

2015 -- H 5357

LC000091

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

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

Introduced By: Representatives Williams, and Palangio

Date Introduced: February 05, 2015

Referred To: House Judiciary

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~~ [council on](#)  
16 [post secondary](#) education shall ensure that each person properly certified and approved to instruct  
17 driver education courses shall be given an equal opportunity for employment as an instructor  
18 within the driver education program. No person teaching driver education under this section shall

1 own, be employed by, or be 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~~ council on post  
16 secondary education; provided, that personal checks shall be an acceptable method of payment of  
17 the tuition or enrollment fee. The tuition or enrollment fee shall be deposited in a restricted  
18 receipt account established to pay any and all costs associated with the driver education program  
19 at the Community College of Rhode Island and administered by the Community College of  
20 Rhode Island.

21 (f) The ~~board of governors for higher~~ council on post secondary education is authorized  
22 to establish administrative regulations to further implement this section.

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

31 (h) Notwithstanding any other provision of this section or any provision of the general or  
32 public laws to the contrary, the council on post secondary education ~~The board of governors for~~  
33 ~~higher education~~ shall provide ~~for an optional and voluntary~~ a required course of instruction for  
34 the applicant's parent, guardian, or designee where applicable, on the content of the driver

1 education curriculum and the requirements for the graduated licensing for persons under the age  
2 of eighteen (18) as contained in § 31-10-6. Under no circumstance shall any parent, guardian, or  
3 designee where applicable, be required to pay any cost or fee in association with participation in  
4 the course required under this section. The community college of Rhode Island shall be  
5 responsible to develop the course of instruction and content for the parent instruction, or may  
6 approve a similar course of instruction, such as AAA's course, as equivalent to it, and shall  
7 promulgate regulations and establish the appropriate method of providing the instruction. Should  
8 a qualified program pursuant to this section cease to exist for period of time greater than six (6)  
9 months, the course of instruction so required shall be waived.

10 (i) Dangers of distracted driving, including, but not limited to, use of cell phones would  
11 be included in this section curriculum and included in all testing as part of the state's driver's  
12 license examination.

13 SECTION 2. This act shall take effect upon passage, and shall be implemented six (6)  
14 months from the date of passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require parents of certain applicants under this section to take a free  
2 course on the content of the driver education curriculum for graduated licenses.

3           This act would take effect upon passage, and would be implemented six (6) months from  
4 the date of passage.

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