

**761—636.6(321) Instructor approval.** An instructor of an approved motorized bicycle rider education course must be listed on the application for program approval as provided in subrules 636.4(1) and 636.4(2) and approved by the department.

**636.6(1) Instructor qualifications.** An instructor of an approved course shall possess a valid driver's license allowing unaccompanied driving other than a temporary restricted license and shall be able to operate a motorized bicycle. An instructor must also have a clear driving record for the previous two years. A clear driving record means the instructor has:

*a.* Not been identified as a candidate for driver's license suspension under the habitual violator provisions of rule 761—615.13(321) or the serious violation provisions of rule 761—615.17(321).

*b.* No driver's license suspensions, revocations, denials, cancellations, disqualifications or bars.

*c.* Not committed an offense that would result in driver's license suspension, revocation, denial, cancellation, disqualification or bar.

*d.* No record of a law enforcement investigative report indicating a contributive motor vehicle accident that caused the death or serious injury of another person.

*e.* No record of a law enforcement investigative report indicating two or more contributive motor vehicle accidents in a two-year period.

**636.6(2) Cancellation and denial.** When an instructor of an approved program does not meet the qualifications under this chapter, the department shall remove the instructor from the approved program and cancel or deny the approval of the program unless the entity has submitted an application for or secured approval of an alternate instructor from the department.

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