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**IDAPA 39
TITLE 02
CHAPTER 73**

39.02.73 – RULES GOVERNING ACCIDENT PREVENTION COURSE

000. LEGAL AUTHORITY.

Under authority of Sections 49-201 and 41-2515, Idaho Code, the Idaho Transportation Board adopts the following rule for criteria for a motor vehicle accident prevention course. (8-31-89)

001. TITLE AND SCOPE.

01. Title. This rule is titled IDAPA 39.02.73 “Rules Governing Accident Prevention Course,” IDAPA 39, Title 02, Chapter 73. (5-3-03)

02. Scope. This rule establishes minimum standards for approval of a motor vehicle accident prevention course, as provided in Section 41-2515, Idaho Code. (3-30-07)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (5-3-03)

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this chapter will be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (5-3-03)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this Chapter. (5-3-03)

005. OFFICE – OFFICE HOURS – MAILING AND STREET ADDRESS – PHONE NUMBERS.

01. Street and Mailing Address. The Idaho Transportation Department maintains a central office in Boise at 3311 W. State Street with a mailing address of P.O. Box 7129, Boise, ID 83707-1129. (5-3-03)

02. Office Hours. Daily office hours are 8 a.m. to 5 p.m., except Saturday, Sunday and state holidays. (5-3-03)

03. Telephone and FAX Numbers. The Driver Services Section may be contacted during office hours by phone at 208-334-8000 or by fax at 208-334-8739. (5-3-03)

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with this Chapter are subject to and in compliance with the Idaho Public Records Act, as set forth in Title 74, Chapter 1, Idaho Code. (5-3-03)

007. -- 009. (RESERVED)

010. DEFINITIONS.

01. Accident Prevention Course. A structured course of study, either in a traditional classroom setting, field driving or internet based format, with curriculum focusing on becoming a safer driver and avoiding accidents, by being cautious, aware, responsible, and respectful of other drivers while abiding by Idaho’s rules of the road. The terms “accident prevention course” and “defensive driving class” are interchangeable, and the course standards established for the accident prevention course in this rule shall be the same standards for the defensive driving class for violation point count reduction as provided in IDAPA 39.02.71, “Rules Governing Driver’s License Violation Point Count System.” (3-30-07)

011. -- 099. (RESERVED)

100. CRITERIA.

01. Instructor Certification. For classroom and field driving instruction, instructors must be certified by the Idaho Department of Education as a Driver and Traffic Safety Education instructor, or the National Safety Council, American Automobile Association's program (AAA), American Association of Retired Persons (AARP), or an equivalent program, as determined by the Idaho Transportation Department. (5-3-03)

02. Contents of Course. Other than courses provided by the National Safety Council, AAA, or AARP, all accident prevention course outlines must be approved by the Idaho Transportation Department. (5-3-03)

03. Length of Class. The course must be a minimum of six (6) hours, which may include any combination of classroom instruction, field driving instruction, or on-line instruction time. (5-3-03)

04. Proof of Insurance. For field driving instruction, if any, the course provider must confirm adequate proof of insurance. (5-3-03)

05. Provider Location. The course provider must confirm location(s) of established place of business, and a telephone number or e-mail address of a contact person who can be reached during regular working hours 8 a.m. to 5 p.m. (5-3-03)

06. Participant Certification. Each participant shall be issued a certificate of completion by the instructor or course provider. (5-3-03)

101. -- 199. (RESERVED)

200. COURSE REVIEW. Accident Prevention Courses are subject to periodic review by the Department. As a part of the review process, the provider may be asked to confirm course and instructor information and resubmit instruction materials. (5-3-03)

201. WITHDRAWAL OF COURSE APPROVAL. The Department may withdraw course approval if minimum standards are no longer met or if course providers have failed to respond to a course review. In the event the Department proposes to withdraw approval for a course, written notification will be sent to the provider. Requests for reconsideration will be reviewed by the Motor Vehicle Administrator. (5-3-03)

202. -- 999. (RESERVED)

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