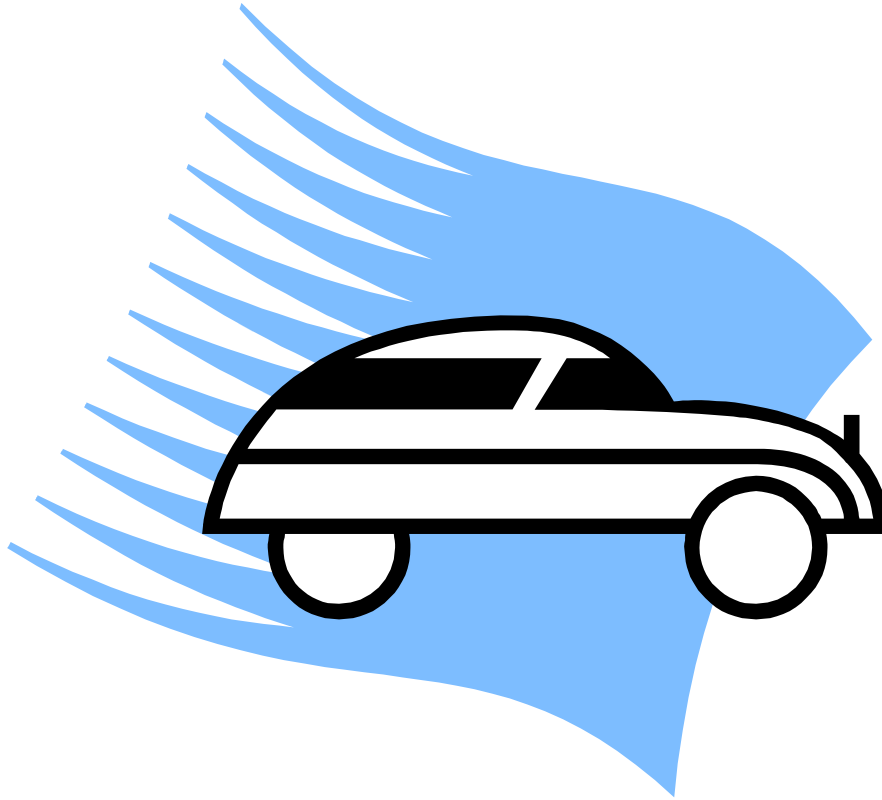


# ADMINISTRATIVE RESOURCE GUIDE



## DRIVER AND TRAFFIC SAFETY EDUCATION IN NORTH DAKOTA

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## INTRODUCTION

We are pleased to work collaboratively among the North Dakota Department of Transportation (NDDOT), the North Dakota Department of Public Instruction (NDDPI), and the North Dakota Education Standards and Practices Board (NDESPB) to provide guidance for schools as they implement quality driver and traffic safety education programs.

This *Administrative Resource Guide for Driver and Traffic Safety Education in North Dakota* is a resource for driver and traffic safety education instructors and schools in planning and implementing a driver and traffic safety education program. The success of the driver and traffic safety education program depends on many things, including well-trained, enthusiastic instructors; a comprehensive, up-to-date curriculum; focused, diligent students; supportive parents who provide encouragement and supervise practice time, and classroom and driving experiences reflecting good driver and traffic safety practices.

The NDDPI, the NDESPB, and the NDDOT gratefully acknowledge the assistance of the North Dakota Driver and Traffic Safety Education Association (NDDTSEA) in revising this resource guide.

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## **TEACHING THE DRIVER AND TRAFFIC SAFETY EDUCATION COURSE**

Driver and traffic safety education instructors, working with local school administrators, should develop programs to meet the driver and traffic safety education needs of all students.

Classroom and laboratory driver and traffic safety education instruction must meet minimum time requirements. NDAC 37-03-04-02 requires that 30 hours of classroom instruction and 6 hours of supervised behind-the-wheel instruction be completed successfully in order for students to receive credit and receive a certificate of completion. It is most effective if classroom and laboratory instruction are taught concurrently. Laboratory instruction includes behind-the-wheel on-street instruction, driving simulation, and/or on-range behind-the-wheel driving.

It is strongly recommended that the classroom portion of a summer school driver and traffic safety education program be scheduled over a time period of at least two weeks, not to exceed three hours of classroom instruction in any day. It is also recommended that the driver and traffic safety education instructor schedule behind-the-wheel lessons to provide ample time between lessons allowing students to participate in parental supervised practice on skills taught during the previous lesson by the course instructor.

Students should be given as much in-car observation time as scheduling procedures allow and individual differences require. The program should be developed to make the observation time meaningful and relevant so it will make a contribution to the effectiveness of the total program. Students should receive at least 6 hours of in-vehicle observation time in a dual-control vehicle.

Driver and traffic safety education programs may be included in the regular school curriculum whenever possible. It is recommended that the class size for classroom driver and traffic safety education not exceed 30 students. Classes may be offered during and after regular school hours, at night, or on Saturdays. Scheduling either classroom or laboratory instruction on Sundays or other holidays specified in NDCC 15.1-06-02 is prohibited. Those holidays include New Year's Day, Good Friday, Memorial Day, the fourth day of July, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, or any day declared to be a public holiday by the President of the United States or the governor.

Schools cannot give credit for a behind-the-wheel program taken by students through a private, non-credentialed driving instructor because only schools can offer high school credit. However, a licensed teacher with a valid driver and traffic safety education endorsement may contract with a school district to provide in-car instruction for high school credit. (See driver and traffic safety education instructor requirements, page 4.)

## **DRIVER AND TRAFFIC SAFETY EDUCATION COURSES**

### **Two-phase program**

The most frequently offered driver and traffic safety education course is a two-phase program encompassing integrated driver and traffic safety education experiences consisting of 30 hours of classroom instruction, a minimum of 6 hours of observation, and a minimum of 6 hours of supervised behind-the-wheel on-street instruction in a dual-control vehicle. This course (Course 21014) can be taken for  $\frac{1}{4}$  credit. If classroom times are doubled, the course may be taken for  $\frac{1}{2}$  credit. It is offered for grades nine through twelve.

### **Three-phase program**

There are two versions of a three-phase program from which schools may choose.

Course 21015 is an integrated program of a minimum of 30 hours of classroom instruction combined with at least 3 hours of behind-the-wheel on-street instruction and 12 hours of simulation. This course can be taken for ¼ credit. If classroom time is doubled, the course may be taken for ½ credit. It is offered for grades nine through twelve.

Course 21016 is an integrated program of a minimum of 30 hours of classroom instruction combined with extensive driving on a multi-car driving range. Students must receive at least 3 hours of behind-the-wheel on-street instruction in addition to at least 6 hours of range driving. This course can be taken for ¼ credit. If classroom times are doubled, the course may be taken for ½ credit. It is offered for grades nine through twelve.

### **Four-phase program**

Course 21018 provides a comprehensive program of driver and traffic safety education which includes a minimum of 30 hours of classroom instruction and sequential use of simulation, multiple-car driving range, and behind-the-wheel on-street instruction. Students must receive a minimum of 2 hours of behind-the-wheel on-street instruction. This course can be taken for ¼ credit. If classroom times are doubled, the course may be taken for ½ credit. It is offered for grades nine through twelve.

*Course codes are used when submitting course names and credits to the NDDPI and can be found in the PK-12 Course Codes and Descriptions on their website: [dpi.state.nd.us/resource/corscode/drivered.pdf](http://dpi.state.nd.us/resource/corscode/drivered.pdf).*

### **Driver and traffic safety education program for students with disabilities**

In many cases, it is possible to compensate for a physical or mental disability so that a person with a disability can safely operate a motor vehicle. Some impairments may constitute disabilities that cannot be overcome. If an instructor questions a student's ability to drive, he or she may require that the student submit to a physician's examination. The NDDOT will determine whether the student is medically qualified to drive after reviewing the physician's examination. The driver and traffic safety education instructor should be aware of any physical and/or mental condition of a student that may interfere with the safe operation of a motor vehicle.

Any student who has had blackouts or seizures or is subject to them will not be allowed to take the behind-the-wheel portion of the driver and traffic safety education program without first applying for and receiving an instruction permit through the NDDOT. The person completing an application is required to report any episodes to the NDDOT before receiving an instruction permit. Upon receipt of the instruction permit, the school district and the driver and traffic safety education instructor would be relieved of any responsibility relating to seizures or with granting permission to operate a motor vehicle. (NDCC 28-32-02, NDCC 39-06-03, NDCC 39-06-34; NDAC 37-03-01-05)

### **SUMMER DRIVER AND TRAFFIC SAFETY EDUCATION PROGRAM**

Many schools choose to offer the driver and traffic safety education program in the summer. Application for proportionate foundation aid payments for summer programs must be received by NDDPI by June 1 or before the summer course begins each year, whichever is earlier. In order to receive foundation aid and provide credit for the course, the course must be taught by a driver and traffic safety education instructor with a valid endorsement. Instructors and

administrators should familiarize themselves with the rules for high school summer school programs on the following website: [legis.nd.gov/information/acdata/pdf/67-20-01.pdf](http://legis.nd.gov/information/acdata/pdf/67-20-01.pdf).

The 2009-2010 application process for high school summer school requires schools to complete two steps:

1. The school will submit a completed paper application SFN50091 that will provide DPI with contact information, program dates, and other programmatic information. This form will be available online at [dpi.state.nd.us/approval/summer](http://dpi.state.nd.us/approval/summer) after April 1.
2. The school will report the teachers, courses, time, and students within the Summer School Licensed Personnel (MIS03) report on State Automated Reporting System (STARS). Enter STARS at [secure.apps.state.nd.us/dpi/stars/Login.aspx](http://secure.apps.state.nd.us/dpi/stars/Login.aspx), select the Personnel folder and the Summer School Licensed Personnel (MIS03) record to report your summer school instructional program. The Summer School Licensed Personnel (MIS03) report on STARS will be open for data entry from April 1 until July 16.

## **DRIVER AND TRAFFIC SAFETY EDUCATION PROGRAM REQUIREMENTS**

### **The driver and traffic safety education student**

Students can take the classroom portion of the driver and traffic safety education class as early as ninth grade. The behind-the-wheel portion, however, can be given only to students who are at least 14 years of age. It is strongly recommended that students have completed a minimum of 4 hours of classroom instruction in the rules of the road prior to any behind-the-wheel instruction. Some schools may require that the driver and traffic safety education student obtain a restricted instruction permit prior to any behind-the-wheel experience (NDAC 37-03-04-02, NDCC 39-06-01.1, NDCC 39-06-03, NDCC 39-06-05).

### **Driver and traffic safety education instructor requirements**

High school courses in driver and traffic safety education must be taught by a qualified instructor. The endorsement standards require that all applicants:

- Hold a valid regular North Dakota educator's professional license with a valid driver and traffic safety education endorsement at all times.
- Hold at all times during the endorsement period a valid, nonsuspended and unrevoked, operator's license suitable for the type of vehicle to be used.
- Within five days of receiving oral or written notice of any pending driver's license suspension or revocation, notify the NDESPB in writing of any pending or actual suspension or revocation.
- Maintain an insurance policy at least in the amount and type required by North Dakota law, provide proof of that policy to the NDDOT (SFN 9053), and provide notice to the NDESPB if the insurance company intends to cancel the policy.
- Upon applying for an instructor certification, the applicant must submit to the NDESPB a written application with a transcript and a copy of a complete driving record. Thereafter, by January 1 each year, the instructor must submit a copy of a complete driving record. A copy of the complete driving record can be obtained by submitting a written request for the complete driving record. Include your name, current mailing address, driver's license number, and the reason for the request. Mail the request and \$3 fee to Drivers License and Traffic Safety Division, 608 East Boulevard Avenue, Bismarck, ND 58505. You may fax this information along with a current credit card number, expiration date, and CVV number (the last three digits on the back of the credit card) to 701-328-2435, and the record will be mailed to you. If you have any questions, you may call 701-328-2604.
- Have a satisfactory driving record free from any conviction during the prior 36 months that would constitute the basis for suspension or revocation of the instructor's driving license and not have more than three moving traffic violations within the past 36 months.

- Have taken coursework that includes at a minimum:
  - Ten semester hours consisting of at least one course each in
    - 1) Classroom driver and traffic education; and
    - 2) In-car instruction;
    - 3) Beginning driver problems; and
    - 4) Organization and administration of safety education.
  - Fourteen semester hours with no more than three semester hours in any one area: first aid, substance abuse education; equipment training, which may include simulator use and educational technology; classroom management; developmental psychology covering adolescent psychology; stress management; curriculum, planning, and assessment; teaching diverse learners; and educational psychology.

Application procedures for the driver and traffic safety education endorsement require the applicant

- To complete the Drivers Education Minor Equivalency Endorsement (SFN 58610) from the NDESPB, and
- To provide a copy of a college transcript to verify driver and traffic safety education coursework.

Complete endorsement requirements and application procedures are available in Section 67.1-02-03-06 of North Dakota Administrative Code on the NDESPB's website at [nd.gov/esp/](http://nd.gov/esp/).

## **THE DRIVER AND TRAFFIC SAFETY EDUCATION VEHICLE**

### **Vehicle specifications**

The driver and traffic safety education vehicle is required to have the following special equipment:

- Dual controls include dual brakes or dual brake and clutch, depending on the standard equipment of the vehicle.
- Rearview and side view mirrors for the driver and a rearview mirror for the instructor. A side view mirror for the instructor is recommended.

Recommended equipment includes:

- Fire extinguisher
- First aid kit

### **Obtaining the vehicle**

Through the cooperation of vehicle manufacturers and dealers, most high schools with a qualified instructor can obtain a dual-control vehicle from a local dealer for a fee plus payment of maintenance costs, insurance, gasoline, and oil.

The negotiation for the loan or lease of a vehicle is usually conducted between the dealer and the school district.

A strong, positive relationship with the dealer who lends the school a dual-control vehicle is important. The dealer may be invited to meet and talk with the driver and traffic safety education class and should be given some recognition for his or her generous contribution to the school's program.

To ensure a continuing good relationship and to avoid any misunderstanding between the school and the dealer, a written agreement should be established to decide the basic responsibilities of

each. It is a sound practice to perform a joint inspection between a representative of the school and the dealer before the vehicle is obtained and when it is returned to the dealer.

### **Licensing the vehicle**

NDCC 39-04-18(2)(b) Motor vehicles exempt from registration fees.

“Motor vehicles owned by or in possession of Indian mission schools, by this state or any of its agencies, departments, or political subdivisions, including school districts possessing a motor vehicle or vehicles used for driver and traffic safety education instruction... provided, however, that the vehicles must display license plates provided by the department [NDDOT] at actual cost...”

“Each motor vehicle loaned or furnished by a licensed North Dakota motor vehicle dealer to a school district in North Dakota to be used exclusively for instructing pupils in the driver and traffic safety education and training program conducted by the school district will be assigned an official license plate. The license plates must be used only on the motor vehicles furnished by dealers and used in the driver and traffic safety education program, and for no other purpose except for garaging and safekeeping of the motor vehicle.

“A person may not use a driver and traffic safety education motor vehicle bearing official license plates for any purpose other than driver and traffic safety education course instruction. A person is not in violation of this subdivision if the person is required by the dealer or a school administrator to house or otherwise protect the vehicle at the person’s home or other facility.”

### **Insuring the vehicle**

NDCC 39-06-05(2) requires that the school district sponsoring the driver’s training program has an insurance policy covering any damage which may be done while operating the vehicle by an enrolled student who has no permit or license to operate a motor vehicle. It is recommended that the student driver complete a minimum of four clock hours of classroom instruction in rules of the road prior to any behind-the-wheel instruction.

- Proof of coverage is to be filed with the NDDOT by the school district’s insurance carrier.
- The certificate of insurance form (SFN 9053) is available at [dot.nd.gov/forms/sfn09053.pdf](http://dot.nd.gov/forms/sfn09053.pdf).
- Amounts for coverage are cited in NDCC 39-16.1-02.
- Proof of liability insurance must be carried in the vehicle at all times (NDCC 39-08-20).

### **Vehicle identification**

All vehicles used in the driver and traffic safety education program should be identified by displaying either an overhead sign, a bumper sign, or both. When the rear bumper sign is used, it should not be so large as to obstruct a driver’s rear vision.

When the vehicle is registered, it must be identified as a driver and traffic safety education vehicle so the decal can be placed on the plate. If the school district owns the vehicle and uses it for other school functions, the vehicle should not have the decal on the license plate.

### **Maintaining the vehicle**

It is very important that all driver and traffic safety education vehicles be properly maintained in a safe condition. It is recommended that the school district establish procedures to ensure necessary maintenance, periodic services, and proper storage; and maintain accurate operational records.



## **Procedures for breakdown or crash**

The local school district should develop written policies to be followed in case of a breakdown or a crash. A copy should be provided to each instructor and a copy should be available in each vehicle. The policy should be adapted to fit the school district but should include the procedure as to who should be notified, when they should be notified, what form(s) must be filled out, and by whom.

## **DRIVER AND TRAFFIC SAFETY EDUCATION PROGRAM RECORDS**

### **Parental or legal guardian approval**

Before a student is enrolled in the behind-the-wheel portion of the course, the school should receive written approval from the student's parent or legal guardian.

### **Student record of behind-the-wheel instruction**

Schools should develop a standard form to document instruction given and the dates/times of the instruction periods. A space should be provided on the form for both the student and the instructor to sign verifying the amount of instruction time the student received. This form should be stapled to the school district file copy of the student completion certificate and become part of the student permanent school record.

### **Student permanent school record**

Each school should ensure that a record of the student's driver and traffic safety education instruction is indicated on the student's permanent school record. The school district file copy of the student completion certificate should become part of this record.

### **Vehicle records**

To support school and dealer accounting needs, accurate records should be maintained identifying vehicle use, and the date, time, and odometer reading of all maintenance and service and by whom it was performed.

### **Certificates of completion**

The certificate of completion confirms that the student has successfully completed the driver and traffic safety education program course. This is an official document that must be presented to the driver examiner at the time of the road test to determine licensure.

The NDDOT will electronically provide blank certificates of completion to those schools maintaining approved driver and traffic safety education programs. Schools ensure that certificates are typed accurately and assume responsibility for making corrections. Completion certificates should not be issued for completion of a high school program offering only classroom instruction or only behind-the-wheel instruction.

### **Letters to parents or legal guardians**

When a student completes the driver and traffic safety education program, it is recommended that a letter be sent to the parent or legal guardian indicating whether the student successfully completed the program. The letter should suggest that the parent/guardian provide additional supervised behind-the-wheel driving for the student until they are satisfied that the student is capable of operating the vehicle. Parents can access the Rules of the Road manual from [dot.nd.gov/divisions/dlts/docs/rulesroad.pdf](http://dot.nd.gov/divisions/dlts/docs/rulesroad.pdf).

When a student completes the driver and traffic safety education program, the instructor may want to personally contact the parent or legal guardian. This is an effective way to involve the parent and gain support of the driver and traffic safety education program.

## **DIVISION OF RESPONSIBILITIES**

### **Schools will**

1. Certify that
  - a. The student was 14 years old before beginning behind-the-wheel instruction.
  - b. The minimum classroom instructional hours (30) were completed.
  - c. The minimum behind-the-wheel instruction, range, and/or simulator hours were completed.
2. Obtain adequate insurance and see that the certificate of insurance is sent to the NDDOT.
3. Complete a Driver and Traffic Safety Education Student Completion Certificate for each student who successfully completes all requirements.
4. Have the superintendent or principal sign certificates after certifying items a, b, and c in Item 1 above.
5. Provide three properly completed certificate copies to the student and retain a copy in the student's permanent school record.
6. Revise incorrect certificates.
7. File the student record of behind-the-wheel instruction and the school district file copy of the student completion certificate in the student's permanent school record.

### **Students will**

1. Ensure the information on their certificate is accurate to avoid difficulties on the day of the student's road test.
2. Have the certificate prior to making an appointment to take the road test.
3. Present the license examiner with a copy of the certificate on the day of the student's road test.

### **Parents will**

1. Ensure that their son or daughter is 14 before they participate in the behind-the-wheel instruction.
2. Schedule license examinations only after ensuring that a certificate has been received. Students under the age of 16 cannot be tested without the completion certificate.
3. Ensure that their son or daughter is capable of operating a motor vehicle safely and assume responsibility for all damages due to any negligent operation of that motor vehicle by their son or daughter.

### **North Dakota Department of Transportation will**

1. Provide Rules of the Road instruction manuals.
2. Provide blank driver and traffic safety education completion certificates.
3. Verify that the student is of sufficient age to be issued a license.
4. Require that the student have proof of identity.
5. Verify that the student has met the minimum driver and traffic safety education requirements as stated on the completion certificate.
6. Check to see that the completion certificate has been signed.
7. Collect the certificate.

### **North Dakota Department of Public Instruction will**

1. Review the names of persons listed as the instructors of driver and traffic safety education classes for approved programs.
2. Approve the summer driver and traffic safety education program and provide appropriate foundation aid payment.

3. Provide appropriate foundation aid payment for summer driver and traffic safety education program during the regular school year.

**North Dakota Education Standards and Practices Board will**

1. Provide the driver endorsement.
2. Notify the NDDPI of any disciplinary action regarding a driver and traffic safety education instructor.
3. Notify the NDDPI if the listed instructor of a driver and traffic safety education class is not currently endorsed to teach that subject.

**RESOURCES AND REFERENCES**

**North Dakota Century Code,  
with titles of chapters or sections (no titles for subsections)**

NDCC 15.1-06-02	School holidays
NDCC 28-32-02	Rulemaking power of agency – Organizational rule
NDCC 39-04-18(2)(b)	Motor vehicles exempt from registration fees – Reciprocal use of state highways by foreign licensed motor vehicles [Paragraphs from subsection 2(b) are printed in the “Licensing the vehicle” section of this guide.]
NDCC 39-06-01.1	Special provisions for minor operators
NDCC 39-06-03	What persons may not be licensed
NDCC 39-06-05(2)	Restricted instruction permit – When instruction permit not required [See the “Insuring the vehicle” section of this guide.]
NDCC 39-06-34	Director may require reexamination
NDCC 39-08-20	Driving without liability insurance prohibited
NDCC 39-16.1-02	Proof of financial responsibility defined
NDCC 39-16-03	Driving records – Not admissible in evidence – Fee

All North Dakota Century Code citations can be accessed online at [legis.nd.gov/information/statutes/cent-code.html](http://legis.nd.gov/information/statutes/cent-code.html).

**North Dakota Administrative Code**

NDAC 67-20-01	Summer high school programs
NDAC 67.1	Education Standards and Practices Board
NDAC 37-03-01-05	Operators Not to Be Licensed – Exceptions and Requirements
NDAC 37-03-04	Types of operators licenses, qualifications

All North Dakota Administrative Code citations can be accessed online at [legis.nd.gov/information/rules/admincode.html](http://legis.nd.gov/information/rules/admincode.html).

**Other references**

*A Manual of PK-12 Course Codes and Descriptions* can be accessed online at [dpi.state.nd.us/resource/corscode/index.shtm](http://dpi.state.nd.us/resource/corscode/index.shtm).

**Forms referenced in this guide**

SFN 9053	Certificate of insurance (pages 4, 6), <a href="http://dot.nd.gov/forms/sfn09053.pdf">dot.nd.gov/forms/sfn09053.pdf</a>
SFN 58610	Drivers Education Minor Equivalency Endorsement (page 4) <a href="http://nd.gov/esp/licensure/forms/MinorEquivalencyEndorsements/58610DriversEducationMinorEquivalency.pdf">nd.gov/esp/licensure/forms/MinorEquivalencyEndorsements/58610DriversEducationMinorEquivalency.pdf</a>

## **GLOSSARY**

Behind-the-wheel on-range	Teaching technique where students are given behind-the-wheel instruction on a special off-street facility. A number of vehicles operated by student drivers are under the supervision of one or more instructors located <u>outside</u> the vehicle. Various communication systems can be utilized.
Behind the wheel on-street	Teaching technique which allows the student driver to obtain driving experience behind the wheel of a dual-control vehicle in actual traffic situations under the direction of an instructor.
Dual-control vehicle	A vehicle equipped with an extra brake pedal and, when necessary, an extra clutch pedal, which are under the control of the instructor, who is in the right front seat.
Endorsement	Series of course work that meets a certain standard in a specific content area that is attached to a license and allows a person to teach in that content area.
Four-phase program	A driver and traffic safety education program which includes classroom, simulator, behind-the-wheel on-range, and behind-the-wheel on-street instruction segments.
Laboratory instruction	An extension of classroom instruction providing students with the opportunity for traffic experience under real or simulated conditions.
NDAC	North Dakota Administrative Code
NDCC	North Dakota Century Code
Observation time	Student time spent in the vehicle other than at the controls, and involving group discussion and assessment of the driving task.
Psychophysical Equipment	Testing devices used to measure certain psychophysical characteristics such as field of vision, visual acuity, distance judgment, reaction time, color discrimination, and similar characteristics.
Simulator	A laboratory device designed to assist the student driver in acquiring the necessary procedural, perceptual, judgmental, and decision-making skills for safe driving.
Three-phase program	A driver and traffic safety education program which includes classroom instruction, and two of the three options for laboratory instruction.
Two-phase program	A driver and traffic safety education program which includes classroom instruction and behind-the-wheel on-street driving.