



# NEW YORK STATE DEPARTMENT OF EDUCATION DRIVER AND TRAFFIC SAFETY EDUCATION GUIDELINES

## Program Description and Requirements: August 2015

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## I. COURSE APPROVAL

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1. The New York State Education Department (NYSED) must approve all Driver and Traffic Safety Education (DTSE) courses offered by public and nonpublic secondary schools, colleges, and [BOCES](#) prior to the commencement of instruction. (See V&T law 507 item 1)
2. To

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## II. PROGRAM ADMINISTRATION

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1. Programs must be administered and operated by the school, college, or BOCES that has been granted program approval. Outside service providers such as, DMV licensed commercial driving schools, may not perform administrative duties within the program.
2. Public school programs must be administered by an individual who holds a New York State educational administrative certification. (SBL, SDL, SAS, or SDA)
3. DTSE programs may not be administered by individuals teaching within the program.
4. Contracts between the approved school, college, or BOCES and DMV licensed driving school to provide behind-the-wheel services, are to be drafted by the approved program provider's counsel. (See section [XII: Commercial Driving School Participation](#))
5. The Board of education must approve all contracts, stating that said contract has been reviewed by district counsel and meets all criteria set by the district and recommended by the NYSED (see [Commercial Driving School Contract Required Components](#)). This acknowledgement will be reflected in both the board minutes (also naming school counsel) as well as in the contract itself.
6. The signatures of the Board of Education President (or Board approved designee), ~~filed~~ ~~10/1/11~~ ~~11/1/11~~

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### III. COURSE LOCATION

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1. All laboratory and classroom instruction must originate and terminate at the public or nonpublic secondary school, college or BOCES as designated on the application (Form [DE-1](#)) for course approval.
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7. A maximum of four students and a minimum of two students may be scheduled for [behind-the-wheel](#) and/or [in-car observation](#) per period per instructor.

Note: On a case by case basis, where (special needs based) reasonable accommodations

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## VI. COURSE DESIGNATION

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### Credit-Bearing

1. One-half ( $\frac{1}{2}$ ) unit of elective credit may be granted to students who complete an approved NYSED-DTSE course offered by a public or nonpublic school as part of the regular school curriculum and taught by an appropriately certified teacher holding a NYS-DTSE approval.
  - A. Students must earn a final grade of 65 or better in order to receive credit for the course. The final grade for purposes of granting credit is determined by an average of the student's classroom and laboratory grades.
  - B. No public school student may be required to pay tuition or fees for a NYSED-DTSE course.

the commercial driving school that is contracted to provide laboratory instruction or other entity providing the vehicle(s) through a contract.

2. Automobiles used for instruction must be maintained in sound mechanical condition and must meet NYSDMV inspection standards as outlined in the [New York State Vehicle Safety/Emissions Inspection Program](#).

3. A valid insurance certificate, valid vehicle registration, and standard [accident report](#) must be kept in the vehicle.

4. The vehicle must be equipped to provide all occupants with maximum protection.

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## VIII. STUDENTS

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### Requirements

1. Students must be sixteen (16) years of age on or before the first day of class (lecture or behind-the-wheel). No waivers will be granted.
2. A student must complete at least 24 hours of lecture instruction and 24 hours of behind-the-wheel instruction within an approved DTSE program, and under the direct supervision of an appropriately credentialed DTSE teacher/instructor in order to be eligible to receive an MV-285 course completion certificate.
3. Schools must obtain the written consent of parents or guardians before enrolling a student in the course. This consent does not release the teachers or school authorities from responsibility, but it does ensure that the students are entering the course with the approval of their parents/guardians.
4. Students who are disruptive, aggressive, or who create an unsafe situation, may be disciplined in accordance with the school's discipline policy; such disciplinary action may result in removal from the program.
5. Students must pass knowledge, and (nt)2 B (.B10 (e (o) Tc (nt)(or)17 (da)1tba (t)12 ( p)1( i)



8. Schools may establish local policy which requires students to obtain a Permit as a condition of enrollment.

Note:

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## IX. DMV ISSUED CERTIFICATES OF COMPLETION

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### MV-285

1. Requests for MV-285 forms should be made on school letter head, and include:
  - x the school name,
  - x telephone number,
  - x number of certificates requested,
  - x number of certificates on hand (if any) along with certificate numbers
  - x number of student completers,
  - x start and completion date of the class,
  - x signature of principal or superintendent,
  - x name & telephone number of the school's DTSE administrator,
  - x and be mailed to:

NYS-Department of Motor Vehicles  
Utica Processing Center  
MV-285 / MV-278

207 Genesee Street, SuentuTd (27)c 40Tw 1.5 0 42 f 42 f 216 T01.40 TBDC

## **MV-278**

8. A Pre-licensing Course Completion Certificate (also known as Form [MV-278](#)) is a certificate issued by: (a) a commercial driving school, secondary school (high school or BOCES) or college to an individual who has taken a DMV-approved 5-Hour Pre-licensing Course; or (b) by a secondary school or college to an individual who has received classroom instruction that meets all requirements established in the Pre-Licensing Course Instructor's Manual (form MV-277) through a Driver & Traffic Safety Education Program. These certificates enable the recipients to schedule a road test with the DMV.

Note: An MV-278 issued as part of a DTSE program must be issued by the DTSE program and not a driving school that was contracted for Behind-The-Wheel training.

9. In order for approved NYS-DTSE teachers (MV-283 card holders) to receive authorization to issue the Pre-Licensing Course Completion Certificates ([MV-278](#)), the approved school must submit a completed Authorization and Approval for Pre-Licensing Form or [MV-278.7](#) to the Department of Motor Vehicles at:

NYS-Department of Motor Vehicles Utica Processing Center MV-285 / MV-278 207 Genesee Street, Suite 6 Utica, NY 13501
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10. The New York State Department of Motor Vehicles will impose a one dollar fee for each issued Pre-Licensing Course Completion Certificate ([MV-278](#)). The [MV-278.8ssc](#) is used by secondary schools, colleges and BOCES to order [MV-278](#) pre-licensing course completion certificate books.
11. The [MV-278.5N](#) (Roster and Control) must be completed by schools to record information about [MV-278](#) certificates issued to students who complete the pre-licensing course requirements.

Note: Students must present a NYS Photo Learner Permit to the instructor before a Pre-Licensing Course Completion Certificate (MV-278) can be issued. Moreover, the Client ID number from the student's Photo Learner Permit must be included on the MV-278.5N (Roster and Control). (Please see MV-277 Pre-Licensing Course Instructor's Manual page C-1.)

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## **X. PARENTAL OR GUARDIAN PARTICIPATION**

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Motor vehicle crashes are the number one cause of death for young drivers. According to research conducted by the Children's Hospital of Philadelphia, parents play a crucial role in modeling, teaching and monitoring their teens' driving. Teens whose parents take an active role in promoting safety by monitoring their teen's activities and setting rules in a helpful, supportive

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## **XI. DTSE TEACHER**

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### **Qualifications**

1. To become approved by the NYSDMV as a DTSE (MV-

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## **Requirements & Application**

14. The procedure for obtaining NYS-DTSE teacher approval is as follows:

- A. The applicant must complete form





## **XII. COMMERCIAL DRIVING SCHOOL P**

9. Certified Driving School Instructors providing [behind-the-wheel](#) or [in-car observation](#) instruction in an approved NYS-DTSE course must have completed the basic 30 hour instructor's course, as specified by the NYSDMV.

Note: This must be communicated (in writing) to the school, college, or BOCES being contracted with.

10. Personal vehicles may not be used for laboratory instruction.
11. MV-524 card holders may not provide instruction outside of a contract with the DTSE approved school, college, or BOCES, and the DMV licensed commercial driving school documented on their MV-524 card.
12. DMV licensed commercial driving schools supplying a vehicle for laboratory instruction must provide for all costs associated with proper vehicle use, safety, and maintenance. All vehicles must meet the same requirements for vehicles as outlined in [Section VII](#).
13. DMV certified commercial driving school instructors must log the type and number of instructional hours delivered to each student, and then submit that log to the contractor's DTSE administrator upon course completion, or other agreed upon schedule (such as daily, weekly, etc.).

**NOTE:**

Commercial driving schools may want to consider monitoring (via NYSDMV LENS system

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### XIII. RECORDS RETENTION

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In accordance with the [Records Retention and Disposition Schedule ED-1 section 185.12, 8 NYCRR \(Appendix 1\)](#), records regarding the delivery of driver education courses must be maintained as follows:

1. Written records for all vehicles used for instruction should be maintained for a minimum of six (6) years. All vehicle records must include: time, mileage devoted to instruction, fuel consumed, and maintenance information.
2. Attendance records for all phases of the DTSE program (lecture, behind-the-wheel, in-car observation, range, and simulation) must be documented and maintained in a secure area on the approved program's campus for a minimum of six years.
3. Attendance records must delineate the teacher of record for each portion of each student's DTSE experience. (e.g. lecture, behind-the-wheel, in-car observation, range, and simulation)
4. A log of instructional hours for each student must be documented and maintained in a secure area on the approved program's campus for a minimum of six years. The log must delineate how many hours were completed in all phases of the program, as well as the teacher who delivered the hours.
5. The [MV-285R](#) (Roster), which includes laboratory hours, classroom hours, and total hours in attendance for each student, must be maintained.

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## GLOSSARY OF TERMS AND ACRONYMS

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**BOCES:** Board of Cooperative Educational Services.

**CERTIFIED DRIVING ABSTRACT:** An official or formal document issued by an out-of-state motor vehicle administrator outlining the driving record and history of the licensee.

**CLASSROOM INSTRUCTION:** The minimum required 24 hours of instruction delivered by a NYS-DTSE teacher (MV-283) in a classroom setting located at the public or non-public school, college, or BOCES approved via the DE-1.

**COURSE DESIGNATIONS:** One of two types of New York State Driver & Traffic Safety Education (DTSE) course being offered: Credit Bearing or Tuition Based.

**CREDIT BEARING:** A New York State Driver & Traffic Safety Education course being offered as an elective course for ½ unit of credit. The course must meet the unit of study seat time requirements outlined in the Commissioner's Regulations 100.4 located at <http://www.emsc.nysed.gov/part100/pages/1001.html#a>, as well as the 48 hours of instruction outlined in section V: Minimum Time Requirements.

**TUITION BASED:** A New York State Driver & Traffic Safety Education course being offered outside the regular school day. The course must meet the 48 hours of instruction outlined in section V: Minimum Time Requirements.

**COVERED SCHOOLS:** Public School districts, charter schools, BOCES and those nonpublic school districts that have opted into the State Education Department's Criminal History Records Check program for perspective school employees set forth in 8 NYCRR Part 87.

**EYE CHECK MIRROR:** A convex mirror which allows the instructor to observe the head and eye movements of the trainee in the mirror.

**JUNIOR PERMIT:** A Learner Permit issued to someone who is under the age of 18. Applicants must be at least 16 years of age and pass a vision and written test provided by the Department of Motor Vehicles.

**LABORATORY INSTRUCTION:** Behind-the-wheel, in-car observation, simulation, and/or range instruction. NYS-DTSE teachers may deliver instruction in any of the aforementioned modes. NYSDMV driving school instructors holding an **MV-524** (NYSDMV Driving School Instructor Card/Certificate) may deliver the behind-the-wheel instruction.

2. In-Car Observation: The time an enrollee in a driver education course spends in the vehicle, under the direct guidance of an approved driver education teacher/instructor, observing another driver operate the controls of the vehicle.
3. Range Instruction: The portion of the driver education laboratory instruction that enables the driver education teacher

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## FORMS AND LICENSES

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**DE-2:** Driver and Traffic Safety Education Teacher Approval form.

<http://www.emsc.nysed.gov/cte/de/forms.html>

**MV-44:** Application for Driver License or Non-Driver ID Card.

<http://dmv.ny.gov/forms/mv44.pdf>

**MV-277:** Pre-Licensing Course Instructor's Manual. This is the syllabus for the course which identified the required topics and information to be covered as part of the Pre-Licensing Course. [www.dmv.ny.gov/org/forms/mv277.pdf](http://www.dmv.ny.gov/org/forms/mv277.pdf)

**MV-278:** NYSDMV Pre-Licensing Certificate, issued upon completion of the pre-licensing course (also known as the 5-hour course).

**MV-278.7:** Authorization and Approval for Pre-Licensing Form. Schools approved to teach the Pre-Licensing Course must complete and submit this form to the NYSDMV in order for instructors at the approved school to receive authorization to issue Pre-Licensing Course Completion Certificates (MV-278). <http://dmv.ny.gov/forms/mv2787.pdf>

**MV-278.5N ROSTER AND CONTROL:**