

2015 -- H 5411

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC SAFETY EDUCATION

Introduced By: Representatives Palangio, Williams, and Shekarchi

Date Introduced: February 12, 2015

Referred To: House Health, Education & Welfare

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 be available to students through a thirty-three (33) hour
7 classroom program and through a thirty-three (33) hour online program. The instruction shall
8 include eight (8) hours, specifically for instruction on the effects of alcohol and drugs on a
9 driver, ~~and the~~ The classroom instruction shall be given by a person eligible for a teacher's
10 certificate issued under the authority of the state ~~board of regents~~ board of education. Only
11 courses of instruction and programs approved by the board of education shall be offered in
12 satisfaction of the requirements of this section. ~~and which course of instruction shall be approved~~
13 ~~by the board of governors for higher education.~~ In case of emergency, the President of the
14 Community College of Rhode Island may declare, when no certified instructor is available to
15 teach, an individual eligible to teach at the Community College of Rhode Island who has taken
16 the required course of instruction in driver education, may provide driver education instruction.
17 All driver education programs shall include information concerning the Anatomical Gift Act,
18 chapter 18.6 of title 23, and information on donor cards pursuant to the applicable provisions of
19 chapter 18.6 of title 23. The board of governors for higher education shall ensure that each person

1 properly certified and approved to instruct driver education courses shall be given an equal
2 opportunity for employment as an instructor within the driver education program. No person
3 teaching ~~the classroom course of~~ driver education under this section shall own, be employed by,
4 or be associated with a commercial driving school.

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

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

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

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

23 (f) The ~~board of governors for higher education~~ [board of education](#) is authorized to
24 establish administrative regulations to further implement this section.

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

33 (h) [Notwithstanding any other provisions of this section, the](#) ~~The~~ board of ~~governors~~
34 [education for higher education](#) shall provide ~~for an optional and voluntary~~ [a required](#) course of

1 instruction for the applicant's parent, guardian, or designee where applicable, on the content of the
2 driver education curriculum and the requirements for the graduated licensing for persons under
3 the age of eighteen (18) as contained in § 31-10-6. The course of instruction shall be made
4 available in a classroom setting at numerous locations, days and times throughout the state. Once
5 approved by the board of education, an online course of instruction shall be made available to
6 parents, guardians, or designees to meet the requirements of this section. Under no circumstance
7 shall any parent, guardian, or designee, where applicable, be required to pay any cost or fee in
8 association with participation in the course required by this section. The community college of
9 Rhode Island shall be responsible to develop the course of instruction and content for the parent
10 instruction, or may approve a similar course of instruction, such as AAA's course, as equivalent
11 to it, and shall promulgate regulations and establish the appropriate method of providing the
12 instruction. Should a qualified program cease to exist for a period of time greater than six (6)
13 months, the course of instruction will not be required.

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

17 SECTION 2. This act shall take effect six (6) months from date of passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require state board of education approval of driver education courses for
2 new drivers. It would also allow instruction to be made available online as well as in a classroom
3 setting.

4 This act would take effect six (6) months from date of passage.

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