

1 19A NCAC 03F .0602 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03F .0602 ADMINISTRATIVE FINANCIAL RESPONSIBILITY HEARINGS**

4 (a) Any person who has received notice of a driver's license suspension due to an automobile-motor vehicle accident
5 for failure to file proof of financial responsibility may request a hearing.

6 (b) Request for a hearing must-shall be made in writing to the Division within 15 days from the date shown on the
7 proposed suspension order.

8 (c) The receipt of such a request for hearing will-shall extend the original effective date of the suspension order for 30
9 days or until the hearing is held-held, whichever is later.

10 (d) The petitioner must-shall furnish the Division with a brief statement of the circumstances of the accident in which
11 his he or his-her vehicle was involved, grounds relied upon to exonerate him or her from suspension, and a certified
12 copy of any traffic court judgment related to the accident. This information must-shall be received at the Division at
13 least five days prior to the date fixed for hearing.

14 (e) Due process will be satisfied by an inquiry limited to the determination of whether there is a reasonable possibility
15 of a judgment being rendered against the petitioner should he [or she] be sued in a civil action and lose his case. The
16 burden of proof is on the petitioner to demonstrate to the hearings officer that there is no reasonable possibility that a
17 judgment would be rendered against him [or her] in a court of law.

18 (f)-(c) If the hearings-hearing officer establishes that liability insurance was in effect on the date of the accident, or
19 that the petitioner has assumed financial responsibility for the damages in the accident, the officer will-shall rescind
20 the Division's prior notice of revocation.

21
22 *History Note:* Authority G.S. 20-39; 20-279.2; 20-279.4; 20-279.5;

23 *Eff. November 1, 1991;*

24 *Amended Eff. December 1, ~~1993~~ 1993;*

25 *Readopted Eff. June 1, 2021.*
26

1 19A NCAC 03G .0208 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03G .0208 TRANSFER OF CERTIFICATION**

4 Certification as a school bus driver may be transferred from any part of this state-State to any other if all records
5 compiled by the School Bus and Traffic Safety Representative in the former district for which the driver drove shall
6 be forwarded to the School Bus and Traffic Safety Representative in the new district.~~other, under the following~~
7 ~~conditions:~~

- 8 ~~(1) All records compiled by the Driver Education Specialist [School Bus and Traffic Safety~~
9 ~~Representative] in the former district for which the driver drove shall be forwarded to the Driver~~
10 ~~Education Specialist [School Bus and Traffic Safety Representative] in the new district.~~
11 ~~(2) The driver must meet all requirements of the school system in the new district and accept~~
12 ~~[complete] any training which may be required by school officials and the Driver Education~~
13 ~~Specialist [School Bus and Traffic Safety Representative] working in that area.~~

14
15 *History Note: Authority G.S. 20-39(b); 20-218;*
16 *Eff. April 1, ~~1989~~.1989;*
17 *Readopted Eff. June 1, 2021.*

1 19A NCAC 03G .0212 is repealed through readoption as published in 35:14 NCR 1569-1572 as follows:

2
3 **19A NCAC 03G .0212 DATE OF CANCELLATION**

4
5 *History Note: Authority G.S. 20-39(b); 20-218;*

6 *Eff. April 1, 1989;*

7 *Amended Eff. December 1, ~~1993~~, 1993;*

8 *Repealed Eff. June 1, 2021.*

1 19A NCAC 03G .0301 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03G .0301 DRIVER EDUCATION PERMIT**

4 ~~(a) North Carolina G.S. 20-7(m) provides for issuance of a restricted instruction permit to persons under the age of~~
5 ~~18 enrolled in driver education.~~

6 ~~(b)~~ The student's vision and physical condition shall be checked by a representative of the Division or medical
7 personnel and the results recorded on the permit. The restricted instruction A [School Bus and Traffic Safety
8 Representative] driver education specialist shall issue this permit [must] shall be signed by a representative of the
9 Division to qualified students, when requested to do so by the school.

10
11 *History Note: Authority G.S. ~~20-1;~~ 20-7(m); 20-39; ~~20-88.1;~~*

12 *Eff. July 1, 1978;*

13 *Amended Eff. December 1, 1993; November 1, 1991; February 1, ~~1982;~~ 1982;*

14 *Readopted Eff. June 1, 2021.*

1 19A NCAC 03I .0303 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03I .0303 CLASSROOM FACILITY**

4 In order for a commercial driving school to obtain and maintain a license, the school ~~Classwork may shall conduct~~
5 ~~classwork only be conducted in a facility~~ locations approved by the Division of Motor Vehicles. The classroom
6 facility shall meet the following ~~minimum~~ requirements:

- 7 (1) ~~a minimum overall size of~~ not less than 120 square ~~feet, which feet (which~~ includes at least 70
8 square feet for the instructor and his or her equipment and ~~at least~~ 12 square feet for each student;
9 ~~student~~);
- 10 (2) lighting, heating, and ventilation systems that are in compliance with all state ~~State~~ and local laws
11 and ordinances ~~including including, but not limited to,~~ zoning, public health, safety, and
12 sanitation;
- 13 (3) seats and writing surfaces for all students; blackboards presentations visible from all seats; charts,
14 diagrams, mock ups mock ups, and pictures relating to the operation of motor vehicles, traffic
15 laws, physical forces, and correct driving procedures; a copy of the Driver's Handbook published
16 by the Division for each student; lesson materials to reflect current motor vehicle laws and a
17 ~~textbook from the approved list~~ for each student; and
- 18 (4) restroom facilities sufficient for the class size ~~size must be provided.~~

19
20 *History Note: Authority G.S. 20-322 ~~through 20-324~~;*

21 *Eff. July 2, 1979;*

22 *Amended Eff. December 1, 1993; November 1, 1991; April 1, 1989; June 1, ~~1982, 1982~~;*

23 *Readopted Eff. June 1, 2021.*

1 19A NCAC 03I .0402 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03I .0402 REGISTRATION: INSURANCE: INSPECTION**

4 ~~(a) Each vehicle used by the school shall be registered as required by G.S. 20, and bear a current inspection~~
5 ~~certificate.~~

6 ~~(b)~~ (a) Each vehicle used by the school shall be insured by a company licensed to do business in North Carolina
7 against liability in the amount of at least \$50,000 ~~fifty thousand dollars (\$50,000)~~ because of injury to or destruction
8 of property of others in any one accident, \$100,000 ~~one hundred thousand dollars (\$100,000)~~ because of bodily
9 injury to or death of one person in any one accident, and \$300,000 ~~three hundred thousand dollars (\$300,000)~~
10 because of bodily injury to or death of two or more persons in any one accident. This insurance coverage shall be
11 secured on an annual basis. In the event coverage for any vehicle used for driver instruction or training shall not be
12 renewed, the school shall give written notice to the Division at least 10 days prior to the expiration date of the
13 coverage. A certificate of insurance coverage shall be filed by the insurance underwriter with the Division.
14 Cancellation shall be accomplished upon 15 days prior written notice to the Division by the insurance underwriter.

15 ~~(c)~~ (b) Each vehicle used by a school shall be listed and inspected in the manner prescribed by Rule .0401 of this
16 Section ~~the Division of Motor Vehicle rules. In addition, each~~ Each vehicle shall be inspected and approved by a
17 representative of the Division before it is used and then annually. ~~used. Each vehicle shall be inspected and~~
18 ~~approved by a representative of the Division [at least] [annually.] annually and at any other reasonable time as~~
19 ~~indicated by the circumstances.~~

20
21 *History Note: Authority G.S. 20-321; 20-322; ~~20-323; 20-324;~~*
22 *Eff. July 2, 1979;*
23 *Amended Eff. August 1, 2000; May 1, ~~1987-1987;~~*
24 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03I .0501 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03I .0501 REQUIREMENTS**

4 (a) Each instructor of a commercial driver training school or branch shall:

- 5 (1) have at least four years or more of experience as a licensed operator of a motor vehicle;
- 6 (2) not be denied on the basis of criminal record in accordance with [G.S. 93B 8.1(b1)] if they have
7 been convicted of a felony, felony, or convicted of a misdemeanor involving moral
8 turpitude, in the 10 ten years immediately preceding the date of application;
- 9 (3) not have had a revocation or suspension of his driver's license in the five years immediately
10 preceding the date of application;
- 11 (4) have graduated from high school or hold a high school equivalency certificate;
- 12 (5) not have had convictions for moving violations totaling five or more points in the three years
13 preceding the date of application;
- 14 (6) have completed the 80-contact-hour, community-college course for driver education teachers; an
15 equivalent course approved by the Commissioner, commissioner, or an Instructor Training
16 Program conducted by an approved-licensed Commercial Driver Training School within four years
17 prior to application;
- 18 (7) successfully complete the written test administered by a School Bus and Traffic Safety
19 representative; Driver Education Specialist; (Allowed only one retest)
- 20 (8) successfully complete the Miller Road Test given by a School Bus and Traffic Safety
21 representative; Driver Education Specialist; (Allowed only one retest)
- 22 (9) be issued an instructor's learning permit, valid for a three month probationary period;
- 23 (10) submit a criminal background check from the Clerk of Court for each county of residence for the
24 past 10 years;
- 25 (11) be observed, evaluated, and recommended by a Driver Education Specialist-School Bus and
26 Traffic Safety representative within the three month probationary period; and
- 27 (12) be exempt from the 80-contact-hour basic course, Miller Road Test, and the probationary period if
28 the applicant is an accredited driver education teacher with a current certificate based on the
29 requirements of the State Board of Education Department of Public Instruction and if he or she
30 successfully completes the written Commercial Driver Education exam with a score of 80 or
31 above, and if the test is administered by a School Bus and Traffic Safety representative, Driver
32 Education Specialist. The applicant is allowed only one retest.

33 (b) An applicant will be issued an instructor's learner's permit which will be valid for three months. To be eligible
34 for an instructor's learner's permit, the applicant shall meet requirements in SubparagraphsParagraph (a)(1) through
35 (10) of this Rule and shall:

- 36 (1) submit an Instructor Application with a \$16.00sixteen dollar (\$16.00) application fee, copy of high
37 school diploma or high school equivalency certificate, and physical examination form;

- (2) ~~successfully~~ conduct two hours of classroom instruction within the three-month probationary period, while being observed and evaluated by a School Bus and Traffic Safety representative, Driver Education Specialist, if the instructor wants to be licensed as a classroom instructor;
- (3) ~~successfully~~ conduct two hours of ~~behind the wheel~~ behind the wheel instruction within the three-month probationary period, while being observed and evaluated by a School Bus and Traffic Safety representative, Driver Education Specialist, if the instructor wants to be licensed for behind the wheel instruction;
- (4) be recommended by a School Bus and Traffic Safety representative Driver Education Specialist to receive an instructor's license;
- (5) be exempt from ~~Subparagraphs Paragraph~~ (b)(2), (3), and (4) of this Rule if the applicant is an accredited driver education teacher with a current certificate based on the requirements of the State Board of Education, Department of Public Instruction.
- (c) An instructor at an approved commercial driver training school may apply for an Instructor Trainer license. The Instructor Trainer shall:
- (1) have five consecutive years as an active licensed instructor;
 - (2) submit an application for Instructor Trainer License; License with a fee of eight dollars (\$8.00);
 - (3) complete two hours of classroom observation by a School Bus and Traffic Safety representative Driver Education Specialist while training instructors, not driver education students;
 - (4) complete two hours of behind-the-wheel observation by a School Bus and Traffic Safety representative Driver Education Specialist while training instructors, not driver education students;
 - (5) ~~successfully~~ complete the written test administered by a School Bus and Traffic Safety Representative; Driver Education Specialist; (Allowed only one retest)
 - (6) ~~successfully~~ complete the Miller Road Test given by a School Bus and Traffic Safety Representative; Driver Education Specialist; (Allowed only one retest)
 - (7) be recommended by a School Bus and Traffic Safety representative; and Driver Education Specialist;
 - (8) ~~shall must requalify each school year, renew instructor trainer license every other year, in conjunction with school renewal.~~
- (d) Each application for a commercial driver training instructor shall consist of:
- (1) SBTS-612 (application for instructor license) shall be completed and signed by the applicant;
 - (2) SBTS-602 (physical exam report) shall be completed and signed by a licensed physician;
 - (3) satisfactory evidence of high school graduation or equivalency;
 - (4) evidence of completion of NCDMV 80-hour basic driver education instructor course or equivalent;
 - (5) a driver license record check for the previous three years if applicant has other than a North Carolina driver license or local background check for all counties they have resided in for the last 10 years for North Carolina residents; or

1 (6) a check or money order in the amount of \$16.00.

2

3 *History Note:* *Authority G.S. 20-33; ~~20-35~~; 20-322; 20-323; 20-324;*

4 *Eff. July 2, 1979;*

5 *Amended Eff. August 1, 2000; April 1, 1999; August 1, 1994; December 1, 1993; November 1,*

6 *1991; September 1, ~~1990~~ 1990;*

7 *Readopted Eff. June 1, 2021.*

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1 19A NCAC 03J .0201 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

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3 **19A NCAC 03J .0201 REQUIREMENTS**

4 (a) The Division shall not issue a commercial truck driver training school license to any individual, partnership, group,
5 association, or corporation unless:

- 6 (1) The individual, partnership, group, association, or corporation has at least one motor vehicle
7 registered or leased in the name of the school, which vehicle has been inspected by a representative
8 of the Division and vehicle insurance certified as required by this Subchapter for use by the school
9 for driver training purposes and driver instruction.
- 10 (2) The individual, partnership, group, association, or corporation has at least one person licensed by
11 the Division as a commercial truck driver training instructor for that school.
- 12 (3) Each manager or owner-operator of a commercial truck driver training school or branch shall:
- 13 (A) be subject to an evaluation of any existing criminal record in accordance with G.S. 93B-
14 8.1(b1); of good moral character which is defined as not having been convicted of a felony
15 or misdemeanor involving moral turpitude in the five years immediately preceding the date
16 of application;
- 17 (B) be at least 18 years of age; and
- 18 (C) not have had a revocation or suspension of his or her operator's classified or chauffeur's
19 license in the two years immediately preceding the date of application.
- 20 (4) In the case of a foreign commercial truck driver training school, recruiting in North Carolina, the
21 school submits the following items to the Division:
- 22 (A) a copy of the school's license;
- 23 (B) a course description, including topics taught and the length of the course;
- 24 (C) a list of equipment available for training;
- 25 (D) a copy of the contract complete with the fee charged; and
- 26 (E) the names of the persons who represent the school in North Carolina; provided,
27 Subparagraphs (a)(1) and (a)(4)(C) of this ~~Paragraph~~ Rule shall not apply to schools
28 offering seminar training only.

29 (b) All commercial truck driver training schools licensed and recruiting in North Carolina shall submit to the Division
30 a surety bond in the amount of \$30,000 ~~thirty thousand dollars (\$30,000)~~ for schools offering courses of instruction
31 of 160 hours or more and \$10,000 ~~ten thousand dollars (\$10,000)~~ for schools offering seminar training only.

32
33 *History Note:* Authority G.S. 20-37.13(b); 20-320; 20-321; 20-322; 20-323; 93B-8.1(b1); 20-324; 20-325; 20-
34 326; 20-327; 20-328;

35 *Eff. May 1, 1987;*

36 *Amended Eff. August 1, 2002; January 1, 1994; February 1, 1991; 1991;*

37 *Readopted Eff. June 1, 2021.*

1 19A NCAC 03J .0204 is readopted as published in NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03J .0204 DUPLICATE COPIES**

4 All applications, either original or renewal, for a commercial driver training school or branch shall be completed in
5 duplicate. The original copy of each form shall be submitted to the Enforcement Commercial Driver License (CDL)
6 Compliance Section of the Division of Motor Vehicles. ~~Vehicles at the following address: 1100 New Bern Avenue,~~
7 ~~Raleigh, North Carolina 27697-0001.~~ 1417 North Church Street, Rocky Mount, North Carolina 27804-3117. ~~27804~~
8 ~~0001.~~ A copy of each form shall be filed at the place of business.

9
10 *History Note:* *Authority G.S. ~~20-320;~~ 20-321; 20-324;*
11 *Eff. May 1, 1987;*
12 *Amended Eff. August 1, 2002; February 1, ~~1991.~~ 1991;*
13 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03J .0303 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03J .0303 CLASSROOM FACILITY**

4 The classroom facility shall meet the following minimum requirements:

- 5 (1) ~~A minimum. An~~ overall size of ~~not less than~~ 120 square ~~feet, feet (which includes including~~ at least
6 70 square feet for the instructor and his ~~or her~~ equipment and ~~at least~~ 12 square feet for each
7 ~~student, student).~~
- 8 (2) Lighting, heating, and ventilation systems that are in compliance with all ~~State state~~ and local laws
9 and ordinances ~~including including, but not limited to,~~ zoning, public health, safety, and sanitation.
- 10 (3) Seats and writing surfaces for all students; blackboards ~~or whiteboards~~ visible from all seats; charts,
11 diagrams, mock-ups, and pictures relating to the operation of motor vehicles, traffic laws, physical
12 forces, and correct driving procedures; a copy of the Driver's Handbook published by the Division
13 for each student; and other textbooks deemed necessary by the instructor.
- 14 (4) Restroom facilities ~~sufficient for the class size shall must~~ be provided.
- 15 (5) Covered shelter ~~shall must~~ be provided for students when on the field range to protect them from the
16 weather when not driving.
- 17 (6) Seminar only courses ~~shall must~~ provide seats and writing surfaces for all students and printed
18 instructional materials deemed necessary by the instructor. Seminars ~~shall may~~ be conducted at any
19 location meeting the requirements in this Rule provided prior notice is given to and approval is given
20 by the ~~Enforcement~~ Commercial Driver License (CDL) Compliance Section.

21
22 *History Note:* ~~Authority G.S. 20-320 through 20-328; 20-321; 20-322; 20-323; [20-324; 20-325; 20-326; 20-327;]~~
23 ~~20-328;~~
24 *Eff. May 1, 1987;*
25 *Amended Eff. January 1, 1994; February 1, 1991-1991;*
26 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03J .0305 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03J .0305 INSPECTIONS**

4 The Division shall make periodic ~~inspections, at least annually, inspections (at least annually)~~ of schools and branches
5 to determine compliance with statutes and rules. The inspection shall be made during ~~regular~~ business hours by
6 authorized representatives of the Division. Inspections shall include examination of all school records, contracts,
7 classroom facilities, training devices, instructional materials and instructional methods, vehicles, and any other item
8 required by law or regulation. Each owner, partner, associate, corporate officer, or employee of any commercial driver
9 training school shall cooperate with the Division's representative ~~and, upon request, and, upon demand,~~ shall exhibit
10 all records, instructional aids, equipment, and any other items which are required for the inspection. Refusal to permit
11 inspections shall be grounds for revocation of the license. Records shall be retained by the school for a period of three
12 years.

13
14 *History Note: Authority G.S. ~~20-320;~~ 20-321; 20-322; 20-323; 20-325; 20-327;*
15 *Eff. May 1, 1987;*
16 *Amended Eff. August 1, 2002; January 1, ~~1994-1994;~~*
17 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03J .0306 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

2
3 **19A NCAC 03J .0306 COURSE OF INSTRUCTION**

4 (a) The commercial truck driving course to be taken by licensed persons who are 18 years old or older shall must meet
5 the following requirements:

6 (1) Minimum hours of instruction:

- | | | |
|--------|--|----------|
| 7 (A) | classroom instruction, including testing | 50 hours |
| 8 (B) | field instruction | 50 hours |
| 9 (C) | highway behind-the-wheel training | 20 hours |
| 10 (D) | observation (highway behind-the-wheel) | 40 hours |

11 Total - 160 hours

12 The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency
13 recognized by the United States Department of Education and the conversion ratio of that accrediting agency is
14 ~~properly~~ used.

15 (2) Content of classroom and behind-the-wheel instruction:

- 16 (A) laws relating to interstate and intrastate operations;
17 (B) pre-trip inspection;
18 (C) coupling and uncoupling of combination units, if the equipment to be driven includes such
19 units;
20 (D) placing the vehicle in operation;
21 (E) use of the vehicle's controls and emergency equipment;
22 (F) operation in inner-city and interstate highway traffic and passing;
23 (G) turning the vehicle;
24 (H) braking and slowing the vehicle by means other than applying the brakes;
25 (I) backing and parking the vehicle;
26 (J) experience operating property hauling vehicles with a minimum gross vehicle weight of
27 49,000 pounds or experience operating passenger motor coach vehicles having a minimum
28 capacity of 46 persons; and
29 (K) completing driver's daily log ~~Driver's Daily Log~~ books.

30 (3) ~~Other requirements include: requirements:~~

- 31 (A) the 160 hours of instructions required by this Rule shall be completed in no less than four
32 calendar weeks;
33 (B) three hours of the 20 hours of behind-the-wheel highway training shall must be completed
34 by each student between dusk and dawn;
35 (C) one vehicle shall must be provided for each three students during highway training. Four
36 students per vehicle are permitted if the vehicle has been inspected and approved by the
37 Division. The Division shall approve the vehicle if it determines the vehicle will seat four

people. No more than four students per vehicle and no more than four vehicles per instructor shall be allowed for field training; and

- (D) a Driver's Daily Log ~~shall must~~ be kept for each student to reflect the 160 hours of instruction.

(b) ~~Credit for Prior Instruction.~~ Credit for prior instruction or training given by another agency or school may be granted. Such credit may be granted by the school to which the candidate is applying if the prior instruction or training is equivalent to the corresponding part or parts of the course required by ~~North Carolina law~~ this Rule for commercial truck driving course and if such credit is confirmed and authorized as equivalent by the Enforcement Section of the Division.

(c) In addition to the course requirements of Paragraph (a) of this Rule, schools may offer a "Refresher Course" which shall meet the following requirements:

- (1) Minimum hours of instruction shall total 80 hours as follows:

(A)	Classroom instruction, labs, and testing	25 hours
(B)	Field instruction	25 hours
(C)	Highway behind the wheel training	10 hours
(D)	Observation (highway behind-the-wheel) <u>behind the wheel</u>	20 hours

Total - 80 hours

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is ~~properly~~ properly used.

- (2) Content of Classroom and behind the wheel instruction shall be as follows:

- (A) ~~laws~~ Laws relating to interstate and intrastate operations;
- (B) ~~pre-trip~~ Pre-trip inspection;
- (C) ~~coupling~~ Coupling and uncoupling of combination units, if the equipment to be driven includes such units;
- (D) ~~placing~~ Placing the vehicle in operation;
- (E) ~~use~~ Use of the vehicle's controls and emergency equipment;
- (F) ~~operation~~ Operation in inner-city and interstate highway traffic and passing;
- (G) ~~turning~~ Turning the vehicle;
- (H) ~~braking~~ Braking and slowing the vehicle by means other than applying the brakes;
- (I) ~~backing~~ Backing and parking the vehicle;
- (J) ~~experience~~ Experience operating property hauling vehicles with a minimum gross weight of 49,000 pounds or experience operating passenger motor coach vehicles having a minimum capacity of 46 passengers; and
- (K) ~~completing~~ Completing driver's daily log Drivers Daily Log books.

- (3) Other requirements are as follows:

- (A) ~~The the~~ 80 hours of instruction required by this Rule shall be completed in no less than two

1 calendar weeks;

2 (B) ~~Two-two~~ hours of the 10 hours behind the wheel highway training shall be completed by
3 each student between dusk and dawn;

4 (C) ~~One-one~~ vehicle ~~shall must~~ be provided for each three students during highway training.
5 Four students per vehicle are permitted if the vehicle has been inspected and approved for
6 such use by the Division. The Division shall approve the vehicle if it determines the vehicle
7 will seat four people. No more than four students shall be allowed per vehicle for field
8 training; and;

9 (D) ~~A-a~~ drivers log ~~shall must~~ be kept for each student to reflect the 80 hours of instruction.

10
11 *History Note: Authority G.S. 20-321; 20-322; 20-323;*

12 *Eff. May 1, 1987;*

13 *Amended Eff. August 1, 2002; August 1, 1998; April 1, 1997; January 1, 1994; May 1, ~~1990~~1990;*

14 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03J .0307 is readopted as published in 35:14 NCR with changes as follows:

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3 **19A NCAC 03J .0307 STUDENT REQUIREMENTS**

4 ~~Students 18 years of age or older but less than 21 years of age must be informed by the owner(s). The owners or officers~~
5 ~~of the school shall inform students 18 years of age or older but less than 21 years of age of the age restrictions as set~~
6 ~~forth in 49 CFR Part 391.11 and limitations established by the United States Department of Transportation Federal~~
7 ~~Motor Carrier Safety Administration and G.S. 20-37.13, the Motor Carrier Safety Unit of the Division of Motor~~
8 ~~Vehicles.~~

9
10 *History Note:* Authority G.S. ~~20-37; 20-320 through 20-328; 20-321; 20-322; 20-323; 20-324; 20-325; 20-326;~~
11 ~~20-327; 20-328;~~

12 *Eff. May 1, 1987;*

13 *Amended Eff. April 1, 1997; January 1, 1994; May 1, 1990; 1990;*

14 *Readopted Eff. June 1, 2021.*
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1 19A NCAC 03J .0402 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

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3 **19A NCAC 03J .0402 REGISTRATION: INSURANCE: INSPECTION**

4 (a) Each vehicle used by the school on the highway shall be titled and registered as required by G.S. 20-20-52 and
5 bear a current inspection certificate. Each yard vehicle used by the school shall be titled as required by G.S. 20-20-52.

6 (b) Each vehicle used by the school shall be insured by a company licensed to do business in North Carolina against
7 liability in the amount of at least \$25,000 ~~twenty five thousand dollars (\$25,000)~~ because of injury to or destruction
8 of property of others in any one accident, \$50,000 ~~fifty thousand dollars (\$50,000)~~ because of bodily injury to or death
9 or one person in any one accident, and \$100,000 ~~one hundred thousand dollars (\$100,000)~~ because of bodily injury to
10 or death of two or more persons in in any one accident. This insurance coverage shall be secured on an annual basis.
11 In the event coverage for any vehicle used for driver instruction or training shall not be renewed, the school shall give
12 written notice to the Division at least 10 days prior to the expiration date of the coverage. A certificate of insurance
13 coverage shall be filed by the insurance underwriter with the Division. Cancellation shall be accomplished upon 15
14 days prior written notice to the Division by the insurance underwriter.

15 (c) Each vehicle used by a school shall be listed and inspected in the manner prescribed in 49 CFR 49 Part 396. In
16 addition, each vehicle shall be inspected to meet the requirements of Rule .0401 of this Section and approved by a
17 representative of the Division before it is used. Each vehicle shall be inspected and approved by a representative of
18 the Division annually and at any other time reasonable time as indicated by the circumstances.

19 (d) Vehicles used for off road field training [shall]must be titled, but are not required to meet North Carolina
20 registration requirements.

21
22 *History Note:* Authority G.S. 20-37.22; 20-51(15)(a); 20-320; 20-321; 20-322; 20-323; 20-324; 20-325; 20-327;
23 Eff. May 1, 1987;
24 Amended Eff. August 1, 2002-2002;
25 Readopted Eff. June 1, 2021.
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1 19A NCAC 03J .0601 is readopted as published in 35:14 NCR 1569-1572 with changes as follows:

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3 **19A NCAC 03J .0601 REQUIREMENTS**

4 ~~Commercial driver training school contracts for students are required if the course of instruction contracted for by the~~
5 ~~student is~~ Students taking a refresher course or a course of 160 hours or more shall contract with a commercial truck
6 driver training school.~~more.~~ The contract shall contain ~~contain, but is not limited to,~~ the following information:

- 7 (1) The agreed total contract charges and full terms of payment thereof.
- 8 (2) The number, nature, time, and extent of lessons contracted for, including:
- 9 ~~(a)(A)~~ (B) minimum hours of instruction as required in Rule .0306 of this ~~Subchapter;~~ Subchapter;
- 10 and
- 11 ~~(b)(B)~~ (B) rate for use of school vehicle for a driver's license road test, if an extra charge is made.
- 12 (3) A statement which reads ~~substantially~~ as follows: "~~This~~ This agreement constitutes the entire
- 13 contract between the school and the student, and any verbal assurances or promises not contained
- 14 herein shall bind neither the school nor the ~~student.~~ student.
- 15 (4) A statement which reads as follows: "~~This~~ This school is licensed by the State of North Carolina,
- 16 Division of Motor ~~Vehicles.~~ Vehicles.
- 17 (5) A statement which reads as follows: "~~If~~ If you, as a student, are unable to settle a dispute with the
- 18 school, please direct your grievances to the North Carolina Division of Motor Vehicles,
- 19 ~~Enforcement Commercial Driver License (CDL) Compliance Section, 1100 New Bern Avenue,~~
- 20 ~~Raleigh, North Carolina 27697-0001.~~ 1417 North Church Street, Rocky Mount, North Carolina
- 21 27804-0001.

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23 *History Note:* Authority G.S. ~~20-320;~~ 20-321; 20-322; 20-323;

24 *Eff. May 1, 1987;*

25 *Amended Eff. August 1, 2002; August 1, 1998; January 1, 1994; February 1, 1991; May 1,*

26 *1990-1990;*

27 *Readopted Eff. June 1, 2021.*

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