

502 KAR 10:040. Training school facilities.

RELATES TO: KRS 332.030

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 standards for driver training school facilities.

Section 1. The following standards shall apply to driver training school office facilities:

- (1) The driver training school shall have and maintain an established place of business in the Commonwealth of Kentucky.
- (2) The established place of business of each driver training school shall be owned or leased by the driver training school and regularly occupied and primarily used by that driver training school for the business of giving driving instructions for hire, and the business of preparing members of the public for examination given by the department for a motor vehicle operator's license.
- (3) The established place of business of each driver training school shall be located in a district which is zoned for business or commercial purposes. The driver training school office shall have a permanent sign displaying the school name in letters at least six (6) inches in height and visible from the street or road on which the school is located. If the classroom is at a different address, it too shall have a permanent sign meeting the same criteria. The hours during which the driver training is conducted shall also be displayed. If these requirements do not comply with local zoning laws, the department shall permit a sign of a type which does comply.
- (4) The established place of business or advertised address of any driver training school shall not consist of or include a house trailer, residence, tent, temporary address, office space only, a room or rooms in a hotel, rooming house or apartment house, or premises occupied by a single or multiple unit dwelling house. The residence requirement of this rule shall not apply to compel the discontinuance of a driver training school which was already established and operational on or before June 16, 1966.
- (5) The place of business shall be operated by responsible personnel during stated office hours and shall be open to inspection of the premises, facilities, records and vehicles by any authorized representative of the cabinet during this time.
- (6) The place of business shall have a business telephone used exclusively for the operation of the driving school.
- (7) A driver training school shall not transfer its license nor change its place of business without the prior approval of the department. There will be a \$200 fee for transfer of ownership, which will be treated as an original application for license.

Section 2. The following standards shall apply to driver training school branch offices:

- (1) A driver training school desiring to open a branch office shall make application on a form prescribed by the department. If application is approved, the department will issue a copy of the license of the principal place of business, appropriately endorsed, for use at the branch office. This copy shall be conspicuously displayed in such branch office at all times.
- (2) A branch office or its equipment may not be moved to a new location without the prior approval of the department.
- (3) Should a branch office be discontinued, the branch office copy of the license shall be surrendered immediately to the department.
- (4) The branch office shall meet all of the requirements of the licensed principal place of business.

(5) There will be a fee of \$100 for licensure of each branch office.

Section 3. The following standards shall apply to driver training school classroom facilities:

- (1) The classroom facility of each driver training school shall be reasonably near its office facility and within thirty (30) minutes normal driving time of that facility.
- (2) The classroom shall contain sufficient space and equipment to carry on the business of giving classroom instruction for students enrolled in the driver training school, and preparing students for examination for a motor vehicle operator's license.
- (3) The classroom facility shall have adequate lighting, heating, ventilation, sanitation facilities, and shall comply with all state and local laws relating to public health, safety and sanitation.
- (4) The classroom facility shall contain the following equipment and supplies:
 - (a) Individual desks or tables providing writing surfaces for not less than eight (8) students;
 - (b) Adequate blackboards which are visible from all seating areas;
 - (c) Adequate charts and diagrams or pictures relating to the operation of motor vehicles and traffic laws;
 - (d) One (1) of the following:
 1. A sixteen (16) millimeter sound movie projector and screen for showing driver training and sound films; or
 2. A thirty-five (35) millimeter slide projector and slides; or
 3. A video/audio display screen of not less than nineteen (19) inches diagonal measure, capable of being operated in conjunction with a video tape for showing driver training instruction; and
 - (e) A copy of these rules and administrative regulations displayed so as to be accessible to all students.
- (5) In addition to the foregoing, the following are suggested teaching aids:
 - (a) A reaction time testing device;
 - (b) Peripheral vision testing device;
 - (c) Magnetic traffic boards; and
 - (d) Such other devices as may help to acquaint students with traffic laws and prepare them to safely operate motor vehicles.
- (6) A minimum of five (5) hours of classroom instruction shall be available to each student receiving driving training from a driver training school.

Section 4. Driver training schools shall make available both theoretical and practical instruction as follows:

- (1) Practical instruction in driver training shall include the demonstration of, and actual instruction in, starting, stopping, shifting, turning, backing, parking, and steering in a training vehicle which meets the regulatory requirements set forth herein.
- (2) Theoretical instruction in driver training shall include subject matter relating to rules of the road, safe driving practices, pedestrian safety, mechanics of motor vehicles, driver responsibility, the Kentucky point system, types of automobile insurance, and use of automobile safety devices.

Section 5. Each school shall publish a schedule of fees or charges for behind-the-wheel lessons, classroom lessons, and all other fees or charges made by the school. A copy of this schedule shall be filed with the department.

Section 6. Each school shall inform each student, prior to the time instruction commences, of the character and amount of any and all fees or charges made for enrollment or registration, tuition, and use of any other service or equipment or materials provided by the school.

Section 7. Before any driver training school office or branch office, or equipment thereof, is moved to another location, the department shall be notified and the new location shall be inspected and approved.

(PSfty-DTS-3-A, 3-B, 3-C; 1 Ky.R. 1032; eff. 6-11-75; Am. 12 Ky.R. 1622; 1832; eff. 5-6-86; Certified to be amended; filing deadline 8-26-2021.)