

Regular Session, 2014

HOUSE BILL NO. 900

BY REPRESENTATIVE HODGES

MOTOR VEHICLES: Creates the Louisiana Advisory Council on Driver Education

1 AN ACT

2 To enact R.S. 32:422.2, relative to driver education; to create the Louisiana Advisory  
3 Council on Driver Education; to provide for membership; to provide for the council's  
4 responsibilities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:422.2 is hereby enacted to read as follows:

7 §422.2. The Louisiana Advisory Council on Driver Education

8 (1) The Louisiana Advisory Council on Driver Education, referred to in this  
9 Section as the "council", is hereby created to provide input and guidance to the  
10 Department of Public Safety and Corrections on matters pertaining to rules,  
11 regulations, and standards for licensure of defensive driving courses as defined in  
12 Chapter 29 of Part I of Title 55 of the Louisiana Administrative Code.

13 (2) The council shall be composed of five voting members and one  
14 nonvoting ex officio member appointed by the secretary of the office of motor  
15 vehicles. The membership shall consist of:

16 (a) One current officer of the Driving School Association of Louisiana  
17 appointed from a list of three persons nominated by the president of the Driving  
18 School Association of Louisiana.

19 (b) Two owners of licensed, approved, and certified defensive driving  
20 schools in Louisiana with current membership in the Driving School Association of

1        Louisiana appointed from a list of four persons nominated by the president of the  
2        Driving School Association of Louisiana.

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

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

9            (3) Members listed in Paragraph (2)(a) through (c) shall be voting members.  
10       If a voting member is unable to attend a meeting, he may designate a person to serve  
11       as a proxy for voting purposes, if such act is executed in writing, signed by the  
12       member, and filed with the secretary at or before the meeting.

13           (4) Members shall be appointed to serve an initial two-year term on the  
14       council and may be eligible to be reappointed to serve an additional two-year term.

15           (5) A member shall be automatically removed from the advisory council if  
16       he has more than one unexcused absence during any twelve-month period. An  
17       absence is excused for purposes of this Paragraph when the cause is one which a  
18       reasonably prudent person would deem to take precedence over fulfillment of a  
19       solemn public duty or if the absence is known in advance by the member and he  
20       notifies the chairman of his absence not less than twenty-four hours in advance of the  
21       scheduled meeting. If a member designates a person to serve as a proxy as provided  
22       in Paragraph 3 of this Subsection, he shall still notify the chairman of his absence.

23           (6) A quorum shall consist of a simple majority of the active voting members  
24       or their proxies if the bylaws so provide.

25           (7) Whenever a vacancy occurs in a council seat, whether by death,  
26       resignation, or automatic removal, such vacant seat shall no longer be counted as an  
27       active voting member in determining a quorum until a successor has been appointed  
28       by the secretary of the Department of Public Safety and Corrections, in the manner  
29       of the original appointment, to fill the unexpired term.

1           (8) Officers of the council shall include a chairman, vice chairman, and  
2           secretary.

3           (9) All meetings shall be quarterly and conducted in accordance with the  
4           requirements of the state's Open Meetings Law. Procedural matters shall be  
5           conducted in accordance with the latest edition of Robert's Rules of Order. Meetings  
6           will be held at the office of motor vehicles in Baton Rouge.

7           (10) Members shall serve without compensation or reimbursement.

8           Section 2. This Act shall become effective on January 1, 2015.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Hodges

HB No. 900

**Abstract:** Creates the Louisiana Advisory Council on Driver Education.

Proposed law creates the La. Advisory Council on Driver Education, which consists of six members and serves to provide input and guidance to the Dept. of Public Safety and Corrections on matters pertaining to rules, regulations, and standards for licensure of driving school providers. Provides for five voting members and one nonvoting exofficio member appointed by the commissioner of the office of motor vehicles.

Proposed law provides that the membership shall consist of the following members:

- (1) One current officer of the Driving School Association of Louisiana.
- (2) Two owners of defensive driving schools.
- (3) Two secondary education professionals from the Dept. of Education.
- (4) One representative of the office of motor vehicles, who shall be the nonvoting member.

Proposed law provides that if a voting member is unable to attend a meeting, he may designate a person to serve as a proxy for voting purposes.

Proposed law provides that members will serve two-year terms, and shall be automatically removed if a member has more than one unexcused absence during any 12-month period. Specifies that a quorum consists of a simple majority of the active voting members, and a vacant seat is not counted as an active voting member in determining a quorum.

Proposed law provides that the officers of the council include a chairman, vice chairman, and secretary.

Proposed law provides that meetings shall be quarterly. Requires that meetings be conducted in accordance with the requirements of the state's Open Meetings Law and

procedural matters be conducted in accordance with the latest edition of Robert's Rules of Order. Provides that meetings will be held at the office of motor vehicles in Baton Rouge.

Proposed law provides that members shall serve without compensation or reimbursement.

Proposed law provides that this Act shall become effective on January 1, 2015.

(Adds R.S. 32:422.2)

Summary of Amendments Adopted by House

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

1. Made technical corrections.
2. Changed membership of the council to five voting members and one nonvoting ex officio member.
3. Added that the council will meet at the office of motor vehicles in Baton Rouge.
4. Provided that the Act will become effective on January 1, 2015.