

CHAPTER 39-25

REGULATION OF COMMERCIAL DRIVER TRAINING

39-25-01. Definitions.

1. "Commercial driver training school" or "school" means a business enterprise conducted by an individual, association, partnership, corporation, or limited liability company for the education and training of persons, either practically or theoretically, or both, to operate or drive motor vehicles, and charging a consideration or tuition for such services.
2. "Instructor" means any person, whether acting on that person's own behalf as operator of a commercial driver training school or for such a school for compensation, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.

39-25-02. Duties of superintendent - Regulations.

1. The superintendent of the state highway patrol shall adopt and prescribe such regulations concerning the administration and enforcement of this chapter as are necessary to protect the public. The superintendent shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.
2. The superintendent shall administer and enforce this chapter and shall formulate and promulgate the regulations for its administration and enforcement.

39-25-03. School - License required - Contents of application for license. No commercial driver training school may be established nor may any existing school continue to operate on or after July 1, 1969, unless such school applies for and obtains from the superintendent a license in the manner and form prescribed by the superintendent.

The application for license must include a statement of the location of the school, the equipment, courses of instruction, instructors, previous records of the school and instructors, financial statements, schedule of fees and charges, character and reputation of the operators, insurance, and such other matters as the superintendent may prescribe for the protection of the public.

39-25-04. Instructor - License required - Contents of application for license. No person may act as an instructor on or after July 1, 1969, unless such person applies for and obtains a license in the manner and form prescribed by this chapter.

The regulations must state the requirements for an instructor's license, including requirements concerning moral character, physical condition, knowledge of the courses of instruction, motor vehicle laws and safety principles, previous personal and employment records, and such other matters as the superintendent may prescribe for the protection of the public.

39-25-05. Expiration and renewal of licenses - Fees. All licenses expire on the last day of the calendar year and may be renewed upon application to the superintendent as prescribed by the superintendent's regulations. Each application for an original or renewal school license must be accompanied by a fee of twenty-five dollars, and each application for an original or renewal instructor's license must be accompanied by a fee of ten dollars. Such fees must be deposited in the state treasury in the state highway fund. No license fees may be refunded in the event any license is rejected, suspended, or revoked.

39-25-06. Refusal, suspension, or revocation of license. The superintendent may refuse to issue, or may suspend or revoke a license in any case when the superintendent finds the applicant or licensee has violated any of the provisions of this chapter or the regulations

adopted by the superintendent. A suspended or revoked license must be returned to the superintendent by the licensee.

39-25-07. Exclusions - Free instruction - Colleges, universities, and high schools.

This chapter does not apply to any person giving driver training lessons without charge, to employers maintaining driver training schools without charge for their employees only, nor to schools or classes conducted by colleges, universities, and high schools for regularly enrolled full-time or part-time students as a part of a normal program for such institutions.

39-25-08. Violations and penalties. Any person who violates section 39-25-03 or 39-25-04 is guilty of a class B misdemeanor.