

Chapter Trans 105

LICENSING OF DRIVER SCHOOLS AND
INSTRUCTORS

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Trans 105.01 Application forms for driver school and instructor licenses (ss. 343.61 and 343.62, Stats.). (1) Information required in the application may include, but is not limited to, the following:

- (a) Name of the applicant.
- (b) Present address of applicant.
- (c) Previous addresses of applicant in the past 5 years.
- (d) Description of applicant and description of facilities.
- (e) Training or experience instructing drivers.
- (f) Character references.
- (g) The names of instructors and a list of driver training cars, if applying for driver school license.
- (h) Any other information that may be deemed relevant to the decision to grant or deny a license.

(2) Application for a driver school license shall be accompanied by a schedule of maximum fees and charges per hour for instruction of students.

(3) Application for a driver school license shall be accompanied by a copy of the contract or agreement which constitutes the complete agreement for instruction of students.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.02 Examination of applicants for instructor's license. (s. 343.63, Stats.). (1) The road test shall be scored in the same manner as are tests given for regular operator's licenses and shall also include an actual demonstration of procedures and techniques used instructing drivers. Tests required by s. 343.63 (1), (2), and (3), Stats., is required of all applicants for original instructor's license and applicants whose instructor's licenses have lapsed for one or more years. The department may also require retesting of currently licensed instructors either as a

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part of a routine retesting program or when it has reasonable cause to doubt the continued competency of any individual instructor.

(2) The statement submitted by the physician required by s. 343.63 (4), Stats., shall be on a form supplied by the department.

(3) If the information filed by the physician is such as to indicate the person is not physically fit to teach driving, the department may require the applicant to submit to further medical examination or deny the license.

(4) An authorized departmental representative may visit classroom sessions and ride in driver training cars during instruction for the purpose of evaluating the teacher's preparation, knowledge of the subject matter, and teaching ability, and determining if the approved course is being followed.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.03 Determination of satisfactory driving record and fitness (ss. 343.64 (4) and 343.65 (2), Stats.). (1) A person's driving record shall not be considered satisfactory to hold an instructor's license if that person:

(a) Has accumulated more than 6 demerit points under s. 343.32 (2), Stats., during any one-year period in the past 3 years.

(b) Has been involved in 2 or more accidents in a one-year period where the accident report indicates that such person may have been causally negligent.

(c) Has had his or her operator's license revoked, suspended or cancelled for a traffic violation other than a parking violation, at any time during the past 4 years.

(2) For the purpose of determining fitness, the department shall consider all relevant arrests and convictions for the past 5 years, and make such further examinations and checks as are deemed necessary.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79; am. (1) (c) and (2), Register, October, 1985, No. 358, eff. 11-1-85.

Trans 105.04 Loss or surrender of license. (1) Application for a duplicate of a lost or destroyed license shall contain the information set forth in s. Trans 105.01 (1) (a), (b), and (d) and shall be accompanied by a certified statement that the original was lost or destroyed.

(2) If a school terminates active participation in the business of teaching driver training for a fee, the school shall immediately forward such license to the department for cancellation.

(3) If an instructor is no longer employed with a driver school or is changing employment from one school to another, the instructor shall notify the department of that fact and forward his or her license to the department for cancellation.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

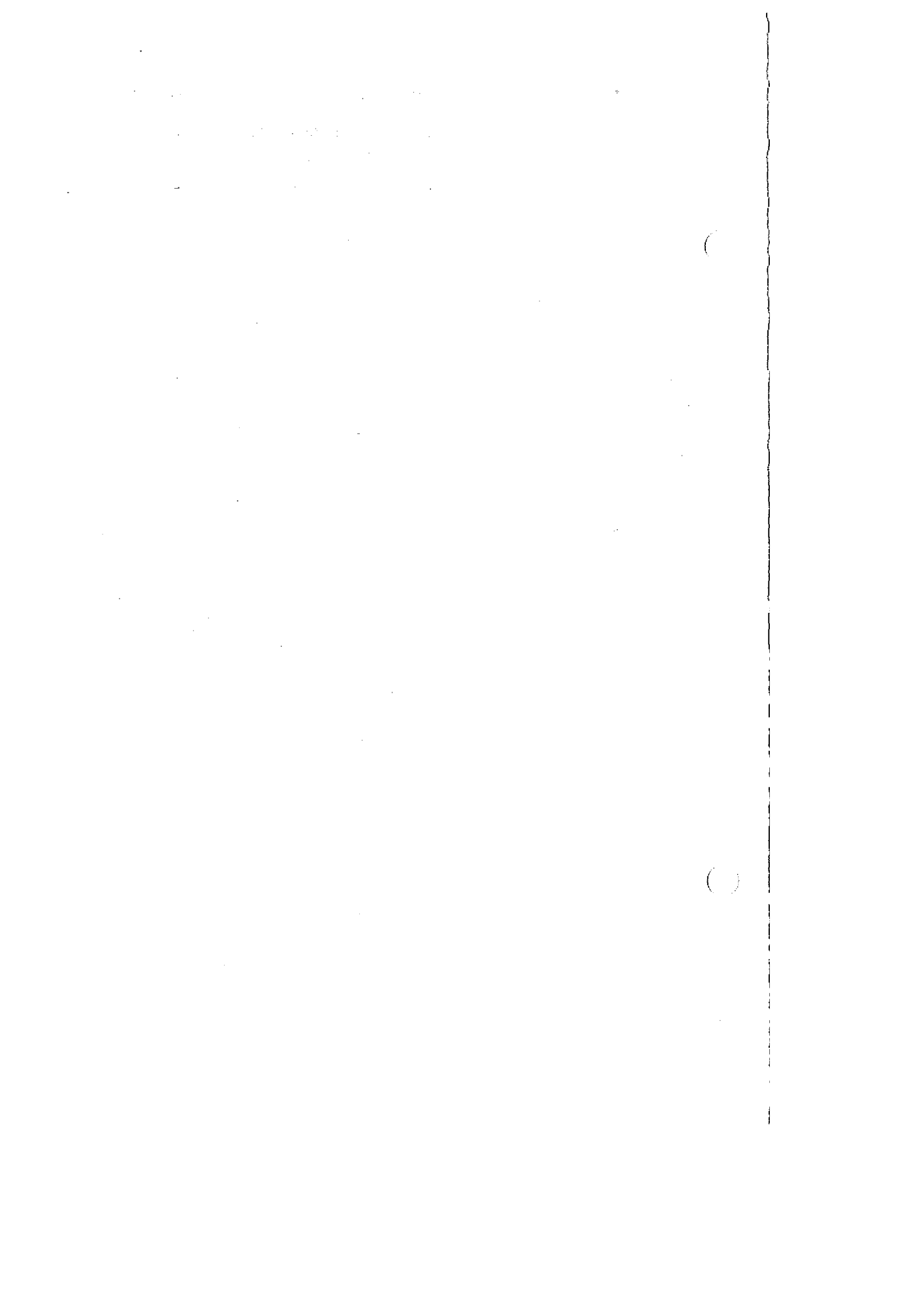
Trans. 105.05 Driver schools to maintain records. (1) The records required by s. 343.71, Stats., shall be made available for inspection at all reasonable times to an authorized representative of the department.

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(2)(a) The records required by s. 343.71 (1), Stats., shall be contained in a permanently bound book having consecutively numbered pages, on which are set forth for each person to whom instruction is given:

1. The student's last name, first name and middle initial;

Next page is numbered 111.



record of instruction including date, time, specific subject covered, and duration of each lesson.

(b) Subject to a hearing as provided by s. 343.69, Stats., the department may suspend and require the temporary license to be surrendered to the department immediately upon commencement of a course described in s. Trans 105.07 (5), if the holder of the license is not enrolled in the first available course or upon withdrawal or failure to satisfactorily complete the course. The person shall not again be entitled to a temporary license unless the department is satisfied there was valid reason for failing to enroll or for dropping the course.

(c) A new temporary license may be issued beyond the expiration date established if no course described in s. Trans 105.07 (5) has been available to the licensee in the area near the licensee's residence and the licensee otherwise meets the requirements of ss. 343.60 to 343.72, Stats., and this chapter.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.09 Time period for review and determination of eligibility. (1) A determination of the eligibility for instructor's license shall be made no later than the close of the business day 5 full business days after the day a complete application is received by the department's bureau responsible for driver schools and instructors. An application is complete when:

(a) All the required sections of the application are accurately completed.

(b) All examinations have been passed.

(c) The official conviction record has been received.

(2) A determination of the eligibility for a driver school license shall be made no later than the close of the business day, 5 full business days after the day a completed application is received by the department's bureau responsible for driver schools and instructors. An application is complete when:

(a) All the required sections of the application are accurately completed.

(b) All the applicable requirements of this chapter including inspection of place of business, required records, driver training cars, insurance policy and driver education program have been completed or are available for review.

(c) The official conviction record has been received.

(3) When a hearing is provided it will be held after the determination of eligibility by the department. Hearings for driver schools and instructors are held by the office of the commissioner of transportation as required by s. 343.69, Stats.

Note: Applications can be obtained from, and should be returned to: Department of Transportation, Bureau of Driver Licensing, Hill Farms State Office Building, 4802 Sheboygan Avenue, Madison, Wisconsin 53702.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.