

TRAFFIC SURVIVAL SCHOOL AND QUALIFIED INSTRUCTOR APPLICATION REQUIREMENTS

Summary of Changes

Revisions were made throughout the policy to conform to Title 28 and Arizona Administrative Code (A.A.C.) Rule changes. Traffic Survival School was moved from Title 32 to Title 28 and Rules have been established.

Purpose

To provide information regarding the application process used when applying to become a licensed Traffic Survival School (TSS) and/or qualified instructor.

Policy

- A. The Motor Vehicle Division's (MVD) authorized contractor licenses, regulates and monitors TSS's in Arizona. TSS applications and supporting documents are submitted to the Division's authorized contractor of the Motor Vehicle Division.
- B. There are two types of licenses that may be issued:
 - A license to operate a TSS
 - A license to operate a TSS branch/site location

Note: A qualified instructor, who is employed by a licensed TSS, provides educational sessions that are approved by the Division and designed to improve the safety and habits of drivers who are required to attend and successfully complete those educational sessions pursuant to A.R.S. Title 28.

- C. Applicants applying to the Division's authorized contractor for licensing shall provide the following:
 1. Completed application on a form provided and furnished by the Division's authorized contractor.
 2. A copy of a valid fingerprint clearance card issued through the [Arizona Department of Public Safety](#) from the following:
 - Each applicant and stockholder owning 20% or more of an entity
 - Each partner or sole proprietor
 3. Documents relating to the applicant's business.
 - a. A Corporation: Copy of Articles of Incorporation, including any amendments, any official documents, including copies of board meeting minutes and annual reports that reflect changes to the corporate name, structure or officers.

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- b. A Limited Liability Company (LLC): Copy of the Articles of Organization, including any amendments, copy of the application for registration as a foreign LLC, copy of the Certificate of Registration issued by the Arizona Corporation Commission to a foreign LLC.
 - c. A Limited Partnership or Limited Liability Partnership: Copy of a valid Certificate of Existence issued by the Arizona Secretary of State or a copy stamped "Filed" by the Arizona Secretary of State.
 4. Address and lawful fire safety capacity for each established place of business and/or branch/site.
 5. The signature of the sole proprietor, all partners, a corporate officer, a LLC manager or the political subdivision head or agency head.
 6. Authorized Presence Documentation form with proof of authorized presence as listed in A.R.S. § 41-1080.
 - a. Applicants who have an Arizona driver or identification (ID) license may authorize the Division's authorized contractor to access Division Driver/ID records to verify proof of authorized presence instead of presenting the document.
 - b. Applicants with a limited length of stay will need to resubmit proof upon the license's expiration. The license will not exceed the licensee's authorized length of stay.
 - c. This requirement is only for applicants who are individuals, sole proprietors, or general partnerships.
 - d. The applicant may be exempt if they meet the qualification outlined in A.R.S. § 41-1080(B) and an Authorized Presence Exemption Request form is submitted.
 7. Other information requested by the Division's authorized contractor and approved by the Division.
- D. An application for a TSS shall include the following:
 - The name of the school together with ownership and controlling officers
 - The official name of the school
 - The location of its principal place of business
 - The location of its established branch/site where such instruction will be given.
 - The qualifications of the instructor(s)
 - Names, addresses and other information which may be required by the Division's authorized contractor
 - Copies of any and all contracts to be used by the school
 - Copies of all forms of receipts to be used by the school
 - Copies of all additional materials used by the school which will be furnished or delivered to students for approval by the Division's authorized contractor to adequately protect the interests of the public
- E. Each TSS shall submit to the Division's authorized contractor, upon application for a license or a renewal license, a complete list of all personnel in its organization and shall indicate which staff will be instructors. When changes are made in instructor personnel, notification shall be made to the Division's authorized contractor within 10 days.

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- F. An individual, association, partnership, or corporation may qualify for a license to operate a TSS through oneself, one of its partners, officer of the corporation or managing employee. The qualifying party shall be a regular and bona fide employee whose principal employment is with the employer for whom has qualified and must have active and direct supervision and control of all operations necessary to secure full compliance with all the provisions of A.A.C. R17-5-302.
- G. An application for a TSS **qualified** instructor requires the following disclosures and information:
- True full name
 - Residence address
 - **Statement of Personal History-notarized**
 - **Authorization to Release Information form- notarized**
 - Employment history
 - Such other information approved by the Division's **authorized contractor** deemed pertinent to determine the applicant's good moral character
 - Official name of the school at which the applicant will be an instructor
 - **A sworn statement that the applicant has no outstanding traffic warrants**
 - **Three character references**
 - **A written statement from the business manager of the sponsoring TSS certifying the applicant's ability to teach the authorized course material at the professional level**
- H. **Each applicant** applying for a **TSS license and/or TSS qualified instructor must** meet the following requirements:
1. Attend and successfully complete the Division's authorized contractor's training program.
 2. Pass an examination given by the Division's authorized contractor.
 3. Be of good moral character, at least 21 years of age and have the minimum of a high school education or the equivalent.
 4. Hold a valid Arizona driver license.
 5. Have a satisfactory driving record.
- I. The Division, upon notification of the authorized contractor, may deny an application if any individual included on the application has either:
1. Made a misrepresentation or misstatement on the application to conceal a matter that would cause the application to be denied.
 2. Violated a rule or policy of the Division.
 3. Been involved in activity that the Division has determined to be inappropriate in relation to the authority granted.
- J. When the TSS adds a partner, an applicant or a stockholder who owns 20% or more of the entity, who was not included on a prior application, the TSS shall notify the Division's

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authorized contractor and submit a copy of a valid fingerprint clearance card within 30 days of the change.

K. The requirement for requesting a name change for a TSS is as follows:

- Any subsequent change to the application that does not affect the company structure (e.g. address, phone number, business hours, contact person, etc.) must be submitted electronically using the Driver Services Change Request Form within 10 working days of the change.

L. The following types of name change requests will not be considered:

1. A name change to adjust placement on any Internet listing, Customer Service Guide listing or Yellow Page advertising.
2. A name change which implies course content other than the teaching of traffic survival techniques or professional driving instruction.
3. A name change which offers a premium, prize, food, lifestyle, entertainment or other inducement for selecting the school.
4. Any name change which could reflect adversely on the Division's authorized contractor.
5. A company name other than the official name of the business entity.

M. A structure change request must be submitted with all of the following:

1. A new application along with the standard licensing fee.
2. A new individual application for each instructor along with the standard licensing fee for each instructor.
3. A copy of a valid Certificate of Existence or Trade Name Certificate issued by the Secretary of State, a copy of the Articles of Incorporation filed with the Arizona Corporation Commission or a copy of the minutes filed with the Arizona Corporation Commission from the most recent board of directors meeting, or a copy of the Articles of Organization filed with the Arizona Corporation Commission.

N. Upon approval, the company must **destroy** the original school license certificate, all original **qualified** instructor **certifications** and instructor cards under the old school name.

O. Approved structure change requests will result in the issuance of a new license number for the school as well as the cancellation of the existing school license and **qualified** instructor **certifications**.

- Exception: The change is required because of an MVD error.

Authority: Administrative Revisions December 2015, A.R.S. §§ 28-3411 through 28-3418, 41-1080, 41-1758.01, A.A.C. R17-5-301, R17-5-302, R17-5-304, R17-5-305, R17-5-306, R17-5-307, R17-5-308, R17-5-310, and R17-5-321