

2017 Regular Session

SENATE BILL NO. 17

BY SENATORS GATTI, BISHOP AND GARY SMITH

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

TRAFFIC. Provides for driver education to include instruction on appropriate driver conduct when stopped by a law enforcement officer. (1/1/18)

1 AN ACT  
2 To amend and reenact R.S. 32:402.1(A)(1)(a) and (2)(b), 407(A)(2)(a), and 408(A)(1),  
3 relative to driver education; to provide for driver education to include instruction  
4 relative to appropriate driver conduct when stopped by a law enforcement officer;  
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:402.1(A)(1)(a) and (2)(b), 407(A)(2)(a), and 408(A)(1) are hereby  
8 amended and reenacted to read as follows:

9 §402.1. Driver education; required

10 A. No application for a license for the operation of a motor vehicle shall be  
11 received from any person making application for the first time unless there is also  
12 submitted with the application, on a form approved by the secretary of the  
13 Department of Public Safety and Corrections, public safety services, written  
14 evidence of the successful completion by the applicant of one of the following:

15 (1)(a) A "driver education course" for any person under the age of eighteen,  
16 which shall consist of not less than eight hours of actual driving instruction and thirty  
17 hours of classroom instruction. A person shall not be allowed to receive more than

1 four hours of actual driving instruction on any single calendar day. The Department  
 2 of Public Safety and Corrections, public safety services, shall establish rules and  
 3 regulations to administer and define the requirements of the course. The rules and  
 4 regulations established by the Department of Public Safety and Corrections, public  
 5 safety services, shall provide for instruction relative to trailer safety ~~and,~~ to the  
 6 economic effects of littering, **and to appropriate driver conduct when stopped by**  
 7 **a law enforcement officer.** Oversight review of these rules shall be conducted by  
 8 the House and Senate committees on transportation, highways and public works in  
 9 accordance with the Administrative Procedure Act.

\* \* \*

11 (2) A "prelicensing training course" from any person eighteen years or older  
 12 if a driver education course is not completed. The prelicensing training course shall  
 13 consist of a minimum of six hours of classroom instruction and a minimum of eight  
 14 hours of actual driving instruction. A person shall not be allowed to receive more  
 15 than four hours of actual driving instruction on any single calendar day. The  
 16 Department of Public Safety and Corrections, public safety services, shall establish  
 17 rules and regulations to administer and define the requirements of the course.  
 18 Oversight review of these rules shall be conducted by the House and Senate  
 19 committees on transportation, highways and public works in accordance with the  
 20 Administrative Procedure Act. The rules shall provide for:

\* \* \*

22 (b) Course content and presentation, including content relative to trailer  
 23 safety ~~and,~~ to the economic effects of littering, **and to appropriate driver conduct**  
 24 **when stopped by a law enforcement officer.**

\* \* \*

26 §407. Application of minors; revocation; applications of persons less than  
 27 twenty-one years of age

28 A.(1) \* \* \*

29 (2)(a) Upon completion of a driver's education course approved by the

1 Department of Public Safety and Corrections, public safety services, and upon  
2 passing a visual examination and a road knowledge test, including rules of the road,  
3 signs, and signals, sharing the road with motorcycles and tractor/trailer trucks,  
4 knowledge of distracted driving issues, knowledge of trailer safety, **knowledge of**  
5 **appropriate driver conduct when stopped by a law enforcement officer**, and not  
6 less than two questions relative to railroad and highway grade railroad safety, an  
7 applicant at least fifteen years of age, but less than seventeen years of age, applying  
8 for the first time may be issued a Class "E" learner's license. The license may be  
9 issued for a four-year period at the same fee as a Class "E" driver's license and must  
10 be maintained for at least one hundred eighty days, unless prior to such time the  
11 driver reaches seventeen years of age, prior to being converted to a Class "E"  
12 intermediate driver's license. The Class "E" learner's license shall authorize the  
13 holder to drive while being accompanied by a licensed parent, guardian, adult at least  
14 age twenty-one or older, or licensed sibling at least age eighteen or older.

15 \* \* \*

16 §408. Examination of applicants required; classes of licenses

17 A.(1) Except as otherwise provided, every applicant must pass a written  
18 knowledge and skills test for a motor vehicle representative of the type of motor  
19 vehicle he operates or expects to operate, or provide evidence on a form approved  
20 by the department that he has successfully passed the written knowledge test and a  
21 driving or skills test administered by an authorized third party. In addition to the  
22 specialized knowledge and skills tests, each such examination shall include: a test  
23 of the applicant's eyesight; his ability to understand highway signs regulating,  
24 warning, and directing traffic; his knowledge of railroad and highway grade crossing  
25 safety; his knowledge of sharing the road with motorcycles and tractor/trailer trucks;  
26 his knowledge of the economic effects of littering; his knowledge of distracted  
27 driving issues; his knowledge of trailer safety; **his knowledge of appropriate driver**  
28 **conduct when stopped by a law enforcement officer**; and his knowledge of all  
29 relevant traffic regulations.

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Section 2. This Act shall become effective on January 1, 2018.

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

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DIGEST

SB 17 Engrossed

2017 Regular Session

Gatti

Present law requires individuals who apply for a driver's license to submit written evidence of successful completion of either a "driver education course" or "prelicensing training course".

Present law requires the Department of Public Safety and Corrections, public safety services, to establish rules and regulations to administer and define the requirements of driver education and prelicensing training courses.

Proposed law retains present law and requires driver education and prelicensing training courses to include course content relative to appropriate driver conduct when stopped by a law enforcement officer.

Present law requires individuals, as part of the application procedure to obtain a license to operate a motor vehicle, to pass a road knowledge test which includes rules of the road, signs, and signals, sharing the road with motorcycles and tractor/trailer trucks, economic effects of littering, distracted driving, trailer safety, and not less than two questions relative to railroad and highway grade crossing safety, and knowledge of all relevant traffic regulations.

Proposed law retains present law and adds requirement that the road knowledge test include knowledge of appropriate driver conduct when stopped by a law enforcement officer.

Effective January 1, 2018.

(Amends R.S. 32:402.1(A)(1)(a) and (2)(b), 407(A)(2)(a), and 408(A)(1))