

**DRIVING SAFETY SCHOOLS AND INSTRUCTORS**  
**(DES)**

**Class A**

Penalty Range:  
\$100 to \$250

**Administrative Violations**

- Failed to carry instructor's license at all times 1001.356
- Failed to include required statements in any contract or instrument transferring the ownership of a driving safety school 84.60(c)(2)

**Posting and Public Information-Related Violations**

- Failed to notify consumers and service recipients of the department's complaint information 84.83(c); 84.84

**Operations-Related Violations**

- Failed to require a written commitment from student to family and friends that the students will not engage in dangerous driving habits 1001.111(b)(3)
  - Failed to ensure that the court information is obtained from each student taking the driving safety 84.63(c)(4)

**Class B**

Penalty Range:  
\$150 to \$500 and/or up to 1-year full suspension

**Administrative Violations**

- Failed to apply for a new driver training school license at least 30 days before the date of a change of ownership 1001.213(b)
- Failed to notify the department in writing of any change of address at least 15 days before the move of a driver safety school 84.60(d)(1)
- Failed to submit appropriate fee and all documents for a new location 84.60(d)(2)

- Failed to forward all records to the course provider responsible for the records within 15 days of closure 84.60(g)(1)
- Failed to execute a written legal contract prior to instruction or receipt of money 84.82(b)(1)

### **Advertising Violations**

- Used advertising that was false, misleading, or deceptive 1001.451(1); 84.80(d)
- Conducted business or advertised under a name that is deceptively similar to another without approval 84.80(a)
- Used names other than the approved school name 84.80(b)

### **Operations-Related Violations**

- Failed to perform all instruction in a location approved by the department 84.61(a)
- Failed to ensure that all instructors are currently licensed by the department 84.61(c)(1)
- Provide instruction in courses not on the school's list of approved courses 84.61(c)(3)
- Failed to evaluate instructor performance in accordance with the course provider plan 84.61(c)(4)
- Failed to develop and maintain a means to ensure the security and integrity of student information 84.61(c)(5)
- Failed to disclose a written grievance procedure to all students 84.83(a)
- Failed to meet any state and local ordinances governing housing and safety for the use designated 84.90(d)
- Failed to provide a cancellation and refund policy in accordance with Code and chapter 84.200(a)
- Failed to use the cancellation policy approved for the course provider 84.200(b)
- Failed to retain proof of completion of the refund on file within 75 days of the effective date of termination 84.200(d)
- Failed to identify on refund check student to whom the refund is assigned 84.200(d)

### **Record-Related Violations**

- Failed to make available accurate records as required 1001.451(2)
- Failed to furnish upon request any data pertaining to student enrollments and attendance 84.81(b)(1)
- Failed to include required information in all driving safety and specialized driving safety contracts 84.82(b)(2)

- Failed to include required statements in all driving safety school contracts 84.82(b)(3)
- Failed to ensure a copy of each contract is a part of the student files maintained by the driving safety school 84.82(b)(5)
- Failed to ensure contracts for group instruction to meet all legal requirements 84.82(b)(7)

## **Class C**

Penalty Range:  
\$250 to \$750 and/or up to revocation

### **Administrative Violations**

- Failed to notify the department within 15 working days of a driver training school closing 1001.451(2)

### **Certificate-Related Violations**

- Issued, sold, traded or transferred a certificate to a person not authorized to possess the certificate 1001.451(3)(A)
- Issued, sold, traded or transferred a certificate to a person who has not completed an approved driving safety course 1001.451(3)(B)
- Failed to pay a fee to the course provider as required for certificate numbers provided for the students within 7 days of course completion 84.61(c)(6)
- Fail to maintain the verification of course completion document for no less than 3 years 84.63(a)(1)
- Failed to ensure that the course provider policies are followed and communicated 84.63(b)(1)
- Failed to ensure that all records are returned to the course provider in a timely manner as set forth by the course provider 84.63(b)(2)

### **Curriculum-Related Violations for Drivers Younger than 25 Years of Age**

- Failed to conduct a course in the required format 1001.111(b)(1)
- Failed to include required instruction 1001.111(b)(2)

### **Facility-Related Violations**

- Failed to conduct a department approved course in a facility or facilities approved by the department 84.90(a)
- Failed to meet the use requirements of the maximum number of current students in a class 84.90(c)
- Failed to ensure classroom facilities, when used for instruction, met all requirements 84.90(e)
- Failed to provide designated instructional areas that promote learning by ensuring that students are able to see and hear the instructor and audiovisual aids 84.90(f)

### **Instructor-Related Violations**

- Failed to ensure all records are returned to the driving safety school to be forwarded to the course provider 84.63(c)(1)
- Failed to ensure that the verification of course completion document is signed by the instructor who conducted the class 84.63(c)(2)
- Failed to ensure that the entire course is completed prior to signing the verification of course completion document 84.63(c)(3)
- Failed to ensure that the instructor adheres to the school and course provider policies 84.63(c)(5)

### **Operations-Related Violations**

- Operated a school that provides driving safety courses without a driving safety school license 1001.201(2)
- Driving safety school used multiple classroom locations to teach a driving safety course without approval of the department 1001.202(b); 84.60(a)(1)
- Taught or provided driving safety training without a driving safety instructor license, except when applicable 1001.251(b)
- Refused to cooperate with an investigation by an authorized representative of the department 60.23(a)(3)
- Failed to obtain an original license upon purchasing a licensed driving safety school 84.60(c)(1)
- Failed to perform all instruction by licensed instructors 84.61(a)
- Failed to ensure a student instructor trainee was teaching under required supervision 84.61(a)
- Failed to ensure that all instructors are properly licensed with the proper endorsement 84.61(c)(1)
- Failed to prohibit an instructor from giving instruction while intoxicated or otherwise impaired 84.61(c)(2)
- Failed to prohibit a student from receiving instruction while the student exhibits any effects of being intoxicated or otherwise impaired 84.61(c)(2)

### **Tuition and Refund-Related Violations**

- Negotiated a promissory instrument received as payment of tuition or another charge before the student completes 75 percent of the course, except as permitted 1001.451(4)
- Failed to issue refund that corresponds to the actual instructional hours not provided 84.200(c)
- Failed to complete refund within 30 days after the effective date of termination except as allowed under §84.46 84.200(d)

## **Class D**

Penalty Range:

\$1,000 and/or revocation

### **Compliance, Fraud or Unethical Conduct-Related Violations**

- Failed to comply with an order of the executive director or commission 51.353(a)
- Instructor failed to meet a requirement for issuance of or holding a license 1001.455(a)(1)
- Instructor permitted or engaged in misrepresentation, fraud or deceit in applying for obtaining a certificate, license or permit 1001.455(a)(2)
- Instructor induced fraud or fraudulent practices in an action between the application for a driver's license or permit 1001.455(a)(3)
- Instructor permitted or engaged in any other fraudulent practice in an action between the applicant or license holder and the public 1001.455(a)(4)