

**DETAILED REQUIREMENTS CONCERNING RECOGNITION OF
DRIVING SCHOOLS BY BODIES ACCREDITED BY THE
SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC**
hereinafter referred to as the *Detailed Requirements*

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SECTION 1: DEFINITIONS

- 1.1 The appendices are an integral part of the *Detailed Requirements*. In the event of an inconsistency between the appendices and the *Detailed Requirements*, the *Detailed Requirements* shall prevail.
- 1.2 The terms used in the *Detailed Requirements* are defined in Appendix 1 and should be interpreted based on those definitions.
- 1.3 In the event of an inconsistency between the *Detailed Requirements* and a contract or agreement a driving school has entered into for the purpose of recognition or maintaining its recognition, the *Detailed Requirements* shall prevail.

SECTION 2: ELIGIBILITY FOR RECOGNITION

- 2.1 The accreditation body grants the status of recognized driving school to all those who apply and demonstrate compliance with the *Detailed Requirements*.

INFORMATION AND DOCUMENTS REQUIRED

- 2.2 A driving school that would like to receive recognition must first fill out the application form available in print from or on the accreditation body's website and submit it along with the application fees. Upon receipt of the form and payment, the accreditation body will send the applicant driving school a guide with details on how to file an application for recognition.
- 2.3 When applying for recognition, the applicant driving school must submit the following documentation to the accreditation body:
 - a) An official document indicating its name and Quebec enterprise number (NEQ) received under the *Act respecting the legal publicity of enterprises* (chapter P-44.1)
 - b) The school's project indicating:
 - i. how it intends to carry out the project
 - ii. the targeted clientele
 - iii. the locations from which it intends to operate
 - iv. the name of the person of authority, their date of birth, contact information and email address
 - v. the number of training officers, their names, dates of birth, contact information and training officer card number
 - vi. the recognition sought (passenger vehicle, motorcycle, scooter, three-wheeled motorcycle)
 - vii. the target number of registrations for the first year of operation
 - viii. the number of vehicles to be used for teaching purposes
 - c) The documents listed in Appendix 2 regarding:

- i.** the school, person of authority and training officers
 - ii.** the premises and facilities
 - iii.** the vehicles
 - iv.** the surety bond and insurance documents
- d)** The fee for processing the application for recognition, in accordance with the rates established by the accreditation body. This payment covers the processing of the application, the evaluation of the school's premises and facilities, the person of authority's Detailed Requirements training, inspection visits and other measures implemented by the accreditation body (Section 4.10).

CONDITIONS REGARDING THE DRIVING SCHOOL AND PERSON OF AUTHORITY

2.4 In addition to providing the information and documents referred to in Section 2.3, the applicant driving school must meet the following conditions to be eligible for recognition:

- a)** The driving school must be based in Quebec.
- b)** During the 5 years preceding the application for recognition, the driving school must not:
 - i.** have had the recognition granted by an accreditation body withdrawn
 - ii.** have been found guilty of misconduct, have committed an offense or wrongdoing related to business or professional ethics or any other act inconsistent with a driving school's activities
- c)** The school must not be in a situation that undermines business or professional ethics and which is inconsistent with a driving school's activities.
- d)** The school must not be acting as a nominee for a driving school whose recognition by an accreditation body has been withdrawn or for a driving school under suspension or that is being investigated by the accreditation body or the Société de l'assurance automobile du Québec (SAAQ), as the case may be, for non-compliance with the Detailed Requirements.
- e)** The school must be run solely by administrators, directors or associates who meet the above requirements or be owned by someone who meets these requirements.
- f)** During the five (5) years preceding the application for recognition, the person of authority of the driving school must not:
 - i.** have been found guilty of misconduct, have committed an offense or wrongdoing related to business or professional ethics or any other act inconsistent with a driving school's activities
 - ii.** have contributed to non-compliance with the Detailed Requirements and as a result caused the withdrawal of recognition from a driving school
 - iii.** have been a person of authority or an administrator, director, partner or owner of a driving school whose recognition granted by an accreditation body has been withdrawn
 - iv.** have been a training officer and had their training officer card revoked
- g)** The person of authority of the school must not be in a situation that undermines business or professional ethics and which is inconsistent with a driving school's activities.
- h)** The person of authority of the school must not be acting as a nominee, or have been suspended or investigated by the accreditation body while acting as a person of authority of a driving

school or as a training officer, as the case may be, for non-compliance with the Detailed Requirements.

- i) The person of authority of a school must not have pleaded guilty or been convicted of an offense that is inconsistent with a driving school's activities during the five (5) years preceding the application for recognition or at any time prior to the application if the offense breached the respect or safety of individuals or constituted a misconduct, an act of disorderly conduct or a sexual offense, unless in both instances, the individual in question has been pardoned.
- j) The person of authority must have completed a training session on the Detailed Requirements given by the accreditation body.
- k) The driving school must not have an outstanding debt owed to an accreditation body for goods and services supplied or to be supplied as part of the Detailed Requirements. The same applies for the person of authority of the school.
- l) It must not be an undischarged bankrupt. The same applies for the person of authority of the school.
- m) The driving school must not be based in an educational institution, unless exempted under Section 2.15.

2.5 All information given to the accreditation body by the driving school must be complete and accurate. The driving school's eligibility for recognition is conditional on the completeness and accuracy of the information required.

OTHERS CONDITIONS

Registration of the Company

2.6 The information regarding the driving school that is registered in the enterprise register, in accordance with the *Act Respecting the Legal Publicity of Enterprises*, must reflect the structure of the school as it relates to the head office and branches.

Professional and Business Ethics

2.7 All driving school personnel must be informed of the business and professional ethics that apply to them.

Material and Equipment

2.8 The driving school must use the up-to-date teaching materials provided by the SAAQ for their driving programs, including computer-assisted learning.

Insurance and Surety

2.9 The driving school must have civil liability insurance for a minimum of \$1,000,000 for the entire period that it is recognized, covering any injuries that it may cause within the context of its activities, everywhere these activities take place.

2.10 The driving school must have an individual surety bond for the entire period that it is recognized, which complies with Appendix 9 and the following conditions:

- a) A surety bond can be issued only by a legal person authorized to stand as a guarantor in Québec under the *Bank Act* (Statutes of Canada, 1991, c. 46), the *Québec Savings Banks Act* (R.S.C., 1970, c. B-4), the *Savings and Credit Unions Act* (R.S.Q., c. C-4.1), the *Act respecting trust companies and savings companies* (R.S.Q., c. S-29.01) or the *Act respecting Insurance* (R.S.Q., c. A-32).
- b) The minimum amount of the surety bond varies according to the total number of students targeted for the first year of operations, as indicated on the application for recognition. The surety bond must be for a minimum amount of:

Minimum Amount of Surety Bond	Number of Students per Year of Activity
\$50,000	0 to 300 students
\$60,000	301 to 600 students
\$70,000	601 to 1,000 students
\$85,000	1,001 to 2,000 students
\$110,000	2,001 to 3,000 students
\$130,000	3,001 +

- c) The surety bond must include a guarantor’s commitment of responsibility for a period of 1 year following the expiration of the surety bond in the event of a claim during the period in which the surety bond was in effect.

Premises and Facilities

- 2.11** A driving school may use only the premises under which the law and regulations allow a driving school to make such use (e.g. municipal bylaws). A driving school is responsible for verifying with the responsible authorities that it has the right to use the premises to teach driving lessons.
- 2.12** The driving school premises must be accessible to the public without passing through a house or residence.
- 2.13** The driving school must have an administrative office open to the public with the business hours displayed, and have at least one classroom. The classroom must be separate from the administrative office, unless the school can prove that the students will not be bothered at all by the staff and customers coming and going or the phone ringing.
- 2.14** If the driving school intends to offer motorcycle, scooter or three-wheeled motorcycle driving courses (Class 6), they must have access to either an asphalt or cement-covered closed track that complies with the program regulations outlined in the *Road Safety Education Program – Operating a Motorcycle* (Appendix 4).

2.15 The driving school cannot offer its courses at an educational institution, except for in the following cases:

- a) The driving school held a driving school permit on June 29, 1997, and on that date they offered courses in a classroom at an educational institution. In addition, it has continually maintained its status as a recognized driving school since June 30, 1997. This exemption is limited to the building where the driving classes were held on June 29, 1997.
- b) In exceptional cases, to offer courses in a location where, according to the SAAQ, there are no other premises available that comply with the *Detailed Requirements*, the driving school may be authorized to hold classes at a school if the premises comply with the *Detailed Requirements*.

Any driving schools that correspond with the conditions outlined in paragraph b) and wish to be authorized to hold their classes at a school must present a written request to the accreditation body. If the request is approved, the accreditation body will give written consent with precise terms and conditions after having obtained approval from the SAAQ.

Vehicles

2.16 All vehicles that are used for teaching, except scooters and three-wheeled motorcycles, must belong to either the driving school, the person of authority, a company belonging to the school (e.g. management company), a company specialized in rentals/leasing or a related driving school.

2.17 The minimum number of passenger vehicles (Class 5) that the school must have for teaching purposes must be sufficient for the number of targeted registrations for the first year of operations, as indicated on the application for recognition.

2.18 A driving school that provides motorcycle driving courses must have at least one vehicle for each student to use during practical sessions. The different classes of motorcycle licences vary according to the motorcycle cylinder capacity:

- a) Class 6A is for all motorcycles
- b) Class 6B is for motorcycles with a cylinder capacity of 400 cc or less
- c) Class 6C is for motorcycles with a cylinder capacity of 125 cc or less.

2.19 Any driving schools that offer driving courses for scooters (Class 6D) or three-wheeled motorcycles (Class 6E) do not have to provide their students with such a vehicle.

2.20 Vehicles that are used for teaching purposes must be in good condition and, in the case of a passenger vehicle (Class 5), have the name of the driving school clearly visible without impeding the driver's visibility.

2.21 Vehicles used for teaching passenger vehicle driving program (Class 5) must have the following equipment:

- a) Double pedal controls (brakes and, if applicable, a clutch)
- b) Two outside rear-view mirrors
- c) Two adjustable inside rear-view mirrors, one of which is used by the training officer

- d) A sign that says “auto-école” and/or “élève au volant” placed on the roof of the vehicle, which can be read from in front and behind the vehicle at a distance of at least 30 metres without impeding the driver’s visibility. If necessary, a banner of a maximum length of 15 cm can be placed on the upper part of the front and back windshield.

Vehicles used for teaching motorcycle operating programs (Class 6A, 6B, 6C) must have the following equipment:

- a) a manual transmission
- b) separate brakes.

The motorcycle fleet used may also have some motorcycles with ABS to allow students to experience this type of breaking system.

Training Officers

2.22 The driving school must have at least one in-car instructor and in-class instructor, or an in-car and in-class instructor, that have the appropriate training officer card that authorizes them to teach the class of licence that appears on the school’s certificate of recognition.

2.23 To work as a training officer in a recognized driving school, the candidate must obtain a training officer card (in-class instructor and/or in-car instructor) from the accreditation body for the appropriate class according to the school’s certificate of recognition. To do so, they must present a written request to the accreditation body and provide a file with the following information and documents, as listed in Appendix 2:

- a) Level of education
- b) Criminal record check
- c) Driving record
- d) The name of the driving school that is sponsoring them
- e) Authorization to verify and release information.

2.24 In addition to providing the information and documents outlined in Section 2.23 and subject to Section 2.25, the training officer candidate must meet the following conditions to be eligible for recognition:

- a) Meet the same conditions as the person of authority at the driving school, as stated in Section 2.4
- b) Have an acceptable driving record when applying for recognition
- c) Have had a valid Quebec driver’s licence for at least 2 years that corresponds to the requested training officer class. The 2 year period is in addition to the period in which a learner’s licence or probationary licence was held, if applicable
- d) Be sponsored by a recognized driving school
- e) Successfully complete the approved training officer program offered by the accreditation body or an expert training officer for the appropriate type and class.

2.25 To obtain a Class 5 in-class instructor card, they must first be a recognized Class 5 in-car instructor for at least 11 months before they are eligible for the "in-class instructor" training, then they must wait one year after successfully completing their training before they can obtain their in-class instructor card.

However, a training officer that has a college or post-secondary diploma can obtain an in-class instructor card by having first completed the "in-car instructor" training and having accumulated at least 600 hours of experience as a recognized in-car instructor. In this case, additional in-class instructor training must be taken from the accreditation body or an expert training officer.

COMPLYING WITH ELIGIBILITY REQUIREMENTS

2.26 The driving school must meet the eligibility requirements for recognition at all times while the application for recognition is being assessed and after having obtained recognition. The school must notify the accreditation body immediately of any changes or inaccuracies in the information provided or documents related to the application.

SECTION 3: PROCESSING AN APPLICATION FOR RECOGNITION

- 3.1** When the accreditation body receives an application for recognition from a driving school, the file is opened and the supporting documents are analyzed.
- 3.2** The accreditation body ensures that the driving school's file is complete. If there are missing documents, they inform the school and specify how they should be sent in.
- If necessary, the accreditation body will recommend actions to be taken by the school to meet the *Detailed Requirements* (training officers, facilities, ethics, vehicles, etc.).
- 3.3** The accreditation body will set up a meeting with the driving school, if necessary, so that:
- a) the school can clarify any details
 - b) the accreditation body can respond to any questions
 - c) the accreditation body can explain the actions to be taken to meet the *Detailed Requirements*, if necessary
- 3.4** The accreditation body will proceed to examine the premises and facilities and, if necessary, will give recommendations on how to meet the *Detailed Requirements*.
- 3.5** The accreditation body will request that the person of authority at the driving school attend a mandatory training session on the application of the *Detailed Requirements*.

SECTION 4: RECOGNITION AND FOLLOW-UP

CERTIFICATE OF RECOGNITION AND TRAINING OFFICER CARDS

Certificate of Recognition

- 41** After processing the application, the accreditation body will present a certificate of recognition to the driving school if they have:
- a) submitted a complete application
 - b) met all of the conditions outlined in the *Detailed Requirements*
 - c) signed a contract with the accreditation body, governing their relationship, and whereby the school accepts all of the terms and conditions. The contract is valid for the entire period in which the school is recognized and includes the following details:
 - i. The class(es) of licence(s) that has/have been recognized
 - ii. The school's commitment to respecting the *Detailed Requirements* for the purpose of obtaining and maintaining their recognition
 - iii. Express mention that recognition is not assignable or transferable
- 42** The certificate of recognition takes effect on the date of issuance and remains valid as long as the school does not terminate its activities or have its recognition revoked.
- 43** The certificate of recognition contains the following:
- a) The signature of the case manager from the accreditation body
 - b) The school's number of recognition
 - c) The class of licence that the driving school is recognized for and the corresponding specifications, including the address of the training facilities and, if applicable, the location of the closed track
 - d) The date the certificate takes effect.
- 44** When the certificate of recognition is issued, the accreditation body informs the driving school of the different monitoring methods that are involved in the follow-up procedures carried out by the accreditation body, including the satisfaction survey on compliance with the *Detailed Requirements* (Section 4.84).
- 45** The certificate of recognition is non-assignable and non-transferable.

Certificate of Temporary Recognition (Service point)

- 46** In certain cases, with the SAAQ's approval, the accreditation body can provide temporary recognition to a driving school, authorizing it to operate one point of service to cater to students who do not have access to a recognized driving school within a 50 km radius. The distance is measured using a specialized software.

- 47 A recognized driving school that meets the conditions outlined in Section 4.6 and wishes to obtain a certificate of temporary recognition must submit an application to the accreditation body with a photograph of the premises that will be used for the theoretical courses and, where necessary, a copy of the title deed or lease proving that the school is allowed to continuously occupy the premises for courses and, if applicable, use the closed track for the entire period of temporary recognition.
- 48 The certificate of temporary recognition includes the applicable terms and conditions and is issued by the accreditation body after having received the SAAQ's approval. It contains information regarding Section 4.3 and has the express mention "Certificate of temporary recognition."
- 49 Unless the SAAQ suspends or revokes the certificate of temporary recognition, it expires 18 months following the date it was issued. It cannot be renewed or extended. However, if the driving school wishes to continue its operations on a permanent basis at the service point, it may submit an application for recognition if it is eligible and meets the requirements to do so (Section 2).

Support Period for Schools

- 410 For 12 months after the certificate of recognition is issued, the recognized driving school is subject to a support period, except in the case of a service point. During this time, the evaluation and follow-up procedures established in Sections 4.84 and 4.85 are applied, distinctly from the measures that were applied when the recognition application was being processed (Section 3).

The evaluation and follow-up procedures are established and applied by the accreditation body or by an authorized person at the following frequency:

- a) 5 times or more, including at least one satisfaction survey on compliance with the Detailed Requirements and one inspection, for any newly recognized driving schools with a person of authority that does not carry out the same function at another recognized driving school, or for any recognized driving schools that do not fit under categories b) or c).
- b) 4 times or more, including at least one inspection, for any driving schools that have been recognized for at least 3 years and have been purchased by a person of authority that does not carry out the same function at another recognized driving school.
- c) 2 times or more, including one inspection, for any newly recognized driving schools with a person of authority that has been carrying out the same function at another recognized driving school for at least 3 years.

The number of evaluations and follow-up procedures is subject to change in the case of a remedial action plan or if the person of authority changes.

- 411 After applying the procedures outlined in Section 4.10, the accreditation body will give their recommendations and suggestions to the recognized driving school, as necessary, based on the *Detailed Requirements* to which the school must conform.

If there is non-compliance with any of the Detailed Requirements the accreditation body will inform the school and, if necessary, establish a remedial action plan for the school. Certain improvements must be made by the school within the timeframe established by the accreditation body and specified

in the remedial action plan. In addition to and despite that mentioned in Section 4.10, the accreditation body can increase the frequency of evaluation and follow-up procedures by way of a Detailed Requirements satisfaction survey, a mystery shopper or an inspection visit.

Training Officer Cards

- 412** After processing an application, the accreditation body will issue a training officer card to the candidate if they have:
- a) submitted a complete application
 - b) met all of the conditions outlined in the *Detailed Requirements*
 - c) signed an agreement stating that they:
 - i. will respect the applicable professional and business ethics (Section 2.7)
 - ii. will respect the applicable *Detailed Requirements* at all times and with no restrictions, as well as the specifications outlined on their card
 - iii. authorize the accreditation body to send the SAAQ all information in their file
 - iv. have been informed of the elements taken into consideration by the accreditation body during their evaluation, such as the skills that the training officer must teach in the RSEP for passenger vehicles (Class 5), motorcycles (Class 6A, 6B, 6C) scooters (Class 6D) or three-wheeled motorcycles (Class 6E), depending on the case.
- 413** A training officer card grants the right to teach in a recognized driving school as an in-car instructor, in-class instructor or both for the class(es) of licence that are specified on the card. Cards are valid from the date of issue. They remain valid as long as the training officer complies with the requirements and obligations specified in the Detailed Requirements. Otherwise, the card may be suspended or revoked.
- 414** A training officer card contains the following information:
- a) The training officer's number of recognition
 - b) The card holder's name
 - c) The name of the accreditation body that issued the card
 - d) The effective date of the card and the expiration date
 - e) The type of card: in-car instructor, in-class instructor or both (in-car instructor/in-class instructor)
 - f) The applicable class(es) of licence
- 415** In the event of a discrepancy between the information on the card and the information in the training officer's file, the latter will take precedence.

CONDITIONS FOR MAINTAINING RECOGNITION

Professional and Business Ethics

- 416 A recognized driving school must ensure that its staff members respect the applicable professional and business ethics. The school is responsible for any misconduct on behalf of its personnel.
- 417 A recognized driving school must ensure that its administrative staff is available during the posted business hours.
- 418 A recognized driving school must take the necessary measures to ensure that its students receive the best quality of service possible. It must also collaborate with the accreditation body to settle any disputes that occur with the students in a timely manner.

Advertising

- 419 Any advertising that enters into the activities of a recognized driving school must, in addition to complying with the *Consumer Protection Act* (R.S.Q., c. P-40.1), its regulations and the *Canadian Code of Advertising Standards* governed by Advertising Standards Canada, be clear, precise and without confusion regarding the total cost a customer will be required to pay and the conditions a customer must meet.

Insurance and Surety

- 420 A recognized driving school must provide the accreditation body with written proof of the mandatory civil liability insurance established in Section 2.9. This document must be submitted on an annual basis and is provided during the insurance renewal process.
- 421 A recognized driving school must notify the accreditation body at least 30 days prior to the end of an insurance contract or the reduction of the mandatory guarantees. The accreditation body that receives the notification will ask the school to provide proof of coverage by way of another insurance contract that complies with the Detailed Requirements and starts from the date of the end of the insurance contract that is in effect or the date of the reduction of guarantees. This must be provided before the current coverage ends or the reduction of mandatory guarantees takes place.
- 422 A recognized driving school must provide the accreditation body with written proof of the mandatory surety bond established in Section 2.10.
- 423 A recognized driving school must notify the accreditation body at least 45 days prior to the termination of the surety bond or the date of reduction of the mandatory guarantees. The accreditation body that receives the notification will ask the school to provide proof of coverage by way of another surety bond that complies with the Detailed Requirements and starts from the expiration date of the surety bond that is in effect or the date of the reduction of guarantees.
- 424 The minimum amount of surety bond required is updated yearly by the recognized driving school using the student enrollment data from the previous year (Section 4.73).

The school must increase the surety bond amount and can reduce it again after the update, as long as it meets the scale established in paragraph b) of Section 2.10, at all times.

- 425 Once the surety bond has taken effect, the recognized driving school must adjust the amount so that it meets the scale outlined in paragraph b) of Section 2.10, at all times.

Premises and Facilities

- 426 A recognized driving school must use appropriate facilities at all times for the courses that it is allowed to offer according to its certificate of recognition. The facilities must be proportionate to the number of students enrolled at the school. The school premises must allow the training officers to offer quality services and promote optimal learning for the students.
- 427 Theoretical courses or practical teaching sessions on closed tracks must take place or begin at the address indicated on the certificate of recognition of the driving school.

Driving practice may begin somewhere other than the address indicated on the certificate of recognition.

- 428 If a recognized driving school uses a closed track located in a parking lot, it must make the area completely inaccessible for the entire duration of the course so that any vehicles not being used for teaching purposes cannot enter the area. There must be obstacles and appropriate signage clearly blocking off the area.

Signs on the Premises

- 429 A recognized driving school must have its certificate of recognition that was issued by the accreditation body on display for its clientele, as well as an outline of the RSEP for passenger vehicles (Class 5), if the program is offered, along with its business hours.
- 430 All recognized driving schools must display the name that they operate under in all areas that students have access to and the name must correspond to that registered in the enterprise register, as established in the *Act Respecting the Legal Publicity of Enterprises*.

Material and Equipment

- 431 A recognized driving school and its training officers must use the up-to-date teaching material developed by the SAAQ that corresponds to the class of licence that it is permitted to teach. The approved teaching material is the following:
- a) Guide for Prospective RSE In-car Instructors
 - b) Guide for Prospective RSE In-class Instructors
 - c) Workbook for Class 6 Instructors
 - d) Rules for Applying the Course Structure
 - e) *Operating a Motorcycle*
 - f) *Operating a Three-Wheeled Motorcycle*
 - g) *Operating a Scooter*
 - h) Driver's Handbook

- i) *Driving a Passenger Vehicle*
- j) *Road Access Binder.*

It is prohibited to reproduce the contents of these documents, whether partially or in their entirety.

It is also prohibited to use the SAAQ's logo on any documents created by the driving school with extracts of the abovementioned documents.

The government logo constitutes a registered trademark according to the laws on intellectual property. Thus, any extracts of the contents of these documents must cite the original document.

- 432** An updated version of the documents listed in Section 4.31 from the subsection c) onwards must be available for consultation, according to the class of licence that the recognized driving school is authorized to teach.

The SAAQ's Road Safety Education Website for Driving Schools, Training Officers and Students.

- 433** The SAAQ created the following website for the general public regarding the Road Safety Education Program: <https://saaq.gouv.qc.ca/cours-conduite>.

Documents that are specific to training officers are stored on the accreditation body's website and the link to the site can be obtained from the accreditation body.

- 434** Section removed.

- 435** The SAAQ keeps the website provided in Section 4.33 up to date. The accreditation body is notified of any changes made to the site so that it can inform the recognized driving schools.

Equipment for Teaching the Practical Portion of Operating a Motorcycle, Scooter or Three-Wheeled Motorcycle (Class 6).

- 436** During every practical lesson on the road or closed track for motorcycles, scooters and three-wheeled motorcycles (Class 6), a recognized driving school must ensure that the Motorcycle riding instructor or Motorcycle riding instructor/In-class instructor for motorcycle riding and each student wear protective helmets that comply with one of the following standards:

- a) "CAN-3-D230" of the Canadian Standards Association
- b) "DOT FMVSS 218" of the U.S. Department of Transportation
- c) "Specifications for Protective Headgear for Vehicular User 290.1" of the American National Standard Institute
- d) Snell Memorial Foundation
- e) British Standards Institute
- f) "ECE Regulation 22" of the United Nations Economic Commission for Europe.

A driving school must ensure that the Motorcycle riding instructor or Motorcycle riding instructor/In-class instructor for motorcycle riding, and each student wear an orange or yellow safety vest, complete with reflective bands, sewn vertically on the front of the vest and across the back of the vest. The words “MOTO-ÉCOLE” must also appear in black legible letters on the back of the vest. Safety vests are to be provided by the school.

Vehicles

- 437 A recognized driving school must service all vehicles used for teaching according to the frequency and requirements established in the *Regulation Respecting Safety Standards for Road Vehicles* (c. C-24.2, r. 32).
- 438 The minimum number of vehicles a driving school requires for teaching the RSEP for passenger vehicles (Class 5) is established annually according to the number of students enrolled the previous year, according to the student lists. (Section 4.73).
- 439 A recognized driving school must provide the accreditation body with the following vehicle information annually: make, model, year, serial number, insurance contract number and owner's name. The school must also inform the accreditation body of any new vehicles being used for teaching purposes and submit all the documents listed in Appendix 2 concerning the vehicle.

Training Officers

- 440 A recognized driving school must keep an up-to-date list of all its recognized training officers, including their numbers of recognition, contact information, hiring date and the name of the accreditation body that issued their card. The school must submit a copy of the list to the accreditation body upon request

Any modifications made to the list must be sent in to the accreditation body every quarter or whenever requested.

- 441 In order for a training officer to maintain their recognition, they must respect the applicable *Detailed Requirements* at all times, except for Section 2.24 paragraph b) regarding the number of points registered on their driving record, which is only applicable at the time the card is issued.
- 442 A recognized training officer must notify the accreditation body immediately of any changes or inaccuracies in the information or documents related to their recognition or that could affect it.
- 443 A recognized driving school must require that its recognized training officers inform it immediately of any changes in the information concerning them in the *Detailed Requirements*, in particular regarding the validity of their training officer card, the status of their driving record or any traffic violations that are inconsistent with a driving school's activities and for which they have not been pardoned. The school must then send this information to the accreditation body for the appropriate measures to be taken.
- 444 When carrying out their functions, a recognized training officer must be able to present their training officer card if a customer so requests. They must also be able to present their card to a representative from the SAAQ or the accreditation body that granted recognition to the driving school where they work, at all times.

- 445** Before each practical driving lesson on the road or a closed track, the recognized training officer must ensure that the student has on hand their valid driver's licence that corresponds to the class of vehicle they are driving.

Service Contracts with a Student

- 446** A recognized driving school must sign a service contract with each student that takes driving courses for a Class 5 or 6 licence. The contract between the school and the student must be written in French. A copy of the contract may also be written in another language if it is the express wish of the parties involved.
- 447** The service contract must respect the regulations of the *Office de la Protection du Consommateur* and the provisions of the *Consumer Protection Act* (c. P.40.1), applicable to a successive performance service contract for teaching, training or assisting, particularly with regards to mandatory information that must be included in the contract.
- 448** In addition to the mandatory information established by the *Consumer Protection Act*, the service contract must also include the following information:
- a) Indication that the course is composed of both a theoretical section and practical section, if applicable
 - b) Indication that the student must obtain a blank, up-to-date *Road Access Binder* before beginning the course, which is available from their driving school
 - c) The address where the theoretical modules will take place, as well as the address where the driving practice on the road or closed track will begin, if applicable
 - d) The driving school's number of recognition
 - e) The date when the course begins and indication that the student has a period of at least 18 months to complete their driving course
 - f) Reference to the fact that there will be computer-assisted learning, if applicable, and that it does not replace theoretical courses, is optional and the number of hours depends on the student's motivation
 - g) Indication that the school will give the student a course completion attestation, free of charge, detailing the result obtained and the stages completed
 - h) Indication that the course completion attestation will be given to the student at the end of the course or service
 - i) Indication that, in the event that there is a dispute between the school and the student, the student may file a complaint with the accreditation body
 - j) Indication that student's information may be shared with the SAAQ to ensure that the requirements of the *Highway Safety Code* (c. C-24.2) are respected, in particular for the purpose of following up on complaints, quality control for the services received and validation of course completion attestations
 - k) Indication that, in the event that the school ceases activity or has its recognition withdrawn, the student's file can be transferred to the accreditation body or to another recognized driving school, depending on the circumstances

- l) The student's consent for their personal information and email address to be given to the accreditation body for survey purposes or, if the student is unable to complete one's training, to send the student the required documents.
- m) Indication that the school must keep the student's record on file according to the applicable laws and may not destroy it before the 5-year expiration period is up following the end of the service contract with the student.

Course Programs

- 449** A recognized driving school may offer the following courses, as long as their certificate of recognition stipulates they can:
- a) The RSEP for passenger vehicles (Class 5)
 - b) The RSEP for motorcycles (Classes 6A, 6B, 6C)
 - c) The RSEP for scooters (Class 6D)
 - d) The RSEP for three-wheeled motorcycles (Class 6E).

- 450** Every driving course includes a theoretical component, in the form of modules taught in class, and a practical component, in the form of in-car sessions on a public roadway or practical driving lessons on a closed track.

Motorcycle, scooter and three-wheeled motorcycle driving courses (Class 6) must be carried out in the locations specified in the course program in effect.

- 451** Except for lessons where the presence of a trainee as an observer is authorized (see Appendix 7: Manoeuvres and Behaviours Guide), no practical lessons on the road may be carried out in the presence of more than one student at a time inside a passenger vehicle (Class 5), or without the presence of the training officer constantly beside the student inside the vehicle. For the purpose of training or evaluating a training officer, a representative of the accreditation body, a training officer trainee or a representative of a recognized driving school may ride in the back seat of the vehicle, or any other person authorized by the SAAQ for specific purposes (e.g. occupational therapist, pilot project).

However, an observer is allowed in the vehicle during the second practical lesson on the road. They must have a valid driver's licence and may not interfere with the training officer's instructions or be detrimental to the student's progress at any time.

- 452** Unless it is an exceptional circumstance, a recognized driving school must not tolerate or allow students or training officers to use cellular phones or any other device that could be a source of distraction during theoretical classes or practical classes on the road or closed track.
- 453** When teaching course programs, a recognized driving school:

- a) must use the material specified in Section 4.31 in compliance with the educational guidelines

- b) must not require the student to learn anything other than the course's mandatory theoretical and practical components
- c) must not charge more than the established maximum price, plus tax, to a student who is only learning the program's mandatory theoretical and practical components
- d) cannot charge additional administrative fees
- e) cannot charge a student additional fees for practical driving lessons on a public roadway or closed track that are not outlined in the program.

For the RSEP for passenger vehicles (Class 5), in addition to the obligations outlined in the first paragraph, the school must have new and up-to-date *Road Access Binders* available for purchase and assist students who would like to access the independent learning website described in Section 4.33.

454 In-car sessions 1 to 15 of the *RSEP for passenger vehicles* (see Appendix 3: *Rules for Applying the Course Structure*) must take place in a vehicle used for teaching purposes and comply with the *Detailed Requirements*.

455 The school shall determine if a student has passed, failed or not completed a course by using to the following guidelines:

- a) Students that complete the mandatory theoretical and practical components of the course while complying with the applicable course program regulations are considered to have passed the course
- b) Students that demonstrate trouble learning the material during the practical training evaluations are considered to have failed the course
- c) Students that do not complete the mandatory theoretical and practical components of the course in compliance with the applicable program regulations are considered to have not completed the course.

For students that have failed the course, the training officer must document all areas of incompetency that the student displayed during the program.

456 A closed track used by a driving school to teach motorcycle (Class 6A, 6B, 6C), scooter (Class 6D) or three-wheeled motorcycle (Class 6E) programs may be used by several motorcycles or scooters at the same time, but for three-wheeled motorcycles, it may not be used for anything other than three-wheeled motorcycles during practical courses for a Class 6E licence.

The training officer to student ratio per group and area must correspond to that outlined in the *RSEP for operating motorcycles*.

457 For the *RSEP for motorcycles*, a recognized driving school must provide each student with a motorcycle and require that the instructor and student each drive their own motorcycle during practical driving lessons on a public roadway or closed track.

For scooter (Class 6D) and three-wheeled motorcycle (Class 6E) programs, a recognized driving school is not obligated to provide students with such a vehicle for practical driving lessons on a public roadway or closed track. The school must ensure that it has such a vehicle at its disposition, which can be legally used on the roadway, before accepting a student for such a program.

- 458** For practical sessions on the roadway, each student must have their own vehicle. The training officer must ride the same type of vehicle as the students, except in the case of a three-wheeled motorcycle course, where the training officer may ride a motorcycle.
- 459** A recognized driving school must ensure that its course programs correspond to those in effect established by the SAAQ.
- 460** A recognized driving school may file a written request to the accreditation body in order to obtain an exemption from the provisions stipulated in this section (Course Programs) if it justifies its request for specific and exceptional reasons and provides supporting documentation. If the request is accepted, the accreditation body records the exemption in writing, specifying the terms and conditions, after having obtained authorization from the SAAQ.

Any exemptions granted may be withdrawn if new information shows that they are no longer necessary.

Issuance of Attestations

- 461** A recognized driving school must issue a course attestation to each student at no charge for the program that they completed. This attestation must be duly filled out by the school, crossing out any sections that are not applicable so as to render them unusable.
- 462** The course attestation is issued using one of the forms found in Appendix 8, corresponding to the program that the student completed. It must contain the following information:
- a) Course taken
 - b) Student's name and contact information and driver's licence number
 - c) The driving school's number of recognition
 - d) The date each module and practical driving session took place, filled in by the person of authority at the driving school
 - e) The indication "pass" or "fail" according to the result obtained by the student on the driving test, or the indication "incomplete", where applicable
 - f) The student's signature
 - g) The name of the recognized driving school, the address and embossed seal
 - h) The signature of the person of authority at the driving school, or of the authorized representative.

The dates of the modules and practical driving sessions completed by the student can be recorded by the person of authority after each module and session; the other dates, signatures, seal and final grade are to be filled out when the attestation is issued.

- 463** A recognized driving school is responsible for all the attestations it has in its possession, along with the electronic batch numbers assigned by the accreditation body if electronic forms are used.

464 Section removed

465 A recognized driving school must submit all attestation forms duly completed over the previous quarter to the accreditation body each quarter or when requested by the accreditation body.

The accreditation body must be notified immediately of any attestation numbers that cannot be used as a result of loss, damage or theft.

466 Any improper use of course attestations constitutes a non-compliance with the *Detailed Requirements* and the provisions of Section 4.87 shall apply.

Record keeping

467 A recognized driving school may keep a file with all title deeds or leases related to the training facility and closed track, if applicable, proof of insurance and the surety bond, a list of the recognized training officers, a list of vehicles used for teaching purposes and, where applicable, proof of acquisition of the *Road Access Binder* or a licence that authorizes its reproduction.

This file must be kept in a safe location that is easily accessible to representatives from the accreditation body.

468 A recognized driving school must keep a file for each of its students. This file must contain the following information:

- a) A copy of the service contract with the student signed by both parties (Section 4.46)
- b) A copy of the attestation
- c) The student's record, which must clearly identify the date and time of each lesson, and must bear the initials or signature of the student and training officer who participated in each lesson, along with the training officer's number of recognition.

In addition to these documents, any students enrolled in the RSEP for passenger vehicles (Class 5) must also have the following in their file:

- a) The answer sheet for their theoretical exam (Module 5 and indication of the exam taken)
- b) The practical training evaluation forms (In-car sessions 5 and 10) and a summary sheet of in-car session 15, all bearing the initials and signatures of the student and training officer who participated in each lesson.

469 Student files must be available in paper or digital format at the administrative office of the recognized driving school during the student's learning period. To facilitate record keeping, the school may keep the student's file at the administrative office of a related driving school. The school must submit a copy of the file to the accreditation body upon request.

470 A recognized driving school must keep the student's file separate from its other files and documents. The print format of a student file, along with its digital copy, if applicable, must be kept in a safe location that is easily accessible to representatives from the accreditation body.

- 471 Training officer work schedules must demonstrate a clear link to the student records and attestations. These schedules must be easily accessible to representatives from the accreditation body.
- 472 The student files and training officer schedules must be stored in accordance with applicable legislation. They must not be destroyed until a period of 5 years has elapsed from the date the student's service contract ended.

Student List

- 473 A recognized driving school must have and maintain an up-to-date student list. The list must include, for each student that is registered at the school, their contact information, email address, date of birth, service contract number and the date of signature (Section 4.46), the type of course taken and the course attestation number that they received.
- 474 A recognized driving school must have a separate student list for each of the school's programs.

A recognized driving school must keep all other records and documents separate from the student lists for each of the courses it offers. The school must keep the lists in a safe location that is easily accessible to the representatives from the accreditation body.

A recognized driving school may keep the student list in print format or digital form. When the register is in digital format, a backup copy must be made once a week and must be stored for safekeeping at all times in a location outside of the driving school where the confidentiality of information can be protected.

- 475 A recognized driving school must submit its student lists to the accreditation body in a legible format, or in an EXCEL or EXCEL-compatible computer file, each quarter or when requested by the accreditation body.
- 476 Section removed.

Rates

- 477 A recognized driving school must pay the applicable rates to the accreditation body for all goods and services provided, as specified in the *Detailed Requirements*. Applicable rates are the same for all recognized driving schools except for inspection visits and other measures applied by the accreditation body during the support period, which may vary from one school to the other as per the distinctions specified in Section 4.10.

Compliance Obligations

- 478 A recognized driving school must always comply with the specifications listed on its certificate of recognition.
- 479 A recognized driving school must always comply with the *Detailed Requirements* and make sure that its recognized training officers do so as well.

- 480** A recognized driving school must inform the accreditation body as soon as possible of any changes or inaccuracies in the information or supporting documents that could affect its recognition status. It must also inform the accreditation body as soon as possible of any changes or inaccuracies in the information or supporting documents of training officers that could affect their recognition status.
- 481** Upon receipt of the notice listed in Section 4.80, the accreditation body will proceed with the necessary verifications and carry out the appropriate measures.
- 482** A recognized driving school must respect any applicable laws or regulations in effect in the province of Quebec.

EVALUATION AND MONITORING OF A RECOGNIZED DRIVING SCHOOL

- 483** Every recognized driving school will be subject to evaluation and monitoring, even if the school is part of a network of driving schools managed by the same individuals or operating under the same banner.
- 484** In order to evaluate and monitor a recognized driving school, the accreditation body may carry out different types of inspections, including mystery shopping or an inspection visit. The accreditation body might also carry out and compile the results of a survey among the driving school's students regarding compliance with the Detailed Requirements. As needed, the accreditation body will apply the provisions outlined in Section 4.87.
- 485** In addition to the measures specified in Section 4.84, the accreditation body will complete an inspection visit at each recognized driving school every 2 years. The frequency of inspection visits may increase or decrease, depending on the results of the different quality inspections that have been conducted or the measures specified in Section 4.84.

Visits may occur without prior notice.

- 486** Upon request, a recognized driving school must provide the accreditation body with any information or documentation allowing the accreditation body to make sure that the school is complying with the *Detailed Requirements*.
- 487** Except in the case of an emergency or irreparable harm, and unless stated otherwise by the SAAQ, the accreditation body will issue a warning to the driving school concerning its non-compliance with the *Detailed Requirements*. If needed, the body may design a remedial action plan and monitor the compliance of the school with the plan. The notice or remedial action plan issued by the accreditation body will inform the school of the period within which the school must comply with these measures.

The failure rate of a driving school is one of the components an accreditation body examines and which may cause it to impose a remedial action plan on the driving school.

In the event of an emergency or irreparable harm, the accreditation body will immediately submit the driving school's record to the SAAQ.

EVALUATION AND MONITORING OF A RECOGNIZED TRAINING OFFICER

- 488** A recognized driving school must ensure that its training officers who teach the RSEP for passenger vehicles (Class 5), motorcycles, scooters and three-wheeled motorcycles (Class 6) have a valid training officer card for the class they are teaching, issued by an accreditation body. The school is held responsible for any non-compliance with the *Detailed Requirements* on behalf of its training officers.
- 489** To remain recognized, training officers must demonstrate that they always comply with the applicable *Detailed Requirements*. In addition, they must also pass a periodic evaluation every two (2) years or, if need be, will be subject to any other evaluation measure approved by the SAAQ. These evaluations are developed by the accreditation body and overseen by a person who is authorized by the accreditation body.

The SAAQ is responsible for creating, revising, updating, modifying, implementing and tracking the material used for training and evaluating training officers, expert training officers and senior training officers. The accreditation body ensures that the materials are distributed and administers the evaluations.

When warranted, the accreditation body may require the instructor to undergo evaluations more frequently.

- 490** When the evaluation outlined in Section 4.89 is carried out, the accreditation body submits a copy of the report to the driving school where the training officer works. The accreditation body will detail any issues of non-compliance in the report and will notify the recognized training officer of the corrective measures to be taken. The accreditation body will apply the corrective measures according to the type of non-compliance.
- 491** A failing score on an evaluation automatically requires a training officer to undergo a second evaluation. After a second failing score, the accreditation body may impose a remedial action plan or suspend the training officer's card.

A training officer whose card has been suspended following a second failing score must undergo remedial training in order to successfully pass the evaluation or comply with any other measure deemed necessary by the accreditation body.

An accumulation of failing scores might lead the accreditation body to revoke the training officer's card.

- 492** Subject to Sections 4.90, 4.91 and 5.6, except in the case of an emergency, irreparable harm or otherwise instructed by the SAAQ, the accreditation body will issue a notice to the training officer who is in non-compliance with the *Detailed Requirements*. Where needed, the accreditation body designs and carries out a remedial action plan.
- 493** In the case where a recognized training officer is in charge of teaching more than one class of licence, the accreditation body can carry out measures that apply to the training officer for all the courses for which he is recognized, even if the non-compliance occurred during activities related to only one.

SECTION 5: WITHDRAWAL OF RECOGNITION

SANCTIONS AGAINST A RECOGNIZED DRIVING SCHOOL

- 51** If a recognized driving school fails to comply with a notice or remedial action plan issued by the accreditation body following the school's non-compliance, the accreditation body will transfer the school's record to the SAAQ so that the latter can decide whether to suspend or revoke the driving school's recognition. The accreditation body will inform the school if such a situation occurs.

If applicable, and except in the case of an emergency or irreparable harm, the SAAQ will suspend or revoke the school's recognition status, in accordance with the *Act Respecting Administrative Justice* (chapter J-3), allowing the school the opportunity to comment on the facts before issuing its decision.

In the event of an emergency or irreparable harm, the SAAQ will suspend or revoke the driving school's recognition upon reception of the school's record from the accreditation body.

SANCTIONS AGAINST A RECOGNIZED TRAINING OFFICER

- 52** Subject to Sections 4.90, 4.91 and 5.6, in the case where a recognized training officer fails to comply with a notice or remedial action plan issued by the accreditation body following non-compliance, the accreditation body will suspend or revoke the training officer's card.

- 53** An accreditation body may suspend or revoke the recognition of a training officer, where:

- a) the health and safety of students are threatened
- b) the training officer made an inaccurate statement or has misstated an important fact when transmitting information required by the *Detailed Requirements*
- c) the training officer committed, tolerated, consented to or participated in the act of a serious offense inconsistent with the *Detailed Requirements*
- d) the training officer has pled guilty or is found guilty of an offense that is inconsistent with the activities carried out by a driving school and for which he has not been pardoned
- e) the training officer no longer holds a valid driver's licence.

- 54** Except in the case of an emergency or irreparable harm, the accreditation body shall enforce the following minimal rules to suspend or revoke the training officer's card pursuant to Sections 5.2 or 5.3:

- a) The accreditation body will notify a training officer in writing, by registered mail, of its intention to suspend or revoke his training officer card and will notify him that he has 12 days, starting on the day the notice was mailed, to comment on the facts.

On the third day following the end of the 12 day period, the decision will become effective without further notice, unless the accreditation body notifies him of a change in decision.

- b) If the training officer makes the request within the 12 days stipulated in paragraph a), the accreditation body will convene with the instructor to hear his comments before the decision takes effect.

- c) The accreditation body may extend the period stipulated in paragraph a) following receipt of a written request from the training officer, new facts or an exceptional situation.

TERMINATION OF ACTIVITIES

- 55 The recognition status of a driving school ends with the removal of its registration from the enterprise register pursuant to the *Act Respecting the Legal Publicity of Enterprises*.

When a driving school withdraws or has its recognition revoked, it must send its certificate of recognition, all active and inactive records, attestation forms and unused attestation numbers to the accreditation body, upon their request.

- 56 When a recognized training officer has not acted as a monitor, instructor, or monitor-instructor for 3 years or more, he may resume these activities on the condition that he receives refresher training from the accreditation body or complies with any other measure deemed necessary by the accreditation body.

SECTION 6: MODIFICATION OF THE *DETAILED REQUIREMENTS*

- 6.1 The SAAQ reserves the right to unilaterally modify the *Detailed Requirements*. These adjustments must be distributed by the accreditation body and applied within the deadline established by the SAAQ.

In the event that the modifications made to the *Detailed Requirements* require that the person of authority complete further training, he must attend the training sessions offered by the accreditation body.

APPENDIX 1
DEFINITIONS

In the Detailed Requirements, unless the context indicates otherwise, the following definitions will apply:

- 1 **Course attestation:** Document that attests if the student has passed or failed, or if the student has failed to complete the driving course at a recognized driving school.
- 2 **Criminal record check:** Police-issued document that confirms whether or not an individual has a criminal record.
- 3 **Road Access Binder:** Document that guides the student in their RSEP for passenger vehicles (Class 5) and constitutes their main learning tool.
- 4 **Training Officer Card:** Card issued by an accreditation body to a training officer allowing him to act as a monitor, instructor or monitor-instructor at a recognized driving school.
- 5 **Emergency situation:** Situation in which a real danger needs to be immediately remedied. An emergency situation could pose a threat to the physical wellbeing of an individual.
- 6 **Certificate of recognition (for a driving school):** Document that attests that the driving school complies with the *Detailed Requirements*. A certificate of recognition is issued by an accreditation body for the class of licence taught at the facilities of a driving school that complies with the *Detailed Requirements* and it displays the number of recognition attributed to the school and its facilities.
- 7 **Termination of activities (of a recognized driving school):** As per the *Detailed Requirements*, it is the removal of the driving school's registration in the enterprise register as per the *Act Respecting the Legal Publicity of Enterprises*.
- 8 **Customer or clientele:** According to the case:
 - the student
 - the individual who pays for the services rendered by the driving school (e.g. parents, student's guardians)
 - potential customers of the driving school
 - all of the above
- 9 **Driving record:** Record that includes all of the SAAQ's updated information about a driver (including information regarding suspensions or revocations of the driver's licence, demerit points, violations and accidents involving a heavy vehicle).
- 10 **Acceptable driving record (for a training officer or training officer trainee):** Driving record that meets the following conditions:

- Four (4) or fewer demerit points at the time the training officer card is issued
- The driver's licence is valid and is not subject to a suspension or revocation
- The driver's licence is not a restricted licence
- The driver's licence does not bear a condition under which the driver is only allowed to drive vehicles that are equipped with an alcohol interlock ignition device recognized by the SAAQ.

11 Driving school: Any company whose main activity is teaching students how to drive.

12 Related driving school (connected to another school): School that shares the same shareholder or senior associate, or that is run by the same individual.

13 Recognized driving school: Driving school that has been issued a valid certificate of recognition issued by an accreditation body for a training facility.

14 Student: Individual enrolled in a driving course at a recognized driving school.

15 Training facility: Facility for which the driving school has been issued a certificate of recognition and where driving is taught with the aim of students obtaining a driver's licence. In the case of a driving school that would like to receive recognition, it is the location where the driving courses will be taught and for which the school has requested a certificate.

16 Educational institution: A building belonging to or occupied by:

- A school board under the *Education Act* (chapter I-13.3) or the *Education Act for Cree, Inuit and Naskapi Native Persons* (chapter I-14)
- A college under the *General and Vocational Colleges Act* (chapter C-29)
- An educational institution under the *Act respecting Private education* (chapter E-9.1)
- A university-level educational institution under the *Act respecting educational institutions at the university level* (chapter E-14.1) or a university under the *Act respecting the Université du Québec* (chapter U-1).

17 Business ethics: The principles and standards that define favourable and unfavourable business practices. One of the most widespread unfavourable practices is unfair competition. It encompasses competitive processes deemed unfair, including using dishonest manoeuvres to attract the clientele of a competitor, or to draw customers away from a competitor. Business ethics implies that the school will not:

- Disparage a competitor school
- Create false or misleading advertisements

- Attempt to confuse through signage
- Attempt to hire a competitor school's personnel or disrupt its staff
- Undermine the reputation of a competitor, procedure or work technique
- Attempt to profit from investments from other schools, through imitation for instance
- Intimidate a competitor's clientele.

18 Professional ethics: Principles and standards that highlight the values, rights and responsibilities that constantly guide each individual's attitude and behaviour so that their professional, educational or administrative actions are carried out professionally, objectively and with integrity. Professional ethics includes:

- Avoiding getting into a situation where there is a conflict of interest between the school or its employees and the SAAQ, the accreditation body or the school's students
- Remaining objective and acting with integrity, for instance by not accepting any gifts or advantages
- Maintaining confidentiality and avoiding using any confidential information obtained during previous jobs.

19 Detailed Requirements: Guidelines prepared by the SAAQ that all schools and training officers must comply with in order to obtain and maintain their recognition status.

20 Training officer: Monitor or instructor whose main activity is to teach driving, through theoretical modules, in-car sessions on a public roadway or practical driving lessons on a closed track.

21 Recognized training officer: Instructor who holds a training officer card authorizing them to teach the RSEP for passenger vehicles (Class 5) and/or motorcycle, scooter or three-wheeled motorcycle (Class 6) driving courses in a recognized driving school.

22 Case manager: Accreditation body representative who is responsible for applying the driving school recognition program.

23 Offense that is inconsistent with the activities of a recognized driving school:

- Any offense under the *Criminal Code* (RSC 1985, c. C-46):
 - revealing the absence of the qualities necessary for running a driving school or for performing one's duties, including aiding and abetting (plotting, aiding, counselling, encouraging, inciting)
 - adversely affecting the safety or respect of individuals (e.g. harassment, abduction)
 - directed against the property of others (e.g. mischief) or that includes an element of dishonesty (e.g. fraud, impersonation)
 - adversely affecting the enforcement of the law and the administration of justice (e.g. corruption, perjury)

- related to the possession or use of weapons or explosive substances
- constituting misconduct, an act of disorderly conduct or a sexual offense
- contrary to the good example a recognized driving school is required to set for its students (e.g. dangerous driving, hit-and-run, care and control of a vehicle when impaired by alcohol or drugs)

- Any violation of the *Controlled Drugs and Substances Act* (SC, 1996, c. 19)
- Any violation of the *Competition Act* (RSC 1985, c. C-34)
- Any violation of the *Bankruptcy and Insolvency Act* (RSC 1985, c. B-3).

24 In-class Instructor: Individual authorized to plan, organize and teach theoretical modules, as well as evaluate the students' level of learning on the theoretical elements of driving a passenger vehicle (Class 5) and/or a motorcycle, scooter or three-wheeled motorcycle (Class 6).

25 Mystery shopping: Shopping conducted over the telephone or by an anonymous visit to the premises of the recognized driving school or school that has applied for recognition, without prior notice, by a representative of the accreditation body.

26 Non-compliance (with the *Detailed Requirements*): Non-compliance with the *Detailed Requirements* by the recognized driving school or the recognized training officer, as the case may be.

27 In-car Instructor: Individual authorized to plan, organize and carry out in-car sessions on the public roadway and practical lessons on a closed track, as well as evaluate the students' level of learning on practical elements of driving a passenger vehicle (Class 5) and/or a motorcycle, scooter or three-wheeled motorcycle (Class 6).

28 Number of recognition: Number issued by the accreditation body to each driving school and training officer that it recognizes, for a given licence class for the purpose of identification. Each recognized driving school and training officer has their own number.

29 Accreditation body: Any institution authorized to give recognition to driving schools through the SAAQ under Section 62 of the *Highway Safety Code*.

30 Pardon: Refers to:

- Royal mercy as per Paragraph 748 (1) and Section 749 of the *Criminal Code*
- A free or conditional pardon as per Paragraph 748 (2) of the *Criminal Code*
- The rehabilitation granted and issued under the *Criminal Records Act* (RSC, 1985, chapter C-47), except:
 - ✓ where it has been cancelled
 - ✓ where it has been revoked
 - ✓ where Section 6.3 of the *Criminal Records Act* applies
- commencing, respectively, 1 or 3 years after the order date, the absolute or conditional discharge set forth in Section 730 of the *Criminal Code*

- the decision of the Crown prosecutor to divert the offense
- a verdict of acquittal rendered following the reopening of an inquiry, an appeal, a retrial or any other measure that quashes the initial conviction.

- 31 Person of authority (at a recognized driving school):** Individual who acts as the person of authority within the framework of the *Detailed Requirements*, appointed by the owner of the driving school (sole proprietorship) or a representative of the school whose name appears in the enterprise register as per the *Act Respecting the Legal Publicity of Enterprises*, and acts as an administrator, director or associate (general partner). The person of authority ensures that the recognized driving school complies with the *Detailed Requirements*.
- 32 Personnel (of a recognized driving school):** Any individual, including the training officers, who works for the recognized driving school.
- 33 Remedial action plan:** Process that the recognized driving school and training officers must follow after non-compliance with the *Detailed Requirements* in order to bring corrective measures or remedy the situation.
- 34 Service point:** Location where a recognized driving school teaches driving with the goal of students obtaining a driver's licence, according to specific conditions and with the approval of the SAAQ.
- 35 Irreparable harm:** Situation impossible to remedy through measures to avoid the transgression of the legal requirements of Section 66.1 of the *Highway Safety Code*, by selling attestations for instance.
- 36 Nominee:** Individual acting as a representative of someone else, who intervenes in a contract as if acting on their own behalf, without revealing their true identity to their co-contractor.
- 37 Road Safety Education Program (RSEP):** Mandatory program developed by the SAAQ for teaching individuals how to drive (passenger vehicles, motorcycles, scooters and three-wheeled motorcycles) with the aim of training new drivers to be cooperative, safe and responsible.
- 38 Withdrawal (of recognition):** Notion that aims to both suspend and revoke the certificate of recognition.
- 39 Sanctions against a recognized driving school:** Suspension or revocation of the certificate of recognition by the SAAQ after non-compliance with the *Detailed Requirements*.
- 40 Sanctions against a recognized training officer:** Suspension or revocation of the training officer's card by the accreditation body following non-compliance with the *Detailed Requirements*.
- 41 Head office:** Principal place of business where legal, administrative and management activities take place and which constitutes the company's registered address. If the business has branches, it is called a parent enterprise and the head office becomes the tie-point for the branches.
- 42 SAAQ:** Société de l'assurance automobile du Québec.

43 Survey or satisfaction survey regarding compliance with the *Detailed Requirements*: Technique for collecting information and levels of compliance with the *Detailed Requirements*.

44 Branch: Establishment that acts as a geographical extension of the parent company. Lacking corporate personality and decisional autonomy, its activities directly involve the parent company. A branch must comply with the laws and regulations of the jurisdiction in which it operates.

45 Suspension of the driving school's recognition or certificate of recognition: Sanction that the SAAQ imposes on a recognized driving school following non-compliance with the *Detailed Requirements*.

During or after issuing a suspension, as the case may be, the SAAQ may decide:

- to lift the suspension
- prolong the suspension
- let the suspension expire
- revoke the certificate of recognition

The SAAQ establishes the length of the suspension.

46 Suspension of a training officer's recognition or their training officer card: Sanction applied by the accreditation body against a recognized training officer following non-compliance with *Detailed Requirements*.

47 Revocation of a driving school's recognition or certificate of recognition: Sanction that the SAAQ imposes on a recognized driving school following non-compliance with the *Detailed Requirements*.

48 Revocation of a training officer's recognition or their training officer card: Sanction applied by the accreditation body against a recognized training officer following non-compliance with *Detailed Requirements*.

APPENDIX 2

**LIST OF DOCUMENTS TO BE PROVIDED BY THE APPLICANT DRIVING SCHOOL AND
THE TRAINING OFFICER TRAINEE TO BE ELIGIBLE FOR RECOGNITION**

A. APPLICANT DRIVING SCHOOL

Documents concerning the school, the person of authority and training officers

- 1 A document from the person of authority authorizing the accreditation body to verify the information related to the person of authority.
- 2 A copy of each training officer's card.
- 3 A document from each training officer authorizing the accreditation body to verify their information.
- 4 An affidavit from the person of authority indicating that they are not an undischarged bankrupt.
- 5 An affidavit from the school's representative indicating that they are not an undischarged bankrupt.
- 6 A criminal record check for the person of authority.
- 7 A criminal record check for each training officer.
- 8 A copy of each training officer's driver's licence and a copy of any documentation that identifies the person of authority and any administrators, directors or partners that includes a photograph.
- 9 The driving school's opening hours.
- 10 The service contract with the student used by the school.
- 11 A document authorizing the SAAQ and the accreditation body to verify the information concerning the driving school, used to both evaluate the admissibility and maintenance of its recognition, during the entire period for which the school is recognized.

Documents concerning the premises and facilities

- 12 Title deeds or leases pertaining to the training facilities of the driving school and the closed track, if applicable.
- 13 In the case of a temporary recognition, a photo of the premises that will be used for teaching the theoretical component of the driving courses.
- 14 Layout or photos of the location to meet the clientele's needs, including, if applicable, persons with reduced mobility.
- 15 A document describing or photos showing the facilities and computer equipment.
- 16 The address where the documents related to the school's operations are kept.

- 17 Layout plan of the closed track if applying for recognition for teaching motorcycle, scooter or three-wheeled motorcycle driving courses (Class 6).

Documents concerning vehicles

- 18 Proof of ownership of the vehicles used for teaching purposes.
- 19 Proof that the vehicles are registered under the school's name and proof that the equipment required to teach the courses has been installed.
- 20 Registration certificate for each vehicle showing that they are registered under the category "vehicle used by driving schools" (ECOND).
- 21 A certificate of mechanical inspection issued by a mechanic representative of the SAAQ for each vehicle used by the driving school for teaching purposes, or proof that the vehicle is part of a preventative maintenance program recognized by the SAAQ that can replace mechanical verifications.
- 22 A document from the school authorizing the insurance company to submit to the accreditation body any notices related to the expiry of the insurance contract or reduction of guarantees, at least 14 days before they take effect.

Proof of Insurance and Surety Bond

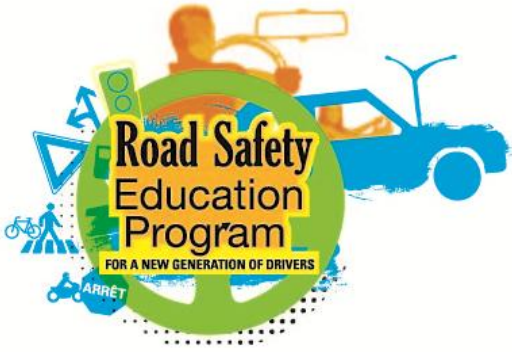
- 23 Valid civil liability insurance, in the name of the driving school as it is registered in the enterprise register, in accordance with the Act Respecting the Legal Publicity of Enterprises, with coverage of at least \$1,000,000, covering any injuries caused by the school within the context of its activities and all of the premises where its activities are carried out.
- 24 A document that authorizes the insurer to disclose, upon request, its name and contact information, coverage amount and coverage dates to the accreditation body and to students.
- 25 Proof of insurance as per the *Automobile Insurance Act* (chapter A-25) for each vehicle used for teaching purposes.
- 26 Section removed.
- 27 A single surety bond, provided by a single and individual policy of guarantee complying with the *Detailed Requirements*, particularly as to the minimum amount established (Paragraph 2.10.b).
- 28 A document from the school authorizing the guarantor to disclose to the accreditation body and the students, upon request, its name and contact information, the amount of the surety bond and the dates the school's surety bond is in effect.

B. TRAINING OFFICER TRAINEE

- 29** A document authorizing the accreditation body to submit to the SAAQ, any accreditation body or recognized driving school any information regarding a measure it intends to take against a training officer and any information related to the life cycle of the training officer's card.
- 30** A copy of their high school diploma or equivalent from the *Ministère de l'Éducation du Québec*, or a copy of their postsecondary diploma (college diploma, university diploma, university degree) or proof of 5 or more years of related work experience.
- 31** A document signed by a recognized driving school indicating its association with the training officer trainee.
- 32** A copy of their driving record from the SAAQ.
- 33** A copy of their driver's licence.
- 34** A document authorizing the accreditation body to submit any information in a training officer's file to the SAAQ.
- 35** A criminal record check.

APPENDIX 3

RULES FOR APPLYING THE COURSE STRUCTURE



Rules for Applying the Program Outline

Société de l'assurance automobile du Québec

January 1, 2019

Introduction

This document proposes rules for applying the program outline, with a view to ensuring as much uniformity as possible among driving schools.

Driving schools must follow the program outline in dispensing the program. However, accommodations can exceptionally be made.

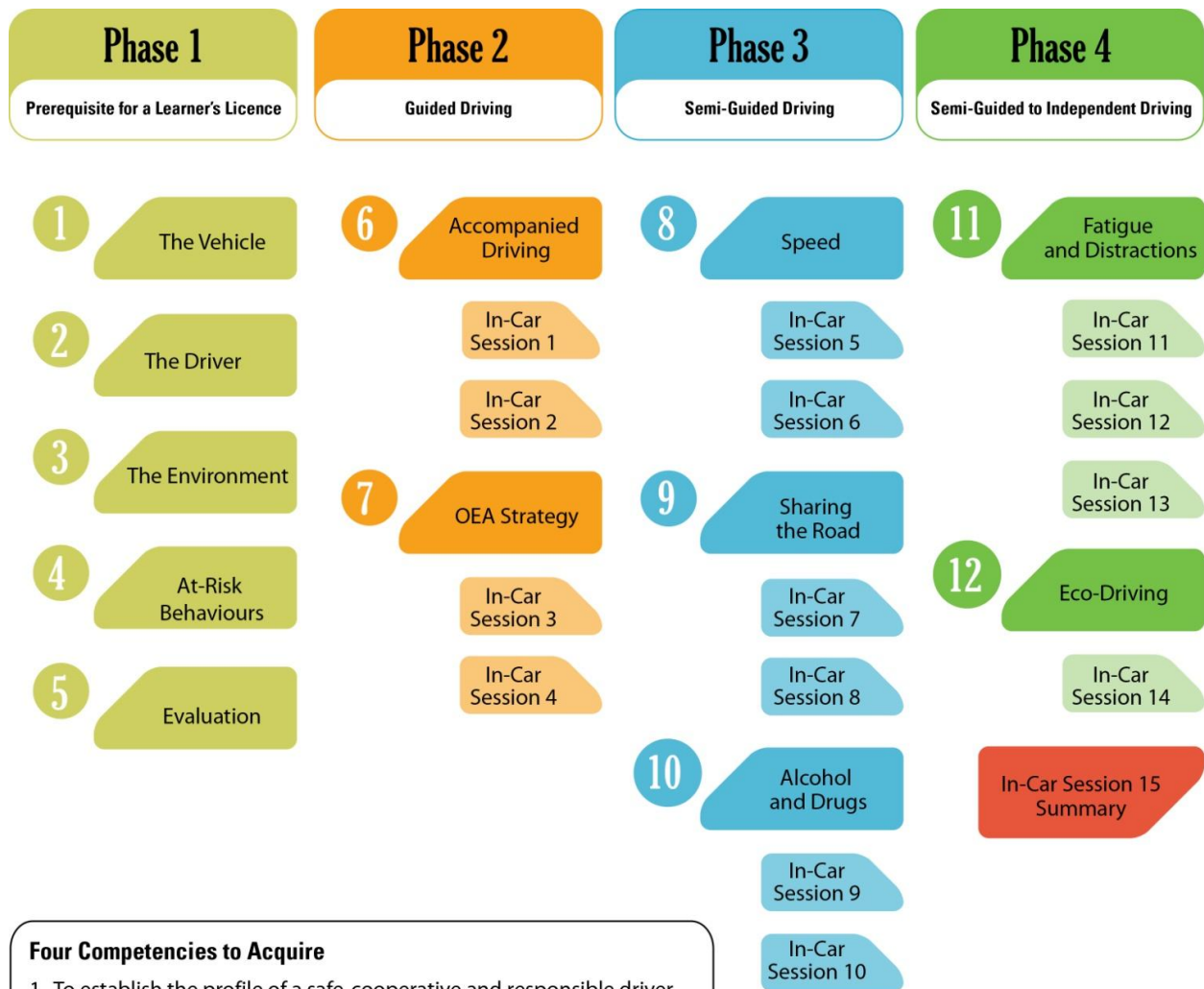
Program Outline – General Rules

Instruction is divided into four phases, in which theory (Modules 1 to 12) and practice (In-Car Sessions 1 to 15) alternate. In all, there are 24 hours of theoretical instruction and 15 55-minute sessions of practical instruction.

Driving schools may not dispense more than one module per day to the same group of students.

The new attestation of successful completion of the driving course is designed to ensure that every student does each of the theory and practice modules in the driving course.

Teaching Aid – Road Safety Education Program



Four Competencies to Acquire

1. To establish the profile of a safe, cooperative and responsible driver
2. To handle a passenger vehicle
3. To share the road
4. To use the road network independently and responsibly

Classroom Modules

- Each module is **two hours** long, including the time taken at the start of the course to welcome the students, as well as the break and course wrap-up.
- Typically, theory modules are structured as follows:
 1. An activity led by the instructor/monitor, calling on given competencies under the program. The activity takes place in groups of three, so that discussion and interaction between peers will stimulate reflection and awareness.
 2. The presentation of road-safety content related to the theme of the module.
 3. If there is time, a short presentation of video clips to prepare the students for the in-car session that follows the theory module (Phases 2, 3 and 4).
 4. A reminder of the work to be done at home, the review exercises on the Web, etc.

The manual for instructor/monitors contains all the material they need to teach the course content in each of the modules.

Driving schools can adapt the material over time, or add elements they feel are relevant.

In-Car Sessions

- Each in-car session is **55 minutes** long, including the **briefing** and **debriefing** by the instructor at the beginning and end of the lesson.

The manual for instructors, particularly the *Manoeuvres and Behaviours* document, contains all the material they need for each in-car session.

Groups of driving schools or driving schools will need to develop a checklist on which instructors can note their observations. They can also adapt the material over time or add elements they feel are relevant.

Phase 1 - Prerequisite for a Learner's Licence

This phase includes:

- ✓ The presentation of the course, in which the training program, the program outline, the learning material and the Web site, among other things, are explained to the students.
- ✓ Four theory modules on the following subjects: the vehicle, the driver, the environment and at-risk behaviours.
- ✓ One 2-hour module that is a brief review of the material and learning concepts of the four previous modules and an exam on the theory component (by means of a test, available on the SAAQ Web site).
- ✓ Homework, using the learning guides and the Web site for the new driving course.

Phase 1

Prerequisite for a Learner's Licence

1

The Vehicle

2

The Driver

3

The Environment

4

At-Risk
Behaviours

5

Evaluation

Duration

- 10 hours** in class (five 2-hour modules).
- Phase 1 must be spread over **at least 28 days** (e.g. one course a week) so that the concepts seen in class and at home can be assimilated.
- A student who, for one reason or another, takes less time to get through Modules 1 to 4 should not be permitted to do the exam in Module 5 until **28 days** have elapsed since his or her first class.

Presentation of the Course

The presentation of the course must be given at one of the following times:

- When the student registers at the driving school
- At the start of Module 1, The Vehicle
- At another time, determined by the school, before the start of Phase 1.

Modules 1 to 4

- It is recommended to follow the sequence established in the program outline.

Module 6

Module 6 may be offered before Module 5 is evaluated. In that case, inviting and involving accompanying riders in Module 6 is strongly recommended. If there are no accompanying riders present, the students are taught the course as usual.

Module 5

- Review the learning concepts.
- Have the students, each one of them, take the theoretical exam individually. Driving schools must use the latest version of the exam questionnaire provided by the SAAQ, according to the established terms and formalities.
- At the end of the exam, go over the questions and answers with the students.
- Scores should be given afterwards.

Attestation of successful completion of Phase 1

Students must meet the following requirements to obtain their attestation of successful completion of Phase 1:

- Have attended the classroom sessions for Modules 1 to 4.
- Have passed the theoretical exam in Module 5. *If there are students who fail the test, the school must allow them enough time to review the concepts seen, redo the online exercises or redo one or more modules.*

Phase 1 must be completed before beginning Phase 2.

Phase 2 - Guided Driving

This phase includes:

- √ Two theory modules on the following subjects: accompanied driving and the OEA driving strategy.
- √ Four in-car sessions geared to introducing students to the road network.
- √ Homework, using the learning guides and the Web site for the new driving course.

Phase 2

Guided Driving

6

Accompanied Driving

In-Car Session 1

In-Car Session 2

7

OEA Strategy

In-Car Session 3

In-Car Session 4

Duration

- 4 hours in class (two 2-hour modules) + 4 in-car sessions (four 55-minute in-car sessions).
- Phase 2 must be spread over **at least 28 days**.

Module 6

- Accompanying riders are invited to take part in Module 6, Accompanied Driving. If there are no accompanying riders present, the students are taught the course as usual.
- It is preferable for in-car sessions with an accompanying rider to start in Phase 3, so that instructors have time to teach the basics of driving.

Module 7

- It is recommended to follow the sequence established in the program outline.

In-Car Sessions 1 to 4

- **Sessions 1 to 4 must last 55 minutes each.**
- **Sessions 1 and 2 cannot be combined; however, Sessions 3 and 4 may be combined.**

Modules and In-Car Sessions

- **Alternating** between in-car sessions and classroom modules is preferable.

Phase 2 must be completed before beginning Phase 3.

Phase 3 - Semi-Guided Driving

This phase includes:

- √ Three theory modules on the following subjects: speed, sharing the road, and alcohol and drugs.
- √ Six in-car sessions to teach the students about the road network.
- √ Homework, using the learning guides and the Web site for the new driving course.

Phase 3

Semi-Guided Driving

8

Speed

In-Car
Session 5

In-Car
Session 6

9

Sharing the Road

In-Car
Session 7

In-Car
Session 8

10

Alcohol and Drugs

In-Car
Session 9

In-Car
Session 10

Duration

- ❑ 6 hours in class (three 2-hour modules) + 6 in-car sessions (six 55-minute in-car sessions).
- ❑ Phase 3 must be spread over **at least 56 days**.

Modules 8 to 10

- ❑ It is recommended to follow the sequence established in the program outline.

In-Car Sessions 5 to 10

- ❑ **Two formative practical evaluations** during In-Car Sessions 5 and 10.
- ❑ The in-car sessions can be interchanged following authorization, except sessions 5 and 10 which are formative evaluations. However, it is **preferable to follow the sequence established**.
- ❑ During In-Car Sessions 5 and 10, monitors must carry out a formative evaluation of the learner's driving. The results of these evaluations must be entered in the self-evaluation checklist and kept in the student's record.
- ❑ It is also possible to combine three in-car sessions into three 55-minute sessions over the course of the same day, after obtaining the authorization of the AQTr.

Modules and In-Car Sessions

- ❑ It is preferable to begin Phase 3 with Module 8.
- ❑ **Alternating** between in-car sessions and modules is preferable
- ❑ Module 10 should preferably be given only after the first four in-car sessions in Phase 3.

Accompanied Driving

- ❑ **Start of the accompanied-driving period.**
- ❑ Giving the students a few weeks of free time between Phases 3 and 4 is recommended so that they can practise driving with their accompanying riders.

Phase 3 must be completed before beginning Phase 4.

Phase 4 - Semi-Guided to Independent Driving

This phase includes:

- √ Two theory modules on the following subjects: fatigue and distractions, and eco-driving.
- √ Five in-car sessions aimed at perfecting what has been learned about the road network, including a summary of instruction prior to the road test.
- √ Homework, using the learning guides and the Web site for the new driving course.

Phase 4

Semi-Guided to Independent Driving

11

Fatigue and Distractions

In-Car Session 11

In-Car Session 12

In-Car Session 13

12

Eco-Driving

In-Car Session 14

In-Car Session 15
Summary

Duration

- 4 hours in class (two 2-hour modules) + 5 in-car sessions (five 55-minute in-car sessions).
- This phase should be spread over **at least 56 days** to facilitate learning with an accompanying rider.
- Once students have had their learner's licence for 10 months, which will likely be the case at some time during Phase 4, they can take the SAAQ knowledge test. It is therefore preferable that the students have completed all of the theory modules, even if they have not finished their practical training.

Modules 11 and 12

- It is recommended to follow the sequence established in the program outline. It is preferable to begin Phase 4 with Module 11.

In-Car Sessions 11 to 14

- **In-Car Sessions 11 to 14** can be combined into one session of two 55-minute periods in order to cover more distance and expose the learner to a greater variety of driving situations. However, keep in mind that in-Car Session 13 is an observation session.
- **In-Car Sessions 12 and 13** must be combined into one session of two 55-minute periods with two learners in the vehicle. Each learner is in turn the observer and the driver. In-Car Sessions 11 and 13 may be combined if there is a problem with Session 12, for example, if one of the learners is absent.
- Module 12, Eco-Driving, should therefore be done after In-Car Session 13.

In-Car Session 15

- Summary session prior to the road test.
- **In-Car Session 15** may under no circumstances be combined with an observation session.

Modules and In-Car Sessions

- **Alternating** between in-car sessions and modules is preferable.

APPENDIX 4

ROAD SAFETY EDUCATION PROGRAM – OPERATING A MOTORCYCLE

APPENDIX 5

ROAD SAFETY EDUCATION PROGRAM – OPERATING A SCOOTER

APPENDIX 6

*ROAD SAFETY EDUCATION PROGRAM – OPERATING A THREE-WHEELED
MOTORCYCLE*

APPENDIX 7

LIST OF MANOEUVRES AND BEHAVIOURS

APPENDIX 8

DRIVING COURSE ATTESTATION

APPENDIX 9
INDIVIDUAL SURETY BOND

INDIVIDUAL SURETY BOND

In accordance with the law and the document entitled *Detailed Requirements concerning Recognition of Driving Schools by Bodies Accredited by the Société de l'assurance automobile du Québec*, the guarantor agrees together with the principal debtor, as well as his respective heirs, executors, administrators, successors and beneficiaries to pay the *Association québécoise des transports* (AQTr) up to the amount indicated below.

Surety number: _____

1. NAME OF PRINCIPAL DEBTOR:

2. AMOUNT OF SURETY:

(written numerically and in full, in Canadian dollars)

3. EFFECTIVE DATE:

4. WHEREAS the principal debtor has submitted an application for recognition to the AQTr to obtain the status of recognized driving school in accordance with the law.

5. WHEREAS for the purpose of such recognition, the principal debtor must provide a surety that will indemnify the students in the event of fraud, bankruptcy or insolvency of the school, which guarantees payment of principal, interests and fees awarded in a final judgement against the school, its representative, trustee or guarantor, or recognized in a transaction between the student and the school, its member, administrator, training officer, agent, representative, trustee or guarantor, marking the end of litigation under a contract of services with a student for the purpose of providing driving instruction.

6. WHEREAS the surety will be in full effect when the certificate of recognition is issued to the principal debtor. Consequently, the guarantor will assume the obligations that fall under this title, as previously described, in the event that the principal debtor defaults.

7. NOTWITHSTANDING THE FOREGOING, it is understood and agreed that the guarantor's full responsibility for the surety is limited to the abovementioned amount or any amount that replaces it by way of an amendment or certificate of extension. The guarantor must inform AQTr of any modifications to the amount of the surety by way of written notice at least forty-five (45) days prior, sent by registered mail.

8. IT IS UNDERSTOOD AND AGREED THAT the surety shall be valid for the entire duration of the certificate of recognition as is the principal debtor's responsibility towards the students. However, the guarantor can terminate the surety by way of written notice at least forty-five (45) days prior, sent by registered mail to the AQTr, to which he must attach proof that a copy of the written notice was sent to the principal debtor. Moreover, the AQTr must notify the guarantor within a reasonable timeframe following the revocation of recognition, and the guarantor shall not be held responsible for the obligations arising after the date of said revocation.

9. IT IS UNDERSTOOD AND AGREED THAT the guarantor's obligations shall continue to apply for one year following the expiry of the surety bond with regards to any outstanding amounts from the period in which the surety bond was in effect.

10. IT IS UNDERSTOOD AND AGREED THAT the guarantor hereby waives all benefit of division and discussion.

IN WITNESS WHEREOF, the guarantor hereby signs this document and affixes his corporate seal in _____ on _____.

SURETY BOND

Signature (Guarantor) _____

Name of Authorized Representative (in capital letters)

Title or role of authorized representative

Guarantor's address