

DRIVER EDUCATION CURRICULUM

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Tilton

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Public Safety Code and the State System of Public Education Code by amending provisions relating to driver education curriculum.

Highlighted Provisions:

This bill:

- ▶ provides that a student enrolled in a driver education course is required to study and submit a ten-page written report on a fatal motor vehicle accident involving a person who is under 18 years of age;
- ▶ specifies requirements for the written report;
- ▶ requires a school or local school district to maintain a database of information on fatal motor vehicle accidents involving persons under the age of 18; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-211, as last amended by Chapter 201, Laws of Utah 2006

53-3-505.5, as enacted by Chapter 121, Laws of Utah 2003



53A-13-201, as last amended by Chapter 201, Laws of Utah 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

59 cancellation.

60 (6) (a) The division upon receipt of satisfactory evidence of the death of the person
61 who signed the application of a minor under Subsection (2) shall cancel the permit or license
62 and may not issue a new permit or license until a new application, signed and verified, is made
63 under this chapter.

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

66 (7) (a) In addition to the liability assumed under this section, the person who signs the
67 application of a minor for a provisional license must certify that the minor applicant, under the
68 authority of a permit issued under this chapter, has completed at least 40 hours of driving a
69 motor vehicle, of which at least ten hours shall be during night hours after sunset.

70 (b) The hours of driving a motor vehicle 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)(b); 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 **53-3-505.5** is amended to read:

76 **53-3-505.5. Driver education course requirements.**

77 (1) Except as provided under Subsection (2), a driver education course under this part
78 or Title 53A, Chapter 13, Part 2, Driver Education Classes that is used to satisfy the driver
79 training requirement under Section 53-3-204 shall require each student to:

80 (a) study and submit a ten-page written report on a fatal motor vehicle accident
81 involving a driver who is under 18 years of age; and

82 (b) complete at least six hours of behind-the-wheel driving a dual-control motor
83 vehicle with a certified instructor seated in the front seat next to the student driver.

84 (2) Up to three hours of the behind-the-wheel driving under Subsection (1)(b) may be
85 substituted as follows:

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

88 (b) two hours of driving simulation practice on a driving simulation device that is fully
89 interactive as set forth in rules made under Section 53-3-505, equals one hour of the

90 behind-the-wheel driving required under Subsection (1)(b); and

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

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

98 (4) (a) The written report under Subsection (1)(a) shall:

99 (i) include a biography of the deceased person involved in the fatal motor vehicle
100 accident; and

101 (ii) be submitted to the instructor of the driver education course.

102 (b) (i) Except as provided in Subsection (4)(b)(ii), the fatal motor vehicle accident that
103 is the subject of the report required under Subsection (1)(a) shall:

104 (A) be within the local school district boundaries of the school district offering the
105 driver education course or the city where the student writing the report resides; and

106 (B) have occurred within the last five years.

107 (ii) If a fatal motor vehicle accident involving a person under the age of 18 has not
108 occurred that satisfies the requirements of Subsection (4)(b)(i), the student shall submit a report
109 required under Subsection (1)(a) on the most recent fatal motor vehicle accident involving a
110 person under 18 years of age within the local school district boundaries of the school district
111 offering the driver education course or the city where the student writing the report resides.

112 Section 3. Section **53A-13-201** is amended to read:

113 **53A-13-201. Driver education established by school districts.**

114 (1) As used in this part:

115 (a) "Driver education" includes classroom instruction and driving and observation in a
116 dual-controlled motor vehicle.

117 (b) "Driving" or "behind-the-wheel driving" means operating a dual-controlled motor
118 vehicle under the supervision of a certified instructor.

119 (2) (a) Local school districts may establish and maintain driver education for pupils.

120 (b) A school or local school district that provides driver education shall provide an

121 opportunity for each pupil enrolled in that school or local school district to take the written test
122 when the pupil is 15 years and nine months of age.

123 (c) Notwithstanding the provisions of Subsection (2)(b), a school or local school
124 district that provides driver education may provide an opportunity for each pupil enrolled in
125 that school or school district to take the written test when the pupil is 15 years of age.

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

128 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
129 State Board of Education shall make rules for driver education offered in the public schools.

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

131 (a) require at least one hour of classroom training on the subject of railroad crossing
132 safety for each driver education pupil; ~~and~~

133 (b) establish minimum standards for approved driving ranges under Section
134 53-3-505.5[:]; and

135 (c) require submission of the written report in accordance with Section 53-3-505.5.

136 (6) The requirements of Section 53-3-505.5 apply to any classroom instruction or
137 behind-the-wheel driving training provided as part of driver education offered under this part
138 and used to satisfy the driver training requirement under Section 53-3-204.

139 (7) A school or local school district that provides driver education shall maintain a
140 database of information on fatal motor vehicle accidents involving persons under 18 years of
141 age so that students may research the information and comply with the written report
142 requirement under Section 53-3-505.5.

Legislative Review Note
as of 1-22-07 11:23 AM

Office of Legislative Research and General Counsel

H.B. 322 - Driver Education Curriculum

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals and businesses. Local districts may be impacted due to the requirement of developing and maintaining a database.

1/24/2007, 3:54:32 PM, Lead Analyst: Schoenfeld, J.D.

Office of the Legislative Fiscal Analyst