

SENATE BILL 3

Unofficial Copy
R2
SB 453/00 - JPR

2001 Regular Session
11r0451
CF 11r0920

(PRE-FILED)

By: **Senator Middleton**

Requested: September 11, 2000

Introduced and read first time: January 10, 2001

Assigned to: Judicial Proceedings

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.