

ACT No. 388

2022 Regular Session

HOUSE BILL NO. 658

BY REPRESENTATIVE STAGNI

1 AN ACT

2 To amend and reenact R.S. 32:422.2, relative to the Louisiana Advisory Council on Driver
3 Education membership; to modify the rules, regulations, and standards to include
4 driver education providers; to increase the membership of the council; to remove the
5 additional two-year cap on members appointed to the council; to increase the number
6 of unexcused absences; to modify the procedure for council vacancies and
7 appointment of council officers; to provide for council meeting venues; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:422.2 is hereby amended and reenacted to read as follows:

11 §422.2. The Louisiana Advisory Council on Driver Education

12 A. The Louisiana Advisory Council on Driver Education, referred to in this
13 Section as the "council", is hereby created to provide input, ~~and~~ guidance, and
14 recommendations to the Department of Public Safety and Corrections on matters
15 pertaining to rules, regulations, and standards for licensure of defensive driving
16 courses and driver education providers as provided in Chapter 29 of Part I of Title
17 55 of the Louisiana Administrative Code.

18 B. The council shall be composed of ~~five~~ seven voting members and five
19 non-voting members. ~~and two non-voting ex officio members appointed by the~~
20 ~~commissioner of the office of motor vehicles.~~ The membership shall consist of:

1 (1) ~~One current officer~~ Three members of the Driving School Association
 2 of Louisiana appointed ~~from a list of three persons nominated~~ by the president of the
 3 Driving School Association of Louisiana.

4 (2) Two members ~~owners of licensed and approved commercial driving~~
 5 ~~schools in Louisiana with current membership in~~ the Driving School Association of
 6 Louisiana the Americas appointed ~~from a list of four persons nominated~~ by the
 7 president of the Driving School Association of ~~Louisiana~~ the Americas.

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

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

14 (5) One representative of the Louisiana Highway Safety Commission
 15 appointed ~~from a list of three persons nominated~~ by the executive director of the
 16 Louisiana Highway Safety Commission.

17 (6) One member of the Louisiana State Police appointed by the
 18 superintendent of the Louisiana State Police.

19 (7) One member of the Louisiana House of Representatives appointed by the
 20 chairman of the House Committee on Transportation, Highways and Public Works.

21 (8) One member of the Senate appointed by the chairman of the Senate
 22 Committee on Transportation, Highways and Public Works.

23 C. Members listed in Paragraphs (B)(1) through (3) ~~of Subsection B~~ of this
 24 Section shall be voting members. If a voting member is unable to attend a meeting,
 25 he may designate a person to serve as a proxy for voting purposes, if such act is
 26 executed in writing, signed by the member, and filed with the secretary at or before
 27 the meeting.

1 D. Members shall be appointed to serve an initial two-year term on the
 2 council and may be eligible to be reappointed to serve ~~an additional two-year term~~
 3 terms.

4 E. A member shall be automatically removed from the ~~advisory~~ council if
 5 he has more than ~~one~~ two unexcused ~~absence~~ absences during any twelve-month
 6 period. An absence is excused for purposes of this Subsection when the cause is one
 7 which a reasonably prudent person would deem to take precedence over fulfillment
 8 of a solemn public duty or if the absence is known in advance by the member and he
 9 notifies the chairman of his absence not less than twenty-four hours in advance of the
 10 scheduled meeting. If a member designates a person to serve as a proxy as provided
 11 in Subsection C of this Section, he shall still notify the chairman of his absence.

12 F. A quorum shall consist of a simple majority of the active voting members
 13 or their proxies ~~if the bylaws so provide~~.

14 G. Whenever a vacancy occurs in a council seat, whether by death,
 15 resignation, or automatic removal, such vacant seat shall no longer be counted as an
 16 active voting member in determining a quorum until a successor has been appointed
 17 by the ~~commissioner of the office of motor vehicles~~ appropriate official as provided
 18 in Subsection B of this Section in the same manner as the original appointment to fill
 19 the unexpired term.

20 H. Officers of the council shall be appointed at the beginning of each new
 21 term and shall include a chairman, vice chairman, ~~and~~ secretary, and two at-large
 22 board members.

23 I. All meetings shall be quarterly and conducted in accordance with the
 24 requirements of the state's Open Meetings Law. Procedural matters shall be
 25 conducted in accordance with the latest edition of Robert's Rules of Order. Meetings
 26 shall be held at any of the following venues:

- 27 (1) ~~the~~ The office of motor vehicles in Baton Rouge.
- 28 (2) A legislative committee room located in the Louisiana state capitol.
- 29 (3) Any electronic venue agreed upon by the council officers.

1 J. Members of the council shall serve without compensation and
2 reimbursement of expenses other than the compensation and reimbursement
3 provided for by their employers.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____