

1 **FULLY INTERACTIVE DRIVING**
2 **SIMULATORS IN DRIVER EDUCATION**

3 2003 GENERAL SESSION

4 STATE OF UTAH

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11 **This act modifies the Public Safety Code and the State System of Public Education Code**
12 **by amending driver education provisions. This act allows certain interactive driving**
13 **simulation devices to be used to substitute for up to three of the six hours of**
14 **behind-the-wheel driving required for a driver education course at the rate of two hours**
15 **of practice on an interactive driving simulation device equals one hour of**
16 **behind-the-wheel driving. This act also allows up to five hours completed by driving**
17 **simulation practice to be used toward the total behind-the-wheel hours that a parent**
18 **must certify before a minor can obtain a provisional driver license. This act requires the**
19 **same behind-the-wheel driving hours for both private driver education schools and**
20 **public education driver education courses. This act makes technical changes. This act**
21 **takes effect on July 1, 2003.**

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

23 AMENDS:

24 **53-3-211**, as last amended by Chapters 28 and 216, Laws of Utah 1999

25 **53-3-505**, as renumbered and amended by Chapter 234, Laws of Utah 1993

26 **53A-13-201**, as last amended by Chapter 29, Laws of Utah 1999

27 ENACTS:

28 **53-3-505.5**, Utah Code Annotated 1953



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

30 Section 1. Section **53-3-211** is amended to read:

31 **53-3-211. Application of minors -- Liability of person signing application --**
32 **Cancellation of cosigning adult's liability -- Behind-the-wheel driving certification.**

33 (1) As used in this section, "minor" means any person younger than 18 years of age
34 who is not married or has not been emancipated by adjudication.

35 (2) (a) The application of a minor for a temporary learner permit, practice permit, or
36 provisional license shall be signed by the parent or guardian of the applicant.

37 (b) If the minor applicant does not have a parent or guardian, then a responsible adult
38 who is willing to assume the obligation imposed under this chapter may sign the application.

39 (3) (a) Except as provided in Subsection (4), the liability of a minor for civil
40 compensatory damages caused when operating a motor vehicle upon a highway is imputed to
41 the person who has signed the application of the minor under Subsection (2).

42 (b) The person who has signed the application under Subsection (2) is jointly and
43 severally liable with the minor as provided in Subsections (3)(a) and (c).

44 (c) The liability imposed under Subsections (3)(a) and (b) is limited to the policy
45 minimum limits established in Section 31A-22-304.

46 (d) The liability provisions in this Subsection (3) are in addition to the liability
47 provisions in Section 53-3-212.

48 (4) If owner's or operator's security covering the minor's operation of the motor vehicle
49 is in effect in amounts as required under Section 31A-22-304, the person who signed the
50 minor's application under Subsection (2) is not subject to the liability imposed under
51 Subsection (3).

52 (5) (a) A person who has signed the application of a minor under Subsection (2) may
53 file with the division a verified written request that the permit or license of the minor be
54 canceled.

55 (b) The division shall then cancel the permit or license of the minor, and the person
56 who signed the application of the minor under Subsection (2) is relieved from the liability
57 imposed under Subsection (3) or the minor operating a motor vehicle subsequent to the
58 cancellation.

59 (6) (a) The division upon receipt of satisfactory evidence of the death of the person

60 who signed the application of a minor under Subsection (2) shall cancel the permit or license
61 and may not issue a new permit or license until a new application, signed and verified, is made
62 under this chapter.

63 (b) This Subsection (6) does not apply to an application of a person who is no longer a
64 minor.

65 (7) (a) In addition to the liability assumed under this section, the person who signs the
66 application of a minor for a provisional license must certify that the minor applicant, under the
67 authority of a permit issued under this chapter, has completed at least 30 hours of driving a
68 motor vehicle, of which at least ten hours shall be during night hours after sunset.

69 (b) The hours of driving a motor vehicle [~~in a driver education course may be counted~~
70 ~~a part of the requirement~~] required under Subsection (7)(a)[~~;~~] may include:

71 (i) hours completed in a driver education course as required under Subsection
72 53-3-505.5(1); and

73 (ii) up to five hours completed by driving simulation practice on a fully interactive
74 driving simulation device at the substitution rate provided under Subsection 53-3-505.5(2)(b).

75 Section 2. Section **53-3-505** is amended to read:

76 **53-3-505. School license -- Contents of rules.**

77 (1) [~~The~~] In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking
78 Act, the commissioner shall make rules regarding the requirements for:

79 (a) a school license, including requirements concerning:

80 (i) locations;

81 (ii) equipment;

82 (iii) courses of instruction;

83 (iv) instructors;

84 (v) previous records of the school and instructors;

85 (vi) financial statements;

86 (vii) schedule of fees and charges;

87 (viii) character and reputation of the operators and instructors;

88 (ix) insurance as the commissioner determines necessary to protect the interests of the
89 public; and

90 (x) other provisions the commissioner may prescribe for the protection of the public;

91 and

92 (b) an instructor's license, including requirements concerning:

93 (i) moral character;

94 (ii) physical condition;

95 (iii) knowledge of the courses of instruction;

96 (iv) motor vehicle laws and safety principles and practices;

97 (v) previous personnel and employment records; and

98 (vi) other provisions the commissioner may prescribe for the protection of the public;

99 [~~and~~]

100 (c) applications for licenses[-]; and

101 (d) minimum standards for:

102 (i) driving simulation devices that are fully interactive under Subsection

103 53-3-505.5(2)(b); and

104 (ii) driving simulation devices that are not fully interactive under Subsection

105 53-3-505.5(2)(c).

106 (2) Rules made by the commissioner shall require that a commercial driver training
107 school offering motorcycle rider education meet or exceed the standards established by the
108 Motorcycle Safety Foundation.

109 (3) Rules made by the commissioner shall require that an instructor of motorcycle rider
110 education meet or exceed the standards for certification established by the Motorcycle Safety
111 Foundation.

112 (4) The commissioner may call upon the state superintendent of public instruction for
113 assistance in formulating appropriate rules.

114 Section 3. Section **53-3-505.5** is enacted to read:

115 **53-3-505.5. Behind-the-wheel training requirements.**

116 (1) Except as provided under Subsection (2), a driver education course under this part
117 or Title 53A, Chapter 13, Part 2, Driver Education Classes that is used to satisfy the driver
118 training requirement under Section 53-3-204 shall require each student to complete at least six
119 hours of behind-the-wheel driving a dual-control motor vehicle with a certified instructor
120 seated in the front seat next to the student driver.

121 (2) Up to three hours of the behind-the-wheel driving may be substituted as follows:

122 (a) two hours of range driving on an approved driving range under Section 53A-13-201
123 equals one hour of the behind-the-wheel driving required under Subsection (1);

124 (b) two hours of driving simulation practice on a driving simulation device that is fully
125 interactive as set forth in rules made under Section 53-3-505, equals one hour of the
126 behind-the-wheel driving required under Subsection (1); and

127 (c) four hours of driving simulation practice on a driving simulation device that is not
128 fully interactive as set forth in rules made under Section 53-3-505, equals one hour of the
129 behind-the-wheel driving required under Subsection (1), with a maximum of one hour of the
130 behind-the-wheel driving required under Subsection (1) that may be substituted under this
131 Subsection (2)(c).

132 (3) The behind-the-wheel driving required under Subsection (1) shall include, if
133 feasible, driving on interstate and other multilane highways.

134 Section 4. Section **53A-13-201** is amended to read:

135 **53A-13-201. Driver education established by school districts.**

136 (1) As used in this part:

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

139 (b) "driving" or "behind-the-wheel driving" means operating a dual-controlled motor
140 vehicle under the supervision of [~~an approved~~] a certified instructor.

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

143 (b) A school that provides driver education shall provide opportunity for each pupil
144 enrolled in that school to take the written test and be issued a practice permit when the pupil is
145 15 years and nine months of age.

146 (3) The purpose of driver education is to help develop the knowledge, attitudes, habits,
147 and skills necessary for the safe operation of motor vehicles.

148 (4) [~~The~~] In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking
149 Act, the State Board of Education shall [~~prescribe~~] make rules for driver education [~~classes~~]
150 offered in the public schools.

151 (5) The rules under Subsection (4) shall:

152 (a) require at least one hour of classroom training on the subject of railroad crossing

153 safety for each driver education pupil[-]; and

154 (b) establish minimum standards for approved driving ranges under Section
155 53-3-505.5.

156 ~~(6) [(a) Except as provided in Subsection (6)(b);]~~ The requirements of Section
157 53-3-505.5 apply to any behind-the-wheel driving training provided as part of driver education
158 offered under this part and used to satisfy the driver training requirement under Section
159 53-3-204 [shall include at least six hours of driving a motor vehicle for each student].

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

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

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

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

169 **Section 5. Effective date.**

170 This act takes effect on July 1, 2003.

Legislative Review Note
as of 1-16-03 1:53 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note**Fully Interactive Driving Simulators in Driver Education***04-Feb-03***Bill Number HB0108***2:43 PM*

State Impact

Provisions of this bill may be handled within existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst