

## **CHAPTER 37-13-05 DRIVER TRAINING INSTRUCTION REQUIREMENTS**

### Section

37-13-05-01	Training Curriculum
37-13-05-02	Certificate in Lieu of Skill Test
37-13-05-03	Behind-The-Wheel Instruction

### **37-13-05-01. Training curriculum.**

1. Training curriculum utilized for the internet course, classroom, and behind-the-wheel training must be approved by the director.
2. The requirement for behind-the-wheel time listed in this section is minimum in nature, and may be exceeded, as needed, to meet the specific purpose of providing training necessary to provide a certificate of course completion, as defined in North Dakota Century Code section 39-25-01.
3. The minimum requirements for a class D driving school include thirty hours of classroom and a minimum of six hours of actual behind-the-wheel instruction, not to include observation time.
  - a. Driving schools are not required to meet the thirty hour classroom requirement and may continue to offer only behind-the-wheel instruction.
  - b. Driving schools that do not meet the requirements listed within this section and do not qualify to provide a certificate of course completion are not eligible for the student skill test waiver provided in North Dakota Century Code section 39-25-02.1. These courses must issue a certificate of training, as defined in section 37-13-01-01.
3. The minimum requirements for a class A, B, or C driving school include one hundred twenty hours of a combination of classroom and actual behind-the-wheel instruction. Not to include observation time. If approved by the director, the hours of classroom and behind-the-wheel instruction for class A, B, or C may be adjusted for students who have previous commercial motor vehicle experience.

**History:** Effective April 1, 2016.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 39-25-03, 39-06-13

### **37-13-05-02. Certificate in lieu of skill test.**

1. A training program may be certified as valid for road test purposes to waive the class D road skill test. The program, whether provided by a commercial driving school or a public school, must comply with all requirements of North Dakota Century Code chapter 39-25 or the regulations prescribed herein. When a driving school course is so certified by the director, the certificate of course completion may be presented to the driver's license office as evidence of completing the ability test in lieu of an additional ability test performed by examiners for license issuance.
2. "Certificate of course completion" means a certification of completion of thirty hours of classroom training and a driving course through which the graduate has demonstrated the correct behavior of driving safely on the highway while interacting with other traffic. The certification includes successful demonstration of:
  - a. Starting and stopping the vehicle;
  - b. Proper driving posture;

- c. Proper use of vehicle controls, including use of clutch or automatic transmission;
- d. General observation skills and attention to the driving task;
- e. Controlling the vehicle;
- f. Speed control;
- g. Proper intersection speed;
- h. Intersection observance;
- i. Traffic lights, stop sign intersections, and railroad crossings;
- j. Adherence to other traffic signs;
- k. Unsigned intersections;
- l. Proper application of the right-of-way;
- m. Proper lane positioning;
- n. Safe lane changes;
- o. Multi-lane and one-way streets;
- p. Proper full stops;
- q. Proper following distance;
- r. Right turns and left turns;
- s. Proper signaling;
- t. Backing, to include parallel parking without park assist technology; and
- u. Driving in residential, business, highway, and rural areas, including gravel road surfaces.

**History:** Effective April 1, 2016.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 39-06-13, 39-25-02.1

**37-13-05-03. Behind-the-wheel instruction.**

1. Instructors must at all times, while giving behind-the-wheel instruction, carry a valid driver's license applicable to the type of vehicle for which instruction is being conducted.
2. Instruction may be provided on machines which simulate driving conditions only when the use of such machines has been specifically approved as a part of the curriculum of behind-the-wheel training by the director. Any type of simulation training shall be in addition to student completion of at least six hours of actual behind-the-wheel driving in a class D motor vehicle and in addition to at least one hundred hours behind-the-wheel in a class A, B, or C motor vehicle.
3. Instructors shall ensure that seatbelts are in use at all times while instruction is being given behind the wheel of a motor vehicle.
4. Instructors shall ascertain the student is in possession of a valid driver instruction permit or driver's license prior to giving behind-the-wheel instruction.

5. Instructors shall at all times, while giving behind-the-wheel instruction, ensure students do not violate any traffic law, rule, regulation, sign, or street marking governing the operation of a motor vehicle.
6. When the student has satisfactorily completed behind-the-wheel instruction, the authorized school operator or instructor shall furnish the student a certificate of course completion or a certificate of training, depending on the type of training provided by the school to the student.
7. Instruction may not be given on routes used for the North Dakota state driver license road test.

**History:** Effective April 1, 2016.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 39-25-02