

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 121

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO DRIVING BUSINESSES; AMENDING SECTION 54-5405, IDAHO CODE, TO RE-  
2 VISE PROVISIONS REGARDING LICENSE REQUIREMENTS AND TO MAKE TECHNICAL  
3 CORRECTIONS.  
4

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

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

8 54-5405. DRIVING BUSINESSES -- LICENSE REQUIREMENTS. (1) No private  
9 driver training business shall be established nor shall any existing busi-  
10 ness continue to operate unless the business applies for and obtains from  
11 the board a license ~~which~~ that expires on the license issue date and must be  
12 renewed annually. The application for license shall include the name of the  
13 owner, a satisfactory fingerprint-based criminal history check of the Idaho  
14 central criminal database and the federal bureau of investigation criminal  
15 history database, the location of the business, a certificate of occupancy  
16 for a business that offers classroom instruction in a physical classroom  
17 location, a certificate of automobile insurance, a list of licensed in-  
18 structors, proof of an annual vehicle check, board-approved curriculum  
19 components and a course of instruction for students, which shall include the  
20 following:

21 (a) Not less than thirty (30) hours of classroom instruction;

22 (b) Not less than six (6) hours of behind-the-wheel practice driving;  
23 and

24 (c) Not less than six (6) hours of observation.

25 (2) Any private driver training business or driving instructor li-  
26 censed pursuant to this chapter shall be exempt from the provisions of title  
27 33, Idaho Code, that regulate driver education as long as such license is  
28 current and valid and the private driver training business or driving in-  
29 structor is acting pursuant to activities that the license permits.

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

36 (4) ~~If the board granted any business a license without the satisfac-~~  
37 ~~tory fingerprint-based criminal history check as provided in subsection (1)~~  
38 ~~of this section, such licensee shall obtain and submit the required finger-~~  
39 ~~print-based criminal history check to the board on or before the date of the~~  
40 ~~licensee's first renewal occurring after the effective date of this act~~ A  
41 driving business shall ensure that each of its employees and persons under  
42 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.