

## **TRAFFIC SURVIVAL SCHOOL AND QUALIFIED INSTRUCTORS REGULATIONS AND REQUIREMENTS**

### **Summary of Changes**

Revisions were made through out 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 Traffic Survival School (TSS) and/or Instructor's regulatory and operational requirements.

### **Policy**

- A. The established place of business of each TSS must be regularly occupied and primarily used by that TSS for the business of providing education sessions that are designed to improve the safety and habits of drivers and that are approved by the Division to drivers who are required to attend and successfully complete those educational sessions pursuant to Title 28.
- Each place of business used by a TSS shall provide adequate facilities for any student being given instructions according to local, state, and federal requirements.
- B. Pursuant to A.R.S. § 28-3415 and A.A.C. R17-5-305, upon application the following fees are required:
- A fee of \$200 shall accompany each application for an original or renewal license to operate a TSS.
  - A fee of \$50 shall accompany an application for a branch/site location license.
  - A fee of \$55 shall accompany each qualified instructor application for renewal.
  - Fees will not be refunded in the event a license is suspended or revoked.
- C. The branch/site location must meet all requirements of the licensed established place of business and must be equipped to perform substantially the same services as the established place of business.
- D. A TSS desiring to open a branch/site location shall make application on a form prescribed by the Division's authorized contractor and accompanied by the required fee. If the application is approved, the Division's authorized contractor will issue a copy of the license of the principal place of business, appropriately endorsed, for use in the branch/site location.
1. This copy must be conspicuously displayed in such branch/site location at all times during hours of operation.
  2. A branch/site location may not be moved to a new location without prior approval of the Division's authorized contractor.

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3. Should a branch/site location be discontinued, the branch/site location copy of the license must be surrendered immediately to the Division's authorized contractor.
  4. Branch/site locations are restricted to the state of Arizona wherein the principal place of business is located.
- E. A TSS shall establish a personnel file for each qualified instructor. The file must be retained for one year after the licensed instructor's last day of employment.
- A TSS shall notify the Division's authorized contractor, within ten days, of any change to school personnel.
- F. A certificate shall be issued to each TSS for each TSS qualified instructor employed by the school. This certificate shall be prominently displayed in the place of business along with the license to operate the school.
- All licenses and certifications expire on the last day of the calendar year and may be renewed upon application to the Division's authorized contractor.
  - A school or qualified instructor shall submit written notification to the Division's authorized contractor within 10 days when there is a change in requirements for qualifications.
  - A license to operate a TSS and any qualified Instructor's certificate of qualification shall be nontransferable.
- G. The Division's authorized contractor shall be notified within 24 hours in case of loss or mutilation, a duplicate license or instructor's identification card may be issued by the Division's authorized contractor upon submission of a properly signed and completed application accompanied by the required fee and an affidavit setting forth the circumstances. The affidavit must show the date the license or identification card was lost, mutilated or destroyed, and the circumstances involving the loss, mutilation or destruction.
- H. All renewal application forms must be submitted to the Division's authorized contractor not less than 30 days prior to the time the present school license expires. The Division's authorized contractor will not be responsible for the timely issuance of any renewal license when application is not received at least 30 days prior to the expiration date.
- I. All TSS's shall:
1. Ensure that all testing is done in accordance with Division's authorized contractor's policy and that all forms are approved by the Division.
  2. Submit to random onsite inspections.
  3. Make records available and comply with all audit requirements.
  4. Comply with all applicable statutes, rules, policies and guidelines.
  5. Notify the Division's authorized contractor within 24 hours of any instructor's driver license that is suspended, revoked, canceled, disqualified, denied or otherwise withdrawn.
  6. Submit any report requested by the Division's authorized contractor as part of a complaint investigation within 10 days.
  7. Submit any report required by the Division's authorized contractor on time.

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- A TSS shall submit an electronic **qualified instructor completion report** immediately following a class
- J. Each licensed TSS and **qualified** instructor shall maintain the following records:
1. A file setting forth the name, address, contract number and terms of payment with respect to every person receiving lessons, lectures, tutoring, instructions of any kind or any other service relating to instructions. The file shall also contain records showing the date, type and duration of all lessons, lectures, tutoring and instructions including the name of the **qualified** instructor giving such lessons.
  2. A record of all receipts and disbursements.
  3. All records must be retained for three years at the principal place of business.
- K. To assure continued compliance with licensing requirements, the Division and/or its authorized contractor may conduct random, onsite inspections during normal business hours to audit the business records of the school.
- L. Records shall be made available for audit at the school's principal place of business. When the records are maintained at a location outside the State of Arizona, the school shall either make the records available at a location within Arizona designated by the Division's authorized contractor or make the records available at the school's place of business outside the state of Arizona. Audits conducted at a location out of state shall be at the school's expense.
- M. During an onsite audit, monitoring, or inspection of a TSS, the Division's authorized contractor personnel, a law enforcement agency or agents of the Federal Motor Carrier Safety Administration or Division personnel may:
- Review and copy paper and electronic records
  - Examine the site
  - Interview the TSS employees and customers
  - Monitor instructors
- N. Failure to allow or cooperate in an audit/monitoring shall result in a hearing to revoke the TSS license and/or **qualified** instructor **certificate of qualification**.

Authority: **Administrative Revisions December 2015, A.R.S. §§ 28-3411 through 28-3418, A.A.C. R17-5-301, R17-5-302, R17-5-308, R17-5-315, R17-5-317, R17-5-321, R17-5-322, and R17-5-323.**