

## CHAPTER 316

### DRIVER EDUCATION

#### §8701. Driver education

Public secondary schools, approved private secondary schools, career and technical education centers, career and technical education regions and adult education programs conducted pursuant to chapter 315 may offer courses in driver education. [PL 1991, c. 716, §6 (AMD); PL 2003, c. 545, §5 (REV).]

#### SECTION HISTORY

PL 1985, c. 797, §45 (NEW). PL 1989, c. 179, §1 (RPR). PL 1991, c. 716, §6 (AMD). PL 2003, c. 545, §5 (REV).

#### §8702. Curriculum

A driver education course offered in accordance with section 8701 must meet the curriculum requirements prescribed by the Secretary of State, include both classroom instruction and practice driving and be approved by the Secretary of State. Any state subsidy, state reimbursement for expenditures on adult education programs or state reimbursement for adult career and technical education programs may not be paid with respect to any driver education course that has not been approved by the Secretary of State. [PL 1995, c. 505, §5 (RPR); PL 1995, c. 505, §22 (AFF); PL 2003, c. 545, §4 (REV).]

#### SECTION HISTORY

PL 1985, c. 797, §45 (NEW). PL 1989, c. 179, §2 (AMD). PL 1989, c. 721, §1 (AMD). PL 1995, c. 402, §A47 (AMD). PL 1995, c. 505, §5 (RPR). PL 1995, c. 505, §22 (AFF). PL 2003, c. 545, §4 (REV).

#### §8703. Driver education teachers

A driver education teacher must hold a license to teach driver education. [PL 1995, c. 505, §6 (AMD); PL 1995, c. 505, §22 (AFF).]

**1. Licensing.** Only a person licensed by the Secretary of State as a driver education teacher may be employed by a public secondary school, approved private secondary school, a career and technical education center, career and technical education region or adult education program, conducted pursuant to chapter 315, to teach driver education. The Secretary of State shall establish instructor qualification requirements for persons licensed to teach driver education. [PL 1997, c. 393, Pt. A, §18 (RPR); PL 1997, c. 393, Pt. A, §19 (AFF); PL 2003, c. 545, §5 (REV).]

**2. Temporary license.** If a licensed driver education teacher is not available to teach driver education and the school board, cooperative board or private school requests, the Secretary of State shall grant a temporary license to any person who holds a Class A instructor's license issued by the Secretary of State in accordance with Title 29-A, section 1354. [PL 1997, c. 393, Pt. A, §18 (RPR); PL 1997, c. 393, Pt. A, §19 (AFF).]

**3. Contracts.** A public secondary school, approved private secondary school, a career and technical education center, career and technical education region or adult education program conducted pursuant to chapter 315 may contract with a commercial driver education school to provide driver education as part of the secondary school curriculum if the instructor is properly licensed. [PL 1995, c. 505, §6 (AMD); PL 1995, c. 505, §22 (AFF); PL 2003, c. 545, §5 (REV).]

**SECTION HISTORY**

PL 1985, c. 797, §45 (NEW). PL 1989, c. 179, §2 (AMD). RR 1991, c. 2, §65 (COR). PL 1995, c. 402, §A47 (AMD). PL 1995, c. 505, §6 (AMD). PL 1995, c. 505, §22 (AFF). PL 1997, c. 393, §A18 (AMD). PL 1997, c. 393, §A19 (AFF). PL 2003, c. 545, §5 (REV).

**§8703-A. Use of seatbelts**

The instructor and students are required to use seat belts during the behind-the-wheel instruction portion of the course. [PL 1989, c. 502, Pt. A, §55 (NEW).]

**SECTION HISTORY**

PL 1989, c. 502, §A55 (NEW).

**§8704. Fee charged**

A public secondary school may provide driver education after the regular school day during the school year as part of its secondary course of study and may charge a fee based upon per pupil costs, but may not allow credit toward a high school diploma for that paid instruction. [PL 1985, c. 797, §45 (NEW).]

**SECTION HISTORY**

PL 1985, c. 797, §45 (NEW). P&SL 1987, c. 105 (AMD).

**§8705. Departmental personnel**

The Secretary of State shall employ necessary personnel, subject to the terms of the Civil Service Law, to implement this chapter. [PL 1995, c. 505, §7 (AMD); PL 1995, c. 505, §22 (AFF).]

**SECTION HISTORY**

PL 1985, c. 797, §45 (NEW). RR 1993, c. 1, §49 (COR). PL 1995, c. 505, §7 (AMD). PL 1995, c. 505, §22 (AFF).

**§8706. Rules**

The Secretary of State shall adopt rules to implement this chapter. [PL 1995, c. 505, §8 (AMD); PL 1995, c. 505, §22 (AFF).]

**SECTION HISTORY**

PL 1985, c. 797, §45 (NEW). PL 1995, c. 505, §8 (AMD). PL 1995, c. 505, §22 (AFF).

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