

# STOP Program - DMV Policies for Web- based STOP Classes

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**Legal Division**  
**October 1, 2016**

January 19, 2013

FROM: Beverly Neth, Director Nebraska DMV

**Re: DMV Policies for Web-based STOP (Safety Training Option Program) program**

“The Legislature finds that pretrial diversion offers persons charged with criminal offenses and minor traffic violations an alternative to traditional criminal justice proceedings.” Neb. Rev. Stat. Sec. 29-3606. The DMV has the statutory duty to oversee the STOP program. Beginning in 2013, the DMV will allow online STOP classes pursuant to this policy.

STOP classes are exclusively in-person classes. However, some STOP class students find difficulty in attending classes due to work schedules or distance to STOP classrooms. While in-person classes meet the statutory requirements, there is potential for alternative access to STOP classes due to advances in electronic communications and supervisory or proctoring software.

The DMV needs to ensure that alternative classroom methods are compatible with the legislature’s finding that diversion offers an alternative to traditional criminal justice proceedings. This program will allow an opportunity for a provider or providers to demonstrate that online classes effectively improve driver skills while offering students scheduling flexibility that is unavailable in an in-person classroom setting.

To monitor STOP programs, the DMV will apply the follow policies to programs offering STOP classes online.

1. The provider offering an online STOP class must have a full time office located in Nebraska, where record audits may take place as required by 250 NAC 3 -008.
2. The provider must have physical classrooms in Nebraska and DMV certified instructors, in compliance with 250 NAC 3 -003.06. The provider must offer a physical classroom option within 100 miles of the jurisdiction in which the online class is offered.
3. The provider must abide by the uniform fee requirements of Neb. Rev. Stat. 29-3606 (including the provider’s fee, the fees charged by the jurisdiction, and the fees received by the jurisdiction.) The online proctoring fee shall not be considered a part of the uniform fee as the student will have the ability to attend an in-person class within a reasonable distance.
4. The provider must abide by the record maintenance and transmittal requirements of Neb. Rev. Stat. 29-3606 (including limiting an individual’s participation to once every three years, no CDL holders, and making this information available electronically to all providers and jurisdictions.)
5. The provider of an online STOP class must be approved by the prosecuting attorney, with the concurrence of the governing body, for the jurisdiction in which the program is offered.
6. The provider must proctor the student to ensure the individual who applied for the class completes the course. The proctor must verify the student’s identity, ensure that the student attends the entire course, and confirm that the student passes all tests. This may be accomplished through an on-line proctoring services or equivalent program.
7. The DMV will review and approve each online STOP program offering on a case-by-case basis. A provider interested in providing an online STOP class should contact John Baylor at DMV Legal, (402) 471-3870 to arrange a demonstration of the proposed proctoring program. Providers must demonstrate that the online STOP class offered meets all the requirements of 250 NAC 3 and each element of this policy memo.