



ADMINISTRATIVE RULES OF MONTANA



10.13.311 TRAFFIC EDUCATION VEHICLES

- (1) Vehicles used for the behind-the-wheel driving phase of traffic education may be procured through a loan, lease, or purchase arrangement. Regardless of the method, it is essential that a sufficient number of vehicles be available for instructional use.
- (2) Each traffic education vehicle must meet all federal motor vehicle safety standards (FMVSS) applicable to the vehicle used and be equipped, maintained, repaired, identified, insured, stored, and used according to the following:
 - (a) Required equipment:
 - (i) dual-control brake capable of bringing the vehicle to a complete emergency stop;
 - (ii) two exterior mirrors and a teacher's rearview mirror;
 - (iii) first aid kit with contents appropriate for possible minor injuries sustained during instruction;
 - (iv) flares or reflector warning devices;
 - (v) periodically inspected and operable fire extinguisher located in the passenger compartment;
 - (vi) accident report forms;
 - (vii) operable safety belts for each occupant. All occupants shall utilize a safety belt at any time the vehicle is in motion;
 - (viii) headlights must be in use at all times -- low or high beam, as appropriate -- during behind-the-wheel instruction.
 - (b) Recommended equipment:
 - (i) power steering and power brakes;
 - (ii) split or bucket type front seat;
 - (iii) four-door sedan;
 - (iv) air conditioning;
 - (v) tow cable;
 - (vi) shovel, ax, and bucket;
 - (vii) flashlight;

- (viii) rear window defogger; and
- (ix) ignition cut-off switch.
- (c) The vehicles assigned for use in the traffic education program shall be kept in a safe operating condition. Maintenance and repair practices shall be in conformance with manufacturer's recommendations and with the policy established by the school district and participating dealer. Vehicles shall be given a periodic safety inspection by a knowledgeable person. The periodic inspection shall be conducted a minimum of once a year and prior to the annual commencement of behind-the-wheel instruction. The district shall maintain and make available for review by the Office of Public Instruction, or its designee, a record of the safety inspections, which include:
 - (i) the date of the inspection;
 - (ii) items inspected;
 - (iii) condition of items inspected; and
 - (iv) repairs made.
- (d) All vehicles used in the traffic education program are to be identified with a minimum of two signs stating: "Student Driver," "Driver Education," or "Driver Education Car" clearly visible and readable to pedestrians and other traffic.
- (e) Vehicles provided by dealers on a loan basis shall be used for traffic education purposes only unless the dealer(s) gives written authorization to use the vehicle(s) for other purposes.
- (f) "Exempt" license plates shall be obtained for a traffic education vehicle owned by, or provided to the district by a dealer. "Dealer" license plates are not to be used on these vehicles. Responsibility for securing exempt license plates rests with the school district. The school must obtain the appropriate application from the county treasurer. In the space provided for registered owner, type the name and telephone number of the school district and the name of the dealer providing the vehicle.
- (g) Each practice-driving vehicle (including motorcycles) must be covered by an amount of insurance that meets or exceeds minimum requirements of local and state financial responsibility statutes.
- (h) If several dealers express a desire to provide practice-driving vehicles on a loan basis, the school district should either accept an equal number of vehicles from each dealer or should apply an annual rotation plan worked out with the dealer group or the local vehicle dealers association.
- (i) Vehicles assigned for use in the traffic education program must be readily available for this use. Use of vehicles for other purposes must not conflict with the traffic education instructional program. If a traffic education vehicle is being used for purposes other than driving instruction, all identification as a traffic education vehicle must be removed.

Authorizing statute(s): 20-7-502, MCA

Implementing statute(s): 20-7-502, MCA

History: NEW, 1989 MAR p. 438, Eff. 4/14/89; AMD, 2002 MAR p. 1067, Eff. 4/12/02; AMD, 2012 MAR p. 76, Eff. 1/13/12.