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## OPENING A DRIVING SCHOOL

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[www.nysdmv.com](http://www.nysdmv.com)

A driving school is defined as the business of giving instruction for hire in driving motor vehicles or motorcycles. Section 394 of the Vehicle and Traffic Law (VTL) provides the legal authority for driving schools and driving school instructors: “No person shall engage in the business of conducting a driver’s school without being the holder of a license for such purpose issued by the Commissioner” (see form MV-299.1). Part 76 of the Commissioner’s Regulations (form CR-76) provides specific guidelines about licensing driving schools and certifying instructors. Before completing a driving school license application, please read and be sure you are familiar with Section 394 of the VTL (form MV-299.1) and Part 76 of the Commissioner’s Regulations (form CR-76).

The Bureau of Driver Training Programs (DTP) is responsible for insuring that all statutory and regulatory requirements are met prior to, and upon issuance of, a driving school license. The DTP is located at the NYS Department of Motor Vehicles, 6 Empire State Plaza, Room 412, Albany, NY 12228. Our telephone number is (518) 473-7174, and the fax number is (518) 473-0160.

If you are interested in applying for a driving school license, you must complete the following steps:

### 1. Name Approval

**You must first** receive approval for the name of your business by completing the “Request for Approval of Driving School Name” (form MV-299.3) and sending it to DTP.

A request for a school name or title that is identical to, or very similar to, the name of a school which is already licensed will not be approved. Similarity of names could lead to confusion or deception.

To speed the processing of your request, **you should obtain a packet of driving school licensing materials** while you are waiting to receive approval of the name you have chosen. You can request a copy of this packet by contacting the DTP, or you can print the materials from the DMV website at <http://www.nysdmv.com/driveschool.htm>. Once a name for your school is approved, you can complete the application package.

### 2. Instructor Experience

The applicant for a driving school license must employ a person who has:

- ◆ A valid “Driving School Instructor’s Certificate” (form MV-524);
- ◆ Given at least 1,000 hours of behind-the-wheel instruction; and
- ◆ A valid driver license.

### 3. **Application with Supporting Documents**

The person applying for the driving school license must complete a “Driving School License Application” (form MV-521), and must provide all of the following documentation:

- ◆ A certified copy of the Business Certificate (Individuals use form X-201, Partnerships use form X-74) or a filing receipt for Certificate of Incorporation with the minutes of the corporate meeting;
- ◆ A completed “Personal History” (form MV-521.1) for each owner, partner and manager;
- ◆ A draft copy of the business receipt the school will use;
- ◆ A draft copy of the contract between the school and its customers, if used;
- ◆ A draft copy of a Private Service Bureau (PSB) receipt, if you plan to operate a PSB;
- ◆ Proof of workers’ compensation (form C-105.2 or U-26.3) and disability benefits insurance (form DB-120.1) or if the applicant has no employees, a Certificate of Attestation of Exemption from NYS Workers’ Compensation and/or Disability Benefits Coverage (CE-200);
- ◆ A completed “List of Driving School Vehicles” (form MV-527) and proof of appropriate insurance coverage for each vehicle being used for instruction;
- ◆ Proof that the instructor with the required experience has the required 1,000 hours of behind-the-wheel instruction; and
- ◆ A completed “Application for Driving School Instructor Certificate” (form MV-523) for each instructor.

### 4. **Application Fee**

The person applying for the license must provide a \$50.00 check or money order made out to “Commissioner of Motor Vehicles” for the application fee, which is non-refundable.

### 5. **Site Inspection**

Your application will be reviewed when it is received, but please note that **final license approval cannot be granted until an on-site inspection and investigation are completed.** A representative from DMV’s Testing and Investigations (T&I) Unit will contact you about scheduling an inspection.

### 6. **License Fee**

Once the T&I Unit recommends approval for the site location, you will be contacted by DTP for the appropriate license fee. The fee, which is prorated, will be \$5 for each month from the date of issuance to the following 30th day of June, but will not total more than \$50.

A license will be issued when your school meets all of the requirements.

