

DRIVER EDUCATION FUNDING AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill amends provisions related to driver education funding.

Highlighted Provisions:

This bill:

▶ authorizes, in certain circumstances, the state superintendent to allocate driver education funds for other purposes; and

▶ makes technical and conforming corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-13-202, as last amended by Laws of Utah 2003, Chapter 23

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-13-202** is amended to read:

53A-13-202. Driver education funding -- Reimbursement of school districts for driver education class expenses -- Limitations -- Excess funds -- Student fees.

(1) (a) Except as provided in Subsection (1)(b), a school district that provides driver



28 education shall fund the program solely through:

29 (i) funds provided from the Automobile Driver Education Tax Account in the Uniform
30 School Fund as created under Section 41-1a-1205; and

31 (ii) student fees collected by each school.

32 (b) In determining the cost of driver education, a school district may exclude:

33 (i) the full-time equivalent cost of a teacher for a driver education class taught during
34 regular school hours; and

35 (ii) classroom space and classroom maintenance.

36 (c) A school district may not use any additional school funds beyond those allowed
37 under Subsection (1)(b) to subsidize driver education.

38 (2) (a) The state superintendent of public instruction shall, prior to September 2nd
39 following the school year during which it was expended, or may at earlier intervals during that
40 school year, reimburse each school district that applied for reimbursement in accordance with
41 this section.

42 (b) A school district that maintains driver education classes that conform to this part
43 and the rules prescribed by the [board] State Board of Education may apply for reimbursement
44 for the actual cost of providing the behind-the-wheel and observation training incidental to
45 those classes.

46 (3) Under the [~~state board's~~] supervision [~~for driver education~~] of the State Board of
47 Education, a school district may:

48 (a) employ personnel who are not licensed by the [board] State Board of Education
49 under Section 53A-6-104 for driver education; or

50 (b) contract with private parties or agencies licensed under Section 53-3-504 for the
51 behind-the-wheel phase of the driver education program.

52 (4) The reimbursement amount shall be paid out of the Automobile Driver Education
53 Tax Account in the Uniform School Fund and may not exceed:

54 (a) \$100 per student who has completed driver education during the school year;

55 (b) \$30 per student who has only completed the classroom portion in the school or
56 through the electronic high school during the school year; or

57 (c) \$70 per student who has only completed the behind-the-wheel and observation
58 portion in the school during the school year.

59 (5) If the amount of money in the account at the end of a school year is less than the
 60 total of the reimbursable costs, the state superintendent of public instruction shall allocate the
 61 money to each school district in the same proportion that its reimbursable costs bear to the total
 62 reimbursable costs of all school districts.

63 (6) If the amount of money in the account at the end of any school year is more than the
 64 total of the reimbursement costs provided under Subsection (4), the superintendent may
 65 allocate the excess funds ~~H→~~ :

65a ~~(a) ←H to H→ a ←H school H→ [districts:]~~ **district or charter school that applies**
 65b **for:**

66 ~~[(a) to reimburse each]~~ **(i) reimbursement to the ←H school district H→ [that applies for**
 66a **reimbursement] or charter school ←H** of the cost of a fee
 67 waived under Section 53A-12-103 for driver education; ~~[and] H→~~ **or**

68 ~~[(b) to]~~ **(ii) ←H** aid in the procurement of equipment and facilities which reduce the cost of
 69 behind-the-wheel instruction[-]; **or**

70 ~~H→ [(c)]~~ **(b) ←H** for any other ~~S→~~ **driver education ←S** purpose as determined by a majority
 70a1 **vote of the State**
 70a **Board of**
 71 **Education.**

72 (7) (a) A local school board shall establish the student fee for driver education for the
 73 school district.

74 (b) Student fees shall be reasonably associated with the costs of driver education that
 75 are not otherwise covered by reimbursements and allocations made under this section.

Legislative Review Note
Office of Legislative Research and General Counsel