

RÉSUMÉ DIGEST

ACT 388 (HB 658)

2022 Regular Session

Stagni

Existing law creates the La. Advisory Council on Driver Education and provide rules, regulations, and standards for licensure of defensive driving courses as provided in existing law.

New law adds the rules, regulations, and standards applicable for driver education providers.

Existing law specifies that the La. Advisory Council on Driver Education consists of five voting members. Prior law provided for two nonvoting ex-officio members appointed by the commissioner of the office of motor vehicles. Prior law provided certain requirements for members and appointment from a list of nominees.

New law removes the ex-officio members, removes specific requirements for members along with the appointment lists for nominees, and increases the voting members from five to 13 as follows:

- (1) Three members of the Driving School Association of La. appointed by the president of the Driving School Association of La.
- (2) Two members of the Driving School Association of the Americas appointed by the president of the Driving School Association of the Americas.
- (3) Two secondary education professionals from the Dept. of Education appointed by the superintendent of the Dept. of Education.
- (4) Two members of the office of motor vehicles appointed by the commissioner of the office of motor vehicles.
- (5) One representative of the La. Highway Safety Commission appointed from a list of three persons nominated by the executive director of the La. Highway Safety Commission.
- (6) One member of the La. State Police appointed by the superintendent of the La. State Police.
- (7) One member of the La. 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.

Prior law specified that members were appointed to serve an initial two-year term on the council and could be eligible to be reappointed to serve an additional two-year term.

New law removes the two-year reappointment term for members.

Prior law required the removal of a member from the advisory council if the person had more than one unexcused absence during any 12-month period.

New law increases the unexcused absence to two during any 12-month period.

Prior law specified a quorum consisted of a simple majority of the active voting members or their proxies, if the bylaws provided.

New law removes the quorum requirement conditioned on the bylaws.

Prior law specified whenever a vacancy occurred in a council seat, whether by death, resignation, or automatic removal, such vacant seat would 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 in the same manner as the original appointment to fill the unexpired term.

New law specifies that the appointment of a vacant seat be appointed by the appropriate official as provided in existing law and new law.

Prior law required officers of the council to include a chairman, vice chairman, and secretary.

New law requires the council be appointed at the beginning of each new term and adds two at-large board members.

Existing law specifies the duration and location for all meetings.

New law adds the following venues:

- (1) A legislative committee room located in the La. State Capitol.
- (2) Any electronic venue agreed upon by the council officers.

Effective August 1, 2022.

(Amends R.S. 32:422.2)