

ARTICLE 38-08

PREMIUM REDUCTION FOR ACCIDENT PREVENTION COURSE COMPLETION

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CHAPTER 38-08-01 SPONSORING AGENCY APPROVAL

Section	
38-08-01-01	Application for Course Approval
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38-08-01-01. Application for course approval. A sponsoring agency which proposes to offer a motor vehicle ~~accident~~ crash prevention course to the public qualifying for an insurance premium reduction shall submit a completed application to the superintendent of the North Dakota highway patrol on a form prescribed by the department.

History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1

38-08-01-02. Course and instructors. In addition to the information required to be entered upon the application, the application must be accompanied by the following:

1. Copy A written copy of the proposed motor vehicle ~~accident~~ crash prevention course, which if approved, will be presented in a classroom setting or self-study, must be maintained on file at patrol headquarters.
2. An electronic demonstration copy of the proposed motor vehicle crash prevention course, which if approved, will be presented via the internet. A copy must be maintained on file at patrol headquarters.
- 2.3. Names, addresses, and ~~North Dakota~~ drivers license numbers of all instructors providing classroom instruction. Instructors must be formally certified to teach the courses. Documentation attesting to instructor certification must be submitted to the superintendent.

History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1

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CHAPTER 38-08-02 COURSE APPROVAL

Section

38-08-02-01 Hours of ~~Classroom~~ Instruction

38-08-02-02 Course Curriculum

38-08-02-01. Hours of ~~classroom~~ instruction. The curriculum for a course in motor vehicle ~~accident~~ crash prevention must consist of a minimum of four hours of ~~classroom~~ instruction and must be designed consistent with the following subject matter and be structured to prepare a student for satisfactory completion.

History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1

38-08-02-02. Course curriculum. The curriculum must include, but not be limited to, the following subject matter:

1. The concept of ~~accident~~ crash preventability, including a discussion of the cost magnitude of traffic accident crashes problems.
2. ~~Techniques for defensive driving and coping with critical situations including:~~ Discussion concerning the following contributing factors involved in motor vehicle crashes:
 - a. ~~Interpret critical events that require evasive action~~ Appropriate responses to roadway departure incidents;
 - b. ~~Appropriate response to situations caused by vehicle failure (blowout, brake failure, etc.); and~~ Benefits associated with the proper use of safety restraints;
 - c. ~~The risk factors created by a variety of psychological, social, and physical factors that can facilitate or inhibit function required in driving including:~~ Impact of alcohol and drug use among drivers;
 - (1) ~~Effects and compensatory measures concerning the relationships between alcohol or any other drugs or medication, or both, and driving performance.~~
 - (2) ~~Negative stresses and compensatory measures associated with physical, mental, and social conditions as they relate to driver performance.~~
 - (3) ~~Age-related physical changes of drivers fifty five years of age and older.~~

- d. Problems associated with younger/older drivers; and
 - e. Negative consequences associated with aggressive driving.
3. ~~North Dakota traffic~~ Traffic laws and regulations, vehicle ~~dynamics,~~ capabilities ~~and limitations,~~ and highway environmental factors including:
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- c. ~~Highway setting or operating environment and adverse conditions~~ environmental factors:
 - (1) Conditions limited by illumination, obstructions, and weather.
 - (2) Conditions ~~limited~~ created by snow, ice, and rain.

History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1

CHAPTER 38-08-03 WITHDRAWAL OF APPROVAL

Section
38-08-03-01 Withdrawal of Approval

38-08-03-01. Withdrawal of approval. The superintendent may withdraw approval of a sponsoring agency of a motor vehicle ~~accident~~ crash prevention course for any of the following reasons:

1. Unapproved deletions or additions have been made to the curriculum previously approved. Courses approved as classroom courses may format the approved course for self-study or on-line internet use, provided the requirements of chapter 38-08-01-02(2) have been met.
2. The course is not administered in a satisfactory manner ~~and~~ or after evaluation proves ineffective.

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History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1

CHAPTER 38-08-04 SPONSORING AGENCY COURSE ADMINISTRATION

Section
38-08-04-01 Sponsoring Agency Requirements

38-08-04-01. Sponsoring agency requirements. An approved sponsoring agency shall:

1. Make application to the ~~administration~~ department for approval if there are any proposed additions or deletions to an approved course.
2. Perform all administrative functions in connection with the course.
3. Upon satisfactory completion of the course, provide each participant with a certificate of course completion approved by the superintendent. Completion records must be maintained for a period of three years from the course completion date.
4. Provide ~~or train, or both,~~ approved instructors to ~~conduct~~ provide presentations for classroom courses ~~qualifying for insurance premium reduction~~.
5. ~~Conduct~~ Provide the same course ~~in accordance with the description represented to the superintendent~~ of instruction that is submitted to the superintendent at the time of application for course approval.
6. Provide each participant at the time of enrollment an approved ~~printed~~ statement, either printed or in electronic format, that indicates an insurer may provide a reduction in premium charges for motor vehicle personal injury and property damage to an insured for at least a two-year period following the participant's successful completion of a motor vehicle ~~accident~~ crash prevention course. A driver fifty-five years of age or older who successfully completes an approved motor vehicle ~~accident~~ crash prevention course is entitled to a three-year insurance premium reduction.
7. Provide the superintendent, upon request, ~~with~~ a schedule of ~~class~~ classroom courses, to include the dates, times, and locations of classroom courses.
8. Authorize the superintendent to audit the records of the approved course and to monitor and evaluate any and all portions of the course, including the classroom facility, ~~use of instructional material, and the presentation of the course~~ self-study materials, and on-line materials presented via internet-based courses. An internet course provider will provide the superintendent a course access password at no charge, upon request.
9. Upon renewal of an approved course, the course must be updated to accommodate any amendments that have been made to article 38-08 within the period of the current course approval.

History: Effective December 1, 1988; amended effective _____.

General Authority: NDCC 26.1-25-04.1

Law Implemented: NDCC 26.1-25-04.1