

**State of Connecticut  
Regulation of  
Department of Motor Vehicles  
Concerning  
Standards and Procedures for Commercial Driving Schools**

Section 1. Section 14-78-32 to 14-78-34, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

**Sec. 14-78-32. Records**

(a) Each driving school shall maintain written records, updated at least monthly, in a permanently bound book, with pages consecutively numbered, or in a computer data base or the like. The licensee shall maintain such records in a format that can immediately be printed or copied. If requested by the commissioner, the licensee shall immediately provide a copy or printing of any records required to be kept by the licensee. The records shall include each student's name, date of birth, residence address, mailing address if different, telephone number, starting date of instruction, ending date of instruction, [learner's] instruction permit number, and driver education certificate number.

(b) The following additional records shall be maintained on file at the commercial driving school:

(1) In the event that a vision screening is administered, the date of the student's vision screening required in accordance with section 14-78-43 of the Regulations of Connecticut State Agencies, the name of the person who administered the vision screening, and whether the student meets the vision standards of sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies;

(2) The types of instruction, including the date each type of instruction was given and the number of hours for each type of instruction received by the student;

(3) Registration information for each vehicle in which the student received behind-the-wheel instruction;

(4) The fees paid by the student for any classroom instruction, behind-the-wheel instruction, or safe driving practices instruction;

(5) The name or names of the instructor or instructors for each instructional or training session, or both;

(6) The date, location of test, motor vehicle used (if a vehicle owned or leased by a licensed commercial driving school is used) and results of each driving test administered by the department and taken in such vehicle owned or leased by a licensed commercial driving school;

(7) Any additional fees paid by the student; and

(8) A class attendance list, which shall include the date, time, location, names of students, and the instructor or instructors, for all driver education classes.

(c) All records required by subsections (a) and (b) shall be retained by the commercial driving school for three (3) years. Such records shall be made available to the commissioner, or other law enforcement officer, during reasonable business hours.

(d) If any records are lost, mutilated or destroyed, the licensee shall immediately notify the commissioner in writing, and, upon request, shall provide under oath a written explanation of the circumstances of the loss, mutilation or destruction. The licensee shall also make a reasonable attempt to restore such records.

**Sec. 14-78-33. Classroom instruction and full course offering for students**

(a) No commercial driving school shall offer any classroom instruction intended to meet the driver education requirements for persons under the age of eighteen (18) years, as provided in section 14-36 of the Connecticut General Statutes, unless such school has been licensed by the commissioner to give such instruction.

(b) Each commercial driving school offering a full course of driver education shall provide such course of instruction as defined in subsection (11) of section 14-78-20 of the Regulations of Connecticut State Agencies. The commercial driving school may offer classroom instruction only, which shall consist of a minimum of thirty (30) hours of such instruction, but such course is not a full course of instruction. At any time, the commissioner may require the review and approval of any curriculum used by the licensee. An approved curriculum shall include the following:

(1) The development of driver skills which shall be presented in a simple-to-complex structure of concepts and behavioral patterns;

(2) A variety of instructional methods which shall demonstrate student centered activities for participative education to include low-risk driving values, knowledge for development of safe driving habits, and mental readiness for correct in-vehicle performance;

(3) Presentation of content in the classroom which parallels the presentation of in-vehicle content. The driving related skills and concepts presented in the classroom shall be conducted in a motor vehicle as soon after the classroom activities as possible. All concepts, and where possible, skills to be practiced in the motor vehicle, shall first be presented in the classroom; and

(4) Appropriate content for the classroom and in-vehicle sessions which shall include the following topics: the highway transportation system; analysis of crashes; roadway designs and markings; Connecticut motor vehicle laws and regulations; basic control tasks; parking maneuvers; the structure of driving tasks; restraint systems; risk management; perceptual skills development; space management; natural laws and vehicle control; winter driving techniques; handling vehicle emergencies; night driving techniques; effects of alcohol and drugs on driving, emotions and operator fitness; interacting with other vehicle types; the purpose and procedures of procurement organizations, as defined in section 19a-279a of the Connecticut General Statutes, as amended from time to time; and managing high risk locations, including intersections and curves.

(c) Each commercial driving school licensed to conduct classroom instruction in accordance with subsection (a) of this section may provide, with prior written approval of the commissioner for any student to whom a [learner's] youth instruction permit was issued on or after August 1, 2008, a safe driving practices program of the eight (8) hours which shall include and comply with the following requirements:

(1) Four (4) hours concerning the nature and effects of alcohol and drugs, as specified in subparagraph (B) of subdivision (1) of subsection (d) of section 14-36 of the Connecticut General Statutes;

(2) Two (2) hours on subjects directed to safe driving practices, which shall include the following topics: the slow down for work zones pursuant to section 14-212a of the Connecticut General Statutes; the endangerment of a highway worker pursuant to section 14-212d of the Connecticut General Statutes; the move over law pursuant to section 14-283b of the Connecticut General Statutes; and not less than fifteen minutes concerning the disregard of a signal from a law enforcement officer under subsection (b) of section 14-223 of the Connecticut General Statutes, and the penalties for violating said section;

(3) Two (2) hours of instruction concerning the statutory provisions, including penalties, applicable to drivers who are less than eighteen years of age, the dangers of teenage driving, the cognitive development of adolescents, and the responsibilities and liabilities of parents of teenage drivers; and

(4) The eight (8) hour safe driving practices program of this subsection may be included as part of the thirty (30) hour course of instruction specified in subsection (a) of this section.

(d) Each commercial driving school licensed to conduct classroom instruction in accordance with subsection (a) of this section shall provide to a parent or legal guardian of any student receiving classroom instruction pursuant to subsection (c) of this section, the opportunity to attend, without additional charge, the two hours of instruction described in subdivision (3) of subsection (c) of this section.

(e) An official of the commercial driving school providing instruction to the parent or legal guardian and the student, referred to in subsection (d) of this section, shall issue an affidavit on a form approved by the commissioner, signed under penalty of false statement, to such student attesting to the fact that the student's parent or legal guardian attended the two hours of instruction described in subsection (d) of this section. Such student shall provide such affidavit to the commissioner prior to being allowed to take the driver's test.

(f) A student enrolled in the thirty (30) hour course of instruction described in subsection (b) of this section who is a secondary school student shall receive a maximum of two (2) hours of classroom instruction per day, except that on a day when school is not scheduled, the student may receive a maximum of [two and one half (2 1/2)] four (4) hours of classroom instruction. A student eighteen years of age or older enrolled in the eight (8) hour program described in subsection (c) of this section, who is a student in a secondary school, shall receive such instruction on at least two separate days, with a maximum of four (4) hours of instruction per day.

(g) Any fee charged by the commercial driving school for the eight (8) hour safe driving practices program described in subsection (c) of this section shall not exceed [one hundred twenty-five dollars (\$125.00)] the amount prescribed in subsection (d) of section 14-36 of the Connecticut General Statutes. Any charges in excess of the approved fee shall subject the licensee to action by the commissioner under section 14-79 of the Connecticut General Statutes.

(h) Each commercial driving school shall provide the four (4) hours of instruction concerning the nature and effects of alcohol and drugs in relation to the ability to safely operate a motor vehicle in compliance with the following:

(1) Separate course materials shall be provided for the use of students and instructors, in printed or electronic media format;

(2) Such course materials shall have been prepared by a person or persons with knowledge and expertise in the field of alcohol and drug abuse;

(3) Such course materials, as presented, shall cover the blood alcohol level limits prescribed by law, the effects of operating a motor vehicle at or near such per se limits, effective methods to avoid peer pressure concerning excessive alcohol consumption and the penalties and costs associated with violations of the laws concerning driving under the influence of alcohol or drugs;

(4) Such course materials shall be subject to the approval of the commissioner, prior to the issuance of a license to the school, and may be required to be reviewed and approved prior to any renewal, in accordance with section 14-78-22 of the Regulations of Connecticut State Agencies;

(5) The department may conduct one or more training sessions, to be attended by at least one instructor from each school, concerning the presentation of the course materials, and effective teaching methods and strategies for alcohol and drug education.

(i) Each student enrolled in the classroom phase of the driver education program shall [have access to] be provided:

(1) A full-length, current driver education textbook for the purpose of the program, and special materials, which may include the use of video tapes, as approved by the commissioner of motor vehicles; and

(2) The Connecticut Driver's Manual, [issued] published by the department of motor vehicles,

which manual shall become the property of the student.

(j) Class size shall not exceed the capacity of instructional materials available and reasonable standards of safety and supervision. No classroom instruction shall be offered to a class exceeding forty (40) students.

(k) Each licensee, upon initial application and each renewal application shall provide to the commissioner an annual schedule of classroom instruction sessions including the date, time, and location of such instruction. Any change in the classroom schedule shall be forwarded in writing to the commissioner, and shall be received by the commissioner during reasonable business hours and prior to the effective date of any such change. Classroom sessions may be monitored by the commissioner at any time.

(l) The commissioner shall maintain a listing of all commercial driving schools licensed in accordance with section 14-69 of the Connecticut General Statutes, and a listing of all instructors licensed in accordance with the provisions of section 14-73 of the Connecticut General Statutes.

(m) Classroom instruction shall not be given to a person who has not reached the age of sixteen (16) years.

(n) A licensed instructor shall be physically present for all classroom instruction.

(o) A licensed instructor shall only conduct one class session at a time.

(p) A licensed instructor shall maintain a professional demeanor while providing all driver education.

(q) A student who misses any portion of the approved curriculum shall complete the portion missed.

#### **Sec. 14-78-33a. Safe driving practices course for students eighteen years of age or older**

(a) Each commercial driving school offering classroom instruction in accordance with section 14-78-33 subsection (a) of the Regulations of Connecticut State Agencies may provide, with prior written approval of the commissioner or his representative, [for any applicant for a motor vehicle operator's license eighteen (18) years of age or older, and has not previously held a Connecticut motor vehicle operator's license and who does not hold a valid motor vehicle operator's license issued by any other state, territory, possession of the United States, or any foreign country with which the commissioner has an agreement for reciprocal recognition of driver training requirements, a safe driving practices course pursuant to section 14-37b of the Connecticut General Statutes] a safe driving practices course pursuant to section 14-37b of the Connecticut General Statutes, to any student eighteen (18) years of age or older, who is eligible for an adult instruction permit in accordance with subsection (b) of section 14-36 of the Connecticut General Statutes. Such safe driving practices course shall consist of not less than eight hours of instruction and shall comply with the following requirements:

(1) Four (4) hours concerning the nature and effects of alcohol and drugs, as provided in subparagraph (B) of subdivision (1) of subsection (d) of section 14-36 of the Connecticut General [Statutes] Statutes; and

(2) Four (4) hours of subjects directed to safe driving practices, which shall include the following topics: the slow down for work zones pursuant to section 14-212a of the Connecticut General Statutes; the endangerment of a highway worker pursuant to section 14-212d of the Connecticut General Statutes; the move over law pursuant to section 14-283b of the Connecticut General Statutes; not less than fifteen minutes concerning the disregard of a signal from a law enforcement officer under subsection (b) of section 14-223 of the Connecticut General Statutes, and the penalties for violating this section; and other topics relevant to drivers eighteen (18) years of age and older. The content of such safe driving practices course shall not include material regarding the dangers of teenage driving, the cognitive development of adolescents, and the responsibilities and liabilities of

parents or teenage drivers.

(b) The commissioner may, in the interest of enhanced learning and absorption of course content, require that such eight (8) hours of instruction be conducted on at least two separate days, with a maximum of four (4) hours of instruction per day.

(c) Any fee for the eight (8) hour safe driving practices course, referred to in subsection (a) of this section, shall not exceed [one hundred twenty-five dollars (\$125.00)] the amount prescribed in subsection (d) of section 14-36 of the Connecticut General Statutes. Any charges in excess of the approved fee shall subject the licensee to action by the commissioner under section 14-79 of the Connecticut General Statutes.

#### **Sec. 14-78-34. Behind-the-wheel instruction**

(a) Behind-the-wheel instruction shall not be given to a student who has not reached the age of sixteen (16) years.

(b) [Any] A student [sixteen (16) or seventeen (17) years of age] shall not be provided behind-the-wheel instruction unless the student has obtained his or her Connecticut [learner's] instruction permit.

(c) Behind-the-wheel instruction shall be given only by a licensed commercial driving instructor.

(d) Prior to any behind-the-wheel instruction for any student [sixteen (16) or seventeen (17) years of age], a commercial driving instructor shall confirm that the student is in immediate possession of his or her [learner's] instruction permit.

(e) No student shall receive more than two (2) hours of behind-the-wheel instruction per day.

(f) The vehicle used for behind-the-wheel instruction shall be occupied by the instructor and no more than one (1) student, unless the school has obtained written authorization, from the student, to conduct behind-the-wheel instruction with no more than two (2) additional students present in the vehicle. If said student is less than eighteen (18) years of age, such authorization shall be from a parent or legal guardian of the student. In no event shall behind-the-wheel instruction be performed with more than three (3) students in the vehicle.

(g) The brakes, lights and other safety features of each motor vehicle used for behind-the-wheel instruction shall be inspected by the instructor, and any defects shall be corrected prior to any such instruction.

(h) A licensed instructor shall maintain a professional demeanor while providing all driver education.

R-39 Rev. 02/2012

**Statement of Purpose**

This regulation incorporates several changes from the 2012 and 2013 legislation sessions of the General Assembly and to conform to current agency practices and procedures as follows:

1. removes the outdated dollar amount of \$125 to be charged for the mandatory eight (8) hour safe driving practices course (currently the statute allows for \$150 to be charged) and replaces it with the governing statutory reference of section 14-36 of the Connecticut General Statutes. By doing so, any future monetary change does not, in turn, compel the agency to change the regulation;
2. adds instruction regarding the endangerment of a highway worker to be included in the eight (8) hour safe driving practices course for both 16 and 17 year olds as well as adult students;
3. aligns the regulation with current statutory language to reflect the name change for the permit issued to 16 and 17 year olds from “learner’s” permit to “youth instruction” permit and incorporates the newly established “adult instruction” permit;
4. clarifies the agency’s publication of DMV’s Driver Manual, which is now available on the agency’s website as well as by ordering printed copies through Vanguard; and
5. increases from two and one-half (2 1/2) to four (4) hours of classroom instruction for 16 and 17 year olds on days when school is not scheduled, at the request of commercial driving schools, in order to operate more efficiently.