**TRAFFIC SAFETY DIVISION**

**INSTRUCTIONS FOR COMPLETING THE VARIANCE**

**REQUEST LETTER AND**

**ACCOMPANYING AFFIDAVIT**

**REQUIRED DOCUMENTATION**

* Pursuant to Driver Education Schools (DE) Rule 18.20.3.21, both a Request for Variance and an Affidavit in support are required to be submitted.
* For both the letter and the affidavit, wherever there is *italicized text* in following form letter and affidavit delete that text and replace it with the specific information requested.
* Regarding the affidavit, the person signing it must have the authority to bind the School and that person’s signature must be placed on the affidavit **only in the actual presence of** the Notary Public.
* Make sure to copy both the Variance Request letter and affidavit for your School’s records and mail all original documents to the address listed below.

**Transportation Safety Center – Licensing Section**

**University of New Mexico**

**4400 Alameda Blvd N.E.**

**Suite A**

**Albuquerque, NM 87113**

*Date*

Traffic Safety Division - Licensing Section

4400 Alameda Blvd N.E.

Suite A

Albuquerque, NM 87113

**Re: Variance Request Regarding Driver Education Instructor Training**

Dear Licensing Staff:

Pursuant to Driver Education Schools (DE) Rule 18.20.3.21, *School Name* submits this request for a variance from DE Rule NMAC 18.20.3.17 F which states that “the bureau shall grant approval for the teacher to attend the bureau’s forty (40) hour driver education instructor training course.”

Specifically, *School Name* is requesting a variance to temporarily exempt the following driver education instructor applicant(s) from taking the Driver’s Education Instructor Training until the next scheduled 40 hour Driver’s Education Instructor Training course for *Applicant's Name*.

The situation necessitating this variance request is that *Applicant's Name* possesses the following experience: *Applicant's relevant experiance*. Since the 40 hour Certification Training is not yet offered until either spring or summer 2024, and it would create a delay for the above referenced applicant.

Granting the variance request will not impact the applicability of the DE Rule. The purposes of the DE Rule and the statutory Driving School Licensing Act will still be met and adhered to by *School Name.* However, the public’s interest will be better served since *School Name* will better meet the needs of the public by having additional certified instructor to provide instruction and issue certificates of completion. Also, these applicants meet the requirements for certification under NMAC 18.20.3.18 C (4): *Applicant's relevant experiance.*

Pursuant to DE Rule 18.20.3.21C, this variance request is accompanied by a signed affidavit in support. Please contact me at your convenience if you have questions. *School Name* appreciates your time and respectfully asks for you to consider this variance for these applicants.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*Date*\_

*Your Name*

*Job Title*

*School Name*

**AFFIDAVIT**

I, *Operator*, with *School Name*, located at *School Physical Address*, hereby state and affirm the following under penalty of perjury:

1. I have authority to speak on behalf of and bind *School Name* given my position as *Job Title*
2. I have reviewed the contents of the Request for Variance, along with the administrative rule for Driver Education Schools, and affirm that the contents of the Request are true and correct to the best of my knowledge.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*Date*\_

*Your Name*

*Job Title*

*School Name*

(For Notary Public Only)

State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Subscribed and sworn to me on this \_\_\_\_ day of \_\_\_\_\_ 20­\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My commission expires on \_\_\_\_\_\_\_\_\_\_, 20\_\_.