

# 2015 -- H 5411 AS AMENDED

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LC001184  
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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 include eight (8) hours, specifically for instruction on the  
7 effects of alcohol and drugs on a driver, and the classroom instruction shall be given by a person  
8 eligible for a teacher's certificate issued under the authority of the state ~~board of regents~~ board of  
9 education and which course of instruction shall be approved by the state board of ~~governors for~~  
10 ~~higher~~ education. In case of emergency, the President of the Community College of Rhode Island  
11 may declare, when no certified instructor is available to teach, an individual eligible to teach at  
12 the Community College of Rhode Island who has taken the required course of instruction in  
13 driver education, may provide driver education instruction. All driver education programs shall  
14 include information concerning the Anatomical Gift Act, chapter 18.6 of title 23, and information  
15 on donor cards pursuant to the applicable provisions of chapter 18.6 of title 23. The board of  
16 ~~governors for higher~~ education shall ensure that each person properly certified and approved to  
17 instruct driver education courses shall be given an equal opportunity for employment as an  
18 instructor within the driver education program. No person teaching ~~the classroom course of~~ driver  
19 education under this section shall own, be employed by, or be associated with a commercial

1 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~~ board of education is authorized to  
21 establish administrative 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) Notwithstanding any other provisions of this section, the ~~The~~ board of ~~governors~~  
31 education for higher education shall provide ~~for an optional and voluntary~~ a required course of  
32 instruction for the applicant's parent, guardian, or designee where applicable, on the content of the  
33 driver education curriculum and the requirements for the graduated licensing for persons under  
34 the age of eighteen (18) as contained in § 31-10-6. The course of instruction shall be made

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

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

14 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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