

Driver Training School Manual

Class A

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## Section 1: Introduction

Class A driver training schools teach students how to operate commercial motor vehicles (CMVs). Before 1990, commercial driver training schools were regulated by the Board of Commercial Driver Training Schools under the authority of the Department of Professional and Occupational Regulation. In 1990, the Virginia General Assembly transferred the regulatory authority for such businesses to the Department of Motor Vehicles.

Beginning on February 7, 2022, the Federal Motor Carrier Safety Administration began requiring that all entry-level drivers, defined as first-time applicants for a Class A or Class B commercial driver's license (CDL), or a Passenger (P), School bus (S), or Hazmat (H) endorsement, complete driver training. With the passage of that requirement, the Federal Motor Carrier Safety Administration began regulating the businesses that provide training in the operation of CMVs. The federal regulations set minimum requirements for businesses and instructors as well as setting minimum curriculum requirements.

This manual lays out the laws, regulations, applicable documents, and requirements for the operation of a Class A driver training school. Section 2 of this manual identifies the programs a driver training school may provide and the applicable laws and the applicable publications that pertain to the operation of a driver training school. Section 3 summarizes the general business requirements for driver training schools. Section 4 provides an overview of the different programs driver training schools are authorized to provide. These sections include specifics on the eligibility for customers to participate in the courses and documents that must be maintained as student records. The final section of this document contains contact information for the Driver Training Work Center.

The Department advises that you, your instructors, and your employees familiarize yourselves with the laws and regulations governing the operation of your school. Failure to comply with state laws and regulations may result in the suspension, revocation, or cancellation of the school and instructor licenses, and the assessment of civil penalties of up to \$1,000 per violation. Please review the manual and the laws governing the operation of your business. The Department advises that you maintain a copy of this manual in the driver training school's business office so that it is accessible to those responsible for the day-to-day operation of the school.

## Section 2: Applicable Law, Publications, and Programs

Laws governing the operation of driver training schools are found here:

<https://law.lis.virginia.gov/vacode/title46.2/chapter17/>

<https://law.lis.virginia.gov/admincode/title24/agency20/chapter121/>

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/subpart-G>

### Curricula

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/appendix-Appendix%20A%20to%20Part%20380>

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/appendix-Appendix%20B%20to%20Part%20380>

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/appendix-Appendix%20C%20to%20Part%20380>

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/appendix-Appendix%20D%20to%20Part%20380>

<https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-380/appendix-Appendix%20E%20to%20Part%20380>

Driver training schools may provide the following programs to their students:

- Entry-Level Driver Training (ELDT)
  - Class A Course
  - Class B to A Upgrade Course
  - Class B Course
  - Passenger Endorsement Course
  - School Bus Endorsement Course
  - Hazmat Endorsement Course

### Section 3: General Business Requirements

#### a. Licensed Business and Classroom Locations:

Licensed business locations must:

- Satisfy all local business and zoning regulations
- Have office space devoted exclusively to the driver training school
- Contain all records required to be maintained under the provisions governing driver training schools
- Have desks, chairs, filing space, working utilities, and a working phone number
- Comply with federal, state, and local health, fire, and building code requirements, including the American with Disabilities Act
- Be open to the general public a minimum of eight hours a week during normal business hours
- Not share space with a classroom

Licensed classroom locations must include:

- Seats and writing surfaces for each student with a minimum of 10 square feet per student attending at any given time.
- Blackboards or other visual aids visible from all seating locations
- Driver education reference books, including (when applicable) current curriculum guides, student workbooks, and appropriate textbooks for each student
- Restroom facilities that are clean, accessible, and in good working order
- Office and instruction hours posted in a conspicuous location outside the licensed location and any other business office
- The school license and any other restrictions prominently placed inside the licensed location and each classroom
- Signs provided by the Department that notify students of the toll-free hotline

The business must provide in writing to the Department all addresses used as a classroom, business location, or training location. The school must provide either proof of ownership of all locations or a valid lease permitting the use of such locations. No location may be used without prior approval by the Department.

#### b. Vehicles:

Driver training schools must provide the vehicles necessary to conduct behind-the-wheel training. All vehicles used for training must be owned or leased in the name of the school owner or the business as listed on the school license.

All vehicles must be inspected and approved by the Department before use. To add a new vehicle, submit a DTS 005 to the Driver Training Work Center by mail, fax, or email. Once the vehicle has been reviewed by the Department, Driver Licensing Quality Assurance (DLQA) personnel will inspect and approve the vehicle.

All vehicles used for driver education must have the following:

- All equipment required by law to operate a vehicle on the roads of the Commonwealth
- Valid registration
- Valid Safety Inspection sticker or Federal Motor Carrier Safety Inspection Sticker

- Proper insurance pursuant to federal and state law
- Dual braking
- Signs affixed to the sides and rear of the vehicle, in bold letters, not less than four inches in height, clearly visible from 100 ft in the front and the rear, stating the one of the following:
  - o “Student Driver”
  - o “Learner”
  - o “New Driver”
  - o “Driver Education”
  - o “Caution – Student”
- Signage on both sides of the vehicle displaying the name of the school as it appears on the business license
- Seatbelts for each individual occupant of the vehicle, and a minimum of four safety belts
- Other safety equipment, including:
  - o Reflective triangles
  - o Flares
  - o First-aid Kit
  - o Flashlight,
  - o Extinguisher
  - o Jumper cables or battery charger
  - o Towel
  - o Blanket
  - o Safety vest

c. Records:

All records must be maintained on the premises of the licensed location, unless maintained at another location with approval by the Department. This exception is provided on a case-by-case basis. Records may be maintained electronically.

All records must be legible, accurate, complete, and up to date. Records must include:

- Student records
- Business records
- Records pertaining to:
  - o Local licensing and zoning compliance
  - o Federal, state, and local, health fire, and building code requirements

Under federal and Virginia law, schools must maintain at least the following documentation:

1. Self-certifications that students will comply with state and federal laws and regulations, local laws related to alcohol and controlled substances testing, age requirements for driving commercial vehicles, medical certifications, licensing, and driver records
2. A copy of all driver trainee commercial learner's permits or CDLs
3. Documentation indicating driving or training experience for each instructor and copies of CDLs and applicable endorsements held by behind-the-wheel instructors or theory instructors
4. The Training Provider Registration Form submitted to the federal Training Provider Registry

5. Lesson plans for theory instruction and behind-the-wheel training curricula; and
6. Records of individual entry-level driver training assessments.

Records must be maintained for at least three years after creation. Copies must be provided to employees of the Department during regular business hours or at another reasonable time, as determined by the Department. The school must have an employee available to assist employees of the Department, as necessary.

In any instance where a Department certificate is or will be issued to a student, the school must maintain a student record. Student records must be maintained in a secure location, such as a locked filing cabinet or on a computer protected by a password.

Student records for each month must be maintained together. Within each program, student records must be maintained in a folder and organized by the month that the certificate was signed by the student. The student's name shall be visible on the outside of the folder.

d. Notices:

Licensed businesses must provide notice to the Department

(1) Not later than 15 calendar days after:

- Terminating an employee
- Closing down the business
- Filing for bankruptcy
- When an instructor or owner is:
  - o Involved in a traffic accident
  - o Convicted of a traffic infraction
  - o Convicted of a crime
  - o The imposition of any administrative actions relating to driving or any driver's license, including revocations, suspensions, cancellations, or disqualification, or other loss of driving privilege

(2) At least 30 calendar days before:

- Making a structural or other modification to the building, classroom, or driving range
- Changing the licensed business or classroom location
- Changing the name of the business
- The effective date of a change in ownership

(3) Not later than 30 calendar days after an instructor establishes a new residence.

How to submit notices:

All notices to the Department must be written and submitted by

- Fax to (804)367-2019
- Email to [dmvclu@dmv.virginia.gov](mailto:dmvclu@dmv.virginia.gov)
- Mail addressed to

**Department of Motor Vehicles  
Driver Training Work Center, Room #519**



**P.O. Box 27412  
Richmond, Virginia 23269**

Change in student Contracts: All student contracts must be approved by the Department. If the school changes its student contract, the changes must be approved before use. Submit a copy of the new student contract for review with a written statement summarizing the changes to the contract.

Change in Business/Classroom Location: Provide written notice describing the current address that is changing and the address of the new location. Include a \$3 processing fee.

Adding/Removing an Owner: Submit a DTS 33A to the Driver Training Work Center adding or removing an owner. Include a written statement of the person(s) added and/or removed from the list of owners. A licensing fee is not required.

Add an Instructor: submit a DTS 34A to the Department with all the relevant documentation and payment. Note that the instructor's license will expire with the school license. If the school license is due to expire shortly after the new instructor application is submitted, consider waiting to submit the new instructor with the business renewal application.

Remove an Instructor: Driver training schools must provide written notice to the Department and must make a reasonable attempt to return the instructor's license.

Changing Ownership: A driver training school license is non-transferable.

Closing the Business: If owners of a driver training school wish to stop operating, they must submit a notice to voluntarily closedown the business and relinquish their license to the Department.

e. Renewals:

Class A driver training school licenses are valid for two years and expire on the final day of the last valid month of the license. Each instructor license for a school expires when the school license expires. Owners must submit the renewal instructor application and fees with the school renewal package. Instructor licenses will not be renewed if the school license is not renewed.

The Department will send a notice of renewal 45 days before the license expires. However, schools must renew their license, regardless of whether the 45-day notice is sent or received.

Each school must submit the renewal package to the Department by the 15<sup>th</sup> day of the month in which the license expires. The renewal application package must include:

- Virginia Driver Training 2-year School License Application (DTS 33A)
- Virginia Driver Training 2-year Instructor License Application (DTS 34A) (for each instructor)
- Virginia Driver Training School Vehicle Insurance Certification (DTS 005)
- Valid lease agreement for each business facility
- Valid surety bond
- Local business license(s) (or letter from local licensing agency if not required in your jurisdiction)
- A copy of the school contract for students
- Non-refundable application fees
  - \$200 school license application fee
  - \$200 online school license application fee (if applicable)

- \$100 instructor license application fee (for each instructor)
- FBI record, or proof of application for FBI record (for each owner and instructor)
  - If submitting proof of application for an FBI record, it must be accompanied by a copy of the check, money order, or statement from the banking institution used to make payment for the FBI application
  - Proof of application includes:
    - Fingerprint Card
    - FBI Applicant Information Form (I-783)

All applications must use the most up-to-date version of the forms or the application package will be returned, which may result in a delay in processing your application and the assessment of late fees. The most recent version of these forms can be found on the Department's website at <https://www.dmv.virginia.gov/forms>.

Renewal applications may be mailed to:

**Department of Motor Vehicles  
Driver Training Work Center, Room #519  
P.O. Box 27412  
Richmond, Virginia 23269**

Alternatively, applications can be emailed to [dmvclu@dmv.virignia.gov](mailto:dmvclu@dmv.virignia.gov) or faxed to (804) 367-2019.

Failure to submit the application before the 15<sup>th</sup> day of the month in which the license expires will result in the assessment of late fees. The Department will assess a late fee of \$100 for a late school license application and a \$50 late fee for each late instructor license application.

Failure to submit the renewal application before the 15<sup>th</sup> day of the month following the month of expiration (i.e., the application is more than 30 days late) will result in the immediate cancellation of the school and instructor licenses. An original application will be required to reopen the business.

f. Compliance Reviews:

60-day Follow-up: After licensing, the Department will conduct a follow-up compliance review within 60 days to ensure that the business is operating in accordance with Virginia law and to provide any follow-up training or instruction that may be necessary based on errors discovered during the compliance review. This follow-up will also satisfy the annual compliance review audit requirement for the school for the licensing year. To ensure compliance, additional follow-up reviews may be conducted as a result of deficiencies identified through the compliance review process. This compliance review will check any deficiencies identified as part of the pre-licensing process and a review of the student records to ensure that documentation is being completed and recorded properly.

Annual Compliance Review: The Department will conduct an annual compliance review each year. Schools with multiple locations under the same ownership will be audited at the business location and at one classroom location to observe instruction.

The annual compliance review consists of a review of all records a school is required to maintain as part of its business, including student and instructor records. Additionally, DLQA personnel assigned to conduct the annual compliance review will inspect all vehicles and documentation on vehicles to ensure compliance with the Department's requirements. DLQA personnel will also inspect the premises to ensure that the business and classroom locations comply with regulatory requirements.

Random Compliance Review: The Department may conduct a random compliance review at its discretion. Irregularities in data, student complaints, or allegations of noncompliance with the laws governing driver training schools may trigger a random compliance review. Random compliance reviews do not replace the annual compliance review.

Close-out Review: The Department will conduct a close-out review when it denies a renewal application, receives written notice that a business will close, or upon the suspension, revocation, or cancellation of a school license.

Deficiencies and Violations: When the Department finds minor deficiencies or violations during a compliance review, it will direct corrective action within 30 days and require a formal reply from the school confirming that the action occurred. If the corrections are not completed, the Department will suspend the school and/or instructor(s) license(s) until corrections are made. The Department will assess a civil penalty for a violation in each instance where a deficiency is not corrected.

When the Department finds major deficiencies or violations, it will assess a civil penalty or suspend or cancel a license for each violation. The Department will provide an opportunity to contest the fine, suspension or cancellation at a hearing, if one is requested. The penalty will become effective within 30 days of the notice of assessment or action against a license if no hearing is requested. If a hearing is requested, the fine or other action against the school or instructor license will be stayed pending the outcome of the hearing.

If the Department identifies a major deficiency or violation and determines, after an investigation, that the school poses a public safety risk, the Department will take action against the school's or instructor's license effective immediately, with an opportunity to contest the action at a later hearing.

Administrative Hearings: The Department will mail notice of any action against the school by certified mail to the mailing address provided on the most recent application provided to the Department. Schools and instructors have 30 days from the date of the notice to request an administrative hearing from the Department after receiving a notice of cancellation, suspension, revocation, denial of renewal, imposing a limitation on operation, or imposing a monetary penalty. To request a hearing, a licensee must make a written request. A request received within 30 days will stay any action or imposition of a fine until the outcome of the hearing, unless the notice indicates that the action shall be effective immediately. If an action is effective immediately, a school may still request a hearing, but the school must comply with the action pending the outcome of the hearing.

Scheduling a Compliance Review: DLQA personnel will call the contact number provided on the application to schedule a compliance review.

All records must be open and available for inspection by any employee of the Department during normal business hours or at a reasonable time agreeable to the Department employee. The school must have someone who is employed by or otherwise associated with the school who can access all records available to assist the Department employee as necessary. Each school must also permit the Department to conduct compliance reviews during normal business hours with or without prior notice and must permit the Department to conduct a review of its business offices, classrooms, vehicles, and any other records or properties associated with operation of the school to determine whether the school remains in compliance with license requirements.

The Department will attempt to schedule the compliance review with the business and will attempt to contact the school to schedule the annual compliance review twice in a two-week period. Failure to

schedule an annual compliance review within the two-week time frame allotted will result in the assessment of fines against the business. After the Department makes four attempts to contact a business to set up an annual compliance review with no response, the Department will deem the business closed and will initiate the close-out process.

g. Prohibited Activities and Penalties:

An owner, instructor, employee, or individual otherwise associated with a school, or a student must not engage in the following activities or behaviors:

- A school must not use any name other than that shown on its school license
- A school must not mention the “Department of Motor Vehicles” or “DMV” in any form of advertisement for business except for stating “Licensed by the Department of Motor Vehicles (DMV)”
- A school must not refer to any other state agency or board other than the Department in any documentation or advertisement
- A school must not use false, deceptive, or misleading information in any advertisement or provide it to students
- A school must not share certificates that were issued to it by the Department or use certificates that were issued to another driver training school by the Department
- A school, instructor, owner, or any other person otherwise employed by or associated with the school must not:
  - Guarantee that any student will pass the state driver’s license examination
  - Assert or imply that a student can secure a driver’s license
  - Assert or imply that a student will be guaranteed employment upon completion of any course of instruction
  - Transact or solicit driver training school business on a property owned leased or maintained by the Department
  - Provide translation services for any individual who is taking the Department’s driver’s license knowledge examination
  - Falsify forms, certificates, or other documents for use by students or other individuals to obtain a driver’s license
  - Possess, use, provide, sell, or give the Department’s driver’s licensing test questions to students or other individuals
  - Assist or facilitate the creation of false identification documents of any kind or false residency certification for any individual
  - Provide instruction at a site not formally approved by the Department
  - Contract or subcontract with other driver training schools or driver training organizations to provide classroom or in-vehicle instruction for students under the age of 18 who are not married or emancipated, without written approval of the parents or legal guardians
  - Have, use, or be under the influence of alcohol or illegal drugs or substances, or otherwise legal drugs or substances that would affect a person’s ability to drive or provide or receive instruction while such person is on the premises of or in vehicles used by the school
  - Conduct oneself in a manner not suitable or compatible with school-related activities including, but not limited to:
    - Touching in a manner that would be considered inappropriate by a reasonable person

- Telling jokes or making statements in a manner that a reasonable person would consider to be hateful, demeaning to a particular race or ethnicity, or expressing sexual/vulgar content
- Displaying objects or materials that a reasonable person would consider unpleasant, nasty, disgusting, hateful, or otherwise unsuitable
- Berating or otherwise harassing students or persons
- Running errands
- Using a cell phone while in the classroom or vehicle except in emergency situations
- Eating while instructing
- Using tobacco products during periods of instruction
- Creating a training environment considered hostile or otherwise intimidating to a reasonable person
- Failing to provide an original certificate free of charge within 5 business days of the successful completion of program requirements
- Failing to operate in accordance with this manual
- Parking school vehicles on the Department's property except for the purpose of conducting business with the Department during normal business hours
- Providing training to a student on the Department's property

Administrative Penalties: The Department may suspend, revoke, cancel, or refuse to renew a license pursuant to §§ 46.2-1705 and 46.2-1706 of the *Code of Virginia*. **Owners are responsible for the actions of their instructors.**

Criminal Penalties: The Department may pursue criminal charges against driver training school owners and instructors for willful violations of the following:

1. Practicing as a driver training school or an instructor without holding a valid license issued by the Department and as required by statute or regulation
2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupation competence without being duly certified or licensed
3. Perform any act or function which is restricted by statute or regulation to person holding a driver training school or instructor license or certification, without being duly certified or licensed
4. Materially misrepresenting facts in an application for licensure, certification, or registration
5. Refusing to furnish the Department information or records required or requested pursuant to statute or regulation
6. Violating any statute or regulation covering the practice of any driver training school or instructor

Each violation is a Class 1 misdemeanor. Any third or subsequent offense above in a 36-month period is a Class 6 felony.

Additionally, it is unlawful for any individual:

1. To procure, or assist another in procuring, through theft, fraud, or other illegal means, a certificate license, or permit from the Department
2. To procure or have in his possession or furnish to another person, before the beginning of an examination, any question intended to be used by the Department in conducting an examination

3. To receive or furnish to any person taking an examination, before or during an examination, any written or printed material purporting to be answers to questions intended to be used by the Department in conducting an examination
4. To communicate by any means to any person taking an examination, during an examination, any information purporting to be answers to questions intended to be used by the Department in conducting an examination
5. To procure, through theft, fraud or other illegal means, any questions intended to be used by the Department in conducting an examination, or the answers to the questions
6. To promise or offer any valuable or other consideration to a person having access to the questions or answers as an inducement to procure for delivery to the promisor, or any other person, a copy or copies of any questions or answers

Any such violation is a Class 2 misdemeanor.

Any person or entity other than the Department that sells, gives, or distributes, or attempts to sell, give, or distribute, any document purporting to be a license to operate a motor vehicle in the Commonwealth is guilty of a Class 1 misdemeanor.

#### Section 4: Entry-level Driver Training (ELDT)

##### a. Eligibility and Overview:

Information on the eligibility requirements to receive a Virginia CDL can be found here: <https://www.dmv.virginia.gov/licenses-ids/license/applying/eligibility>. Please note that the Department cannot release information about the customer to anyone but the customer. If you have any questions regarding the eligibility of a specific student to receive a Virginia CDL, please direct the student to visit <https://www.dmv.virginia.gov/contact-us>.

Beginning February 7, 2022, federal law requires all first-time applicants for a Class A or Class B CDL, or a Passenger (P), School Bus (S), or Hazmat (H) endorsement to take an Entry-Level Driver Training (ELDT) course before taking the final test required to receive that credential or endorsement.

Pursuant to Virginia law, schools must provide both the theory and behind-the-wheel portions of driver education to their students. Schools must use the curriculum approved by the Department. The use of any other curriculum, including an online theory course, is prohibited. Use of an unapproved curriculum will result in sanctions by the Department pursuant to § 46.2-1705 of the *Code of Virginia*.

**For Class A driver training schools that are not certified as third-party testers (TPTs), there are no minimum hour requirements for the curriculum. The school must still provide instruction on all elements of the curriculum and ensure that the student can safely operate a CMV in accordance with federal and state law.** However, if a driver training school is also certified as a TPT, the school must teach students for at least **160 hours pursuant to § 46.2-326.1(A)(i) and provide instruction on elements of the curriculum.** Failure to comply with this requirement will result in sanctions by the Department pursuant to § 46.2-1705 of the *Code of Virginia*.

Once training is completed, the completion information must be input into the Training Provider Registry (TPR). If a student holds an out-of-state credential, the school must also issue the customer a DTS A form showing completion of an ELDT course provided by a Virginia-licensed Class A driver training school. The Department will not test an out-of-state customer without this certificate.

##### b. Applicable Forms

All driver training schools must use the following Department-issued forms. The Department's Driver Training Work Center supplies the Class A Driver Training Certificates (DTS A). The DTS 100 and the DTS 1 forms can be downloaded on the Department's website at <https://www.dmv.virginia.gov/forms>.

Form Number	Form Name	Purpose
DTS A	Virginia Commercial Driver – Driver Training Certificate	Use this document to provide proof that driver education was provided by a Virginia-licensed Class A driver training school (for students with out of state credentials)
DTS 100	Monthly School Training Completion Report	Use this document to monitor and record students completing the driver education requirement. It must be sent by the 10th of the following month
DTS 1	Form Request	Use this document to request forms.

A driver training school **must not** share certificates that the Department issued to it or use certificates that the Department issued to another driver training school. Doing so will result in the assessment of a fine or in the suspension of the school's license.

The Department may consider past form requests, the number of certificates issued, and other factors in determining whether to fulfil a request for certificates. The Department may also consider these factors in determining how many certificates to send. It may take up to three weeks from the time you send the form request to receive the forms, so please plan your requests accordingly.

**After filling out the DTS A:**

1. Issue the "Student Copy" and the "DMV Copy" of the certificate to the student driver
2. File the "School Copy" of the certificate in the student's record



## DMV Contact Information

### **Driver Training Work Center**

Colby Ferguson, Deputy Director for Driver Training

Phone: (804) 497-7141

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