

Regular Session, 2014

HOUSE BILL NO. 900

BY REPRESENTATIVE HODGES

MOTOR VEHICLES: Creates the Louisiana Advisory Council on Driver Education

1 AN ACT

2 To enact R.S. 32:422.2, relative to driver education; to create the Louisiana Advisory
3 Council on Driver Education; to provide for membership; to provide input and
4 guidance to the Department of Public Safety and Corrections on matters pertaining
5 to rules, regulations, and standards for licensure of driving school providers; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:422.2 is hereby enacted to read as follows:

9 §422.2. The Louisiana Advisory Council on Driver Education

10 A.(1) The Louisiana Advisory Council on Driver Education, hereinafter
11 sometimes referred to as the "council", is hereby created to provide input and
12 guidance to the Department of Public Safety and Corrections on matters pertaining
13 to rules, regulations, and standards for licensure of driver school providers as defined
14 in the Louisiana Administrative Code.

15 (2) The council shall be composed of six voting members and five non-
16 voting ex-officio members appointed by the secretary of the office of motor vehicles.

17 The membership shall consist of:

18 (a) One current officer of the Driving School Association of Louisiana
19 appointed from a list of three persons nominated by the president of the Driving
20 School Association of Louisiana.

1 (b) Two owners of licensed, professional, commercial driving schools in
2 Louisiana with current membership in the Driving School Association of Louisiana
3 appointed from a list of four persons nominated by the president of the Driving
4 School Association of Louisiana.

5 (c) One secondary education professional from the Department of Education,
6 who has a driver and traffic safety education certification appointed from a list of
7 four persons nominated by the superintendent of the Department of Education.

8 (d) One representative of the Louisiana Highway Safety Commission
9 appointed from a list of three persons nominated by the executive director of the
10 Louisiana Highway Safety Commission.

11 (e) One representative of the office of motor vehicles, licensing and
12 certification division, appointed from a list of three persons nominated by the
13 secretary of the office of motor vehicles.

14 (f) One representative of the advocacy organization M.A.D.D. appointed
15 from a list of three persons nominated by the state executive director of M.A.D.D.

16 (g) One representative of the Department of Insurance appointed from a list
17 of three persons nominated by the commissioner of the Department of Insurance.

18 (h) One representative of the Department of Transportation and
19 Development appointed from a list of three persons nominated by the secretary of
20 the Department of Transportation and Development.

21 (i) One representative of the Department of Public Safety and Corrections,
22 law enforcement division, appointed from a list of three persons nominated by the
23 secretary of the Department of Public Safety and Corrections.

24 (j) One representative of the Department of Public Safety and Corrections,
25 legal division, appointed from a list of three persons nominated by the secretary of
26 the Department of Public Safety and Corrections.

27 (3) Members (a) through (e) will be the official voting members. If a voting
28 member is unable to attend a meeting, he may designate a person to serve as a proxy

1 for voting purposes, if such act is executed in writing, signed by the member, and
2 filed with the secretary at or before the meeting.

3 (4) Members will be appointed to serve an initial two-year term on the
4 council and may be eligible to be reappointed to serve an additional two-year term.

5 (5) A member shall be automatically removed from the advisory council if
6 he has more than one unexcused absence during any twelve-month period. An
7 absence is excused for purposes of this Paragraph when the cause is one which a
8 reasonably prudent person would deem to take precedence over fulfillment of a
9 solemn public duty or if the absence is known in advance by the member and he
10 notifies the chairman of his absence not less than twenty-four hours in advance of the
11 scheduled meeting. A member may designate a person to serve as a proxy if he is
12 unable to attend a meeting, but he shall still notify the chairman of his absence.

13 (6) A quorum shall consist of a simple majority of the active voting members
14 or their proxies if the bylaws so provide. The designation of a proxy shall be by an
15 act executed in writing, signed by the member, and filed with the secretary at or
16 before the meeting.

17 (7) Whenever a vacancy occurs in a council seat, whether by death,
18 resignation, or automatic removal, such vacant seat shall no longer be counted as an
19 active voting member in determining a quorum until a successor has been appointed
20 by the secretary of the Department of Public Safety and Corrections, in the manner
21 of the original appointment, to fill the unexpired term.

22 (8) Officers of the council shall include a chairman, vice-chairman, and
23 secretary.

24 (9) All meetings shall be quarterly and conducted in accordance with the
25 requirements of the state's open meetings law. Procedural matters shall be conducted
26 in accordance with the latest edition of Robert's Rules of Order.

27 (10) Members shall serve without compensation or reimbursement.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hodges

HB No. 900

Abstract: Creates the Louisiana Advisory Council on Driver Education.

Proposed law creates the La. Advisory Council on Driver Education, which consists of 11 members and serves to provide input and guidance to the Dept. of Public Safety and Corrections on matters pertaining to rules, regulations, and standards for licensure of driving school providers. Provides for 6 voting members and 5 non-voting ex-officio members appointed by the secretary of the office of motor vehicles.

Proposed law provides that members will serve 2-year terms, and shall be automatically removed if a member has more than one unexcused absence during any 12-month period. Specifies that a quorum consists of a simple majority of the active voting members, and a vacant seat is not counted as an active voting member in determining a quorum.

Proposed law provides that the officers of the council include a chairman, vice-chairman, and secretary.

Proposed law provides that meetings shall be quarterly. Requires that meetings be conducted in accordance with the requirements of the state's open meetings law and procedural matters be conducted in accordance with the latest edition of Robert's Rules of Order.

Proposed law provides that members shall serve without compensation or reimbursement.

(Adds R.S. 32:422.2)