AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§422.2. The Louisiana Advisory Council on Driver Education

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

B. The council shall be composed of five seven voting members and five non-voting members, and two non-voting ex officio members appointed by the commissioner of the office of motor vehicles. The membership shall consist of:
(1) One current officer of the Driving School Association of Louisiana appointed from a list of three persons nominated by the president of the Driving School Association of Louisiana.

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

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

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

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

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

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

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

C. Members listed in Paragraphs (B)(1) through (3) of Subsection B of this Section shall be voting members. If a voting member is unable to attend a meeting, he may designate a person to serve as a proxy for voting purposes, if such act is executed in writing, signed by the member, and filed with the secretary at or before the meeting.
D. Members shall be appointed to serve an initial two-year term on the council and may be eligible to be reappointed to serve an additional two-year term terms.

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

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

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

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

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

(1) the office of motor vehicles in Baton Rouge.

(2) A legislative committee room located in the Louisiana state capitol.

(3) Any electronic venue agreed upon by the council officers.
J. Members of the council shall serve without compensation and reimbursement of expenses other than the compensation and reimbursement provided for by their employers.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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