to public health and safety, agricultural crops and native flora and fauna; limit administrative burdens on the regulated public and the Department; and improve program enforcement. Wild animals which, by virtue of their size, strength, temperament, envenomation, or propensity to transmit diseases to humans, are found to be a threat to public health and safety, or which, by virtue of their propensity to damage agricultural crops or native flora or fauna or their habitats, are prohibited from general ownership. Persons and institutions that provide a public benefit in the exhibition of such animals, may, under certain conditions, import and possess such animals.

The proposed new regulation addresses six areas related to the importation, possession and liberation of wild animals:

- Prohibits importation and possession of animals that are dangerous to people, agriculture or the environment;
- Provides for the importation and possession of wild animals that pose a threat to public health and safety, agriculture and the environment by institutions that serve a public benefit;
- Establishes a registration program for certain small primates possessed prior to October 1, 2003;
- Regulates the importation and possession of endangered or threatened species; and
- Regulates the release of wild animals.

Be it known that the foregoing regulations are adopted and repealed by the aforesaid agency pursuant to Sec. 26-55 of the General Statutes, as amended by Public Act No. 09-198 of the Public Acts, after publication in the Connecticut Law Journal on January 11, 2011, of the notice of the proposal to adopt and repeal such regulations, and the holding of an advertised public hearing on the 15th day of February, 2011.

Wherefore, the foregoing regulations are hereby adopted and repealed, effective when filed with the Secretary of the State.

In Witness Whereof: February 3, 2012, Daniel Esty, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: February 7, 2012.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: February 28, 2012.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: March 5, 2012.

DEPARTMENT OF MOTOR VEHICLES

Driver's Education in Secondary Schools

Sections 14-36f-1 through 14-36f-17 of the Regulations of Connecticut State Agencies are amended and the following is substituted in lieu thereof:

Sec. 14-36f-1. Definitions

As used in Sections 14-36f-1 to 14-36f-17, inclusive, the following terms shall have the following meanings:

(1) "Behind-the-wheel instruction" means instruction or training provided to a student by a qualified secondary school teacher, or by a commercial driving instructor, which permits the student to obtain driving experience on public roads and highways, in a motor vehicle equipped and registered as required by law, while the student is operating the motor vehicle, in accordance with the provisions of section

14-36f-5 of the Regulations of Connecticut State Agencies, or in accordance with 14-36f-14 of the Regulations of Connecticut State Agencies;

(2) ''Classroom instruction'' means group instruction of students in a classroom or similar group situation, by a qualified secondary school teacher or by a commercial driving school instructor, in accordance with the provisions of section 14-36f-4 of the Regulations of Connecticut State Agencies;

(3) ''Clock hour'' means sixty (60) minutes;

(4) ''Commercial driving instructor'' means a person who has an instructor's license as provided in section 14-73 of the Connecticut General Statutes and is employed by a commercial driving school licensed by the commissioner in accordance with section 14-69 of the Connecticut General Statutes;

(5) ''Commissioner'' means the commissioner of motor vehicles or the commissioner's designee;

(6) ''Department'' means the department of motor vehicles;

(7) Driver's education certificate§ means a form approved by the commissioner, which evidences successful completion of course requirements, as required by section 14-36f-7 and 14-36f-7a of the Regulations of Connecticut State Agencies;

(8) ''Driver education program'' means an organized system of instruction in safe driving procedure and practice in a secondary school approved by the commissioner permitting a student to obtain behind-the-wheel or classroom instruction, or both;

(9) ''Dual control vehicle'' means a motor vehicle having dual controls on the foot-brake and on the clutch if so equipped, installed and maintained in accordance with the recommendations, operable by a person in the front seat of the vehicle other than the driver;

(10)''Full course'' means a minimum of thirty (30) classroom hours and eight (8) hours of behind-the-wheel instruction in accordance with section 14-36f-4(a) of the Regulations of Connecticut State Agencies;

(11) ''Master instructor'' means a person approved by the commissioner to provide instructor training, and who meets the requirements of section 14-36f-6a of the Regulations of Connecticut State Agencies;

(12) ''Qualified secondary school teacher'' means a State Board of Education approved teacher in a secondary school, certified in accordance with the provisions of section 10-145 of the Connecticut General Statutes, and applicable regulations, to teach grades seven or above, who is endorsed to teach driver education, and is approved by the commissioner in accordance with section 14-36f-6 of the Regulations of Connecticut State Agencies;

(13) ''Secondary school'' means a local or regional board of education, public, state vocational, or a private or parochial school, which provides education in the levels between elementary school and college and offers the opportunity to obtain a diploma;

(14) ''Secondary school certificate'' means a form approved by the commissioner which may be issued to a secondary school which meets the requirements of section 14-36e of the Connecticut General Statutes; and

(15) ''Student'' means a person enrolled in a course of classroom instruction, behind the wheel instruction or both in motor vehicle operation and highway safety at a secondary school.

Sec. 14-36f-1a. Secondary school certificate required

No secondary school shall provide driver education without a secondary school certificate.

A secondary school certificate shall be issued by the commissioner only upon approval of an application filed in accordance with the provisions of section 14-

36f-1b of the Regulations of Connecticut State Agencies. Such certificate may be displayed by the school.

Sec. 14-36f-1b. Application

An application for a secondary school certificate shall be in writing on a form approved by the commissioner, shall provide all information required by the commissioner, and shall be signed by an authorized school official under penalty of false statement in accordance with the provisions of sections 14-110 and 53a-157b of the Connecticut General Statutes.

Sec. 14-36f-1c. Secondary school certificate renewal

(a) A secondary school may renew its certificate to conduct driver education by filing a renewal application with the commissioner in accordance with the provisions of section 14-36f-1b of the Regulations of Connecticut State Agencies.

(b) A secondary school shall submit a renewal application forty-five days prior the school's renewal date, according to a schedule established by the commissioner. Such schedule may result in the staggered renewal of all certificates.

Sec. 14-36f-2. Driver education program

(a) Each secondary school conducting a driver education program for students between sixteen (16) and eighteen (18) years of age shall submit to the commissioner its driver education program curriculum for approval. Such curriculum shall include class schedule, the name(s) of instructor(s), and the amount of the fees, if any, charged to students enrolled in such program, as well as any other information concerning the conduct and scope of such driver education program as may be requested by the commissioner. The commissioner shall review the curriculum and shall notify the secondary school of any elements of the curriculum which are inconsistent with the licensing requirements of section 14-36 of the Connecticut General Statutes. The secondary school shall revise its curriculum in accordance with such licensing requirements. Where a secondary school contracts with a licensed commercial driving school to provide either classroom or behind-the-wheel instruction, or both, such instruction shall be included as part of the commercial driving school curriculum, and shall be submitted to the commissioner as provided in subsection (g) of section 14-78-22 of the Regulations of Connecticut State Agencies. A secondary school providing driver education instruction shall meet the requirements of subsection (a) of section 14-36f-2 of the Regulations of Connecticut State Agencies.

(b) Any local or regional board of education or secondary school, may enter into an agreement with a commercial driving school licensed by the commissioner in accordance with section 14-69 of the Connecticut General Statutes, to provide either classroom or behind-the-wheel instruction, or both. Any such driver education instruction may be given only by a licensed commercial driving instructor. An agreement with a commercial driving school shall not relieve the secondary school from meeting driver training safety standards. The secondary school shall inform the commissioner in writing, if any part of its driver training program is conducted by a commercial driving school.

(c) The commissioner may review the conduct and scope of a secondary school driver education program at any time the secondary school is in session, or at anytime instruction is being provided.

(d) A secondary school shall not substantially deviate from the approved curriculum unless it has the prior approval of the commissioner.

(e) A secondary school shall notify the commissioner within five (5) business days and in writing of any change in the location of the school, or a permanent change in the classroom in which training is provided.

(f) A secondary school shall inform the commissioner, in writing, of the location of the records maintained with respect to a driver education program, if such records are not maintained at the main office of the secondary school.

(g) No secondary school shall offer a driver education program for profit, or engage in the business of providing driver education.

(h) No secondary school shall conduct a driver education program unless the commissioner has approved its curriculum and the conduct of the program. At any time, the commissioner may require the review and approval of a curriculum used by a secondary school.

Sec. 14-36f-3. Time and duration of driver education program

(a) A secondary school offering a driver education program shall provide adequate staff, classroom(s) or similar instructional space, and have access to a sufficient number of motor vehicles to accommodate persons enrolled in such program.

(b) Each hour of instruction shall consist of sixty (60) minutes for both classroom and behind-the-wheel instruction.

(c) Driver education programs may be offered by secondary schools at any convenient time, including during the school day, after school hours, during the evening, weekends or during the summer or any other period when school is not in session.

(d) The driver education program, including both the classroom instruction and behind-the-wheel instruction, shall be scheduled so that it may be completed by a student, under normal circumstances, during a single school year.

(e) A board of education, in accordance with the provisions of section 10-24b of the Connecticut General Statutes, may charge a fee if a course of study of motor vehicle operation is offered at hours other than those in the regular school day. The fee shall not exceed the per pupil cost of maintaining the course. No fee shall be charged for a course of study offered during regular school hours.

Sec. 14-36f-4. Classroom instruction

(a) Each secondary school offering a full course of driver education shall provide classroom instruction, in accordance with a curriculum approved by the commissioner, consisting of a minimum of thirty (30) hours of such instruction, and a minimum of eight (8) hours of behind-the-wheel instruction.

(b) Each secondary school offering classroom instruction shall provide a minimum of thirty (30) hours of such instruction with a curriculum approved by the commissioner. The curriculum shall include the following:

(1) The development of driver skills which shall be presented in a simple-to complex structure of concepts and behavioral patterns;

(2) A variety of instructional methods which shall demonstrate student centered activities for participative education, to include low risk driving values, knowledge for development of safe driving habits, and mental readiness for correct in-vehicle performance;

(3) Presentation of content in the classroom which parallels the presentation of in-vehicle content. The driving related skills and concepts presented in the classroom shall be conducted in a motor vehicle as soon after the classroom activities as possible. All concepts, and where possible skills to be practiced in the motor vehicle, shall first be presented in the classroom; and

(4) Appropriate content for the classroom and in-vehicle sessions which shall include the following topics: the highway transportation system; analysis of crashes; roadway designs and markings; Connecticut motor vehicle laws and regulations; basic control tasks; parking maneuvers; the structure of driving tasks; restraint systems; risk management; perceptual skills development; space management; natu-

ral laws and vehicle control; winter driving techniques; handling vehicle emergencies; night driving techniques; effects of alcohol and drugs on driving; emotions and operator fitness; interacting with other vehicle types; the purpose and procedures of procurement organizations, as defined in section 19a-279a of the Connecticut General Statutes, as amended; and managing high risk locations, including intersections and curves.

(c) For any student to whom a learner's permit was issued on or after August 1, 2008, each secondary school offering driver education may provide a safe driving practices program of eight (8) hours, which shall include and comply with the following requirements:

(1) Four (4) hours concerning the nature and effects of alcohol and drugs, as specified in subparagraph (B) of subdivision (1) of subsection (d) of section 14-36 of the Connecticut General Statutes;

(2) Two (2) hours on subjects directed to safe driving practices, which shall include the following topics: the slow down for work zones pursuant to section 14-212a of the Connecticut General Statutes; the move over law pursuant to section 14-283b of the Connecticut General Statutes; and not less than fifteen (15) minutes concerning the disregard of a signal from a law enforcement officer under subsection (b) of section 14-223 of the Connecticut General Statues, and the penalties for violating this section;

(3) Two (2) hours of instruction concerning the statutory provisions, including penalties, applicable to drivers who are less than eighteen (18) years of age, the dangers of teenage driving, the cognitive development of adolescents, and the responsibilities and liabilities of parents of teenage drivers;

(4) The eight (8) hour safe driving practices program of this subsection may be included as part of the thirty (30) hour course of instruction specified in subsection (a) and (b) of this section; and

(5) Any separate fee for the eight (8) hour safe driving practices program, charged to a person who is not taking any additional instruction, shall not exceed one hundred twenty-five dollars ($125.00).

(d) Each secondary school offering a driver education program shall provide to a parent or legal guardian of any student receiving classroom instruction pursuant to subsection (c) of this section, the opportunity to attend, without additional charge, the two hours of instruction described in subdivision (3) of subsection (c) of this section.

(e) An official of the secondary school offering a driver education program which provided the course instruction to the parent or legal guardian and the applicant, referred to in subsection (d) of this section, shall issue an affidavit on a form approved by the commissioner, signed under penalty of false statement, to such student attesting to the fact that the student's parent or legal guardian attended the two hours of instruction described in subsection (d) of this section. Such student shall provide such affidavit to the commissioner prior to being allowed to take the driver's test.

(f) A student enrolled in the thirty (30) hour course of instruction described in subsection (a) of this section shall receive a maximum of two (2) hours of classroom instruction per day, except that on a day when school is not scheduled, the student may receive a maximum of two and one-half (2 1/2) hours of classroom instruction.

(g) Each secondary school shall provide the four (4) hours of instruction concerning the nature and effects of alcohol and drugs in relation to the ability to safely operate a motor vehicle in compliance with the following:

(1) Separate course materials shall be provided for the use of students and instructors, in printed or electronic media format;

(2) Such course materials shall have been prepared by a person or persons with knowledge and expertise in the field of alcohol and drug abuse;

(3) Such course materials, as presented, shall cover the blood alcohol level limits prescribed by law, the effects of operating a motor vehicle at or near such per se limits, effective methods to avoid peer pressure concerning excessive alcohol consumption and the penalties and costs associated with violations of the laws concerning driving under the influence of alcohol or drugs;

(4) Such course materials shall be subject to the approval of the commissioner, prior to the issuance or renewal of the secondary school certificate, and may be required to be reviewed and approved upon any renewal; and

(5) The department may conduct one or more training sessions, to be attended by at least one instructor from each school, concerning the presentation of the course materials, and effective teaching methods and strategies for alcohol and drug education.

(h) Each classroom where instruction is offered shall have sufficient floor area to conduct such instruction. No portion of the classroom instruction shall be given if the class size exceeds the capacity of instructional equipment, materials and facilities, as well as reasonable standards of safety and supervision. No classroom or group instruction shall be presented to a group in excess of forty (40) students. The commissioner may inspect any classroom facilities at any reasonable time.

(i) Each student enrolled in the classroom phase of the driver education program shall have access to:

(1) A full-length, current driver education textbook for the purpose of the program, and special materials, which may include the use of video tapes as approved by the commissioner; and

(2) The Connecticut Driver's Manual, issued by the department, which manual shall become the property of the student.

(j) The secondary school shall provide the commissioner a schedule of classroom instruction sessions including the date, time, and location of such instruction. Any change in the classroom schedule shall be forwarded in writing to the commissioner, and shall be received by the commissioner during reasonable business hours and prior to the effective date of any such change. The commissioner may monitor classroom sessions at any time.

(k) The commissioner may review or monitor the conduct and scope of any of the driver education programs conducted under the provisions of this section.

(*l*) Classroom instruction shall not be given to a person who has not reached sixteen (16) years of age.

(m) A qualified secondary school teacher or commercial driving instructor shall be physically present for all classroom instruction.

(n) A qualified secondary school teacher or commercial driving instructor shall only conduct one (1) class session at a time.

(o) A qualified secondary school teacher or commercial driving instructor shall maintain a professional demeanor while providing all driver education instruction.

(p) Any student who misses any portion of the approved curriculum shall complete the portion missed.

Sec. 14-36f-4a. Safe driving practices course for students eighteen (18) years of age or older

(a) Each secondary school offering driver education may offer, with prior written approval of the commissioner, to any applicant for a motor vehicle operator's license, eighteen (18) years of age or older, who has not previously held a Connecticut motor vehicle operator's license and who does not hold a valid motor vehicle operator's license issued by any other state, territory, possession of the United States,

or by any foreign country with which the commissioner has an agreement for reciprocal recognition of driver training requirements, a safe driving practices course pursuant to section 14-37b of the Connecticut General Statutes. Such safe practice course shall consist of not less than eight (8) hours of instruction and shall comply with the following requirements:

(1) Four (4) hours concerning the nature and effects of alcohol and drugs, as provided in subparagraph (B) of subdivision (1) of subsection (d) of section 14-36 of the Connecticut General Statues; and

(2) Four (4) hours of subjects directed to safe driving practices, which shall include the following topics: the slow down for work zones pursuant to section 14-212a of the Connecticut General Statutes; the move over law pursuant to section 14-283b of the Connecticut General Statues; not less than fifteen (15) minutes concerning the disregard of a signal from a law enforcement officer under subsection (b) of section 14-223 of the Connecticut General Statues, and the penalties for violating this section; and other topics relevant to drivers eighteen (18) years of age and older. The content of such safe driving practices course shall not include material regarding the dangers of teenage driving, the cognitive development of adolescents, and the responsibilities and liabilities of parents or teenage drivers.

(b) The commissioner may, in the interest of enhanced learning and absorption of course content, require that such eight (8) hours of instruction be conducted on at least two (2) separate days, with a maximum of four (4) hours of instruction per day.

(c) Any fee for the eight (8) hour safe driving practices course, referred to in subsection (a) of this section, shall not exceed one hundred twenty-five dollars ($125.00).

Sec. 14-36f-5. Behind-the-wheel instruction

(a) Behind-the-wheel instruction shall not be given to a student who has not reached sixteen (16) years of age.

(b) Any student sixteen (16) or seventeen (17) years of age shall not be provided behind-the-wheel instruction, unless the student has obtained his or her Connecticut learner's permit.

(c) Behind-the-wheel instruction for a student enrolled in a secondary school driver education program shall be given only by a qualified secondary school teacher or a commercial driving instructor.

(d) Prior to any behind-the-wheel instruction for any student sixteen (16) or seventeen (17) years of age, a commercial driving instructor or secondary school teacher shall confirm that the student is in immediate possession of his or her learner's permit.

(e) No student shall receive more than two (2) hours of behind-the-wheel instruction per day.

(f) The vehicle used for behind-the-wheel instruction shall be occupied by the instructor and not more than one (1) student, unless the school has obtained written authorization from the student to conduct behind-the-wheel instruction with not more than two (2) additional students present in the vehicle. If said student is less than eighteen (18) years of age, such authorization shall be from a parent or legal guardian of the student. In no event shall behind-the-wheel instruction be performed with more than three (3) students in the vehicle.

(g) The brakes, lights and other safety features of each motor vehicle used for behind-the-wheel instruction shall be inspected by the instructor, and any defects shall be corrected prior to giving any instruction.

(h) A qualified secondary school teacher or commercial driving instructor shall maintain a professional demeanor while providing all driver education instruction

Sec. 14-36f-6. Instructor requirements

(a) No person shall provide any instruction to a student in a secondary school driver education program unless such person is approved by the commissioner as a licensed driving instructor meeting the requirements of section 14-78-48 of the Regulations of Connecticut State Agencies, employed by a licensed commercial driving school, which is under contract with a secondary school or makes application to and is approved by the commissioner as a qualified secondary school teacher meeting the qualifications of this subsection and subsection (b) of this section. In order to be approved the person shall:

(1) Comply with the requirements of section 14-73 of the Connecticut General Statutes;

(2) Have held an operator's license for the past four (4) consecutive years;

(3) Present to the commissioner certification by a physician licensed in this state that he or she is physically fit to operate a motor vehicle and provide driver education instruction. Such certification shall be on a form approved by the commissioner, and be based on a medical examination within the prior three (3) months, and shall be made in accordance with the standards contained in 49 CFR 391.41. Any change in an instructor's medical condition which may affect the safe operation of a motor vehicle shall be reported to the commissioner in writing within five (5) business days;

(4) Take and pass a behind-the-wheel and written test as required by the commissioner.

A person who fails an examination may be re-examined not earlier than five (5) business days from the date of such failure, following the completion of additional training. A person shall provide proof of such additional training prior to any re-examination by the commissioner. The commissioner shall determine the schedule for all such re-examinations;

(5) Have taken and passed a course in traffic safety or driver education, providing at least three (3) semester hours of credit, of not less than forty-five (45) clock hours, which has been approved by the commissioner;

(6) Undergo annual proficiency testing by the commissioner in accordance with section 14-36f-16 of the Regulations of Connecticut State Agencies.

(7) Be fingerprinted and be subject to 1) a check of state and national records upon initial application and thereafter a state criminal record check; 2) a check of the state child abuse and neglect registry. If there is a criminal record or listing on the state child abuse and neglect registry, the commissioner shall make a determination as whether to issue a license using the standards set forth in section 14-73 of the Connecticut General Statutes; and

(8) Have a driving history with not more than two (2) moving violations as listed in section 14-111g of the Connecticut General Statutes and in section 14-137a-5 of the Regulations of Connecticut State Agencies within the previous three (3) year period.

(b) Persons approved as qualified secondary school teachers or commercial driving instructors subsequent to adoption of this section shall, within the three (3) years following initial licensure, successfully complete an advanced course in traffic safety providing at least three (3) semester hours of credit and consisting of at least forty-five (45) clock hours pursuant to 14-73 of the Connecticut General Statutes. Such advanced course shall be approved by the commissioner. A qualified secondary school teacher or commercial driving instructor shall provide the commissioner proof of compliance with this requirement prior to such license renewal. This requirement shall not apply to a qualified secondary school teacher or commercial driving instructor who has six (6) semester hours of credit and ninety (90) hours of instruction in such advanced courses.

(c) Notwithstanding the other provisions of this section, the commissioner may, request that a qualified secondary school teacher or commercial driving instructor take and pass both a behind-the-wheel driving test, and a written test concerning knowledge of the mechanism of motor vehicles, the motor vehicle laws and the rules of the road.

(d) The commissioner shall maintain a listing of all driver education programs in secondary schools, and a listing of all qualified secondary school teachers and commercial driving instructors.

(e) No qualified secondary school teacher or commercial driving instructor shall provide driver education training without having been approved by the commissioner. The commissioner may withdraw his approval for good cause shown, subject to the provisions of chapter 54 of the Connecticut General Statutes.

Sec. 14-36f-6a. Master driving instructor requirements

No person shall be a master instructor unless such person complies with the requirements of section 14-73 of the Connecticut General Statutes, makes application to the commissioner, and Department of Motor Vehicles is approved by the commissioner. Subsequent to adoption of this section, no person shall be approved as a master instructor unless such person:

(1) Has been a commercial driving instructor or qualified secondary school teacher for at least five (5) years, and is in good standing with the department;

(2) Provides a recommendation from a school administrator instructor that the applicant is a proficient driver, has good oral and written communications skills, and will be utilized as an instructor at a secondary school; and

(3) Shall take and pass a master examination that demonstrates proficiency in instructing driving instructors, as determined by the commissioner.

Sec. 14-36f-6b. Instructor renewal

A qualified secondary school teacher or commercial driving instructor or master instructor may renew the commissioner's approval to provide driver education training by filing a renewal application in accordance with section 14-36f-6 or section 14-36f-6a, or both, of the Regulations of Connecticut State Agencies. A renewal applicant shall submit a medical certification every two years in accordance with 49 CFR 391.41. All renewal applicants shall be subject to a state criminal records check and a check of the state child abuse and neglect registry pursuant to section 14-73 of the Connecticut General Statutes. If there is a criminal record or listing on the state child abuse and neglect registry, the commissioner shall make a determination whether to issue a license using the standards set out in section 14-73 of the Connecticut General Statutes.

Sec. 14-36f-7. Driver education certificate for those sixteen (16) and seventeen years of age

(a) Each student sixteen (16) or seventeen (17) years of age completing the driver education program, and determined by a qualified secondary school teacher or commercial driving instructor to be a safe and capable driver and qualified to hold an operator's license, shall be issued a driver's education certificate by the secondary school indicating whichever of the following is or are applicable:

(1) The successful completion of a full course of driver education; as provided in Section 14-36f-4 of the Regulations of Connecticut State Agencies;

(2) The successful completion of a course consisting of a minimum of thirty (30) hours of classroom instruction as provided in subsection (a) of section 14-36f-4 of the Regulations of Connecticut State Agencies, which includes successful completion

of eight (8) hours of safe driving practices of which two (2) hours were attended by a parent or legal guardian;

(3) The successful completion of eight (8) hours of safe driving practices, classroom instruction only, as provided in subsections (b) and (c) of section 14-36f-4 of the Regulations of Connecticut State Agencies; or

(4) The successful completion of the number of hours of behind-the-wheel instruction required by law.

(b) Where the student is issued a driver's education certificate indicating successful completion of behind-the-wheel instruction only, the additional driver education requirements of section 14-36 of the Connecticut General Statutes may be met by successful completion by the person of a minimum of thirty (30) classroom hours and, where appropriate, of eight (8) hours of safe driving practices instruction, given by a licensed commercial driving school, or by a driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or secondary school providing such instruction, where such additional instruction was successfully completed by the student.

(c) Where a person sixteen (16) or seventeen (17) years of age is issued a driver's education certificate indicating successful completion of thirty (30) hours of classroom instruction only, the additional driver education requirements of section 14-36 of the Connecticut General Statutes may be met by successful completion by the person of the number of hours of behind-the-wheel instruction required by law, and, where appropriate, of eight (8) hours of safe driving practices instruction given by either a licensed commercial driving school, or by an approved driver education program in a secondary school. Such additional instruction shall be listed on a certificate issued by the commercial driving school or the secondary school providing such instruction.

Sec. 14-36f-7a. Driver education certificates for those eighteen (18) years of age or older

A secondary school shall issue to a student eighteen (18) years of age or older, a driver's education certificate upon the successful completion of eight (8) hours of safe driving practices as provided in section 14-36f-4a of the Regulation of Connecticut State Agencies.

Sec. 14-36f-8. Records

(a) Each secondary school shall maintain records, updated at least monthly, in writing in a permanently bound book with pages consecutively numbered, or in a computer data base or the like. The secondary school shall maintain such records in a format that can immediately be printed or copied. If requested by the commissioner, the secondary school shall immediately provide a copy or printing of any records required to be kept by the secondary school. The records shall include each student's name, date of birth, residence address, mailing address if different, telephone number, starting date of instruction, learner's permit number, ending date of instruction and driver education certificate number.

(b) The following additional records shall be maintained on file at the secondary school:

(1) Where the student is under age eighteen (18), a signed authorization by the student's parent or legal guardian permitting the student to receive driver instruction and training;

(2) The date of the student's vision screening required in accordance with Section 14-36f-15 of the Regulations of Connecticut State Agencies, the name of the person who administered the vision screening, and whether the student meets the vision

standards of Sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies;

(3) The types of instruction, including the date each type of instruction was given, and the number of hours for each type of instruction received by the student;

(4) Registration information for each vehicle in which the student received behind-the-wheel instruction;

(5) The fees paid by the student for any classroom instruction, behind-the-wheel instruction, or safe driving practices instruction;

(6) The name or names of the instructor or instructors for each instruction or training session;

(7) The date, location of test, motor vehicle used (if a vehicle owned or leased by the secondary school or a commercial driving school is used) and the results of each driving test administered by the department;

(8) Any additional fees paid by the student; and

(9) A class attendance list, which shall include the date, time, location, names of students, and the instructor or instructors, for all driver education classes.

(c) All records required by subsections (a) and (b) shall be retained by the secondary school for three (3) years. Such records shall be made available to the commissioner, or other law enforcement officer, upon reasonable request.

(d) If any records are lost, mutilated or destroyed, the secondary school shall immediately notify the commissioner in writing, and, upon request, shall provide under oath a written explanation of the circumstances of the loss, mutilation or destruction. The secondary school shall also make a reasonable attempt to restore such records.

(e) If a secondary school contracts with a commercial driving school to provide either classroom or behind-the-wheel instruction or both, all records required in accordance with the provisions of this section shall be maintained by the commercial driving school for that portion of the instruction provided by the commercial driving school. Such records shall be transferred by the commercial driving school to the secondary school as specified in the contract, upon termination of the contract or upon dissolution of the commercial driving school business.

Sec. 14-36f-9. Vehicles used in driver education

(a) Every vehicle used in a secondary school driver education program shall be:

(1) Maintained in safe operating condition in accordance with law;

(2) Marked as required by section 14-292 of the Connecticut General Statutes for the purpose of instructing a student in the operation of a motor vehicle;

(3) A dual control vehicle;

(4) Equipped with at least three (3) mirrors which give the operator thereof a clear reflected view of the highway directly to the rear, on a line parallel to the left side of the vehicle body, and on a line parallel to the right side of the vehicle body. In addition to the driver's rear view mirror, each vehicle shall also be equipped with a second rear view mirror mounted to give an instructor seated in the right front passenger's seat a clear view of the rear zone. Such second rear view mirror may be mounted in a temporary manner;

(5) Equipped with seat safety belts for each person in the vehicle, which shall be used by all occupants during driver instruction;

(b) Every vehicle shall have its headlights or running lights turned on when being used to provide behind-the-wheel instruction.

(c) Every vehicle used in a driver education program shall be registered in accordance with law, and have minimum liability insurance and uninsured motorist coverage for each vehicle of three hundred thousand dollars ($300,000) per occurrence for bodily injury and property damage.

In lieu of an insurance policy, proof of self-insurance may be accepted by the commissioner.

(d) No vehicle for which the insurance required by subsection (c) of this section has been canceled or reduced shall be used for behind-the-wheel instruction or examination of students.

(e) A secondary school shall notify the commissioner immediately and in writing when a vehicle owned or leased by a secondary school is out of service and no longer used for behind-the-wheel instruction or driver testing.

Sec. 14-36f-10. Inspection of motor vehicles

The department shall use its inspection lanes to inspect each motor vehicle designated for behind-the-wheel instruction to verify its fitness for use and that the required safety equipment is installed prior to any behind-the-wheel instruction or driver testing. Thereafter, the department shall inspect all motor vehicles on an annual basis using the department's inspection lanes. Upon passing inspection, the commissioner may affix an inspection decal to the windshield of each vehicle showing the inspection series or record the results of such inspection in such manner prescribed by the commissioner. No motor vehicle shall be used for driver education or driver testing unless the motor vehicle has passed the required inspection by the department. A secondary school shall keep maintenance records for each motor vehicle used for driver education or testing, and such records shall be made available to the commissioner or other law enforcement officer during school business hours. The commissioner or other law enforcement officer may make random inspections or audits, or both, of any vehicle used for student instruction at any reasonable time.

Sec. 14-36f-11. Vehicles failing inspection

If a motor vehicle does not pass an inspection by the department, the secondary school shall repair such defects or discrepancies, or both, and such motor vehicle shall be re-inspected using the department's inspection lanes prior to any behind-the-wheel instruction or driver testing.

Sec. 14-36f-12. Safety equipment to remain intact

No motor vehicle shall be used for behind-the-wheel instruction or driver testing if the seat belts, shoulder straps, warning equipment or other safety equipment with which the vehicle was originally required to be equipped, has been dismantled, disconnected, removed or rendered inoperative.

Sec. 14-36f-13. Reports by schools

Secondary schools providing a driver education program shall report to the commissioner such information as shall be required on a form or in a format provided by the commissioner.

Sec. 14-36f-14. Laboratory or simulator experience

A student may be provided with driving practice in a laboratory setting using a driving simulator, but no more than eight (8) hours of such driving practice shall be counted towards meeting the behind-the-wheel instruction required by law, in accordance with subsection (d) of section 14-36 of the Connecticut General Statutes. Such laboratory or simulator experience shall not count towards meeting the minimum eight (8) hours of behind-the-wheel instruction described in subsection (a) of section 14-36f-4 of the Regulations of Connecticut State Agencies.

Sec. 14-36f-15. Students to meet minimum vision requirements

(a) No secondary school shall give any behind-the-wheel instruction to any person eighteen (18) years of age or older, until such person has passed a screening to determine that such person has vision meeting or exceeding the minimum vision

standards, as established by the commissioner, for the issuance of a motor vehicle operator's license. The secondary school shall administer such vision test using a device or means approved by the commissioner that meets the standards contained in sections 14-45a-1 to 14-45a-4, inclusive, of the Regulations of Connecticut State Agencies. The following persons may administer this vision screening:

(1) Optometrist;

(2) Ophthalmologist, physician, physician's assistant or nurse practitioner;

(3) School nurse;

(4) Motor vehicle inspector, agent, or authorized employee at a department office; or

(5) A qualified secondary school teacher or commercial driving instructor. A record of the results of the vision screening, indicating whether the person passed or failed the screening, shall be maintained by the secondary school. All records relating to vision screening and health matters of students shall be maintained in confidence except as required by law.

(b) No student shall be given behind-the-wheel instruction if the qualified secondary school teacher has reliable evidence that the student does not meet the minimum health standards for operating a motor vehicle as provided in sections 14-45a-1 to 14-45a-17, inclusive, of the Regulations of Connecticut State Agencies. Any student not meeting such minimum health standards shall be referred to the department for evaluation prior to any behind-the-wheel instruction. Students having disabilities shall be reasonably accommodated with regard to training and equipment in accordance with law.

Sec. 14-36f-16. Proficiency testing

Each qualified secondary school teacher or commercial driving instructor approved by the commissioner in accordance with section 14-36f-6 of the Regulations of Connecticut State Agencies, shall take a driving proficiency test administered by the commissioner. The department shall administer such driving proficiency tests on a schedule determined by the commissioner, and not more than two (2) years shall pass between such driving proficiency tests. A qualified secondary school teacher or commercial driving instructor who fails any proficiency test shall not provide instruction to any student. A retest shall be conducted by the commissioner not earlier than five (5) business days from the date of such failure and until such qualified secondary school teacher has been provided additional instruction and has provided the commissioner with proof of compliance of such additional instruction administered by a master instructor. The proficiency test may include knowledge of recent statutory and regulatory changes which affect motor vehicle operation.

Sec. 14-36f-17. Driver examinations

(a) A student using a vehicle owned or leased by a secondary school, or by a licensed commercial driving school, who wishes to take a driving test at a branch of the department, or at another site approved by the commissioner, shall schedule such driving test in the manner prescribed by the commissioner.

(b) Each secondary school shall properly prepare its students for the driving test, administered by the department, by appropriately teaching all elements of safe driving.

Statement of purpose: The purpose of these amendments is to clarify and list the requirements for the operation of a driver education program in a secondary school.

Be it known that the foregoing regulations are amended as hereinabove stated by the aforesaid agency pursuant to Sec. 14-36f of the General Statutes, after publication in the Connecticut Law Journal on August 2, 2011, of the notice of the proposal to amend such regulations.

Wherefore, the foregoing regulations are hereby amended as hereinabove stated, effective when filed with the Secretary of the State.

In Witness Whereof: October 19, 2011, Melody A. Currey, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: November 22, 2011.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: February 28, 2012.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: March 8, 2012.