

**375-5-2-.28 Minimum Requirements for Examiners. Amended.**

(1) In order to be eligible to conduct third party driving skills tests, a driver training instructor must be trained and certified to conduct skills testing for issuance of driver's license by the Department or its authorized representatives and comply with the following:

- (a) Must have a high school diploma or its equivalent;
- (b) Be a regular employee of the driver training school and recommended by the school or secondary school designee;
- (c) Shall not be a convicted felon;
- (d) Shall not have been convicted of any serious moving violation as defined Title 40 within three (3) years prior to application;
- (e) Shall not have been enrolled or participated in a state approved DUI Drug or Alcohol Use Risk Reduction Program within ten (10) years prior to making application for certification as a third party examiner;
- (f) Must be qualified as a Motor Vehicle Operator and must have held a valid instructor license for minimum of two (2) years prior to application for Third Party Examiner;
- (g) Must successfully complete the Department's prescribed course in driver's license classroom instruction and behind the wheel examination;
- (h) Must pass all knowledge tests on the first day of the training session;
- (j) Upon completion of specialized training administered by the Department or its authorized representative, the Examiner will be issued a certification card qualifying them to examine applicants for skills in license classes equal to their training certification; and
- (k) Must possess a current and valid certification identification card with photograph that shall be evidence of the Examiner's certification status.

~~(2) Examiner applicants shall be issued a certification identification card upon completion of the Department's driver's license course. These cards shall expire two (2) years from the date of issuance and must be renewed biannually thereafter, except, the certification card will expire with the termination of the pilot program if such program is not continued or approved on a permanent basis.~~ Examiner applicants shall be issued a certification card upon approval from the Department. These certifications shall expire four (4) years from the date of issuance, unless suspended, revoked, or cancelled, and must be renewed every four (4) years thereafter.

(3) An Examiner whose certification has expired or driver training school license has expired, shall not administer any part of the driver examination until completion of one of the following:

(a) An Examiner with expired certification may be recertified within one (1) years after expiration by performing an examination to the satisfaction of the Department.

(b) If more than one (1) year has lapsed since expiration, the Examiner must successfully complete the Department's prescribed course in classroom instruction and behind the wheel examination for recertification.

(4) Must conduct at least ten (10) tests per calendar year. Failure to do so will result in suspension from conducting further driver's license tests.

| Authority: O.C.G.A. § 40-5-4; O.C.G.A. § 40-5-27.

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to lengthen the certification period for Examiners from two (2) years to four (4) years. This will make the certification period consistent with other programs overseen by the Regulatory Compliance Division of the Georgia Department of Driver Services ("DDS"). Furthermore, based upon the results of the pilot program, DDS wishes to continue with this program under the authority that the General Assembly granted to DDS in O.C.G.A. § 40-5-27(d)(1). As such, the proposed amendment is intended to remove outdated language.

### **DIFFERENT BETWEEN EXISITING AND PROPOSED RULE**

Paragraph (2) was deleted and replaced with language extending the certification period from two (2) to four (4) years, unless DDS has suspended, revoked, or cancelled the certificate prior to the expiration period. The proposed rule requires an Examiner to renew his or her certificate every four (4) years.