

**TITLE 9: VEHICLE CODE**  
**DIVISION 2: REGISTRATION AND LICENSES**

**§ 2411. Definitions.**

In this article, unless the context otherwise requires, the following definitions apply:

(a) “Approving authority” means the Commissioner of the Department of Public Safety or an authorized agent of the department.

(b) “Certificate” refers to the written document issued by the Commissioner to a public, private or parochial college, university, or high school that offers driver education to persons as part of the normal program for that institution, indicating the department’s approval of the school’s driver education program.

(c) “Certified” and “certified program” refer to a public, private or parochial college, university, or high school that offers driver education as part of the normal program for that institution and that holds a current certificate from the Commissioner indicating that it complies with the Department of Public Safety’s driver education requirements in this article.

(d) “Commercial Driver Education School” means a business enterprise conducted by an individual, association, partnership, or corporation, that charges a fee to educate and train persons to drive motor vehicles or to prepare an applicant for a Commonwealth operator’s license examination, and that is required to be licensed by the Commissioner and that complies with the Department of Public Safety’s driver education requirements in this article.

(e) “Driver education program” or “program” means:

(1) A commercial driver education school;

(2) A certified program;

(3) A public, private or parochial college, university, or high school that offers driver’s education as approved by the Commissioner.

(4) Notwithstanding any other provision of this article to the contrary, a program to obtain a learner's permit at the age of fifteen and one half years may be conducted by any licensed driver over the age of twenty one years as described in 9 CMC § 2205(c). This program does not need certification from the Department of Public Safety.

(f) “Instruction” means lecture, tutoring, practice driving lessons, or other teaching method given to teach the proper operation of a motor vehicle.

(g) “One hour of instruction time” means sixty minutes of actual instruction. Time given for breaks and time taken between instructions are not counted as instruction time.

(h) “Instructor” means a person, whether acting as an operator of a driver education program or as an employee of the program, who teaches or supervises persons learning to drive motor vehicles or preparing to take an examination for an operator’s license, and any person who supervises the work of another instructor.

(i) “Laboratory instruction” means behind-the-wheel instruction for vehicles and astride-the-motorcycle instruction for motorcycles.

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(j) “Senior instructor” means that person designated by the administrator or entity certified to offer the driver’s education, who is to conduct or be responsible for the course of instruction.

(k) “Satisfactorily complete” means attendance at all periods of classroom instruction and laboratory instruction, including make-up sessions, in addition to the completion of an evaluation completed by the senior instructor attesting to the satisfactory knowledge of the course materials, and perfunctory ability for operation of the vehicle, acceptable to the entity certified to offer the driver’s education.

(l) “Certificate of completion” means a course completion certificate, issued by a certified program or a commercial driver education school as evidence of the satisfactory completion of the driver’s education as required in 9 CMC § 2203(b), as amended by the Mandatory Driver Education Act of 2006.

(m) “Good cause” means grounds put forth in good faith that are not arbitrary, irrational, unreasonable, or irrelevant and that are based on at least one of the following sources:

- (1) Written information from an identified person;
- (2) Facts supplied by the program, instructor, or applicant;
- (3) Driver’s license or accident records;
- (4) Court or police records; or
- (5) Facts of which the approving authority or the approving authority’s employees or agents have personal knowledge of.

**Source:** PL 15-25, § 2 (2401), modified; (e)(4) added by PL 17-45, § 2(D) (June 13, 2011), modified..

**Commission Comment:** PL 15-25 was enacted on August 25, 2006, and did not include any findings or intent provisions but did contain the following title section, in addition to other amendments and severability and savings clauses. Because the section numbering sequence designated in PL 15-25 was already assigned to a codified statute (i.e., 9 CMC § 2401), the Commission assigned different section numbers from those originally designated in PL 15-25, § 2, pursuant to authority granted by 1 CMC § 3806. Moreover, the Commission corrected manifest errors in subsection (d) [changed “driver motor vehicles” to “drive motor vehicles”] and subsection (l) [changed “Mandatory Driver Education Act of 2004” to “Mandatory Driver Education Act of 2006”], and deleted figures that were a mere repetition of words in subsection (g) pursuant to the authority granted by 1 CMC § 3806.

Section 1. Title. This Act shall be referred as “The Mandatory Driver Education Act of 2006.”