

375-5-1-.02 Definitions

(1) Words, whenever used in this Chapter, shall have the same meaning as ascribed to them in Title 40, Chapter 5, Article 4 of the Georgia Code, unless otherwise defined in the rule of which they are part.

(2) The following words and phrases, whenever used in this Chapter, shall have the meaning as in this section ascribed to them unless where used in the context thereof shall clearly indicate to the contrary or unless otherwise defined in the section of which they are part.

(a) Driver Improvement Clinic - Any individual, partnership, corporation, association, civic group, club, county, municipality, board of education, school or college which shall teach or give instruction in training programs designed for the rehabilitation of problem drivers, and which is certified and licensed by the Department of ~~Motor Vehicle Safety~~ Driver Services to teach or instruct the Driver Improvement Program of the Department of ~~Motor Vehicle Safety~~ Driver Services.

(b) Driver Improvement Instructor - Any individual, whether employed by a Driver Improvement Clinic or operating in his own behalf, or whether acting in behalf of any clinic located within the State of Georgia who teaches or gives instruction for the purpose of meeting the requirements of "The Georgia Driver Improvement Act" and who is certified and licensed in accordance with the Department of ~~Motor Vehicle Safety~~ Driver Services Driver Improvement Program Instructor Training Course.

(c) Driver Improvement Program - That series of courses developed or approved by the Department of ~~Motor Vehicle Safety~~ Driver Services to include, but not limited to, a defensive driving course, an advanced defensive driving course, and a professional defensive driving course.

(d) Suspension - The temporary withdrawal by formal action of the Department of the certification or license of a Driver Improvement Clinic or Instructor, which temporary withdrawal shall be for a period specifically designated by the Department.

(e) Revocation -The annulment or termination by formal action of the Department of a Driver Improvement Clinic or Instructor's certification or license; such license or certificate shall not be subject to reinstatement or renewal.

(f) Fine - means the use of a pecuniary punishment of up to \$1,000 for each violation of the Rules and Regulations.

(g) Commercial Driving School - For purposes of teaching the insurance reduction course as prescribed in O.C.G.A. 33-9-42, a Commercial Driving School shall be defined as any Driver Improvement Clinic or Driver Training School licensed by the Department of ~~Motor Vehicle Safety~~ Driver Services.

(h) Distance Learning - means the use of satellite or cable narrowcast technology to create a two-way, interactive learning environment in which an instructor may simultaneously present instruction in multiple classrooms. The clinic is responsible for ensuring that students at all locations may clearly view the instructor and any visual aids or films used by the instructor, may comment to or ask questions of the instructor. The clinic is also responsible for providing a proctor at a location used for distance learning to fulfill the clinic's obligations under these rules and regulations with respect to students.

(i) Proctor - a proctor serves as the clinic's representative at a location used for distance learning. The proctor is responsible for ensuring that all responsibilities of the clinic with respect to the students are fulfilled at the location. The proctor may be a licensed instructor of the clinic; if not, the proctor must be a high school graduate or possess a GED, be at least 18 years of age, and not have been convicted of a felony or any other crime of moral turpitude, or a pattern of misdemeanors that evidences a disregard for the law, unless he or she has received a pardon and can produce evidence of same.

(j) Certificate of curriculum approval - means a certification, issued by the Department, authorizing the use of a specific curriculum by a clinic. The certification shall expire on the same date as the clinic license.

Authority: L. 1973, Act 1495, (Ga. Code Title 68D); O.C.G.A. §§ 33-9-42, 40-5-83, 40-5-88

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

In 2005, House Bill 501 created the Georgia Department of Driver Services as a successor to the Department of Motor Vehicle Safety.

DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES

The Amendment replaces the Department of Motor Vehicle Safety with the Department of Driver Services.