

# *The Driver Training Regulations, 2011*

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Chapter T-18.1 Reg 9 (effective September 29, 2011) as amended by Saskatchewan Regulations [13/2019](#) and [74/2019](#).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER T-18.1 REG 9

### *The Traffic Safety Act*

#### Title

- 1 These regulations may be cited as *The Driver Training Regulations, 2011*.

#### Interpretation

- 2 In these regulations:

- (a) **“Act”** means *The Traffic Safety Act*;
- (b) **“applicant”** means a person applying to the administrator pursuant to section 111 of the Act for a driver instructor’s certificate or a driver training school certificate;
- (c) **“certificate”** means a driver instructor’s certificate or a driver training school certificate;
- (d) **“class”** means, with respect to a motor vehicle, the class of motor vehicle as defined in *The Driver Licensing and Suspension Regulations, 2006*;
- (e) **“driver instructor”** means a person who holds a valid driver instructor’s certificate;
- (f) **“driver instructor’s certificate”** means a certificate mentioned in subsection 111(3) of the Act;
- (g) **“driver training school certificate”** means a driver training school certificate mentioned in subsection 111(2) of the Act;
- (h) **“educational authority”** means:
  - (i) a board of education as defined in *The Education Act, 1995*;
  - (ii) the conseil scolaire as defined in *The Education Act, 1995*;
  - (iii) the senate of a university;
  - (iv) the persons responsible for the operation of a school for Indian children established by the Minister of Indian Affairs and Northern Development pursuant to the *Indian Act* (Canada); or
  - (v) the persons responsible for the operation of a private college or school that is recognized by the administrator;
- (i) **“in-car instruction”** means instruction that provides a student with practical driving experience at the driving controls of a motor vehicle under the direction of a driver instructor;
- (j) **“retraining”** means retraining a person in the operation of a class of motor vehicle for which that person holds a driver’s licence;

(k) **“simulation instruction”** means instruction employing electromechanical devices and films designed to simulate the driver’s compartment of a motor vehicle and the experience of driving a motor vehicle;

(k.1) **“standards”** means any manual or set of instructions published by the administrator with respect to driver training schools, driver instructors or driving instruction certified or conducted in accordance with the Act and these regulations;

(l) **“student”** means a person who is receiving instruction from a driver instructor for the purpose of qualifying for any class of driver’s licence or for the purpose of improving his or her skills in the operation of a motor vehicle;

(m) **“upgrading”** means training a person who holds a driver’s licence in the operation of a class of motor vehicle that requires a higher class of driver’s licence.

7 Oct 2011 cT-18.1 Reg 9 s2; 25 Oct 2019 SR  
74/2019 s3.

#### Non-application

**3** These regulations do not apply to:

- (a) an employee of an employer who provides retraining or upgrading to other employees of the same employer; or
- (b) a person who provides instruction without compensation.

7 Oct 2011 cT-18.1 Reg 9 s3.

#### Restrictions

**4** No person shall provide driving instruction in a vehicle unless that person:

- (a) holds a class 1, 2, 3 or 4 driver’s licence, if that person is providing instruction to a student who is seeking to obtain a class 4 or 5 driver’s licence;
- (b) holds a class 1 driver’s licence with an “A” endorsement, if that person is providing instruction to a student who is seeking a class 1, 2 or 3 driver’s licence;
- (c) holds an “M” endorsement, if that person is providing instruction to a student who is seeking to obtain an endorsement to operate a motorcycle; and
- (d) holds an “S” endorsement, if that person is providing instruction to a student who is seeking to obtain an endorsement to operate a school bus.

15 Mar 2019 SR 13/2019 s3.

#### Compliance with standards

**4.1** Subject to the Act and these regulations, every driver training school and every driver instructor shall meet the qualifications, conditions and requirements set out in the standards.

25 Oct 2019 SR 74/2019 s4.

**Driver instructor certificate**

- 5(1) An application for a driver instructor's certificate must:
- (a) be on a form provided by the administrator; and
  - (b) be accompanied by:
    - (i) the results of a criminal record check respecting the applicant, satisfactory to the administrator, that is on a form provided by the administrator and signed by a peace officer or an officer of the R.C.M.P. detachment or the Town Constable of the municipality in which the applicant carries on business;
    - (i.1) if the administrator determines that a vulnerable sector search is necessary, a vulnerable sector search respecting the applicant that is signed by a peace officer or an officer of the R.C.M.P. detachment or the Town Constable of the municipality in which the applicant carries on business;
    - (ii) the fee set out in *The Traffic Safety Act Fees Regulations*;
    - (iii) proof of the applicant's successful completion of a written test and a road test approved by the administrator for a driver instructor's certificate; and
    - (iv) a driving record that is satisfactory to the administrator, and evidence of driving experience that satisfies the administrator that the applicant is capable of providing driving instruction for a particular class of driver or driver's licence endorsement.
- (2) In addition to the requirements in subsection (1), a driver instructor must provide evidence of the successful completion in the preceding 12 months of a driver instructor training course approved by the administrator.
- (3) An application for renewal of a driver instructor's certificate must:
- (a) be on a form provided by the administrator; and
  - (b) be accompanied by:
    - (i) a signed declaration, on a form provided by the administrator, indicating if the applicant has in the past 24 months been charged with an offence under the *Criminal Code* and, if a conviction was obtained, the offences for which that person was convicted; and
    - (ii) the fee set out in *The Traffic Safety Act Fees Regulations*.
- (4) In addition to the requirements set out in subsection (3), a driver instructor must provide evidence of the successful completion of any continuing professional development requirements established by the administrator within the 24 months preceding the application for renewal.

- (5) An application to renew a driver instructor's certificate must be filed with the administrator not more than 90 days and not less than 10 days before the expiry of the current certificate.
- (6) In addition to the requirements set out in subsections (1) to (4), the administrator may require an individual applying for a driver instructor's certificate or renewing a driver instructor's certificate to provide a certificate of fitness that:
- (a) is in a form provided by the administrator;
  - (b) verifies that the applicant is physically and mentally fit; and
  - (c) is completed by a duly qualified medical practitioner acceptable to the administrator.
- (7) If the administrator is satisfied that an applicant has complied with the requirements of this section and the other requirements set out in the Act and these regulations, the administrator may, in accordance with the application:
- (a) issue a driver instructor's certificate to the applicant; or
  - (b) renew the applicant's driver instructor's certificate.

7 Oct 2011 cT-18.1 Reg 9 s5; 15 Mar 2019  
SR 13/2019 s4.

#### Prohibition

**6** No person shall engage in giving instruction for hire, tuition or salary in the driving of a motor vehicle or in the preparation of a person for examinations authorized by the administrator for a driver's licence unless he or she is the holder of a driver instructor's certificate and:

- (a) is employed by a driver training school registered pursuant to these regulations;
- (b) is the owner or operator of a driver training school registered pursuant to these regulations; or
- (c) is employed by an educational authority.

7 Oct 2011 cT-18.1 Reg 9 s6.

#### Evaluation

**7(1)** Every driver instructor shall successfully complete a performance evaluation approved by the administrator within 12 months after the date of issue of his or her first driver instructor's certificate.

(2) The administrator may, at any time it considers appropriate, require a driver instructor to successfully complete a performance evaluation approved by the administrator.

7 Oct 2011 cT-18.1 Reg 9 s7.

#### Reporting

**8(1)** Every driver instructor shall report to the administrator, within five days after its occurrence, if:

- (a) the driver instructor is charged with an offence pursuant to the *Criminal Code* or *The Alcohol and Gaming Regulation Act, 1997*; or

- (b) the driver instructor is subject to an administrative suspension pursuant to the Act or any regulation pursuant to the Act.
- (2) If a driver instructor is charged with an offence pursuant to the *Criminal Code* or *The Alcohol and Gaming Regulation Act, 1997*, the administrator may refuse to issue or renew a driver instructor's certificate until the charge has been disposed of or the time making any appeal respecting the charge has elapsed.

7 Oct 2011 cT-18.1 Reg 9 s8.

#### Identification

- 9 At the request of a peace officer, a student or the administrator, a driver instructor shall produce a valid driver instructor's certificate.

7 Oct 2011 cT-18.1 Reg 9 s9.

#### Driver Training Schools

- 10(1) An application to obtain a driver training school certificate or to renew a driver training school certificate must:

- (a) be on a form provided by the administrator; and
- (b) be accompanied by:
  - (i) a penal bond for the protection of the contractual right of the students that is:
    - (A) in the principal sum of \$10,000;
    - (B) on a form approved by the administrator; and
    - (C) written by a company authorized to do business pursuant to *The Saskatchewan Insurance Act*;
  - (ii) evidence of insurance coverage required pursuant to section 11 that:
    - (A) is in the form of a certificate of the insurer that is acceptable to the administrator; and
    - (B) stipulates that the insurance shall not be cancelled except on 30 days' prior written notice to the administrator; and
  - (iii) the required fees as set out in *The Traffic Safety Act Fees Regulations*.

- (2) For the purposes of subclause (1)(b)(i):

- (a) the total liability of the surety under the penal bond for all breaches of the conditions of the bond must not be less than the principal sum of \$10,000; and
- (b) the surety shall not cancel the bond except on 30 days' prior written notice to the administrator.

- (3) An application to renew a driver training school certificate must be filed with the administrator not more than 60 days and not less than 10 days before the expiry date of the current certificate.

- (3.1) The administrator shall not issue a driver training school certificate to an applicant unless the applicant can verify that the applicant employs or has contracted with at least one certified driver instructor able to provide instruction for the driver training school at the time of the application.

(4) If the administrator is satisfied that an applicant has complied with the requirements of this section and the other requirements set out in the Act and these regulations, the administrator may, in accordance with the application:

- (a) issue a driver training school certificate to the applicant; or
- (b) renew the applicant's driver training school certificate.

7 Oct 2011 cT-18.1 Reg 9 s10; 15 Mar 2019  
SR 13/2019 s5.

#### Liability Insurance

**11(1)** No person shall operate a driver training school unless the driver training school has a motor vehicle liability insurance policy or a bond of guarantee that insures the owner of the driver training school, every driver training instructor and any person taking instruction against the liability for bodily injury, death and property damage that is imposed by law and arises out of the ownership, use or operation of the vehicle.

(2) The insurance policy or bond of guarantee mentioned in subsection (1) must exceed by \$2,000,000 the amount required pursuant to *The Automobile Accident Insurance Act* against liability for bodily injury, death and property damage for any one accident.

7 Oct 2011 cT-18.1 Reg 9 s11.

#### Duties

**12** Every person who holds a driver training school certificate shall:

- (a) notify the administrator, in writing, of any change to its name or address within 15 days after the change;
- (b) ensure the instruction in the driver training school meets the standard for instruction approved by the administrator; and
- (c) notify the administrator, in writing, of any of the following changes within 15 days after the change:
  - (i) if any new driver instructor is employed by the driver training school;
  - (ii) if any driver instructor ceases to be employed by the driver training school.

7 Oct 2011 cT-18.1 Reg 9 s12.

#### Records

**13(1)** Every driver training school shall maintain records with respect to each student showing:

- (a) if the completion of the student's driver training is not recorded by the school on the administrator's electronic driver training application, a copy of the student driver education certificate number;
- (b) the student's name, address, date of birth and SGI-issued customer identification number;
- (c) if the student is attending a secondary school, the name of the secondary school;

- (d) the dates and number of hours of in-car instruction and simulation instruction;
  - (e) the dates and number of hours of in-class instruction;
  - (f) if required by the administrator, the student's vision test results;
  - (g) the class of licence or endorsement with respect to which instruction was given;
  - (h) the student's attendance;
  - (i) the student's marks on all examinations; and
  - (j) if the student is receiving driving instruction for a commercial vehicle:
    - (i) the log books required to be maintained during training;
    - (ii) if applicable, the dates and hours of in-yard instruction;
    - (iii) all Schedule 1 inspection reports as set out in *The Trip Inspection Regulations*;
    - (iv) the student's progress reports and evaluations.
- (2) **Repealed.** 15 Mar 2019 SR 13/2019 s6.
- (3) Every driver training school shall make any records kept pursuant to subsections (1) open to inspection by the administrator at all reasonable times.
- (4) Records kept pursuant to this section are for the confidential use of the administrator.
- (5) A driver training school shall maintain any record respecting a student for at least five years after the date on which the record was made.
- (6) If a driver training school ceases operation, all records held by the driver training school pursuant to this Act must be transferred to the administrator.

7 Oct 2011 cT-18.1 Reg 9 s13; 15 Mar 2019  
SR 13/2019 s6; 25 Oct 2019 SR 74/2019 s5.

#### Reporting

**14** Every driver training school shall provide to the administrator, on a form acceptable to the administrator, a report showing the results of driver licensing examinations for each student on the completion of every course.

7 Oct 2011 cT-18.1 Reg 9 s14.

#### Prohibition

**15** No driver training school, no operator, agent or employee of a driver training school and no driver instructor shall state or imply that a driver's licence is guaranteed on completion of the course of instruction.

7 Oct 2011 cT-18.1 Reg 9 s15.

**Expiry of certificate**

**16(1)** A driver instructor's certificate expires on the date set out on the certificate unless it is sooner suspended or revoked pursuant to the Act or these regulations.

(2) A driver training school certificate expires on the date set out on the certificate unless it is sooner suspended or revoked pursuant to the Act or these regulations.

7 Oct 2011 cT-18.1 Reg 9 s16.

**Standards for vehicles**

**17** No driver training school and no educational authority shall operate or cause to be operated a motor vehicle for the purpose of practical instruction to train students in the driving of motor vehicles unless the motor vehicle:

- (a) is maintained in safe operating condition; and
- (b) meets all the requirements of the Act and the regulations made pursuant to the Act.

7 Oct 2011 cT-18.1 Reg 9 s17.

**Standards for class 5 motor vehicles**

**18(1)** In addition to the requirement set forth in section 17, every class 5 motor vehicle used in driver training by a driver instructor to train a student to drive must have the following:

- (a) special rear-view mirrors firmly affixed to the vehicle to allow a driver instructor a clear and unobstructed view of the highway to the rear of the vehicle;
- (b) a sign at the rear of the vehicle that is conspicuously and clearly visible from a distance of 30 metres and that contains the words "**Student Driver**" in letters not less than 7.5 centimetres in height; and
- (c) dual brakes.

(2) Notwithstanding subsection (1), the following students may receive instruction in a vehicle the student owns:

- (a) a student with a physical disability that impairs his or her ability to drive a motor vehicle and who requires a vehicle equipped with special or modified controls designed to overcome or compensate for the physical impairment;
- (b) when the administrator determines it is appropriate, a student who requires assistance from a driver training school to improve his or her skill in operating a class 5 motor vehicle for the purposes of training or retraining that student; and
- (c) a student who is seeking to improve his or her skill in operating a class 5 motor vehicle for the purposes of training or retraining that student if the student owns a vehicle with a standard transmission.

7 Oct 2011 cT-18.1 Reg 9 s18.

**Standards for class 1 vehicle**

**19(1)** In addition to the requirements set out in section 17, every class 1 motor vehicle used in driver training by a driver instructor to train a student must:

- (a) have a registered gross vehicle weight of 22,000 kilograms;

- (b) be the object of a valid inspection certificate as required pursuant to *The Vehicle Inspection Regulations, 2013*;
  - (c) have special rear-view mirrors firmly affixed to the vehicle to allow a driver instructor a clear and unobstructed view of the highway to the rear of the vehicle and along both sides of the vehicle; and
  - (d) a sign at the rear of the vehicle that is conspicuously and clearly visible from a distance of 60 metres and that contains either the words “**Student Driver**” or “**Driver Training**” in letters not less than 20.5 centimetres in height.
- (2) In addition to the requirements set out in subsection (1), if any class 1 driver training is conducted with a trailer, the trailer must also be the object of a valid inspection certificate as required pursuant to *The Vehicle Inspection Regulations, 2013*.

7 Oct 2011 cT-18.1 Reg 9 s19; 15 Mar 2019  
SR 13/2019 s7.

#### **Employee training**

**20** Notwithstanding sections 18 and 19, an employee who is undergoing training by an employee of the same employer or by a person who is under contract to an employer to train employees may receive instruction in the employer’s vehicle.

7 Oct 2011 cT-18.1 Reg 9 s20.

#### **In-car instruction**

**21(1)** For the purposes of this section, “**driver training program**” means a program of instruction for new drivers, offered by an educational authority, that includes 30 hours of classroom instruction and six hours of in-car instruction.

(2) For the purposes of providing in-car instruction, four hours of simulation instruction is deemed to the equivalent of one hour of in-car instruction.

(3) In a driver training program, not more than three hours of in-car instruction may be substituted by the use of simulation instruction.

7 Oct 2011 cT-18.1 Reg 9 s21.

#### **Facility requirement for class 1 driver instruction**

**21.1** A class 1 driver training school must have a facility that is approved by the administrator

15 Mar 2019 SR 13/2019 s8.

#### **R.R.S. c.V-2.1 Reg 4 repealed**

**22** *The Driver Training Regulations, 1986* are repealed.

7 Oct 2011 cT-18.1 Reg 9 s22.

#### **Coming into force**

**23** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Oct 2011 cT-18.1 Reg 9 s23.

