## SLS 15RS-418

## ORIGINAL

2015 Regular Session

## SENATE CONCURRENT RESOLUTION NO. 1

## BY SENATOR BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC SFTY/CORRECT DEPT. Amends rules of the Department of Public Safety and Corrections, public safety services, relative to driving schools.

| 1  | A CONCURRENT RESOLUTION  |
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| 2  | To amend the Department of Public Safety and Corrections, public safety services, rules        |
| 3  | LAC 55:III.147(A)(1) and (2), which provide general regulations for private driving            |
| 4  | schools, and to direct the office of the state register to print the amendments in the         |
| 5  | Louisiana Administrative Code.   |
| 6  | WHEREAS, any person making application for the first time for a license to operate             |
| 7  | a motor vehicle in Louisiana is required to complete successfully certain driver education     |
| 8  | courses; and   |
| 9  | WHEREAS, there is some concern that the rules adopted by the Department Public                 |
| 10 | Safety and Corrections, public safety services, providing for the operation of private driving |
| 11 | schools are in need of revision to improve delivery and accessibility to driver education; and |
| 12 | WHEREAS, R.S. 49:969 provides that "the legislature, by Concurrent Resolution,                 |
| 13 | may suspend, amend, or repeal any rule or regulation or body of rules or regulations, or any   |
| 14 | fee or any increase, decrease, or repeal of any fee, adopted by a state department, agency,    |
| 15 | board, or commission".   |
| 16 | THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC                             |
| 17 | 55:III.147(A)(1) and (2) are hereby amended to read as follows:                                |

| 1  | TITLE 55  |
|----|---|
| 2  | PUBLIC SAFETY   |
| 3  | * * *   |
| 4  | Part III. Motor Vehicles  |
| 5  | Chapter 1. Driver's License   |
| 6  | Subchapter A. General Requirements  |
| 7  | * * *   |
| 8  | §147. General Regulations for Private Driving Schools                                 |
| 9  | A. All approved private driving schools shall operate from an office in the           |
| 10 | following manner.   |
| 11 | 1. A school shall have a primary an established business location where               |
| 12 | records shall be kept in a secure manner. Records shall be available for inspection   |
| 13 | between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Only schools        |
| 14 | which are currently licensed by June 30, 2012 and currently maintain records at the   |
| 15 | owner's residence are allowed to do so. If the physical location where records are    |
| 16 | kept is the owner's residence, the owner agrees to make the records available for     |
| 17 | inspection. All schools licensed from this point forward will be required to maintain |
| 18 | a primary location for the records. No records shall be maintained at an owner's      |
| 19 | residence.  |
| 20 | 2. A classroom location may be obtained by renting space from hotels or               |
| 21 | other facilities in the form of a conference room or a meeting room for the           |
| 22 | conduction of classes. No classes are to be held in a hotel room that is designed for |
| 23 | temporary residence. No facilities may be rented or leased from an establishment      |
| 24 | that restricts entrance by age (no minors). A driving school shall operate from an    |
| 25 | established business location. No driving school shall be allowed to rent any         |
| 26 | temporary facilities such as hotel conference rooms, meeting rooms, or school         |
| 27 | cafeterias to conduct classes. All established business locations of a driving        |
| 28 | school shall be of a permanent business nature with an operable public entrance       |
| 29 | that shall be accessible to enter during normal business hours for any driving        |
| 30 | school purpose. No driving school shall be allowed to conduct business or             |

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| 1  | instruction from a private residence. Any classroom located on private property shall      |
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| 2  | not be attached to a private residence.  |
| 3  | * * *  |
| 4  | BE IT FURTHER RESOLVED that the secretary of the Senate shall transmit a copy              |
| 5  | of this Resolution to the office of the state register and the deputy secretary of the     |
| 6  | Department of Public Safety and Corrections, public safety services.                       |
| 7  | BE IT FURTHER RESOLVED that the office of the state register is hereby directed            |
| 8  | to have the amendments to these rules printed and incorporated into the Louisiana          |
| 9  | Administrative Code and to transmit a copy of the revised rules to the deputy secretary of |
| 10 | the Department of Public Safety and Corrections, public safety services.                   |

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

| DIGEST               |
|----------------------|
| 2015 Regular Session |

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<u>Present rule</u> provides general regulations applicable to the operation of private driving schools.

<u>Proposed rule</u> makes certain revisions to <u>present rule</u>, including the following:

- (1) Requires a driving school to have an established business location where it operates and where records are kept.
- (2) Removes rule that allows schools licensed by June 30, 2012, to maintain records at an owner's residence.
- (3) Removes rule that allows schools to rent temporary space from hotels or other facilities to conduct classes.

Directs the secretary of the Senate to transmit copies of the Resolution to the office of the state register and the deputy secretary of the Department of Public Safety and Corrections, public safety services.

Directs the office of the state register to print the amendments to rules in the La. Administrative Code and to transmit a copy of the revised rules to the deputy secretary of the Department of Public Safety and Corrections, public safety services.

(Amends LAC 55:III.147(A)(1) and (2))