

## **735-160-0003**

### **Purpose and Exemptions**

- (1) The purpose of chapter 735, division 160 rules is to outline the requirements for a Commercial Driver Training School Certificate pursuant to ORS 822.515 and a Driver Training Instructor Certificate pursuant to ORS 822.530.
- (2) Except as provided in ORS 822.500(2) and section (4) of this rule a person must obtain a Commercial Driver Training School Certificate to operate, for consideration, a business or non-profit enterprise engaged in educating and training persons in the driving of motor vehicles, either practically or theoretically or both.
- (3) Except as provided in ORS 822.525(2) and section (4) of this rule, a person must obtain a Driver Training Instructor Certificate if, for compensation, the person teaches, conducts classes, gives demonstrations to or supervises practice in the driving of motor vehicles. This section applies to persons acting on their own behalf, or acting as an operator of or on behalf of, any business, nonprofit enterprise, or school engaged in educating and training persons in the driving of motor vehicles, either practically or theoretically or both.
- (4) The following persons are exempt from the requirement to obtain either a Commercial Driver Training School Certificate or a Driver Training Instructor Certificate.
  - (a) The operator of, or a person acting on behalf of, a business or non-profit enterprise engaged in educating and training persons for a profession;
  - (b) The operator of, or person acting on behalf of, an accredited secondary school, college or university; or
  - (c) A person that provides limited driver education or training for a specialized purpose.
- (5) For purposes of ORS 822.500, 822.525 and this rule, the following are persons who provide limited driver education or training for a specialized purpose:
  - (a) A rehabilitation specialist engaged in evaluating, assessing or retraining drivers to compensate for a physical or mental condition or impairment.
  - (b) A provider of a DMV approved accident prevention course offered primarily for insurance discount purposes pursuant to ORS 742.490.
  - (c) A provider who teaches specialized driving skills to drivers of emergency vehicles as defined by ORS 801.260.
  - (d) An employee of a government entity, business, non-profit enterprise or school who provides defensive driving training or similar driver safety instruction to employees of the business, nonprofit enterprise or school who hold valid driver licenses.
  - (e) A person hired by, or contracting with, a government entity, business, non-profit enterprise or school who provides defensive driving training or similar driver safety instruction to employees of the government entity, business or nonprofit enterprise who hold valid driver licenses.
  - (f) A federal, state, county or city agency that provides driver safety training to members of the public who hold valid driver licenses, including, but not limited to teaching people how to drive in adverse weather conditions, a safe-driving program or a motorcycle safety program.
  - (g) A provider of off-the-highway instruction in the operation of off-road racing vehicles to persons holding valid driver licenses.
  - (h) A provider of off-the-highway instruction in the operation of off-road all terrain vehicles (ATVs).
  - (i) A provider of training conducted exclusively over the internet, if no classroom or behind-the-wheel training is conducted at any physical location in Oregon.

(j) A provider of driver improvement or similar driver safety instruction for the purpose of a court-order or for a court diversion program.

(k) An insurer, or person acting on behalf of an insurer, who provides defensive driving training or similar driver safety instruction for the purpose of reducing insurance premiums, not used to meet a DMV requirement.

(L) Providers of training conducted exclusively for currently licensed drivers who are taking the training to gain specific skills, not used to meet a DMV requirement.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 822.500 & 822.525

Stats. Implemented: ORS 822.500, 822.515, 822.525 & 822.530