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By: **Delegate Dembrow**

Introduced and read first time: February 11, 2000

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Driver Education Programs in Public Schools - State Funding**

3 FOR the purpose of providing for State funding for driver education programs in  
4 public schools; requiring the State Department of Education, with the  
5 endorsement of the Motor Vehicle Administration, to adopt and enforce certain  
6 regulations regarding driver education programs in public schools; providing for  
7 the transfer of certain State funds to certain high schools as reimbursement for  
8 certain driver education program costs; establishing a driver education account  
9 in the Transportation Trust Fund; providing for the payment of a certain  
10 surcharge for the issuance of certain drivers' licenses and the deposit of that  
11 money in the Transportation Trust Fund for the benefit of the driver education  
12 account; and generally relating to State funding for driver education programs  
13 in public schools.

14 BY repealing and reenacting, with amendments,  
15 Article - Education  
16 Section 7-414  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume)

19 BY repealing and reenacting, with amendments,  
20 Article - Transportation  
21 Section 16-505 and 16-507  
22 Annotated Code of Maryland  
23 (1999 Replacement Volume and 1999 Supplement)

24 BY adding to  
25 Article - Transportation  
26 Section 16-507  
27 Annotated Code of Maryland  
28 (1999 Replacement Volume and 1999 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Education**

4 7-414.

5 (a) (1) Each county board may offer instruction in the safe operation of a  
6 motor vehicle to high school students who are 15 years old or older.

7 (2) The instruction shall be given as provided by Title 16, Subtitle 5 of  
8 the Transportation Article.

9 (3) Each county board shall determine whether the course is an elective  
10 or a required course.

11 (4) The State Board shall determine what credit, if any, is allowed to  
12 successful students of the course.

13 (b) The principal of each school that offers the driver education course shall  
14 arrange the time set aside for actual driving instruction so that it does not interfere  
15 with other school work.

16 (c) (1) Each motor vehicle used for instruction shall bear the identification  
17 required by the Motor Vehicle Administration.

18 (2) If practicable, the actual driving instruction shall be conducted on  
19 private or public property that is removed from State roads.

20 **Article - Transportation**

21 16-505.

22 (a) (1) SUBJECT TO THE PRIOR ENDORSEMENT OF THE REGULATIONS BY  
23 THE ADMINISTRATION, THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT AND  
24 ENFORCE REGULATIONS CONSISTENT WITH THIS SUBTITLE TO IMPLEMENT THE  
25 PROGRAM FOR DRIVER EDUCATION IN SCHOOLS AUTHORIZED UNDER § 7-414 OF THE  
26 EDUCATION ARTICLE.

27 (2) Subject to the prior endorsement of the regulations by the State  
28 Superintendent of Schools, the Administration shall adopt and enforce regulations  
29 not inconsistent with this subtitle to implement a standardized driver education  
30 program conducted by licensed drivers' schools under its jurisdiction.

31 (b) Regulations adopted under this section shall be administered by THE  
32 STATE DEPARTMENT OF EDUCATION AND the Administration FOR THEIR  
33 RESPECTIVE DRIVER EDUCATION PROGRAMS, and shall include:

34 (1) Curriculum, equipment, and facility standards for classroom,  
35 laboratory, and on-road instruction phases;

1 (2) Minimum student performance standards for an approved driver  
2 education program, consisting of at least 30 hours of classroom instruction and at  
3 least 6 hours of highway driving instruction;

4 (3) Standards for the certification of schools and instructors;

5 (4) PROCEDURES FOR PAYMENT OF STATE REIMBURSEMENT BY THE  
6 STATE DEPARTMENT OF EDUCATION AND THE ADMINISTRATION FOR THEIR  
7 RESPECTIVE DRIVER EDUCATION PROGRAMS;

8 [(4)] (5) A system to evaluate the effectiveness of the driver education  
9 program;

10 [(5)] (6) Standards governing the required offering of the driver  
11 education program, based on the capacity, enrollment, staff, and facilities of the  
12 schools; and

13 [(6)] (7) Standards for the eligibility of individuals to enroll in the  
14 program.

15 16-507.

16 (A) (1) THERE IS A DRIVER EDUCATION ACCOUNT IN THE TRANSPORTATION  
17 TRUST FUND.

18 (2) (I) WHEN THE ADMINISTRATION ISSUES A PROVISIONAL DRIVER'S  
19 LICENSE UNDER § 16-111 OF THIS TITLE OR ISSUES A DRIVER'S LICENSE UNDER §  
20 16-111.1 OF THIS TITLE, EXCEPT FOR CLASS M DRIVERS' LICENSES, THE  
21 ADMINISTRATION SHALL COLLECT A SURCHARGE OF \$8 FOR EACH LICENSE ISSUED.

22 (II) THE SURCHARGES COLLECTED:

23 1. SHALL BE DEPOSITED BY THE ADMINISTRATION IN THE  
24 DRIVER EDUCATION ACCOUNT OF THE TRANSPORTATION TRUST FUND;

25 2. ARE NOT SUBJECT TO THE PROVISIONS OF TITLE 8,  
26 SUBTITLE 4 OF THIS ARTICLE ON THE DISPOSITION OF HIGHWAY USER REVENUES;  
27 AND

28 3. TO THE EXTENT NOT REQUIRED BY ANY LAWFUL PLEDGE,  
29 COVENANT, DEDICATION, OR COMMITMENT FOR THE ANNUAL DEBT SERVICE ON  
30 ANY BONDS REFERRED TO IN § 3-216(E) OF THIS ARTICLE, SHALL BE DISTRIBUTED IN  
31 ACCORDANCE WITH THIS SECTION.

32 (B) (1) THE DEPARTMENT SHALL PROVIDE IN ITS ANNUAL BUDGET FOR THE  
33 REIMBURSEMENT TO AN APPROVED HIGH SCHOOL FOR THE DRIVER EDUCATION  
34 PROGRAM OF AN AMOUNT COMMENSURATE WITH THE FUNDS AVAILABLE IN THE  
35 DRIVER EDUCATION ACCOUNT OF THE TRANSPORTATION TRUST FUND.

1           (2)       THIS AMOUNT MAY NOT EXCEED \$100 FOR EACH ELIGIBLE  
2 INDIVIDUAL COMPLETING THE COURSE.

3           (3)       THE FUNDS PROVIDED FOR UNDER THIS SECTION SHALL BE  
4 INDEPENDENT OF, SEPARATE FROM, AND IN ADDITION TO ANY OTHER STATE AID.

5       (C)       THE STATE DEPARTMENT OF EDUCATION SHALL INCLUDE IN ITS ANNUAL  
6 BUDGET FUNDS FOR ITS ADMINISTRATIVE COSTS THAT ARE INCURRED BY IT AND BY  
7 EACH SCHOOL THAT PARTICIPATES IN THE PROGRAM FOR DRIVER EDUCATION IN  
8 SCHOOLS AUTHORIZED UNDER § 7-414 OF THE EDUCATION ARTICLE.

9 [16-507.] 16-508.

10       This subtitle may be cited as the Maryland Driver Education Program Act.

11       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2000.