

2013 -- H 5655

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS'
LICENSES

Introduced By: Representatives McNamara, Azzinaro, and Bennett

Date Introduced: February 27, 2013

Referred To: House Health, Education & Welfare

(Transportation)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10-19 of the General Laws in Chapter 31-10 entitled "Operators'
2 and Chauffeurs' Licenses" is hereby amended to read as follows:

3 **31-10-19. Driver education -- Traffic safety education.** -- (a) The Community College
4 of Rhode Island shall provide thirty-three (33) hours of classroom instruction for applicants or
5 prospective applicants, not more than twenty-one (21) years of age for a limited instruction
6 permit or license. The instruction shall include eight (8) hours, specifically for instruction on the
7 effects of alcohol and drugs on a driver, and the instruction shall be given by a person eligible for
8 a teacher's certificate issued under the authority of the state board of regents and which course of
9 instruction shall be approved by the board of governors for higher education. In case of
10 emergency, the President of the Community College of Rhode Island may declare, when no
11 certified instructor is available to teach, an individual eligible to teach at the Community College
12 of Rhode Island who has taken the required course of instruction in driver education, may provide
13 driver education instruction. All driver education programs shall include information concerning
14 the Anatomical Gift Act, chapter 18.6 of title 23, and information on donor cards pursuant to the
15 applicable provisions of chapter 18.6 of title 23. The board of governors for higher education
16 shall ensure that each person properly certified and approved to instruct driver education courses
17 shall be given an equal opportunity for employment as an instructor within the driver education
18 program. No person teaching driver education under this section shall own, be employed by, or be

1 associated with a commercial driving school.

2 (b) Driver education instruction shall be available to any eligible resident applicant not
3 less than fifteen (15) years and ten (10) months of age.

4 (c) That the state shall also provide a separate program of instruction, as previously set
5 forth in this section, for special needs students whose individual education plan (IEP) indicates a
6 need for a separate program of instruction.

7 (d) The Community College of Rhode Island shall provide a driver training program for
8 physically handicapped drivers. The program shall instruct the physically handicapped driver in
9 the operation of adapted vehicles for the handicapped. The adapted vehicles are to be provided by
10 the handicapped individual. A physically handicapped person must be certified by a licensed
11 physician that he or she is physically handicapped and possesses sufficient potential to become a
12 competent motor vehicle operator. The Community College of Rhode Island shall establish a
13 tuition fee sufficient to cover the cost of the program.

14 (e) A tuition or enrollment fee shall be required to be paid by an eligible applicant in
15 accordance with rules and regulations of the board of governors for higher education; provided,
16 that personal checks shall be an acceptable method of payment of the tuition or enrollment fee.
17 The tuition or enrollment fee shall be deposited in a restricted receipt account established to pay
18 any and all costs associated with the driver education program at the Community College of
19 Rhode Island and administered by the Community College of Rhode Island.

20 (f) The board of governors for higher education is authorized to establish administrative
21 regulations to further implement this section.

22 (g) The Community College of Rhode Island shall establish tuition fees sufficient to
23 cover the cost of the program and the administration of the driver education program. All
24 positions established to implement the driver education program and funded in full by driver
25 education program fees shall be exempt from the full-time equivalency cap established in Article
26 1 of the Appropriations Act, provided, however, that the board of governors shall report by June
27 1, 2004, the actual number of filled positions funded exclusively by driver education fees to the
28 chairperson of the house finance committee, the chairperson of the senate finance committee and
29 the state budget officer.

30 (h) The board of governors for higher education shall provide for an optional and
31 voluntary course of instruction for the applicant's parent, guardian, or designee where applicable,
32 on the content of the driver education curriculum and the requirements for the graduated licensing
33 for persons under the age of eighteen (18) as contained in section 31-10-6. The community
34 college of Rhode Island shall be responsible to develop the course of instruction and content for

1 the parent instruction, or may approve a similar course of instruction, such as AAA's course, as
2 equivalent to it, and shall promulgate regulations and establish the appropriate method of
3 providing the instruction.

4 [\(i\) Dangers of distracted driving, including, but not limited to, use of cell phones would](#)
5 [be included in this section curriculum and included in all testing as part of the state's driver's](#)
6 [license examination.](#)

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would require distracted driving issues, including cell phone use, to be tested as
- 2 part of the state driver's license exam.
- 3 This act would take effect upon passage.

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