

2017 -- H 5457 SUBSTITUTE A

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LC001316/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

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

Introduced By: Representatives Shekarchi, Casimiro, Williams, Vella-Wilkinson, and
Solomon

Date Introduced: February 09, 2017

Referred To: House Health, Education & Welfare

(by request)

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.**

4 (a) The Community College of Rhode Island shall provide thirty-three (33) hours of
5 classroom instruction for applicants or prospective applicants, not more than twenty-one (21)
6 years of age for a limited instruction permit or license. The instruction shall include eight (8)
7 hours, specifically for instruction on the effects of alcohol and drugs on a driver, and the
8 instruction shall be given by a person eligible for a teacher's certificate issued under the authority
9 of the state board of regents and which course of instruction shall be approved by the [state](#) board
10 of ~~governors for higher~~ education. In case of emergency, the President of the Community College
11 of Rhode Island may declare, when no certified instructor is available to teach, an individual
12 eligible to teach at the Community College of Rhode Island who has taken the required course of
13 instruction in driver education, may provide driver education instruction. All driver education
14 programs shall include information concerning the Anatomical Gift Act, chapter 18.6 of title 23,
15 and information on donor cards pursuant to the applicable provisions of chapter 18.6 of title 23.
16 The [state](#) board of ~~governors for higher~~ education shall ensure that each person properly certified
17 and approved to instruct driver education courses shall be given an equal opportunity for
18 employment as an instructor within the driver education program. No person teaching driver

1 education under this section shall own, be employed by, or be associated with a commercial
2 driving school.

3 (b) Driver education instruction shall be available to any eligible resident applicant not
4 less 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
14 tuition 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.
18 The tuition or enrollment fee shall be deposited in a restricted receipt account established to pay
19 any and all costs associated with the driver education program at the Community College of
20 Rhode Island and administered by the Community College of Rhode Island.

21 (f) The state board of ~~governors for higher~~ education is authorized to establish
22 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 provisions of this section, the ~~The~~ state board of ~~governors~~
32 ~~for higher~~ education shall provide for ~~an optional and voluntary~~ a required course of instruction
33 for the applicant's parent, guardian, or designee where applicable, on the content of the driver
34 education curriculum and the requirements for the graduated licensing for persons under the age

1 of eighteen (18) as contained in § 31-10-6. The course of instruction shall be made available in a
2 classroom setting at numerous locations, days and times throughout the state. Once approved by
3 the state board of education, an online course of instruction shall be made available to parent(s),
4 guardian(s), or designee(s), where applicable, to meet the requirements of this section. Under no
5 circumstances shall any parent, guardian, or designee, where applicable, be required to pay any
6 cost or fee in association with participation in the course required by this section. Any student
7 who can demonstrate to the student's school principal or guidance counselor that having a parent
8 or guardian complete this course of instruction would create an undue hardship on the family may
9 receive a waiver from fulfilling the requirements of this section. The community college of
10 Rhode Island shall be responsible to develop the course of instruction and content for the parent
11 instruction, or may approve a similar course of instruction, such as AAA's course, as equivalent
12 to it, and shall promulgate regulations and establish the appropriate method of providing the
13 instruction. Should a qualified program cease to exist for a period of time greater than six (6)
14 months, the course of instruction will not be required.

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

18 SECTION 2. This act shall take effect on January 1, 2018.

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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 establish a free course of instruction for the parent, guardian, or designee
- 2 of a child enrolled in a driver education program.
- 3 This act would take effect on January 1, 2018.

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