

ACT No. 426

Regular Session, 2014

HOUSE BILL NO. 900

BY REPRESENTATIVE HODGES

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 for the council's
4 responsibilities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §422.2. The Louisiana Advisory Council on Driver Education

8 (1) The Louisiana Advisory Council on Driver Education, referred to in this
9 Section as the "council", is hereby created to provide input and guidance to the
10 Department of Public Safety and Corrections on matters pertaining to rules,
11 regulations, and standards for licensure of defensive driving courses as provided in
12 Chapter 29 of Part I of Title 55 of the Louisiana Administrative Code.

13 (2) The council shall be composed of five voting members and two
14 nonvoting ex officio members appointed by the commissioner of the office of motor
15 vehicles. The membership shall consist of:

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

19 (b) Two owners of licensed and approved commercial driving schools in
20 Louisiana with current membership in the Driving School Association of Louisiana
21 appointed from a list of four persons nominated by the president of the Driving
22 School Association of Louisiana.

1 (c) Two secondary education professionals from the Department of
2 Education, who are driver's education instructors, appointed from a list of four
3 persons nominated by the superintendent of the Department of Education.

4 (d) One representative of the office of motor vehicles, licensing and
5 certification division, appointed from a list of three persons nominated by the
6 commissioner of the office of motor vehicles.

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

10 (3) Members listed in Subparagraphs (2)(a) through (c) of this Section shall
11 be voting members. If a voting member is unable to attend a meeting, he may
12 designate a person to serve as a proxy for voting purposes, if such act is executed in
13 writing, signed by the member, and filed with the secretary at or before the meeting.

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

16 (5) A member shall be automatically removed from the advisory council if
17 he has more than one unexcused absence during any twelve-month period. An
18 absence is excused for purposes of this Paragraph when the cause is one which a
19 reasonably prudent person would deem to take precedence over fulfillment of a
20 solemn public duty or if the absence is known in advance by the member and he
21 notifies the chairman of his absence not less than twenty-four hours in advance of the
22 scheduled meeting. If a member designates a person to serve as a proxy as provided
23 in Paragraph (3) of this Section, he shall still notify the chairman of his absence.

24 (6) A quorum shall consist of a simple majority of the active voting members
25 or their proxies if the bylaws so provide.

26 (7) Whenever a vacancy occurs in a council seat, whether by death,
27 resignation, or automatic removal, such vacant seat shall no longer be counted as an
28 active voting member in determining a quorum until a successor has been appointed
29 by the commissioner of the office of motor vehicles in the same manner as the
30 original appointment to fill the unexpired term.

1 (8) Officers of the council shall include a chairman, vice chairman, and
2 secretary.

3 (9) All meetings shall be quarterly and conducted in accordance with the
4 requirements of the state's Open Meetings Law. Procedural matters shall be
5 conducted in accordance with the latest edition of Robert's Rules of Order. Meetings
6 shall be held at the office of motor vehicles in Baton Rouge.

7 (10) Members of the council shall serve without compensation and
8 reimbursement of expenses other than compensation and reimbursement provided
9 for by their employers.

10 Section 2. This Act shall become effective on January 1, 2015.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____