

Cal. Code Regs. tit. 13 § 345.30

Section 345.30 - Curriculum Content

- (a) A traffic violator school shall provide traffic safety related instruction, exclusive of course registration, issuance of completion receipts or subjects not related to traffic safety. The course shall adequately cover each of the subject areas included in the Outline Of Required Topics and Standards for State of California, Department of Motor Vehicles Approved Traffic Violator School Course, OL 613 (Rev. 10/2011), which is hereby incorporated by reference. Each topic area included in the OL 613 shall be closely adhered to in the course as referenced in the time frames or word count and percentage of instruction guidelines.
- (b) The following shall be the determinant for completion of the required minimum length of a course:
- (1) A classroom program shall provide a minimum of 340 minutes of traffic safety related instruction, exclusive of lunch and rest breaks, and provide a minimum of 60 minutes for completion of the post-knowledge test.
 - (2) A home study or internet program word count shall meet or exceed 42,500 words, not including text in images or image captions or text in chapter quizzes, and provide a minimum of 60 minutes for completion of the post-knowledge test.
- (c) For purposes of this section, subjects not related to traffic safety include, but are not limited to:
- (1) Courtroom procedures.
 - (2) Beating traffic tickets.
 - (3) Police jurisdictions.
- (d) The curriculum of a traffic violator school shall include a description, specific to the modality, of the methods and processes used to determine that the person completing the course is the traffic violator. A curriculum for all modalities shall include the following:
- (1) A post-knowledge test to be administered at the end of the instruction. The test shall be designed to include questions related to at least eight of the main subject areas in topic areas I-XI of the OL 613 and shall include at least one question on each of the following subjects: defensive driving, road rage, driver distractions, and operator responsibility. The test shall be graded and each student's score will be recorded with all other student information, unless the school retains the tests for three years from the date of the class. If the tests are retained, each test shall indicate the date of the instruction, and the student's name and driver license number.
 - (A) Sixty minutes shall be allowed to complete the final examination in classroom courses. The final examination for internet and home study courses shall not exceed 15 percent of the total instruction content.
 - (B) Test questions shall be based on presented course information.

- (C) A student shall be allowed to review course material during the final exam.
 - (D) A passing score shall be 70 percent correct or higher.
 - (E) A student scoring less than 70 percent may be offered a second test within one week. The second test shall not be the same test administered on the first occasion. A traffic violator school shall make a reasonable attempt within the one week period to offer an opportunity for retesting. A student scoring less than 70 percent on the second test may take another traffic violator school course, if court continuance time allows.
 - (F) Test answers shall not contain an off topic option.
 - (G) Test questions shall not lead the user to the correct answer.
 - (H) Tests shall include a minimum of 25 questions.
 - (I) A student shall not correct his own test.
 - (J) Reasoning and the correct answer shall be provided to the student in response to a question they answered incorrectly.
- (2) The program shall comply with the established requirements of the Americans with Disabilities Act of 1990 (ADA)(42 U.S.C. § 1210), as applicable. Such consideration may include, but is not limited to, an interpreter for the hearing impaired in classrooms, larger print for written material, and captioning for video presentations.
- (3) A Traffic Violator Course Evaluation, form OL 767 (New 9/2011), which is hereby incorporated by reference, shall be provided to each participant as a course completion requirement.
- (A) Students not wishing to complete the evaluation shall satisfy the requirement by printing their name on the form and turning it in.
 - (B) A traffic violator school instructor, operator, or owner shall not alter, discourage a student from answering, or withhold from the department a student evaluation.
 - (C) All completed student evaluation forms shall be sent to the department on a quarterly basis by the 30th calendar day of the month following the quarter in which the classes were conducted.
 - (D) The evaluation forms for each classroom course shall be bundled together and have a copy of the class roster sheet pursuant to Section 345.36(b)(14) of this Article attached as a cover sheet.
 - (E) The evaluation forms for home study or internet shall be separated by modality type and include a cover sheet for each modality that includes the school name and license number, operator name and license number, modality of instruction, which quarter the evaluations cover, a list of students by name who completed the course, and the following certification signed by the operator under penalty of perjury:

"I (operator name and number) certify under penalty of perjury that the students listed on this roster completed a TVS course in compliance with Article 4.7."

(4) The traffic violator school shall provide statistical information quarterly to the department by the 30th calendar day of the month following the quarter in which the classes were conducted using the Traffic Violator School Quarterly Report, form OL 850 (Rev. 2/2011), which is hereby incorporated by reference.

(5) All students shall receive a completion receipt after successfully meeting all course requirements. The completion receipt shall conform to Vehicle Code section 11200(e).

(6) A completion receipt shall not be issued or completion information provided to a court for any person who:

(A) Does not meet the length of course requirement;

(B) Has not passed the final examination and has either not taken a second exam or has taken and not passed the second examination;

(C) Has not provided the court reference number (docket, ticket, or citation number), name of the court with jurisdiction or the court code; or

(D) Has not completed and turned in the form OL 767.

(7) Additional curriculum requirements specific to each modality shall be included as appropriate as stated in subsection (e) and (f) of this section.

(e) The curriculum of a traffic violator school for a classroom course shall also include the following:

(1) Visual aids including, but not limited to, slide presentations, video cassettes or movies, graphs, magnetic boards, charts, or pictorial representations shall at a minimum be used to visually demonstrate concepts presented for the subject areas described in OL 613. Audio visual aids such as movies and media clips shall comprise not more than 80 minutes of the 340 minute curriculum. All visual aids shall be applicable to the course purpose and subject area.

(2) Student participation is required and includes, but is not limited to, questions and answers, pre and post knowledge tests, and group discussions. Student participation shall comprise not less than 40 minutes of the 340 minute curriculum. All student participation shall be applicable to the course purpose and subject area.

(3) A minimum of three post knowledge tests that meet the requirements of (d)(1).

(f) The curriculum of a traffic violator school for a home study or internet course shall also include:

(1) Visual aids including, but not limited to, animations, charts, and pictorial representations shall be included in the course at a rate of one image for every 500 words.

(2) The following notices and statements shall be included at the start of each course:

(A) A department legal waiver and disclaimer as stated below:

"California Department of Motor Vehicles Legal Notice and Disclaimer:

The California Department of Motor Vehicles (DMV) recognizes the right of private enterprises to advertise and distribute information related to their business functions. DMV promotes the free exchange of information, ideas, and opinions, except when the content may invade personal privacy, violate property rights, constitute libel, or be a violation of any applicable federal, state, or local laws.

While this lesson plan content may have been approved by DMV, the distribution, advertising, and other information provided by this vendor is not guaranteed by DMV, nor does it represent the views of the department.

You are advised that DMV, unless statutorily required, has no continuing obligation to provide information to an approved course web site or printed publication.

DMV assumes no responsibility for erroneous, incomplete, or out-of-date information. The user should contact the provider and/or DMV to ensure that the information herein is current and accurate. All warranties of any kind, including, but not limited to, the IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, freedom from contamination by computer viruses, and non-infringement of proprietary rights ARE DISCLAIMED.

You are advised that DMV is not responsible for the content of any off-site web pages referenced from or to an approved course web site or home study publication. In addition, DMV and the State of California are not responsible for the content of files that are uploaded for inclusion.

The user should not rely on the presentation of statutes or regulations referenced in an approved web site or printed publication, but should consult the actual text of the law. Legal requirements frequently change and the user may wish to seek the advice of counsel.

If you find any errors, omissions, or have a complaint regarding the educational content, we encourage you to report them to the education provider. In the event the issue is not resolved to your satisfaction you may call the department at (916) 229-3154."

(B) "This course is not intended as training from a licensed driving school. It does not meet the standards, training, or requirements in preparation for being issued a driver license. This course has been reviewed and approved to meet the requirements for the traffic violator school program. Completion documentation will not be issued to those not meeting the traffic violator school program criteria."

(C) "Pursuant to Vehicle Code section 1808.7, the following situations are not eligible for masking a traffic safety violation on a California driver record:

(1) The driver has already attended a traffic violator course within 18 months of the conviction.

(2) The driver holds a commercial license as defined in Vehicle Code section 15210.

- (3) The driver holds a commercial driver license from out of state.
- (4) The violation occurred in a commercial motor vehicle as defined in Vehicle Code section 15210.
- (5) The violator has not paid a deposit of fees or bail, and has not pleaded guilty, no contest, or been convicted by the court of jurisdiction.
- (6) The conviction would result in a violation point count of more than one point pursuant to Vehicle Code section 12810. A list of Vehicle Code two point violations may be found on the Department of Motor Vehicles web site, www.dmv.ca.gov.
- (D) "This site will require your California driver license or California identification number, or, if you do not have a California driver license or California identification card, your birthdate, the court reference number (docket, ticket or citation number) and the name of the court with jurisdiction or the court code. These are requirements for receiving a completion receipt and to have the information sent to the court of jurisdiction should you successfully pass this course. If you are unable to provide the required information, your participation shall not be credited toward satisfying the requirement."
- (3) The office business hours shall be listed. An instructor shall be available during business hours to answer questions. An instructor shall respond to a call received after business hours on the next business day.
- (4) Home study and internet courses shall identify the traffic violator school and occupational license numbers at the start of the course. The internet course shall provide the traffic violator school and occupational license numbers on each course instruction screen.
- (5) The internet course shall not allow a student to take the final exam until the course instruction has been completed or allow any test questions to be printed from the final exam.
- (6) The course web site shall be secure and protected from electronic infection, unauthorized content alteration, or user tracking outside of the course web site.
 - (A) Course pages shall be free from distractions including flashing, moving, brightly colored, or sexually suggestive text and images.
 - (B) Course pages shall be free from interruptions including pop-up windows.
 - (C) The web site shall require a unique password for each student.
- (7) Each student password shall be made invalid upon issuance of the completion receipt.

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1. Renumbering and amendment of former section 345.30 to section 345.72 and new section filed 10-26-94; operative 11-25-94 (Register 94, No. 43). For prior history, see

Register 93, No. 30.

2. Amendment of section and NOTE filed 4-19-2012; operative 5-19-2012 (Register 2012, No. 16).

Note: Authority cited: Sections 1651, 11202(a)(2) and 11219, Vehicle Code. Reference: Sections 1808.7, 11200, 11202, 11219, 12810 and 15210, Vehicle Code; 42 U.S.C. Section 1210.

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