



HOUSE BILL 833: Driver Education Oversight/Lane Departure.

2017-2018 General Assembly

Committee:	House Transportation	Date:	April 24, 2017
Introduced by:	Reps. Johnson, Torbett, Howard, Horn	Prepared by:	Giles Perry
Analysis of:	PCS to First Edition H833-CSRW-20		Staff Attorney

OVERVIEW: *House Bill 833 (proposed committee substitute) would establish an Office of Driver Education Services to administer the driver education program in the Department of Public Instruction (DPI).*

The PCS adds Sections 6 and 7, which would direct the Department of Public Instruction to study the advisability of adding lane departure to the actual driving portion of the driver education curriculum. This language is also included in House Bill 553.

CURRENT LAW: G.S. 115C-105.15(b)(11) provides that fund may not be transferred into the driver education allotment category.

G.S. 115C-215 establishes the State Board of Education's (SBOE) administration of driver education as follows:

- The SBOE establishes standards for driver education, and implements a strategic plan for the program that includes goals and performance indicators.
- The Superintendent of Public Instruction organizes and administers a program of driver education for public high schools for qualified persons.
- The SBOE adopts rules to allow local boards of education to contract to provide driver education.
- Fees from the motor vehicle registration late fee are dedicated revenue for the driver education program.

BILL ANALYSIS: HB 833 (PCS) would make the following changes:

Section 1: Allow funds to be transferred out of the driver education allotment category for the sole purpose of supporting driver education in other local school administrative units.

Section 2: Establish an Office of Driver Education Services (ODES), staffed by a full-time director and other personnel as necessary, to administer the driver education program in the Department of Public Instruction (DPI). Responsibilities would include the following:

- Developing a 3 year strategic plan for the driver education program in lieu of the SBOE strategic plan. This plan would be reviewed January 15, 2018 and every 3 years thereafter by the SBOE.
- Assuring implementation of a standard curriculum.
- Maintaining an advisory committee of stakeholders.

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- Verifying accuracy of local school administrative unit (LEA) cost and other data, and developing a Web based system for reporting.
- Publishing an annual report of expenditures on driver education by LEAs.
- Providing driver education instructor resources, and identifying and sharing best practices.
- Conducting an annual performance evaluation of the driver education program that allows numerical performance comparisons among entities providing driver education.
- LEAs would be required to report annually on specific criteria to the ODES on the driver education training program. DPI could withhold up to 5% of State funds for driver education from an LEA until the report was submitted.
- ODES would provide technical assistance to local boards of education to develop and implement a competitive selection process for contracting to provide driver education services.
- Up to 2% of fees from the motor vehicle registration late fee appropriated for driver education could be used by DPI to support the direct costs of statewide program administration.

Sections 3 and 4: The Division of Motor Vehicles would be required to provide ODES data on student drivers to the extent permitted by State and federal law for evaluation purposes. A plan for transfer and collection of this data would be developed by January 15, 2018.

Section 5: The ODES would submit a report to the Joint Legislative Education Oversight Committee, the Fiscal Research Division, and the Program Evaluation Division by October 15, 2017, describing actions taken in response to the requirements of HB 833, as well as the findings included in the Program Evaluation Division's report, *Performance Measurement and Monitoring Would Strengthen Accountability of North Carolina's Driver Education Program*, and the recommendations from the National Highway Traffic Safety Administration's Technical Assessment of the Driver Education Program for the State of North Carolina from May 2015.

Section 6 and 7: Directs the Department of Public Instruction to study the advisability of adding lane departure to the actual driving portion of the driver education curriculum.

EFFECTIVE DATE: Sections 1 through 5 of this act would become effective July 1, 2017. The remainder of this act would become effective when it becomes law.

Kara McCraw of the Legislative Analysis Division substantially contributed to this summary.