

502 KAR 10:060. School advertising.

RELATES TO: KRS 332.100

STATUTORY AUTHORITY: KRS 15A.160, 332.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.160 and 332.100 provide that the Secretary of the Justice Cabinet in cooperation with the Commissioner, Department of State Police, may adopt such administrative regulations necessary to carry out the provisions of KRS Chapter 332. This administrative regulation establishes the department's policy regarding advertising by driver training schools.

Section 1. No person shall advertise a driver training school or driver training of any type in this state unless licensed by the department.

Section 2. A school shall not use any name other than its licensed name, nor shall a school advertise or imply that it is "supervised," "recommended," "endorsed," "accredited," or "approved" by the Kentucky State Police or the Commonwealth of Kentucky. Neither shall any reference be made to past or present association with any police agency by person(s) now an officer or employee of the school. Driver training schools which are licensed by the department may, however, indicate on their advertising that they are "inspected and licensed by the Kentucky State Police."

Section 3. A driver training school may not make any false or misleading claim in any of its advertising, nor shall it use a name that is like or deceptively similar to a name used by another driver training school, nor shall it advertise or imply that free lessons will be given to students who fail a motor vehicle operator's license examination.

Section 4. Each telephone directory listing or telephone advertisement of a driving school shall include the address or addresses of the driving school's established place or places of business. Addresses of telephone answering services which are not established places of business shall not be shown in any media of advertisement or telephone directory listing.

Section 5. A driver training school shall not claim nor imply that it will guarantee employment upon completion of a course of instruction or guarantee the securing of a license to drive a motor vehicle.

Section 6. A copy of each telephone directory or similar directory advertisement of a driver training school shall be submitted to the department by the school at the same time it is placed for publication. (PSfty-DTS-6; 1 Ky.R. 1033; eff. 6-11-75; Am. 12 Ky.R. 1624; eff. 5-6-86.)