

**DRIVER EDUCATION REQUIREMENTS**

1999 GENERAL SESSION

STATE OF UTAH

**Sponsor: Marda Dillree**

AN ACT RELATING TO PUBLIC SAFETY AND PUBLIC EDUCATION; ESTABLISHING CERTAIN BEHIND-THE-WHEEL DRIVER TRAINING REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**53A-13-201**, as last amended by Chapter 48, Laws of Utah 1996

**53A-13-202**, as last amended by Chapter 191, Laws of Utah 1992

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

Section 1. Section **53A-13-201** is amended to read:

**53A-13-201. Driver education established by school districts.**

(1) As used in this part:

(a) "driver education" includes classroom instruction and driving and observation in a dual-controlled motor vehicle; and

(b) "driving" means operating a dual-controlled motor vehicle under the supervision of an approved instructor.

~~[(1)]~~ (2) (a) Local school districts may establish and maintain driver education classes for pupils.

(b) A school that provides driver education shall provide opportunity for each pupil enrolled in that school to take the written test and be issued a practice permit when the pupil is 15 years and nine months of age.

~~[(2) "Driver education," as used in this chapter, includes classroom instruction and behind-the-wheel driving and observation in a dual-controlled automobile.]~~

(3) The ~~[aims and purposes]~~ purpose of driver education ~~[are]~~ is to help develop the knowledge, attitudes, habits, and skills necessary for the safe operation of motor vehicles.

(4) The State Board of Education shall prescribe rules for driver education classes in the

public schools.

(5) The rules under Subsection (4) shall require at least one hour of classroom training on the subject of railroad crossing safety for each driver education pupil.

(6) (a) Except as provided in Subsection (6)(b), driver education offered under this part and used to satisfy the driver training requirement under Section 53-3-204 shall include at least six hours of driving a motor vehicle for each student.

(b) No more than three hours of the behind-the-wheel driving may be substituted as follows:

(i) A maximum of one of the hours may be achieved by completing not less than four hours of driving simulation on an approved driving simulator.

(ii) A maximum of three of the hours may be achieved by completing not less than six hours of range driving on an approved driving range, with each two hours of range driving equivalent to one hour of the driving required under Subsection (6)(a).

(c) The driving required under Subsection (6)(a) shall include, if feasible, driving on interstate and other multi-lane highways.

Section 2. Section **53A-13-202** is amended to read:

**53A-13-202. Reimbursement of school districts for driver education class expenses --  
Limitations -- Excess funds.**

(1) The state superintendent of public instruction shall, prior to September 2nd following the school year during which it was expended, or may at earlier intervals during that school year, reimburse each school district that applied for reimbursement and maintains driver education classes that conform to Section 53A-13-201 and the rules prescribed by the board for the actual cost of providing the behind-the-wheel and observation training incidental to those classes.

(2) Under the state board's supervision, a school district may employ noncertified personnel or may contract with private parties or agencies for the behind-the-wheel phase of the driver's education program.

(3) The reimbursement amount shall be paid out of the Automobile Driver Education Fee Account in the Uniform School Fund and may not exceed the state average behind-the-wheel and observation training costs based on uniform accounting for the preceding year but not to exceed \$90

per student who has completed such a standard driver education course during the school year.

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

(5) If the amount of money in the account at the end of any school year is more than the total of the reimbursement costs, the superintendent may allocate the excess funds to school districts to aid in the procurement of equipment and facilities which reduce the cost of behind-the-wheel instruction.

**Section 3. Effective date.**

This act takes effect on July 1, 1999.