

HOUSE BILL No. 1135

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-27-4-5.5.

Synopsis: Licensing of driver education instructors. Revises requirements for an applicant for a commercial driver training school instructor's license. Provides that a Level One driver education instructor's license authorizes an individual to provide the in-vehicle phase of driver education instruction. Provides that a Level Two driver education instructor's license authorizes an individual to provide the in-vehicle and classroom phases of driver education instruction.

Effective: Upon passage; July 1, 2000.

Burton

January 10, 2000, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

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HOUSE BILL No. 1135



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-27-4-5.5 IS AMENDED TO READ AS
 2 FOLLOWS [JULY 1, 2000]: Sec. 5.5. (a) ~~To receive an instructor's~~
 3 ~~license under subsection (d); an individual must complete at least sixty~~
 4 ~~(60) semester hours at a college. The individual must complete at least~~
 5 ~~twelve (12) semester hours in driver education courses; of which three~~
 6 ~~(3) semester hours must consist of supervised student teaching~~
 7 ~~experience under the direction of an individual who has:~~
 8 ~~(1) a driver and traffic safety education endorsement issued by the~~
 9 ~~professional standards board established by IC 20-1-1.4; and~~
 10 ~~(2) at least five (5) years of teaching experience in driver~~
 11 ~~education.~~
 12 (b) ~~The three (3) semester hours of supervised student teaching~~
 13 ~~experience required under subsection (a) may only be undertaken by an~~
 14 ~~individual who will be at least twenty-one (21) years of age upon~~
 15 ~~completion and may only be performed at a high school; a commercial~~
 16 ~~driving school; or the college providing the courses for the individual~~
 17 ~~to become an instructor. The remaining nine (9) hours of driver~~



1 education courses required under subsection (a) must include a
 2 combination of theoretical and behind-the-wheel instruction that is
 3 consistent with nationally accepted standards in traffic safety:

4 (c) The driver education semester hours required under subsection
 5 (a) do not satisfy the requirements of subsection (d) or (e) unless the
 6 driver education curriculum is approved by the commission for higher
 7 education:

8 (d) The bureau shall issue an instructor's license to an individual
 9 who satisfies all of the following:

10 (1) The individual meets the requirements of subsection (a):

11 (a) **To obtain an instructor's license under subsection (d) to**
 12 **teach driver education, an individual must:**

13 (1) **have completed at least:**

14 (A) **thirty (30) semester hours at a college or university; or**

15 (B) **forty-eight (48) continuing education units (CEU);**

16 (2) **complete, after satisfying the requirements of subdivision**

17 **(1), the training program described in subsection (b); and**

18 **(3) satisfy the requirements set out in subsection (e).**

19 (b) **An individual seeking to obtain an instructor's license under**
 20 **subsection (d) must complete the following training program:**

21 (1) **For a Level One instructor's license under subsection**
 22 **(d)(1), a training program consisting of two (2) courses,**
 23 **including a combination of theoretical and behind-the-wheel**
 24 **instruction that meets or exceeds nationally accepted**
 25 **standards established by the American Driver and Traffic**
 26 **Safety Education Association (ADTSEA).**

27 (2) **For Level Two instructor's license under subsection**
 28 **(d)(2), a training program consisting of three (3) courses (the**
 29 **two (2) courses described in subdivision (1) plus a third**
 30 **course), including a combination of theoretical and**
 31 **behind-the-wheel instruction that meets or exceeds nationally**
 32 **accepted standards established by the American Driver and**
 33 **Traffic Safety Education Association (ADTSEA).**

34 (c) **Each course required under subsection (b) must be designed**
 35 **to consist of sufficient contact hours to be offered either for:**

36 (1) **college or university credit; or**

37 (2) **continuing education credits (CEU);**

38 **through a sponsoring institution. The courses must be offered**
 39 **through an accredited college or university. All courses must be**
 40 **completed within eighteen (18) months after beginning the training**
 41 **program.**

42 (d) **The bureau shall issue the following:**



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1 **(1) A Level One instructor's license to an individual who**
 2 **completes the first two (2) courses of the training program**
 3 **described in subsection (b)(1). A Level One instructor's**
 4 **license permits the individual to provide the in-vehicle phase**
 5 **of driver education training.**

6 **(2) A Level Two instructor's license to an individual who**
 7 **completes all three (3) courses of the training program**
 8 **described in subsection (b)(2). A Level Two instructor's**
 9 **license permits the individual to provide the in-vehicle and**
 10 **classroom phases of driver education training.**

11 **(e) To be eligible to obtain an instructor's license under**
 12 **subsection (d) or (f), an individual must meet all of the following**
 13 **additional requirements:**

14 ~~(2)~~ **(1) The individual does not have more than the maximum**
 15 **number of points for violating traffic laws specified by the bureau**
 16 **by rules adopted under IC 4-22-2.**

17 ~~(3)~~ **(2) The individual has a good moral character, physical**
 18 **condition, knowledge of the rules of the road, and work history.**
 19 **The bureau shall adopt rules under IC 4-22-2 that specify the**
 20 **requirements, including requirements about criminal convictions,**
 21 **necessary to satisfy the conditions of this subdivision.**

22 **(3) The individual has at least five (5) years of driving**
 23 **experience as a licensed driver.**

24 ~~(e)~~ **The bureau shall issue an instructor's license to an individual**
 25 **who:**

26 ~~(1)~~ **during 1995, held an instructor's license;**

27 ~~(2)~~ **meets the requirements of subsection (d)(2) and (d)(3); and**

28 ~~(3)~~ **completes the twelve (12) semester hours of driver education**
 29 **courses required under subsection (a) not later than July 1, 1999.**

30 **However, an individual who has acted as an instructor for at least two**
 31 ~~(2)~~ **years before January 1, 1996, is not required to complete the**
 32 **requirements of subdivision (3) in order to receive an instructor's**
 33 **license under this subsection.**

34 ~~(f)~~ **The bureau shall issue an instructor's license to an individual**
 35 **who:**

36 **(1) holds a driver and traffic safety education endorsement issued**
 37 **by the professional standards board established under**
 38 **IC 20-1-1.4; and**

39 ~~(2)~~ **meets the requirements of subsection (d)(2) and (d)(3): (e).**

40 **(g) Only an individual who holds an instructor's license issued by**
 41 **the bureau under subsection (d), (e), or (f) may act as an instructor.**

42 **(h) The bureau shall adopt rules under IC 4-22-2 necessary to**



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1 **carry out this section.**
2 SECTION 2. [EFFECTIVE UPON PASSAGE] (a)
3 **Notwithstanding IC 9-27-4-5.5, as amended by this act, the bureau**
4 **shall, after June 30, 2000, carry out the duties imposed upon it**
5 **under IC 9-27-4-5.5, as amended by this act, under interim written**
6 **guidelines approved by the bureau.**
7 (b) This SECTION expires on the earlier of the following:
8 (1) The date rules are adopted under IC 9-27-4-5.5, as
9 amended by this act.
10 (2) July 1, 2001.
11 SECTION 3. An emergency is declared for this act.

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