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The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

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## DIGEST

Erdey (SB 164)

Present law requires most people to pass an on-road driving skills test administered by the state or a "third party tester" such as a private driving school or agency before receiving a driver's license.

Proposed law requires every person licensed to operate a private driving school or agency, or to provide driving courses by the DPSC on or after June 30, 2012, to administer the knowledge and on-road driving skills test required for the issuance of a Louisiana Class "D" or "E" license.

Proposed law requires a person licensed or contracted to operate a private driver education school or agency or to provide driving courses to be or become licensed or contracted on or before June 30, 2012, as a third party tester pursuant to R.S. 32:408. Until the license or contract is obtained the person is ineligible to operate a driver's education course or instruct in such a course.

Present law requires a first-time application for a driver's license received from a person 17 years or older to contain written evidence of the successful completion by the applicant of either (1) a "driver education course" or (2) a "prelicensing training course" if a behind-the-wheel course is not completed. However, any person living 25 miles or more distant from a location providing a "prelicensing training course" is exempt from this requirement.

Proposed law requires any first time applicant for a driver's license to complete either of the courses above and deletes the 25-mile exemption.

Present law provides that an application for a driver's license received from a person 16 years of age or older must contain written evidence of the successful completion by the applicant of an approved "driver education course" one year after the appropriation of funds by the legislature to the State Department of Education for the implementation of a driver education and training program for all children of secondary school age in each parish of the state, and upon the certification by the state superintendent of education to the secretary of public safety that such program is operating in each parish of this state.

Proposed law requires the driver's education course of applicants 16 years of age or younger and eliminates the requirement for an appropriation and certification by the Department of Education of a state-wide driver education course in each parish before the completion of the driver education course is required of applicants 16 years of age or younger.

Present law provides that a Class "E" driver's license or a Class "D" chauffeur's license shall be

granted to a person 17 years old or above subject to R.S. 32:407.

Present law provides that notwithstanding any provision to the contrary, a 17-year-old or older 1<sup>st</sup> time applicant for a Class "E" license shall provide a signed statement to the department attesting that the applicant has completed a minimum of 50 hours of supervised driving practice with a licensed parent, guardian, or adult at least age 21 or older and that at least 15 of such hours are nighttime driving.

Present law provides that a Class "E" learner's license may be converted to a Class "E" intermediate license once an applicant is at least 16 years of age and meets the following requirements:

1. Completes at least 50 hours of supervised driving practice, 15 hours of which must be nighttime driving and presents a signed statement attesting to such driving practice by applicant's parent or legal guardian.
2. Passes an on-road driving test.
3. Has held a Class "E" learner's license for at least 180 days and remains accident free, except where applicant was not at fault, and has not been convicted of a moving violation, a seat belt violation, or a violation of curfew, or drug or alcohol use laws.

Proposed law retains present law and specifically provides for a driver education instructor to administer the on-road driving skills test and to issue a department approved certificate of completion of such test to the department.

Effective August 15, 2011.

(Amends R.S. 32:402(B)(1)(a)(ii)(aa), 402.1(A), (B), and (C), and 407(A)(3), and R.S. 40:1461(A), (C), and (E); adds R.S. 40:1461(F) and (G))

### Summary of Amendments Adopted by Senate

#### Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill.

1. Requires any first time application for a driver's license to complete either (1) a "driver education course" or (2) a "prelicensing training course" if a behind-the-wheel course is not completed.
2. Specifies that the driver's education instructor or 3<sup>rd</sup> party tester must be "contracted" as well as licensed to administer the on-road driving skills test.

3. Requires currently contracted driving instructor training schools or agencies, or those providing courses, to also become "licensed or contracted" as a third-party tester before June 30, 2012.

Senate Floor Amendments to engrossed bill.

1. Technical amendments.