

House Bill 315

By: Representative Hembree of the 98th

A BILL TO BE ENTITLED
AN ACT

1 To provide for driver education courses and instructional requirements; to amend Part 2 of
2 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
3 competencies and core curriculum, so as to require certain secondary schools to offer courses
4 in driver education; to amend Code Section 40-5-22 of the Official Code of Georgia
5 Annotated, relating to persons not to be licensed, minimum ages for licensees, and school
6 attendance requirements, so as to require a person under 21 years of age to complete a driver
7 education course before obtaining a driver's license; to require driver education and
8 instruction as conditions for issuing drivers' licenses to certain persons; to amend Chapter
9 13 of Title 43 of the Official Code of Georgia Annotated, relating to instructors in driver
10 training and operators of driver training schools, so as to change certain provisions relating
11 to definitions; to change certain provisions relating to exceptions to the operation of said
12 chapter; to provide effective dates; to repeal conflicting laws; and for other purposes.

13 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

14 **SECTION 1.**

15 Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
16 relating to competencies and core curriculum, is amended by adding a new Code Section
17 20-2-148 to read as follows:

18 "20-2-148.

19 (a) On and after July 1, 2001, all schools with grade 11 or above shall make available a
20 driver education course approved under subsection (a.2) of Code Section 40-5-22 which
21 shall be offered not less than once each academic semester or quarter, as applicable, in
22 accordance with any applicable requirements under Chapter 13 of Title 43, 'The Driver
23 Training School License Act.'

24 (b) The funding for such driver education courses shall be borne equally by the state, the
25 school systems, and the students taking the courses."

SECTION 2.

Code Section 40-5-22 of the Official Code of Georgia Annotated, relating to persons not to be licensed, minimum ages for licensees, and school attendance requirements, is amended by inserting a new subsection (a.2) to read as follows:

"(a.2) In addition to any other requirements provided by law, on and after January 1, 2002, the department shall not issue to any person less than 21 years of age any initial Class D driver's license or, in the case of a person who has never been issued a Class D driver's license, any initial Class C driver's license, unless such person has:

(1) Satisfactorily completed a driver education course approved by the department pursuant to this paragraph and taught in a private or public driver training school and under the direct personal supervision of a driver training instructor, which school and instructor were licensed by the department under Chapter 13 of Title 43, 'The Driver Training School License Act.' The commissioner shall by rule or regulation establish standards for approval and proof of satisfactory completion of the driver education course required by this paragraph, provided that such course shall be designed to educate young drivers about the traffic laws of this state and safe driving practices and to train young drivers in the safe operation of motor vehicles and shall require not less than six hours of driving a motor vehicle while under instruction; and

(2) In addition to driving instruction received pursuant to paragraph (1) of this subsection, completed not less than 40 hours of driving under supervision, including at least ten hours at night, which is verified in writing signed before a person authorized to administer oaths by the applicant if he or she is at least 18 years of age or a parent or guardian of the applicant if the applicant is less than 18 years of age. Such supervision may be provided by any licensed Class C driver who is at least 21 years of age, who is fit and capable of exercising control over the vehicle, and who occupies a seat beside the driver."

SECTION 3.

Chapter 13 of Title 43 of the Official Code of Georgia Annotated, relating to instructors in driver training and operators of driver training schools, is amended by striking paragraph (2) of Code Section 43-13-2, relating to definitions, and inserting in lieu thereof the following:

"(2) 'Driver training schools' means any person, partnership, limited liability company, ~~or~~ corporation, entity, or secondary school giving driving instruction to ten or more persons per calendar year for the purpose of assisting such persons to meet the requirements for licensed driving of motor vehicles in this state."

SECTION 4.

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2 Said chapter is further amended by striking Code Section 43-13-10, relating to exceptions
3 to the operation of said chapter, in its entirety and inserting in lieu thereof a new Code
4 Section 43-13-10 to read as follows:

5 "43-13-10.

6 (a) This chapter shall not apply to a college conducting a driver training course; nor shall
7 it apply to driver improvement schools operated by the state or by a county or municipality,
8 except as otherwise provided by subsection (b) of this Code section.

9 (b) The provisions of this chapter other than paragraph (2) of Code Section 43-13-4 shall
10 apply to secondary schools conducting driver training courses and to instructors therefor."

SECTION 5.

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12 This Act shall become effective on July 1, 2001, except that this Act shall become effective
13 for purposes of promulgating rules or regulations upon approval of this Act by the Governor
14 or upon its becoming law without such approval.

SECTION 6.

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16 All laws and parts of laws in conflict with this Act are repealed.