2023 Regular Session

HOUSE BILL NO. 592

BY REPRESENTATIVE SCHAMERHORN

1	AN ACT
2	To amend and reenact R.S. 32:402.1(A)(2)(introductory paragraph) and R.S. 40:1461(F), to
3	enact R.S. 32:407(G), and to repeal R.S. 40:1461(G), relative to driver education; to
4	allow a driving skills test administered by a properly licensed third party examiner
5	to driver education requirements for those eighteen years of age and older; to provide
6	for a skills test for nonparticipants in a driver education course; to remove the
7	requirement that licensed and contracted driving instructor training schools or
8	agencies also become licensed third-party testers; to designate third-party examiner
9	as licensed and contracted administrator of knowledge and driving skills test required
10	for Class "D" or "E" license; to provide the option for a parent or legal guardian to
11	submit a signature electronically for certain credentials which allow the operation of
12	a motor vehicle; to provide for an effective date; and to provide for related matters.
13	Be it enacted by the Legislature of Louisiana:
14	Section 1. R.S. 32:402.1(A)(2)(introductory paragraph) is hereby amended and
15	reenacted and R.S. 32:407(G) is hereby enacted to read as follows:
16	§402.1. Driver education; required
17	A. No application for a license for the operation of a motor vehicle shall be
18	received from any person making application for the first time unless there is also
19	submitted with the application, on a form approved by the secretary of the
20	Department of Public Safety and Corrections, public safety services, written
21	evidence of the successful completion by the applicant of one of the following:
22	* * *
23	(2) A "prelicensing training course" administered by a Class "D" and "E"
24	driver education provider licensed and contracted pursuant to RS 40:1461 from for
25	any person eighteen years or older if a driver education course is not completed. The

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

HB NO. 592 ENROLLED

prelicensing training course shall consist of a minimum of six hours of classroom instruction and a minimum of eight hours of actual driving instruction, including the administering of the skills test. A person shall not be allowed to receive more than four hours of actual driving instruction on any single calendar day. A properly licensed third-party examiner may, at his discretion, administer the skills test to the student prior to the conclusion of the eight hours of actual driving instruction. Upon successful completion of the instruction and skills test, the third-party tester shall provide the student with a department approved certificate of successful completion in a sealed envelope to be delivered to the department. If the student fails to successfully complete the skills test, the third-party examiner shall issue a department approved certificate indicating completion of the driver education course, but failure of the skills test. The Department of Public Safety and Corrections, public safety services, shall establish rules and regulations to administer and define the requirements of the course. Oversight review of these rules shall be conducted by the House and Senate committees on transportation, highways and public works in accordance with the Administrative Procedure Act. The rules shall provide for:

* * *

§407. Application of minors; revocation; applications of persons less than twentyone years of age

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G. In accordance with R.S. 9:2618, the department may develop a web-based application by which a minor's parent or legal guardian has the option to provide an electronic signature for all approvals, consents, or attestations required in connection with application of a minor for any credential authorized in this Chapter which allows the operation of a motor vehicle. The provisions of this Subsection shall not apply to a first or initial issuance of any license or permit under this Chapter. The first time or initial issuance shall be an in-person transaction.

Section 2. R.S. 40:1461(F) is hereby amended and reenacted to read as follows:

§1461. Requirements for private training and driving instructor schools

30 * * *

HB NO. 592 ENROLLED

F. Every person licensed or contracted pursuant to this Section to operate a private driving instructor training school or agency, or providing driving courses, shall also be or become licensed or contracted on or before June 30, 2012, as a third-party tester pursuant to R.S. 32:408. Any currently licensed or contracted driving school or instructor who fails to become licensed as a third-party tester on or before June 30, 2012, shall be deemed to be ineligible to engage in the business of operating a private driving school, or instructing in a driving course in any manner until such school or instructor obtains such license or contract.

G. Every person properly licensed pursuant to this Section on or after June 30, 2012, shall administer in accordance with law and administrative rules promulgated by the Department of Public Safety and Corrections, as a third-party examiner, both the knowledge and on-road driving skills tests required for the issuance of a Class "D" or "E" license in Louisiana.

Section 3. R.S. 40:1461(G) is hereby repealed in its entirety.

Section 4. The administering of the road skills test prior to the conclusion of the eight hour behind the wheel training shall begin no later than January 1, 2024. In the event the office of motor vehicles completes any necessary rule making, policy changes, and system changes prior to January 1, 2024, the administering of the road skills test prior to the conclusion of the eight hour behind the wheel training may commence at that time.

Section 5. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	TRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA
APPROVED:	