

ORS-802.345 Traffic safety education course; curriculum; rules. (1) The Department of Transportation, in consultation with the Transportation Safety Committee, shall establish a curriculum for a traffic safety education course under ORS 336.800. The curriculum shall establish standards for a course of instruction to be devoted to the study and practice of rules of the road, the safe and proper operation of motor vehicles, accident prevention and other matters that promote safe and lawful driving habits and reduce the need for intensive highway policing. The course shall include classroom instruction and on-street driving or simulated driving in a driving simulator. No pupil may participate in on-street driving instruction unless the pupil is enrolled in or has completed a course in classroom instruction.

(2) The department shall adopt by rule a procedure to certify that a traffic safety education course meets curriculum standards established under subsection (1) of this section.

(3) The department shall adopt rules establishing qualifications for a person to teach a traffic safety education course.

(4) The department shall adopt rules necessary to administer ORS 336.805 and 336.810. [1999 c.328 §4]

OAR-737-015-0070 (Excerpts)

Qualifications of an Educational Facility Traffic Safety Education Instructor

By September 1, 2004 all educational facility traffic safety education course instructors shall:

(a) Meet all requirements of their employers;

(b) A person assigned to teach classroom, behind-the-wheel driving instruction, or behind-the-wheel driving observation for the traffic safety education course shall certify and provide verification yearly to their employer that they hold a valid Oregon driver license or a license issued by a state adjacent to Oregon, if the person is a legal resident of that state and is employed by an educational facility;

(c) A person assigned to teach only traffic safety education practice driving (behind-the-wheel instruction) in an educational facility shall complete a Division approved course of study for practice driving instructor (behind the wheel) preparation, including an in-car practicum with beginning drivers;

(d) A person assigned to teach traffic safety education classroom instruction in an educational facility shall complete a Division approved course of study for classroom instruction;

(e) Obtain re-certification every two years that includes:

(A) Attending a state or national traffic safety education course workshop once per re-certification period of 24 months;

(B) Teaching a minimum of 30 hours of classroom or behind-the-wheel practice driving or simulator during the re-certification period;

- (C) Retaining current first aid/CPR/Blood Born Pathogens Certification;
 - (D) Obtain a physical examination and statement from a licensed physician completed within the six-month period preceding the application, that the applicant is free of any ailment, disease or physical defect(s) that might impair the applicant's ability to drive safely or instruct novice drivers;
 - (f) A waiver for behind-the-wheel instruction of the Division approved driver instructor preparation course may be granted by the Division Manager or his or her designee for one year. An additional one-year waiver is available upon review of written request. The waiver would be based on the applicant's showing of completion of traffic safety education that has included defensive driver training such as police training or school bus driver training;
 - (g) An applicant shall be refused approval to teach traffic safety education or a current approval shall be suspended or revoked if the applicant or teacher has his or her driver license or privilege suspended or revoked or canceled for any reason or is involved in the DMV Driver Improvement Program;
 - (h) Approval to teach traffic safety education shall be granted when the traffic safety education teacher's driver license or privilege in Oregon is reinstated in full or one year has passed since the last Driver Improvement Program entry on the driving record;
 - (i) Opportunities for reinstatement and appeal shall be available according to provisions equivalent to those specified in ORS 342.175(4) and 342.180; and
 - (j) Educational facilities, who hire a traffic safety education practice driving instructor, are required to comply with OAR 581-022-1730, Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses for such instructors.
- (3) The additional one-year waiver established in subsections (1)(d) and (2)(f) of this rule is retroactively effective to April 1, 2001.

Stat. Auth.: ORS 184.616, ORS 184.619 & ORS 802.345

Stats. Implemented: ORS 336.800, ORS 336.805, ORS 336.810, ORS 802.110, ORS 802.345 & ORS 807.065

Hist.: TSS 1-2000(Temp), f. 2-11-00, cert. ef. 3-1-00 thru 8-27-00; Administrative correction 2-17-00; TSS 2-2000, f. 8-10-00, cert. ef. 8-28-00; TSS 1-2001(Temp), f. & cert. ef. 6-14-01 thru 12-10-01; TSS 2-2001, f. & cert. ef. 8-13-01

OAR-737-015-0080 (Excerpts)

Qualifications of a Driving School Traffic Safety Education Instructor

By September 1, 2004, a driving school owner, operator or instructor may provide a traffic safety education course to students for purposes of obtaining a provisional license under ORS 807.065 if:

- (a) The driving school owner, operator or instructor remains in compliance if they meet the requirements of their employer and certify and provide verification yearly that they meet the requirements of OAR 735-160-0000 through 735-160-0130; and
- (b) A person assigned to teach only traffic safety education practice driving (behind-the-wheel instruction) in an educational facility shall complete a Division approved course of study for practice driving instructor (behind the wheel) preparation, including an in-car practicum with beginning drivers;
- (c) A person assigned to teach traffic safety education classroom instruction in an educational facility shall complete a Division approved course of study for classroom instruction;
- (d) Obtain re-certification every two years that includes:
 - (A) Driver license check for validity and citations;
 - (B) Criminal background check meeting the requirements of OAR 735-160-0085;
 - (C) Attend a state or national traffic safety education course workshop once per re-certification period of 24 months;
 - (D) Teach a minimum of 30 hours of classroom or behind-the-wheel practice driving or simulator during the re-certification period;
 - (E) Retain current first aid/CPR/Blood Born Pathogens Certification; and
 - (F) Obtain a physical examination and statement from a licensed physician completed within the six-month period preceding the application, that the applicant is free of any ailment, disease or physical defect(s) that might impair the applicant's ability to drive safely or instruct novice drivers;
- (e) Is a minimum of 21 years of age; and
- (f) If the driving school traffic safety education curriculum has been approved by the

Stat. Auth.: ORS 184.616, ORS 184.619 & ORS 802.345

Stats. Implemented: ORS 336.800, ORS 336.805, ORS 336.810, ORS 802.110, ORS 802.345 & ORS 807.065

Hist.: TSS 1-2000(Temp), f. 2-11-00, cert. ef. 3-1-00 thru 8-27-00; TSS 2-2000, f. 8-10-00, cert. ef. 8-28-00; TSS 2-2001, f. & cert. ef. 8-13-01