

Kansas Administrative Regulations

State Department of Education

Article 7.—Commercial Drivers' Training Schools

91-7-1. Licenses required.

Every person conducting a drivers' training school shall be licensed by the state board of education prior to engaging in that business. No license shall be issued until at least one (1) instructor has obtained an instructor's license and at least one (1) motor vehicle has been approved for drivers' training school use.

(a) Applications.

(1) Application shall be made on a form prescribed by the state board. Renewal applications shall be submitted for approval and issuance at least ten (10) days prior to the expiration date of the current license.

(2) When an application is made by an individual, it shall be signed and sworn to by the individual. In the case of a partnership, the application shall be signed and sworn to by any one (1) partner. In the case of a corporation, the application shall be signed and sworn to by the president and attested to by the secretary.

(3) Every initial application shall be accompanied by the following supplementary documents:

(A) In the case of a corporation, a certified copy of its certificate of incorporation and a copy of the corporate resolution authorizing the corporation to engage in the business of operating a drivers' training school;

(B) a sample of every contract form for instructional purposes, receipt forms, and other forms used by the school and delivered to students; and

(C) a schedule of all services to be performed by the school.

(b) License fee.

(1) The annual fee for the initial license and renewal shall be twenty-five dollars (\$25.00).

(2) The license shall be valid for the calendar year.

(c) Display of license. The original license shall be conspicuously displayed in the licensee's principal place of business.

(d) License not transferable.

(1) In the event of any change of ownership or interest in the business, including the sale of more than 25% of the capital stock of a corporation, application for a new license shall be filed with the state board.

(2) The state board may, in its discretion, permit continuance of the business by the licensee, pending processing of the application made by the person to whom the business, or interest in the business, is to be transferred.

(3) The existing license and copies, together with all instructors' certificates issued, shall be surrendered before a license shall be issued to the new owner.

(e) Lost, mutilated or destroyed licenses. In the event a license is lost, mutilated or destroyed, a duplicate shall be issued upon proof of the facts, and upon payment of five dollars (\$5.00) and, in the case of mutilation, upon surrender of the mutilated license.

Proof shall be submitted in the form of an affidavit indicating:

(1) the date the license was lost, mutilated or destroyed; and

(2) the circumstances involving the loss, mutilation, or destruction of the license.

(f) Surrender of license.

(1) A license to be surrendered for cancellation or deposited for safekeeping shall be returned to the office of the state board.

(2) In all cases, the licensee shall state, in writing, the reason for the surrender or deposit.

(Authorized by K.S.A. 8-278; effective Jan. 1, 1966; amended Jan. 1, 1970; amended May 1, 1979.)

***** Authenticated Kansas Administrative Regulation *****