**Section 1065.75 Enhanced Skills Driving School Responsibility for Employees**

a) No ESDS shall employ or otherwise retain any individual to give instruction unless the individual has a valid, current ESDS instructor's license for that school issued by the Department and meets the qualifications provided in Section 1065.70.

b) All acts by any individual employed by or associated with any ESDS and all acts performed by an instructor shall be presumed acts within the scope of employment unless the school can provide competent evidence to the contrary.

c) If a licensed instructor is temporarily suspended, laid off or discharged by an ESDS, the school shall immediately notify the Department, on forms furnished by the Department, containing the name, address and license number of the instructor, termination date, and the reason for the termination. In all cases in which an employee ceased working for the ESDS, whether it be a temporary layoff or any other termination of his/her association with the school, the instructor must surrender his/her license to the Department.