

under the age of 18 years, or a child under the age of 19 years who is regularly attending as a full time student at a high school, college, or university, or regularly attending as a full time student in a course of vocational or technical training designed to fit him for gainful employment, who is found to be deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and whose relatives, liable under the law for his support are not able to provide adequate care and support of such child, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece in a place of residence maintained by one or more of such relatives as his or their home.

The term "dependent child" shall also mean a child who has been removed from the home of a relative after a judicial determination that continuance in the home would be contrary to the welfare and best interests of the child and whose further placement and care is the responsibility of the state or county agency and who has been placed in a foster home or a private licensed child care institution and who has received aid under sections 256.72 to 256.87 during the month in which the judicial proceedings for removal were initiated.

Approved May 25, 1967.

CHAPTER 880—S. F. No. 710

[Coded]

An act relating to driver training schools and teachers.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[171.33] Driver training schools, definitions.**
Subdivision 1. "Commercial driver training school" or "school" means a business enterprise conducted by an individual, association, partnership, or corporation, which charges a fee, for the education and training of persons to drive motor vehicles or for the preparation of an applicant for a driver's license examination given by the state.

Subd. 2. "Instructor" means any person, whether acting for himself as operator of a commercial driver training school or as an employee of any such school, who teaches or supervises persons

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learning to drive motor vehicles or preparing to take an examination for a driver's license, and any person who supervises the work of any other instructor.

Subd. 3. "Commissioner" means the commissioner of highways.

Sec. 2. [171.34] **License for schools required.** No commercial driver training school shall be established or operated after January 1, 1968 unless such school has applied for and obtained a license from the commissioner. The commissioner shall issue or adopt regulations governing the requirements for a license, which may include requirements concerning location, equipment, courses of instruction, previous records of the school and instructors, financial statements, filing of schedule of maximum fees and charges, character and reputation of the instructors, insurance in such sum and with such provisions as the commissioner deems necessary to protect the interests of the public, and such other matters as the commissioner may prescribe, but the applicant shall not be required to have qualified for a teacher's certificate as required in the public school system.

Sec. 3. [171.35] **License for instructors required.** No person shall act as an instructor after January 1, 1968 unless such person has applied for and obtained a license from the commissioner. The commissioner shall issue or adopt regulations governing the requirements for an instructor's license, which may include requirements concerning moral character, physical condition, knowledge of the courses of instruction and of motor vehicle laws and safety principles and practices, previous personnel and employment records, teaching experience and qualifications, and such other matters as the commissioner may prescribe, but the applicant shall not be required to have qualified for a teacher's certificate as required in the public school system.

Sec. 4. [171.36] **License renewal and fees.** All licenses shall expire one year from date of issuance and may be renewed upon application to the commissioner. Each application for an original or renewal school license shall be accompanied by a fee of seventy-five dollars (\$75.00) and each application for an original or renewal instructor's license shall be accompanied by a fee of twenty dollars (\$20.00). The license fees collected under this article shall be paid into the trunk highway fund. No license fee shall be refunded in the event that the license is rejected or revoked.

Sec. 5. [171.37] **Inspection and examination.** The commissioner or his authorized representative shall inspect the

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school facilities and equipment of applicants and licensees and shall examine applicants for instructor's licenses. The commissioner shall issue or adopt such regulations and do all things necessary and proper to accomplish the purposes of this section.

Sec. 6. [171.38] Issuance, renewal, suspension, and revocation of licenses. The commissioner may revoke or refuse to issue or renew a school or instructor's license in any case where he finds the applicant or licensee has not complied with, or has violated any of the provisions of this act or any regulation issued or adopted pursuant thereto. Any revoked license shall be returned to the commissioner by the licensee, and its holder cannot apply for a new license for a period as determined by the commissioner not to exceed one year from the date of such revocation.

Sec. 7. [171.39] Exemptions. The provisions of this act shall not apply to any person giving driver training lessons without charge, to employers maintaining driver training schools without charge for their employees only, to schools or classes conducted by colleges, universities and high schools as a part of the normal program for such institutions, nor to those schools or persons described in Minnesota Statutes 1965, Section 171.04, Subdivision 1. Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and such instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under this statute within 10 miles of the municipality where such instruction is given and there is no adult drivers training program in effect in the schools or the school district in which the trainee resides.

Sec. 8. [171.40] Penalties. Violation of any provision of this article or any regulation issued or adopted pursuant thereto shall be a misdemeanor.

Sec. 9. [171.41] Cooperation of state agencies. The commissioner shall request and receive the assistance of other state departments and agencies in establishing regulations pursuant to this act.

Sec. 10. The effective date of this act shall be January 1, 1968.

Approved May 25, 1967.

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