

The House Committee on Motor Vehicles offers the following substitute to HB 795:

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 10 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated,  
 2 relating to the Georgia Driver's Education Commission, so as to transfer such commission  
 3 from the Department of Driver Services to the Governor's Office of Highway Safety; to  
 4 provide for a purpose of such commission; to provide for limitations on the disbursement of  
 5 funds for driver education and training; to extend the sunset applicable to penalties for  
 6 violations of traffic laws or ordinances; to amend Title 20 of the Official Code of Georgia  
 7 Annotated, relating to education, so as to provide for a limitation upon the issuance of grants  
 8 to secondary public schools for the provision of driver education training courses and  
 9 programs; to provide for conditions and limitations upon the provision of driver education  
 10 and training by institutions within the Technical College System of Georgia; to require  
 11 certain action by the Department of Driver Services; to amend Code Section 43-13-10 of the  
 12 Official Code of Georgia Annotated, relating to exceptions to chapter relative to driver  
 13 training schools, so as to remove technical colleges from exceptions to such chapter; to  
 14 provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
 15 for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17 **SECTION 1.**

18 Article 10 of Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to  
 19 the Georgia Driver's Education Commission, is amended by revising Code Section  
 20 15-21-172, relating to the establishment of such commission, as follows:

21 "15-21-172.

22 There is established the Georgia Driver's Education Commission, which is assigned to the  
 23 ~~Department of Driver Services~~ Governor's Office of Highway Safety for administrative  
 24 purposes only, as prescribed in Code Section 50-4-3."

25 **SECTION 2.**

26 Said article is further amended by revising Code Section 15-21-178, relating to disbursement  
27 of funds for driver education and training, as follows:

28 "15-21-178.

29 (a) The purpose of the commission shall be to provide funds for the promotion of driver's  
30 education programs in areas of the state where such services are not available by a private  
31 company. The commission may authorize the disbursement of available funds from  
32 moneys appropriated to the commission by the General Assembly for purposes of  
33 providing driver education and training programs consistent with the standards required by  
34 the Department of Driver Services under Chapter 5 of Title 40 to obtain a driver's license  
35 to a person, entity, or program eligible pursuant to criteria to be set by the commission,  
36 provided that:

37 (1) No disbursement shall be made to a secondary school receiving state funds and  
38 providing driver education programs when such services are provided by a private  
39 company within the geographic jurisdiction of the school district;

40 (2) No disbursement shall be made to a secondary school receiving state funds and  
41 providing driver education programs outside the geographic jurisdiction of the school  
42 district;

43 (3) No disbursement shall be made to a secondary school receiving state funds that  
44 provides driver education programs to a student not enrolled in the school; and

45 (4) No disbursement shall be made to any institution within the Technical College  
46 System of Georgia providing driver education programs when such services are provided  
47 by a private company within the county where a campus is located.

48 (b) The commission shall weigh the objective to promote driver education programs with  
49 the promotion of private business when authorizing the disbursement of available funds.

50 (c) Nothing in this Code section shall be construed to limit the authority of the Department  
51 of Driver Services under Chapter 13 of Title 43, 'The Driver Training School and  
52 Commercial Driver Training School License Act.'

53 **SECTION 3.**

54 Said article is further amended in Code Section 15-21-179, relating to additional penalty for  
55 violation of traffic laws or ordinances, by revising subsection (c) as follows:

56 "(c) This Code section shall be repealed in its entirety on ~~June 30, 2016~~ June 30, 2019,  
57 unless extended by an Act of the General Assembly."

58 **SECTION 4.**

59 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
60 revising Code Section 20-2-257, relating to grants for driver education courses for secondary  
61 school students, as follows:

62 "20-2-257.

63 The State Board of Education shall provide public secondary schools and local school  
64 systems with grants, subject to appropriation by the General Assembly and pursuant to  
65 applications made at the discretion of such systems. The purpose of such grants shall be  
66 to support motor vehicle driver education courses and programs for secondary school  
67 students. The amount of such grants shall be reflective of the most recent counts of age 15,  
68 16, and 17 year old secondary school students in the public schools or local school systems.

69 No grant shall be awarded to a public school which provides driver education courses or  
70 programs to students not enrolled in such school. The public schools or local school

71 systems receiving such grants may expend these funds only for purposes of providing  
72 driver education courses or programs to secondary school students. Such courses or  
73 programs may be provided directly by the local school system or by contract with a private  
74 driver education school licensed by the Department of Driver Services. Such grants shall  
75 be supplemental to any other provision of state funds for such driver education courses or  
76 programs. The state board shall prescribe criteria, policies, and standards deemed  
77 necessary for the effective implementation of this Code section."

78 **SECTION 5.**

79 Said title is further amended by adding a new Code section to read as follows:

80 "20-4-18.1.

81 (a) Any driver education program offered by an institution within the Technical College  
82 System of Georgia shall be conducted by a driver training school licensed pursuant to  
83 Chapter 13 of Title 43, 'The Driver Training School and Commercial Driver Training  
84 School License Act,' which has provided such program to an educational institution for at  
85 least five years.

86 (b) Prior to entering into an agreement with a licensed driver training school for the  
87 provision of driver education, an institution within the Technical College System of  
88 Georgia shall verify that such licensed driver training school has the resources and capacity  
89 to operate a driver education program."

90 **SECTION 6.**

91 Code Section 43-13-10 of the Official Code of Georgia Annotated, relating to exceptions to  
92 chapter relative to driver training schools, is amended by revising subsection (a) as follows:

93 "(a) This chapter shall not apply to a college which is not a technical college conducting  
94 a driver or commercial driver training course; nor shall it apply to driver improvement  
95 schools operated by the state or by a county or municipality."

96 **SECTION 7.**

97 This Act shall become effective on July 1, 2016.

98 **SECTION 8.**

99 All laws and parts of laws in conflict with this Act are repealed.