

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 121

BY BUSINESS COMMITTEE

AN ACT

RELATING TO DRIVING BUSINESSES; AMENDING SECTION 54-5405, IDAHO CODE, TO RE-
VISE PROVISIONS REGARDING LICENSE REQUIREMENTS AND TO MAKE TECHNICAL
CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-5405, Idaho Code, be, and the same is hereby
amended to read as follows:

54-5405. DRIVING BUSINESSES -- LICENSE REQUIREMENTS. (1) No private
driver training business shall be established nor shall any existing busi-
ness continue to operate unless the business applies for and obtains from
the board a license ~~which~~ that expires on the license issue date and must be
renewed annually. The application for license shall include the name of the
owner, a satisfactory fingerprint-based criminal history check of the Idaho
central criminal database and the federal bureau of investigation criminal
history database, the location of the business, a certificate of occupancy
for a business that offers classroom instruction in a physical classroom
location, a certificate of automobile insurance, a list of licensed in-
structors, proof of an annual vehicle check, board-approved curriculum
components and a course of instruction for students, which shall include the
following:

- (a) Not less than thirty (30) hours of classroom instruction;
- (b) Not less than six (6) hours of behind-the-wheel practice driving;
and
- (c) Not less than six (6) hours of observation.

(2) Any private driver training business or driving instructor li-
censed pursuant to this chapter shall be exempt from the provisions of title
33, Idaho Code, that regulate driver education as long as such license is
current and valid and the private driver training business or driving in-
structor is acting pursuant to activities that the license permits.

(3) Any driving business licensed pursuant to this chapter may contract
with a public school to provide driver education. Any driving business that
contracts with a public school to provide driver education may be allowed
to use the services of any or all of the driving instructors of that driving
business. Once a person has been licensed as a driving instructor, that per-
son is authorized to teach in any approved driver education program.

(4) ~~If the board granted any business a license without the satisfac-~~
~~tory fingerprint-based criminal history check as provided in subsection (1)~~
~~of this section, such licensee shall obtain and submit the required finger-~~
~~print-based criminal history check to the board on or before the date of the~~
~~licensee's first renewal occurring after the effective date of this act~~ A
driving business shall ensure that each of its employees and persons under
its control who provides driver education to its students is at all times li-

1 censed under this chapter as a driving instructor or permitted as a driving
2 instructor apprentice.