2017 -- H 5457 SUBSTITUTE A AS AMENDED

STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2017

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:

SECTION 1. Section 31-10-19 of the General Laws in Chapter 31-10 entitled "Operators' and Chauffeurs' Licenses" is hereby amended to read as follows:


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

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

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

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

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

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

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

(h) Notwithstanding any other provisions of this section, the state board of governors
for higher education shall provide for an optional and voluntary course of instruction
for the applicant's parent, guardian, or designee where applicable, on the content of the driver
education curriculum and the requirements for the graduated licensing for persons under the age
of eighteen (18) as contained in § 31-10-6. The course of instruction shall be made available in a classroom setting at numerous locations, days and times throughout the state, approved by the Community College of Rhode Island. All costs and expenses associated with the course of instruction, including, but not limited to, materials, instructors and location fees shall be at the sole expense of the program providers. Once approved by the state board of education, an online course of instruction shall be made available to parent(s), guardian(s), or designee(s), where applicable, to meet the requirements of this section. Under no circumstances shall any parent, guardian, or designee, where applicable, be required to pay any cost or fee in association with participation in the course required by this section. Upon completion of the course pursuant to this section, no parent, guardian or designee shall be required to take the course more than one time in a five (5) year period. Parents, guardians and designees with multiple children having completed this course shall be deemed to have satisfied this requirement for each child in their care applying for his or her license during the five (5) year period. Should AAA, or any other provider, cease to provide the course and no other provider exists, the Community College of Rhode Island shall not be required to provide the course of instruction nor shall it be required to pay any of the costs associated therewith. Parents, guardians and designees shall not be required to complete the course prior to their child obtaining a license during any time at which a qualified program under this section does not exist. The community college of Rhode Island shall be responsible to develop the course of instruction and content for the parent instruction, or may approve a similar course of instruction, such as AAA's course, as equivalent to it, and shall promulgate regulations and establish the appropriate method of providing the instruction. Should a qualified program cease to exist for a period of time greater than six (6) months, the course of instruction will not be required.

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

SECTION 2. This act shall take effect on January 1, 2018 become effective upon approval of an online version of the course by the board of education but no sooner than January 1, 2018.
This act would establish a free course of instruction for the parent, guardian, or designee of a child enrolled in a driver education program.

This act would take effect on January 1, 2018 and become effective upon approval of an online version of the course by the board of education but no sooner than January 1, 2018.