

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 127, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, delete line 1.
- 2 Page 2, line 2, delete "established by IC 33-37-5-31 and".
- 3 Page 13, line 35, delete "The driver education commission is
4 established. The" and insert "**As used in this section, "board" refers
5 to the driver education advisory board established by subsection
6 (b).**
- 7 **(b) The driver education advisory board is established to advise
8 the commissioner in the administration of the policies of the
9 commission and the bureau regarding driver education.**
- 10 **(c) The board is composed of seven (7) individuals appointed by
11 the governor as follows:**
- 12 **(1) Two (2) members must be driver education providers
13 proposed for membership by the Indiana Driver Education
14 Association. In the selection of individuals for membership
15 under this subdivision, consideration must be given to driver
16 education instruction performed in urban and rural areas.**
- 17 **(2) One (1) member must be a traffic safety advocate.**
- 18 **(3) One (1) member must be a representative of the bureau.**
- 19 **(4) One (1) member must be a representative of higher
20 education.**
- 21 **(5) One (1) member must be a representative of the insurance**

1 industry.

2 (6) One (1) member must be a driver education professional.

3 (d) A member of the board serves a three (3) year term. A
4 member may not serve more than two (2) consecutive full terms.
5 Each member serves until the member's successor is appointed and
6 qualified.

7 (e) A member of the board may be removed for good cause.

8 (f) A vacancy on the board shall be filled by the appointment by
9 the governor of an individual to fill the position to which the
10 vacating member was appointed under subsection (c) for the
11 vacating member's unexpired term.

12 (g) At the first meeting of the board each year, the members
13 shall elect:

14 (1) one (1) member to be the board's chairperson;

15 (2) one (1) member to be the board's vice chairperson; and

16 (3) one (1) member to be the board's secretary.

17 The chairperson, vice chairperson, and secretary serve until their
18 successors are elected and qualified.

19 (h) A vacancy in the office of chairperson, vice chairperson, or
20 secretary shall be filled by vote of the members. The term of office
21 of a board member chosen to fill a vacancy under this subsection
22 expires at the first meeting of the board the following year.

23 (i) Each member of the board is entitled to reimbursement for
24 traveling expenses as provided under IC 4-13-1-4 and other
25 expenses actually incurred in connection with the duties of the
26 member as provided in the state policies and procedures
27 established by the Indiana department of administration and
28 approved by the budget agency. Each member of the commission
29 who is not a state employee is also entitled to the minimum salary
30 per diem provided by IC 4-10-11-2.1(b).

31 (j) The driver education board shall meet at least two (2) times
32 per year. Additional meetings may be convened at the call of the
33 chairperson of the board or the written request of any three (3)
34 members.

35 (k) Four (4) members of the board constitute a quorum for
36 doing business. The majority vote of the members who constitute
37 the quorum and are present and voting is required for the passage
38 of a matter put to a vote of the board.

39 (l) The bureau shall provide staff and administrative support to
40 the board.

41 (m) The expenses of the board shall be paid from appropriations
42 made to the bureau.

- 1 **(n) The board has the following powers:**
- 2 **(1) To consult with and advise the commissioner in the**
- 3 **administration of the policies of the commission and the**
- 4 **bureau regarding driver education.**
- 5 **(2) To suggest rules regarding the education and training of**
- 6 **persons to operate or drive motor vehicles or to prepare a**
- 7 **person for an examination or validation for a driver's license.**
- 8 **(o) A member of the board is not subject to liability in a civil**
- 9 **action for bodily injury or property damage arising from or**
- 10 **thought to have arisen from an action taken in good faith as a**
- 11 **member of the board."**
- 12 Page 13, delete lines 36 through 42.
- 13 Delete pages 14 through 15.
- 14 Page 16, delete lines 1 through 11.
- 15 Page 18, line 5, delete "5(m)(3)" and insert "**11(1)**".
- 16 Page 18, between lines 21 and 22, begin a new paragraph and insert:
- 17 "**Sec. 11. In addition to adopting rules under sections 6(b), 7(b),**
- 18 **8(b), and 9(b) of this chapter, the bureau shall adopt rules under**
- 19 **IC 4-22-2 concerning the following:**
- 20 **(1) Methods and procedures for the investigation and**
- 21 **evaluation of the qualifications of individuals applying for**
- 22 **licenses under sections 6 and 7 of this chapter and**
- 23 **endorsements under section 8 of this chapter.**
- 24 **(2) The criteria upon which to issue, deny, suspend, renew,**
- 25 **and revoke licenses and endorsements under section 10 of this**
- 26 **chapter, including requirements for continuing education for**
- 27 **instructors.**
- 28 **(3) Procedures for:**
- 29 **(A) the investigation into potential grounds for; and**
- 30 **(B) conduct of hearings on;**
- 31 **the issuance, renewal, cancellation, suspension, or revocation of a**
- 32 **license or an endorsement.**
- 33 **(4) Standards for classroom and in-car driver education**
- 34 **curriculum (including classroom instruction, Internet**
- 35 **instruction, and practice driving) and equipment. Classroom**
- 36 **instruction standards established under this subdivision must**
- 37 **provide for instruction about:**
- 38 **(A) railroad-highway grade crossing safety; and**
- 39 **(B) the procedure for participation in the human organ**
- 40 **donor program;**
- 41 **and must limit classroom instruction to students at least**
- 42 **fifteen (15) years and one hundred eighty (180) days of age.**

- 1 **(5) Limitations on the number of:**
 2 **(A) hours an instructor may teach in a day; and**
 3 **(B) classroom and driving hours in which a driver**
 4 **education student may participate during a day.**
 5 **(6) Programs to improve parental involvement in driver**
 6 **education.**
 7 **(7) Establishment and maintenance of standards for**
 8 **instructors of driver education, including:**
 9 **(A) secondary school driver education instructors;**
 10 **(B) commercial driver training school instructors; and**
 11 **(C) higher education driver education instructors."**
 12 Page 24, line 3, delete "2012" and insert "**2011**".
 13 Page 25, delete lines 39 through 42.
 14 Delete pages 26 through 29.
 15 Page 30, delete lines 1 through 22.
 16 Page 30, between lines 39 and 40, begin a new paragraph and insert:
 17 "SECTION 34. IC 34-30-2-32.5 IS ADDED TO THE INDIANA
 18 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2011]: **Sec. 32.5. (a) This section applies after**
 20 **December 31, 2011.**
 21 **(b) IC 9-27-6-5(o) (Concerning members of the driver education**
 22 **advisory board)."**
 23 Page 31, line 4, delete "IC 9-27-6-5(m)(3)".
 24 Page 31, line 5, after "IC 9-27-6-9(b)," insert "**IC 9-27-6-11,**".
 25 Page 31, line 8, delete "IC 9-27-6-5(m)(3)".
 26 Page 31, line 9, after "IC 9-27-6-9(b)," insert "**IC 9-27-6-11,**".
 27 Page 31, line 14, delete "IC 9-27-6-5(m)(3)".
 28 Page 31, line 15, after "IC 9-27-6-9(b)," insert "**IC 9-27-6-11,**".
 29 Re-number all SECTIONS consecutively.
 (Reference is to SB 127 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Wyss, Chairperson