

**RULES
OF
THE TENNESSEE DEPARTMENT OF SAFETY
DRIVER CONTROL DIVISION**

**CHAPTER 1340-01-10
MOTOR VEHICLE ACCIDENT PREVENTION COURSE
FOR LIABILITY INSURANCE PREMIUM REDUCTION**

TABLE OF CONTENTS

1340-01-10-.01	Purpose	1340-01-10-.06	Hearings
1340-01-10-.02	Definitions	1340-01-10-.07	Repealed
1340-01-10-.03	Motor Vehicle Accident Prevention Course	1340-01-10-.08	Repealed
	Provider Requirements	1340-01-10-.09	Repealed
1340-01-10-.04	Motor Vehicle Accident Prevention Course	1340-01-10-.10	Repealed
	Instructor Requirements		
1340-01-10-.05	Denial, Revocation or Suspension		

1340-01-10-.01 PURPOSE.

To establish a system for the application, approval, regulation and standardization of Motor Vehicle Accident Prevention Courses by the Tennessee Department of Safety. Drivers over the age of 55 who successfully complete a motor vehicle accident prevention course approved by the Department of Safety shall qualify for a reduction of premiums for automobile liability insurance.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal and new rule filed December 16, 2010; effective May 31, 2011. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.02 DEFINITIONS.

- (1) "Commissioner" shall mean the Commissioner of the Tennessee Department of Safety.
- (2) "Department" shall mean the Tennessee Department of Safety.
- (3) "Motor Vehicle Accident Prevention Course" shall mean a classroom or online curriculum of driver safety training consisting of not less than eight (8) hours which has been approved by the Department.
- (4) "Motor Vehicle Accident Prevention Course Instructor" shall mean an individual who is approved by the Department for the purpose of conducting a Motor Vehicle Accident Course.
- (5) "Motor Vehicle Accident Prevention Course Provider" shall mean an entity approved by the Department to operate and conduct a Motor Vehicle Accident Prevention Course.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal and new rule filed December 16, 2010; effective May 31, 2011. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.03 MOTOR VEHICLE ACCIDENT PREVENTION COURSE PROVIDER REQUIREMENTS.

- (1) An entity which proposes to offer a Motor Vehicle Accident Prevention Course must submit an application and all required documentation at <https://www.tn.gov/safety/driver-services/--driver-education-courses--traffic-schools-.html>. Upon submitting application, a nonrefundable

(Rule 1340-01-10-.03, continued)

application fee in the amount of one hundred fifty dollars (\$150.00), must be mailed to the Department at the address provided at the time of application.

- (2) Upon initial approval, the applicant will be provided a letter of approval by the Department. The letter shall be maintained on file and provided upon request.
- (3) A provider will be required to submit an annual renewal application, required documentation, and application fee in the amount of fifty dollars (\$50.00) through the same process as an original applicant.
- (4) A provider must provide a minimum of eight (8) hours of classroom or online driver safety training which has been determined by the Department to meet or exceed the standards of the American Automobile Association, National Safety Council or other recognized curriculum that has been submitted for review and approved by the Department and which is designed to educate drivers over the age of 55 in motor vehicle accident prevention. Such entities may seek the Department directly on any requests to be approved as a provider.
- (5) A provider will issue a certificate of completion to each student who has successfully completed the Motor Vehicle Accident Prevention Course. Such certificate shall have thereon the student's full name, driver license number, or date of birth if driver license number is unavailable, course name, hours completed and the Motor Vehicle Accident Prevention Course Provider's name and address.
- (6) A provider must comply with or exceed the minimum standards set forth herein.
- (7) A provider must only use Instructors who meet the qualifications set forth herein.
- (8) A provider must maintain the following records for a period of three (3) years and ensure that such records are available for inspection by the Department during business hours:
 - (a) A roster of each class, listing the course name, location, Instructor's full name, student names, driver license numbers or date of birth if the driver license number is unavailable.
 - (b) A receipt for each student stating the student's full name, driver license number or date of birth if the driver license number is unavailable, and amount paid.
 - (c) Course material, which shall include the most recent material to teach crash prevention, and safe and defensive driving.
 - (d) Any other records that may be required by the Department.
- (9) A provider must ensure compliance with all Department rules and regulations.
- (10) A provider must update any change(s) in information on the application or any change in ownership or instructors through the department's online portal within seven (7) business days.
- (11) A provider must be open for periodic on-site inspection by the Department, with or without notice.
- (12) A provider shall not hire any person as an Instructor or otherwise who is an employee of the Department.
- (13) A provider shall comply with the requirements of the Americans with Disabilities Act.

(Rule 1340-01-10-.03, continued)

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal and new rule filed December 16, 2010; effective May 31, 2011. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.04 MOTOR VEHICLE ACCIDENT PREVENTION COURSE INSTRUCTOR REQUIREMENTS.

- (1) Motor Vehicle Accident Prevention Course Instructors must:
 - (a) Be at least twenty-one (21) years of age;
 - (b) Submit documentation verifying applicant possesses a high school diploma or a General Education Diploma;
 - (c) Have and maintain a valid driver license that has not been revoked, suspended or cancelled for any reason in the three (3) years preceding the date of hire;
 - (d) Submit a Tennessee Bureau of Investigations TORIS criminal history report verifying applicant has no conviction for a felony or any crime involving violence, dishonesty, deceit, fraud, or indecency;
 - (e) Not be an employee of the Department; and,
 - (f) Submit documentation that applicant has successfully completed a Driver Education Instructor's Development Course operated by:
 1. The American Automobile Association;
 2. National Safety Council; or
 3. Another certified Instructor Development Course submitted and determined by the Department to meet or exceed the standards of the American Automobile Association or National Safety Council. Such entities may seek the Department directly on any requests to be approved as a provider.
- (2) The Instructor shall maintain current certification on file with the department through the online portal.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal and new rule filed December 16, 2010; effective May 31, 2011. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.05 DENIAL, REVOCATION OR SUSPENSION.

- (1) The Department may deny, revoke or suspend a Motor Vehicle Accident Prevention Course Provider or Instructor for any violation of the law, rules or regulations relating to the operation of a Motor Vehicle Accident Prevention Course.
- (2) The Department may deny, revoke or suspend the Motor Vehicle Accident Prevention Course Provider or Instructor for actions including, but not limited to, the following:
 - (a) Conviction of a Provider or Instructor for a felony or any crime involving violence, dishonesty, deceit, fraud or indecency.

(Rule 1340-01-10-.05, continued)

- (b) Knowingly presenting false or misleading information to the Department.
- (c) Failure or refusal to permit the Department to inspect, audit or investigate the Motor Vehicle Accident Prevention Course Provider's premises, the course instruction records, financial records, etc.
- (d) Failure to submit the application with supporting documentation and/or the required fees within the prescribed time limit.
- (e) Failure to maintain Department-approved standards in instruction, equipment or facilities.
- (f) The presence of alcoholic beverages or narcotic drugs on the premises.
- (g) The presence of any type of weapon on the premises, except a weapon carried by a commissioned law enforcement officer or an individual with an authorized and valid carry permit.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.06 HEARINGS.

- (1) Any Provider or Instructor of a Motor Vehicle Accident Prevention Course who has been denied, revoked or suspended shall have the right to request a hearing in writing within thirty (30) days of the date of written notification of such action.
- (2) The hearing shall be before the Commissioner or the Commissioner's designee and held in accordance with the Uniform Administrative Procedures Act (T.C.A. §§ 4-5-101 et seq.).

Authority: T.C.A. §§ 4-5-101, et seq. and 55-10-301 **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal and new rule filed December 16, 2010; effective May 31, 2011. Amendments filed June 9, 2023; effective September 7, 2023.

1340-01-10-.07 REPEALED.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal filed December 16, 2010; effective May 31, 2011.

1340-01-10-.08 REPEALED.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal filed December 16, 2010; effective May 31, 2011.

1340-01-10-.09 REPEALED.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal filed December 16, 2010; effective May 31, 2011.

1340-01-10-.10 REPEALED.

Authority: T.C.A. § 56-7-1107. **Administrative History:** Original rule filed January 25, 1984; effective April 15, 1984. Repeal filed December 16, 2010; effective May 31, 2011.