instruction with another program.

29 B. The authorized official shall notify the  
30 department's driver and vehicle services division within a  
31 reasonable period of time of when a student who is 15 years of  
32 age fails to continue or ~~successfully~~ complete the required  
33 automobile driver training course, including laboratory  
34 instruction.

35 C. The authorized official shall issue:

36 (1) a certificate of enrollment within 15

1 calendar days after a student ~~satisfactorily~~ completes the  
2 classroom phase of the required motorcycle safety course and  
3 enrolls in the laboratory phase of the course, on a form  
4 provided by the department that must be presented to a driver's  
5 license examiner at the time of application for a motorcycle  
6 instruction permit or endorsement; or

7                   (2) a certificate of course completion within 15  
8 calendar days after a student ~~satisfactorily~~ completes both  
9 phases of the required motorcycle safety course, on a form  
10 provided by the department that must be presented to a driver's  
11 license examiner at the time of application for a motorcycle  
12 instruction permit or endorsement and that may be presented by  
13 the student, one time only, for renewing the motorcycle  
14 instruction permit.

15                   D. Parts 7411.0100 to 7411.0800 do not require a  
16 program to issue a certificate to a student who has not paid the  
17 agreed-upon fees.

18           Subp. 9. **Instruction requirements.** The program shall  
19 ensure that the following instruction requirements are complied  
20 with:

21                   A. Instruction may be given only by those instructors  
22 in possession of a valid and properly endorsed driver's license  
23 and either a Minnesota instructor's license or a Minnesota  
24 teaching license applicable to the type of vehicle for which  
25 instruction is being given.

26                   B. An instructor may not instruct for a program  
27 unless the instructor's license application was signed by the  
28 owner of the program or the owner's agent or unless the  
29 instructor is listed in the program application.

30           Subp. 10. **Shall not employ unqualified instructors.** If a  
31 program has notice or should have notice that an instructor for  
32 that program does not meet the requirements to be an instructor,  
33 the program shall immediately suspend the instructor from  
34 teaching students and report the suspension to the  
35 commissioner. If the instructor does not or cannot promptly  
36 meet the requirements to be an instructor, the program shall

1 terminate the instructor's employment with the program as an  
2 instructor.

3 The commissioner shall notify a program if an instructor  
4 does not meet the requirements to be an instructor, as long as  
5 the information concerning the instructor is public data under  
6 Minnesota Statutes, section 13.03.

7 Subp. 11. **Certified programs; licensure and age**  
8 **conditions.** A certified program shall not employ a person as an  
9 instructor unless the person has satisfactorily fulfilled the  
10 licensure requirements of parts 8700.4901 and 8700.4902.

11 A certified program shall not offer a course in driver  
12 education to a student unless the student is ~~at least 15 and~~ not  
13 more than 18 years of age and the student is taking the course  
14 to qualify for a class C instruction permit or driver's  
15 license or unless the program is conducted by a college,  
16 university, or high school as part of the normal program for  
17 that institution.

18 Subp. 12. **Annual report.** A program shall submit an annual  
19 report to the department concerning the number of students who  
20 received instruction and the number of courses offered during  
21 the previous year. The report must be submitted on forms  
22 supplied by the department.

23 Subp. 13. **Situations requiring notification.** A program  
24 shall notify the commissioner if one of its instructors is  
25 convicted of a traffic violation or is involved in a motor  
26 vehicle accident.

27 A program shall notify the commissioner if one of its  
28 students, while receiving instruction, is involved in a motor  
29 vehicle accident. The program shall also inform the student of  
30 the student's obligation to submit an accident report to the  
31 commissioner and provide the student with the information  
32 concerning the motor vehicle or insurance that is required to be  
33 on the accident report.

34 A program shall notify the commissioner if one of its  
35 instructors has violated a statute or rule or committed an act  
36 that would cause the instructor to be unfit to continue working

1 as an instructor.

2 This subpart does not apply to a program unless the program  
3 has notice, or should have notice through the ordinary discharge  
4 of its duties, of the violation, motor vehicle accident, or  
5 act. Further, this subpart does not apply to a program unless  
6 the motor vehicle accident is one that must be reported to the  
7 commissioner under Minnesota Statutes, section 169.09,  
8 subdivision 7.

9 Subp. 14. **Types of instruction.** A program shall offer a  
10 driver training student under 18 years of age ~~with-complete the~~  
11 required course of classroom instruction and ~~complete the~~  
12 required course of laboratory instruction.

13 7411.0800 LICENSING AND CERTIFICATION PROVISIONS.

14 Subpart 1. **Legal requirements.** The issuance of a license  
15 or certificate is subject to the applicant's conformance with  
16 Minnesota Statutes, sections 169.974, 171.04, and 171.33 to  
17 171.41, and parts 7411.0100 to 7411.0900.

18 Subp. 2. **Program application; duplicate license or**  
19 **certificate.** Application for a new or renewal license or  
20 certificate for a driver training program must be made on forms  
21 prescribed by the commissioner. Owners, partners, corporate  
22 directors, and officers must be named, with their titles, on  
23 each program application. The application must be signed by one  
24 of the owners, partners, directors, or officers. Program  
25 applications must be accompanied by a schedule of maximum fees  
26 and charges. The schedules of fees and charges may be amended  
27 at any time by a licensee or certificate holder, when the  
28 changes in the fee schedules are filed with the commissioner at  
29 least ten days before they become effective. A program  
30 application must identify the authorized official and must  
31 contain an exemplar of the authorized official's signature. A  
32 certified program application must also identify the instructors  
33 who will be teaching students and each instructor's driver's  
34 license number. In addition, a certified program application  
35 must be accompanied by the information and documents concerning

1 the program's instructors required to be submitted to the  
2 commissioner by part 7411.0610. If the program changes location  
3 or the license or certificate is lost within the year of  
4 issuance, a duplicate license or certificate for the program may  
5 be issued by the commissioner. The fee for issuing a program's  
6 duplicate license is \$25.

7 Subp. 2a. **License or certificate not transferable.** The  
8 license or certificate of a program is not transferable. If the  
9 ownership of a program changes, the program shall apply for a  
10 new license or certificate in the same manner as required for  
11 the original.

12 Subp. 3. **Instructor application; duplicate license.**  
13 Application for a new or renewal instructor's license must be  
14 made on forms prescribed by the commissioner. The application  
15 for an instructor's license must be signed by the program  
16 licensee, when applicable, by whom the instructor is employed or  
17 to be employed. The license is valid only while the instructor  
18 is in the employment of the licensee. When the employment of an  
19 instructor is terminated with the licensee, the license of the  
20 instructor becomes invalid and must be surrendered to the  
21 commissioner within ten days. The program shall notify the  
22 commissioner in writing within five days of termination. A  
23 duplicate license must be issued by the commissioner for  
24 employment at another licensed program, if the applicant  
25 continues to be qualified. If the instructor's license is lost,  
26 mutilated, or destroyed, a duplicate must be issued by the  
27 commissioner on proof of the facts and on surrender of whatever  
28 remains of the license. The instructor shall report the date  
29 the license was lost or destroyed and the circumstances  
30 involving the loss or destruction of the license. The fee for  
31 issuing a duplicate instructor's license is \$5.

32 Subp. 4. [See Repealer.]

33 Subp. 5. **Display of license or certificate.** A license or  
34 certificate must be displayed as follows:

35 A. The license or certificate to operate a program  
36 must be displayed in a conspicuous place at each licensed or



1 certified location.

2           B. An instructor shall have the instructor's license  
3 in possession while giving laboratory instruction and produce  
4 the license at the request of a peace officer, the commissioner,  
5 or an officer authorized to enforce the laws relating to the  
6 operation of motor vehicles on public streets and highways.

7           Subp. 6. [See Repealer.]

8           Subp. 7. **Renewal.** Licenses and certificates expire one  
9 year from the date issued and may be renewed on application to  
10 the commissioner. Applications for renewal of licenses or  
11 certificates must be submitted to the commissioner at least ten  
12 days before expiration but will not be accepted more than 30  
13 days before the expiration date.

14           Subp. 8. **Suspension and revocation.** The license or  
15 certificate of a program or the license of an instructor may be  
16 revoked, suspended, or refused renewal under any of the  
17 following conditions:

18           A. The licensee or certificate holder has permitted  
19 fraud or engaged in fraudulent practices with reference to the  
20 license or certificate application, in the operation of the  
21 program, or the conduct of employment.

22           B. The program or instructor has induced or  
23 countenanced fraud or fraudulent practices on the part of an  
24 applicant for a driver's license or instruction permit.

25           C. A certificate of enrollment or completion has been  
26 signed by the authorized official of the program and the  
27 official knew, or should have known after reasonable  
28 investigation, that information on the certificate was false.

29           D. There is evidence that intoxicating beverages have  
30 been present or consumed on the program premises or in its  
31 training vehicles.

32           E. The instructor, the program, or both have failed  
33 to keep or have been late for appointments repeatedly or without  
34 good reason.

35           F. The program, the instructor, or both have delayed  
36 the start or completion of training without good reason.

1 G. The program or instructor has conducted business  
2 in a way that substantially departs from commonly accepted  
3 practices as used by other driver training programs and  
4 instructors.

5 H. The program or instructor has encouraged a student  
6 to continue indefinite instructions beyond the point the student  
7 is capable of passing a driver's license or motorcycle  
8 endorsement examination or it can easily be determined that the  
9 student, for one reason or another, could never pass an  
10 examination. A question about the competency of the student or  
11 the number of hours of instruction must be referred in writing  
12 to the commissioner for clarification.

13 I. The program or instructor has failed to comply  
14 with the requirements for programs or instructors in parts  
15 7411.0100 to 7411.0900 and Minnesota Statutes, chapters 169 and  
16 171.

17 Subp. 8a. **Administrative review.** When the commissioner  
18 notifies a program or instructor of a revocation, suspension, or  
19 refusal to renew, the program or instructor may proceed under  
20 item A or B. A revocation, suspension, or refusal to renew is  
21 not effective until the time for requesting a review or hearing  
22 under items A and B has lapsed or, if a review or hearing is  
23 requested under items A and B, until completion of these  
24 proceedings.

25 A. The program or instructor may ask the commissioner  
26 to review the revocation, suspension, or refusal. The program  
27 or instructor may request a review by submitting a statement,  
28 together with written materials supporting the position of the  
29 program or instructor. In addition to submitting written  
30 materials, the program or instructor may request to appear  
31 before the commissioner to show cause why the revocation,  
32 suspension, or refusal should be rescinded. The request for  
33 review must be submitted within ten days after the program or  
34 instructor receives notice of the revocation, suspension, or  
35 refusal. The commissioner or a designated agent shall perform  
36 the review and notify the program or instructor within ten days

1 whether the revocation, suspension, or refusal will be affirmed  
2 or rescinded.

3           B. The program or instructor may request a formal  
4 hearing with or without undergoing the review process in item  
5 A. The request must be in writing and must be received within  
6 30 days after the program or instructor receives notice of the  
7 revocation, suspension, or refusal, or within ten days after the  
8 party receives notice of an adverse determination under item A,  
9 whichever period is longer. When a formal hearing is requested,  
10 the commissioner shall arrange a contested case hearing before  
11 an administrative law judge under Minnesota Statutes, chapter  
12 14. After the hearing, the administrative law judge may  
13 recommend that the commissioner affirm, modify, or reverse the  
14 revocation, suspension, or refusal.

15           Subp. 9. **Fees payable to commissioner.** Fees for original,  
16 renewal, duplicate, and replacement licenses must be made  
17 payable to the commissioner of public safety.

18  
19           **REPEALER.** Minnesota Rules, parts 7411.0100, subparts 2 and  
20 3; 7411.0500; 7411.0600; 7411.0800, subparts 4 and 6; 7411.2100;  
21 7411.2200; 7411.2300; 7411.2400; 7411.2500; 7411.2600; and  
22 7411.2700, are repealed.