

PROBLEMS WITH A DRIVING SCHOOL OR TRAFFIC VIOLATOR SCHOOL?



**How to file a Complaint with the
Department of Motor Vehicles**



HOW COMPLAINTS ARE HANDLED

The Driving and Traffic Violator Schools Complaint Unit is responsible for the processing of consumer complaints that are filed against schools licensed by the Department of Motor Vehicles (DMV).

Each written complaint is reviewed to determine if it falls within the jurisdiction of DMV. The complainant will receive confirmation that the complaint has been received. All jurisdictional complaints are reviewed to determine if there are any violations of the California Vehicle Code (CVC) or the California Code of Regulations (CCR). If violations are identified, DMV will take appropriate steps to ensure compliance. Complaints may also be referred to DMV's Investigations Division for further investigation and disciplinary action, when necessary. Such investigations may include interviewing the complainant, the school and any other parties who can furnish information and documents relating to the complaint.

You should know that even if DMV conducts an investigation this may only result in criminal or administrative action against the licensee, and may not result in any monetary judgment or award to you or other victims. Your only recourse to recover a financial loss or to seek another remedy, is to consider filing a civil claim against the licensee.

You can seek remedy through the courts, which may award money or order actions to settle your dispute. To do this, you can contact a private attorney or legal aid group. Legal aid agencies may give free legal advice or represent people who cannot afford private counsel. Legal aid groups are listed in the white pages of the local telephone directory.

You may choose to file a case in small claims court, where claims are limited to \$5,000. Small claims actions are the means by which you may seek damages or reimbursement of any loss you may have suffered. Some courts provide advisors to explain procedures and prepare claims. You can find small claims courts in the county government pages of the local telephone directory.

After a judgment is received from a court of law you may file a claim against the school bond. For information on how to file a claim against the bond contact DMV, Occupational Licensing at (916) 229-3127.

YOU SHOULD KNOW

It is illegal for a driving school to issue a completion certificate to a student who has not completed the full six hours of behind the wheel instruction.

“Behind the wheel instruction” is the time the student is actually behind the wheel and controlling the vehicle. This instruction must not be in excess of two hours per day.

It is illegal for a driving school instructor to issue a completion certificate to a person who has not completed the 1500 minutes of classroom instruction.

Traffic Violator School classroom education consists of 400 minutes or six hours and 40 minutes of actual in class instruction.

It is illegal for a TVS owner or instructor to issue a completion certificate to a person who has not attended the 400 minutes of instruction.

DMV CANNOT

Give legal advice or discuss a case prior to investigating a complaint.

Mediate complaints between a driving school and its consumers to settle monetary disputes.

Investigate complaints against private parties, unless the complaint is for action as an unlicensed driving school or traffic violator school.

FILING A COMPLAINT WITH DMV

It is preferred complaints be in writing. Use the attached form to file a complaint against a driving school or traffic violator school. Also include copies of any documentation (canceled checks, certificates, etc.) with your complaint. Do not send original documents.

If you have a complaint against a dealer, salesman, broker, dismantler, vehicle verifier or registration service please refer to the pamphlet “Problems With a Vehicle Purchase . . . Can DMV Help Me?” for information and complaint form.

Send all complaints to the address indicated on the complaint form.