

## IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

### Division of Motor Vehicles

#### 39.02.73 – Rules Governing Accident Prevention Course

##### **Who does this rule apply to?**

*All Idaho Driver License and Identification Card holders.*

- All Idaho licensed driver; and
- Any driver 55 or older who's insurance carrier provides a reduction in premium for completion of an accident prevention course

##### **What is the purpose of this rule?**

*This rule outlines what an accident prevention course consists of, whether in a traditional classroom or internet based and that the curriculum be focused on becoming a safer driver, avoiding accidents by being aware, responsible and respectful of other drivers while abiding by Idaho's rules of the road. This rule also provides that both the Accident Prevention Course and Defensive Driving Course allowed under this rule shall have the same standards and count toward the point reduction allowed under rule.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Motor Vehicles -

General:

- [49-201, Idaho Code](#) – Duties of Board

Insurance -

Casualty Insurance Contracts:

- [41-2515, Idaho Code](#) – Discount for Certain Age Groups

##### **Who do I contact for more information on this rule?**

Idaho Transportation Department

Monday – Friday 8:00 am to 5:00 pm

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Boise, ID 83707-1129

3311 West State Street

Phone: (208) 334-8000

[itd.idaho.gov](http://itd.idaho.gov)

# Table of Contents

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## **39.02.73 – Rules Governing Accident Prevention Course**

000. Legal Authority. ....	3
001. Title And Scope. ....	3
002. -- 009. (Reserved).....	3
010. Definitions. ....	3
011. -- 099. (Reserved).....	3
100. Criteria. ....	3
101. -- 199. (Reserved).....	3
200. Course Review. ....	3
201. Withdrawal Of Course Approval. ....	3
202. -- 999. (Reserved).....	3

## 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. (7-1-21)T

### 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. (7-1-21)T

**02. Scope.** This rule establishes minimum standards for approval of a motor vehicle accident prevention course, as provided in Section 41-2515, Idaho Code. (7-1-21)T

### 002. -- 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.” (7-1-21)T

### 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. (7-1-21)T

**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. (7-1-21)T

**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. (7-1-21)T

**04. Proof of Insurance.** For field driving instruction, if any, the course provider must confirm adequate proof of insurance. (7-1-21)T

**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. (7-1-21)T

**06. Participant Certification.** Each participant shall be issued a certificate of completion by the instructor or course provider. (7-1-21)T

### 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. (7-1-21)T

### 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. (7-1-21)T

### 202. -- 999. (RESERVED)

# Subject Index

## C

Course Review	3
Criteria	3
Contents of Course	3
Instructor Certification	3
Length of Class	3
Participant Certification	3
Proof of Insurance	3
Provider Location	3

## D

Definitions, IDAPA 39.02.73	3
Accident Prevention Course	3

## L

Legal Authority	3
-----------------	---

## T

Title & Scope	3
---------------	---

## W

Withdrawl Of Course Approval	3
------------------------------	---