

Section 32-14-1

Short title.

This chapter may be cited as the Driver Training School License Act.

(Acts 1967, No. 185, p. 547, §11.)

Section 32-14-2**Definitions.**

The following words and phrases when used in this chapter shall, unless the context otherwise requires, have the meanings respectively ascribed to them in this section:

(1) **MOTOR VEHICLE.** Every vehicle which is self-propelled upon or by which any person or property is or may be transported or drawn upon a public highway, except devices used exclusively upon stationary rails or tracks.

(2) **DRIVER TRAINING SCHOOLS.** Any person, partnership or corporation giving driving instruction to 10 or more persons per calendar year for the purpose of meeting requirements for licensed driving of motor vehicles in Alabama.

(3) **PERSON.** Every natural person, firm, copartnership, association, corporation or school.

(4) **DEPARTMENT.** The State Department of Education, acting directly or through its duly authorized officers and agents.

(5) **SUPERINTENDENT.** The Superintendent of the State Department of Education.

(6) **DRIVER'S LICENSE EXAMINERS.** Examiners appointed by the Department of Public Safety for the purpose of giving driver's license examinations.

(Acts 1967, No. 185, p. 547, §1.)

Section 32-14-3

Rules and regulations.

The superintendent is authorized to prescribe by rule standards for the eligibility, conduct, equipment and operation of driver training schools and instructors and to adopt other reasonable rules and regulations to carry out the provisions of this chapter.

(Acts 1967, No. 185, p. 547, §6.)

Section 32-14-4

Disposition of moneys received.

All moneys received under this chapter shall be deposited with the State Treasurer and credited to the state Driver Education Training Fund.

(Acts 1967, No. 185, p. 547, §8.)

Section 32-14-5

Exemptions.

This chapter shall not apply to an accredited grade school, high school, junior college, or college conducting a driver training course, nor shall it apply to driver improvement schools or programs operated by the American Association of Retired Persons or any affiliate thereof, or this state or a municipality thereof.

(Acts 1967, No. 185, p. 547, §10; Acts 1996, No. 96-519, p. 666, §1.)

Section 32-14-6

Penalty for violation of chapter.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 or be sentenced to the county jail for not more than six months, or both such fine and imprisonment.

(Acts 1967, No. 185, p. 547, §9.)

Section 32-14-20

Required.

No person shall operate a driver training school or engage in the business of giving instruction for hire in the driving of motor vehicles or in the preparation of an applicant for examination given by driver's license examiners for a driver's license or permit, unless a license therefor has been secured from the superintendent.

(Acts 1967, No. 185, p. 547, §2.)

Section 32-14-21**Qualifications - Operation of driving school.**

Every person in order to qualify to operate a driving school shall meet the following requirements:

- (1) Be of good character.
- (2) Maintain an established place of business to the public.
- (3) Maintain bodily injury and property damage liability insurance on motor vehicles while used in driving instruction, insuring the liability of the driving school, the driving instructors and any person taking instruction in at least the following amounts: \$100,000.00 for bodily injury to or death of one person in any one accident and, subject to said limit for one person, \$200,000.00 for bodily injury to or death of two or more persons in any one accident; and the amount of \$20,000.00 for damage to property of others in any one accident. Evidence of such insurance coverage in the form of a certificate from the insurance carrier shall be filed with the superintendent, and such certificate shall stipulate that the insurance shall not be cancelled except upon 10 days' prior written notice to the superintendent. Such insurance shall be written by a company authorized to do business in this state.
- (4) Provide a continuous surety company bond in the principal sum of \$2,500.00 for the protection of the contractual rights of students in such form as will meet with the approval of the superintendent and written by a company authorized to be in business in this state. However, the aggregate liability of the surety for all breaches of the condition of the bond in no event shall exceed the principal sum of \$2,500.00. The surety on any such bond may cancel such bond on giving 30 days' notice thereof in writing to the superintendent and shall be relieved of liability for any breach of any condition of the bond which occurs after the effective date of cancellation.
- (5) Have the equipment necessary to the giving of proper instruction in the operation of motor vehicles as prescribed by the State Superintendent of Education.
- (6) Pay to the superintendent an application fee of \$25.00.

(Acts 1967, No. 185, p. 547, §3.)

Section 32-14-22**Qualifications - Instructor for driving school.**

Every person in order to qualify as an instructor for a driving school shall meet the following requirements:

- (1) Be of good moral character.
- (2) Present to the State Superintendent of Education evidence of credit in driver education and safety from an accredited college or university equivalent to credits in those subjects which are required of instructors in the public schools of Alabama or have a valid Alabama teacher's certificate coded for driver education.
- (3) Be physically able to operate safely a motor vehicle and to train others in the operation of motor vehicles.
- (4) Provide a certificate of health from a medical doctor stating that he or she is free from contagious disease.
- (5) Hold a valid driver's license.
- (6) Pay to the superintendent an application fee of \$5.00.

(Acts 1967, No. 185, p. 547, §4.)

Section 32-14-23

Issuance, expiration and renewal.

- (a) The superintendent shall issue a license certificate to each applicant to conduct a driver training school or to each driver training instructor when the superintendent is satisfied that such person has met the qualifications required under this chapter.
- (b) All outstanding licenses issued to any driver training school or driver training instructor pursuant to the provisions of this chapter shall expire as a matter of law at midnight on September 30 of the calendar year for which the license was issued, and must be renewed annually, unless sooner cancelled, suspended or revoked under the provisions of Section 32-14-24.
- (c) The license of each driver training school and each driver training instructor may be renewed subject to the same conditions as the original license and upon payment of the same fee.
- (d) All applications for renewal of a driver training school license or driver training instructor's license shall be on a form prescribed by the superintendent and must be filed with the office of the superintendent not more than 60 days nor less than 10 days preceding the expiration date of the license to be renewed.

(Acts 1967, No. 185, p. 547, §5.)

Section 32-14-24**Cancellation, suspension or revocation of or refusal to renew licenses.**

The superintendent may cancel, suspend, revoke or refuse to renew any driver training school or driver training instructor's license:

- (1) When the superintendent is satisfied that the licensee fails to meet the requirements to receive or hold a license under this chapter;
- (2) Whenever the licensee fails to keep the records required herein;
- (3) Whenever the licensee permits fraud or engages in fraudulent practices either with reference to the applicant or the superintendent, or induces or countenances fraud or fraudulent practices on the part of any applicant for a driver's license or permit;
- (4) Whenever the licensee fails to comply with any provisions of this chapter or any rule of the superintendent made pursuant thereto;
- (5) Whenever the licensee represents himself as an agent or employee of the superintendent or license examiners or uses advertising designed to lead or which would reasonably have the effect of leading persons to believe that such licensee is in fact an employee or representative of the superintendent or license examiners;
- (6) Whenever the licensee or any employee or agent of the licensee solicits driver training or instruction in an office of any department of the state having to do with the administration of any law relating to motor vehicles; or
- (7) Whenever the licensee or any employee or agent, serving as a driver training instructor, has had his license cancelled, suspended or revoked.

(Acts 1967, No. 185, p. 547, §7.)