

SECTION .0600 - CONTRACTS

19A NCAC 03I .0601 REQUIREMENTS

(a) Commercial driver training school contracts with individual students, public schools, or private schools shall contain (but are not limited to) the following information:

- (1) the agreed total contract charges and full terms of payment thereof;
- (2) the number, nature, time and extent of lessons contracted for, including:
 - (A) classroom instruction:
 - (i) rate per hour;
 - (ii) date and time of first lesson and each subsequent lesson, the length of each lesson, and the total number of hours;
 - (iii) type of instruction;
 - (iv) a limit of fifty students and no more than three hours of classroom work per day on school days and six hours per day on non-school days for unlicensed individuals under the age of eighteen.
 - (B) behind-the-wheel instruction:
 - (i) rate per hour;
 - (ii) date and time of first lesson and each subsequent lesson, the length of each lesson, and the total number of hours;
 - (iii) nature of lessons, whether individual or group. An instructor may not provide behind-the-wheel training to more than three individual students.
 - (iv) rate for use of school vehicle for a driver's license road test, if an extra charge is made;
- (3) a statement which reads substantially as follows: "This agreement constitutes the entire contract between the school and the student, and any verbal assurances or promises not contained herein shall bind neither the school nor the student."
- (4) a statement which reads as follows: "This school is licensed by the State of North Carolina, Division of Motor Vehicles."
- (5) a statement which reads as follows: "Under this agreement an instructor may not provide behind-the-wheel training to more than three individual students."

(b) If either the school or the instructor fails to comply with the provisions of any contract or agreement between the school and the student, the school shall refund, on a pro rata basis, all monies collected from the student as consideration for the performance of the contract or the agreement.

History Note: Authority G.S. 20-322 through 20-324;
Eff. July 2, 1979;
Amended Eff. August 1, 2000; July 1, 1994; December 1, 1993; May 1, 1987; June 1, 1982;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2018.