

**2023 -- H 5768 SUBSTITUTE A**

LC001188/SUB A/2

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2023**

A N A C T

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

Introduced By: Representatives Casimiro, Shallcross Smith, Noret, Alzate, Solomon, and  
Kazarian

Date Introduced: February 21, 2023

Referred To: House State Government & Elections

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. [Contingent amendment; see**  
4 **other version.]**

5 (a) The community college of Rhode Island shall provide thirty-three (33) hours of  
6 classroom instruction for applicants or prospective applicants, not more than twenty-one (21) years  
7 of age for a limited instruction permit or license. The instruction shall include eight (8) hours,  
8 specifically for instruction on the effects of alcohol and drugs on a driver, and the instruction shall  
9 be given by a person eligible for a teacher's certificate issued under the authority of the state board  
10 of regents and which course of instruction shall be approved by the board of governors for higher  
11 education. In case of emergency, the president of the community college of Rhode Island may  
12 declare, when no certified instructor is available to teach, an individual eligible to teach at the  
13 community college of Rhode Island who has taken the required course of instruction in driver  
14 education, may provide driver education instruction. All driver education programs shall include  
15 information concerning the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23, and  
16 information on donor cards pursuant to the applicable provisions of chapter 18.6.1 of title 23. The  
17 board of governors for higher education shall ensure that each person properly certified and  
18 approved to instruct driver education courses shall be given an equal opportunity for employment

1 as an instructor within the driver education program. No person teaching driver education under  
2 this section shall own, be employed by, or be associated with a commercial driving school.

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

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

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

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

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

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

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

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

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

8 (j) Included in the classroom instruction shall be curriculum related to the dangers of  
9 marijuana-impaired driving such as the course provided by AAA or similar equivalent.

10 (k) The curriculum required by subsection (j) of this section shall become effective upon  
11 the effective date of this subsection and shall only be implemented upon the approval of the course  
12 by the state board of education.

13 **31-10-19.Driver education— Traffic safety education. [Contingent effective date; see**  
14 **note.]**

15 (a) The community college of Rhode Island shall provide thirty-three (33) hours of  
16 classroom instruction for applicants or prospective applicants, not more than twenty-one (21) years  
17 of age, for a limited-instruction permit or license. The instruction shall include eight (8) hours,  
18 specifically for instruction on the effects of alcohol and drugs on a driver, and the instruction shall  
19 be given by a person eligible for a teacher's certificate issued under the authority of the state board  
20 of education and which course of instruction shall be approved by the state board of education. In  
21 case of emergency, the president of the community college of Rhode Island may declare, when no  
22 certified instructor is available to teach, that an individual eligible to teach at the community college  
23 of Rhode Island, who has taken the required course of instruction in driver education, may provide  
24 driver education instruction. All driver education programs shall include information concerning  
25 the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title 23, and information on donor  
26 cards pursuant to the applicable provisions of chapter 18.6.1 of title 23. The state board of education  
27 shall ensure that each person properly certified and approved to instruct driver education courses  
28 shall be given an equal opportunity for employment as an instructor within the driver education  
29 program. No person teaching driver education under this section shall own, be employed by, or be  
30 associated with a commercial driving school.

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

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

1 need for a separate program of instruction.

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

9 (e) A tuition or enrollment fee shall be required to be paid by an eligible applicant in  
10 accordance with rules and regulations of the state board of education; provided, that personal  
11 checks shall be an acceptable method of payment of the tuition or enrollment fee. The tuition or  
12 enrollment fee shall be deposited in a restricted receipt account established to pay any and all costs  
13 associated with the driver education program at the community college of Rhode Island and  
14 administered by the community college of Rhode Island.

15 (f) The state board of education is authorized to establish administrative regulations to  
16 further implement this section.

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

25 (h) Notwithstanding any other provisions of this section, the state board of education shall  
26 provide for a required course of instruction for the applicant's parent, guardian, or designee where  
27 applicable, on the content of the driver education curriculum and the requirements for the graduated  
28 licensing for persons under the age of eighteen (18) as contained in § 31-10-6. The course of  
29 instruction shall be made available in a classroom setting at numerous locations, days, and times  
30 throughout the state, approved by the community college of Rhode Island. All costs and expenses  
31 associated with the course of instruction, including, but not limited to, materials, instructors, and  
32 location fees shall be at the sole expense of the program providers. Once approved by the state  
33 board of education, an online course of instruction shall be made available to parent(s), guardian(s),  
34 or designee(s), where applicable, to meet the requirements of this section. Under no circumstances

1 shall any parent, guardian, or designee, where applicable, be required to pay any cost or fee in  
2 association with participation in the course required by this section. Upon completion of the course  
3 pursuant to this section, no parent, guardian, or designee shall be required to take the course more  
4 than one time in a five-year (5) period. Parents, guardians, and designees with multiple children  
5 having completed this course shall be deemed to have satisfied this requirement for each child in  
6 their care applying for his or her license during the five-year (5) period. Should AAA or any other  
7 provider cease to provide the course and no other provider exists, the community college of Rhode  
8 Island shall not be required to provide the course of instruction nor shall it be required to pay any  
9 of the costs associated therewith. Parents, guardians, and designees shall not be required to  
10 complete the course prior to their child obtaining a license during any time at which a qualified  
11 program under this section does not exist. The community college of Rhode Island shall be  
12 responsible to develop the course of instruction and content for the parent instruction, or may  
13 approve a similar course of instruction, such as AAA's course, as equivalent to it, and shall  
14 promulgate regulations and establish the appropriate method of providing the instruction. Should a  
15 qualified program cease to exist for a period of time greater than six (6) months, the course of  
16 instruction will not be required.

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

20 (j) Included in the classroom instruction shall be curriculum related to the dangers of  
21 marijuana-impaired driving such as the course provided by AAA or similar equivalent.

22 (k) The curriculum required by subsection (j) of this section shall become effective upon  
23 the effective date of this subsection and shall only be implemented upon the approval of the course  
24 by the state board of education.

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

=====  
LC001188/SUB A/2  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS'  
LICENSES

\*\*\*

- 1           This act would require curriculum related to the dangers of marijuana-impaired driving
- 2 such as the course provided by AAA or similar equivalent to be added to the curriculum for driver
- 3 education once it has been approved by the state board of education.
- 4           This act would take effect upon passage.

=====  
LC001188/SUB A/2  
=====