

HOUSE BILL 49

Unofficial Copy  
R2

2001 Regular Session  
11r0920  
CF 11r0451

(PRE-FILED)

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By: **Delegate Mandel**

Requested: November 15, 2000

Introduced and read first time: January 10, 2001

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **State Driver's Education Council**

3 FOR the purpose of establishing a State Driver's Education Council; specifying the  
4 membership of the Council; recommending a certain diversity for the  
5 membership of the Council; requiring the Governor to appoint a chairman of the  
6 Council; providing for the terms of the members of the Council; requiring a  
7 certain number of meetings of the Council; prohibiting a member of the Council  
8 from receiving certain compensation; authorizing a member of the Council to  
9 receive reimbursement for certain expenses; specifying the duties of the Council;  
10 providing for staffing of the Council; requiring the Council to submit an annual  
11 report to the Governor and the General Assembly on or before a certain date;  
12 specifying the terms of the initial members of the Council; and generally  
13 relating to the State Driver's Education Council.

14 BY adding to  
15 Article - Transportation  
16 Section 16-508  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2000 Supplement)

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

21 **Article - Transportation**

22 16-508.

23 (A) THERE IS A STATE DRIVER'S EDUCATION COUNCIL.

24 (B) THE COUNCIL SHALL CONSIST OF THE FOLLOWING 17 MEMBERS:

25 (1) ONE MEMBER FROM THE HOUSE OF DELEGATES APPOINTED BY THE  
26 SPEAKER OF THE HOUSE;

1 (2) ONE MEMBER FROM THE SENATE OF MARYLAND APPOINTED BY THE  
2 PRESIDENT OF THE SENATE;

3 (3) THE SECRETARY OF THE STATE POLICE, OR THE SECRETARY'S  
4 DESIGNEE;

5 (4) THE STATE INSURANCE COMMISSIONER, OR THE COMMISSIONER'S  
6 DESIGNEE;

7 (5) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE  
8 SUPERINTENDENT'S DESIGNEE;

9 (6) TWO REPRESENTATIVES OF THE ADMINISTRATION WHO HAVE  
10 RESPONSIBILITY FOR DRIVER AND VEHICLE POLICIES AND PROGRAMS, INCLUDING  
11 DRIVER'S EDUCATION AND LICENSING, DESIGNATED BY THE ADMINISTRATOR;

12 (7) TWO REPRESENTATIVES OF LOCAL BOARDS OF EDUCATION  
13 DESIGNATED BY THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, OF  
14 WHICH:

15 (I) ONE SHALL BE FROM A LOCAL JURISDICTION THAT PROVIDES A  
16 DRIVER EDUCATION PROGRAM ADMINISTERED BY THE BOARD OF EDUCATION, OR  
17 THROUGH A PRIVATE PROVIDER; AND

18 (II) ONE SHALL BE FROM A LOCAL JURISDICTION THAT DOES NOT  
19 PROVIDE A DRIVER EDUCATION PROGRAM;

20 (8) A LOCAL SCHOOL SUPERINTENDENT DESIGNATED BY THE PUBLIC  
21 SCHOOL SUPERINTENDENTS ASSOCIATION OF MARYLAND;

22 (9) A SECONDARY SCHOOL PRINCIPAL DESIGNATED BY THE MARYLAND  
23 ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS;

24 (10) THE PRESIDENT OF THE MARYLAND STATE PARENT TEACHERS  
25 ASSOCIATION, OR THE PRESIDENT'S DESIGNEE; AND

26 (11) THE FOLLOWING MEMBERS TO BE APPOINTED BY THE GOVERNOR:

27 (I) A REPRESENTATIVE OF THE FIRE-RESCUE OR EMERGENCY  
28 MEDICAL SERVICE COMMUNITY;

29 (II) TWO REPRESENTATIVES FROM THE MARYLAND PROFESSIONAL  
30 DRIVER EDUCATION ASSOCIATION; AND

31 (III) TWO MEMBERS OF THE GENERAL PUBLIC.

32 (C) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE COUNCIL  
33 SHALL BE DIVERSE WITH REGARD TO GEOGRAPHIC, RACIAL, AND GENDER  
34 REPRESENTATION.

35 (D) THE GOVERNOR SHALL DESIGNATE THE CHAIRMAN OF THE COUNCIL.

1 (E) (1) THE TERM OF A MEMBER OF THE COUNCIL IS 3 YEARS.

2 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE  
3 TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON OCTOBER 1, 2001.

4 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
5 SUCCESSOR IS APPOINTED AND QUALIFIES.

6 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
7 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
8 QUALIFIES.

9 (F) THE ADVISORY COUNCIL SHALL MEET REGULARLY, AT LEAST TWO TIMES  
10 A YEAR, AT THE CALL OF THE CHAIRMAN.

11 (G) A MEMBER OF THE COUNCIL MAY NOT RECEIVE COMPENSATION FOR  
12 SERVING ON THE COUNCIL, BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES  
13 UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
14 BUDGET.

15 (H) THE COUNCIL SHALL:

16 (1) MAINTAIN OVERSIGHT OF DRIVER EDUCATION ACTIVITIES AND  
17 PROGRAMS IN THE STATE;

18 (2) EXAMINE AND EVALUATE NECESSARY MODIFICATIONS AND  
19 IMPROVEMENTS IN THE DRIVER EDUCATION ACTIVITIES AND PROGRAMS IN THE  
20 STATE; AND

21 (3) MAKE RECOMMENDATIONS BASED ON ITS EVALUATION  
22 CONCERNING DRIVER EDUCATION ACTIVITIES AND PROGRAMS IN THE STATE.

23 (I) THE DEPARTMENT SHALL PROVIDE STAFFING FOR THE COUNCIL.

24 (J) THE COUNCIL SHALL SUBMIT A REPORT TO THE GOVERNOR AND THE  
25 GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT  
26 ARTICLE, ON OR BEFORE OCTOBER 1 OF EACH YEAR.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
28 members of the State Driver's Education Council shall expire as follows:

29 (1) 6 members in 2002;

30 (2) 6 members in 2003; and

31 (3) 5 members in 2004.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2001.