

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1543  
Second Edition Engrossed 7/5/90  
Appropriations Committee Substitute Adopted 7/12/90

Short Title: Drivers Training Program.

(Public)

Sponsors:

Referred to:

June 5, 1990

A BILL TO BE ENTITLED

AN ACT RELATING TO THE FUNDING AND OPERATION OF THE DRIVERS  
EDUCATION PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-88.1 reads as rewritten:

**"§ 20-88.1. Driver training and safety education.**

(a) In accordance with criteria and standards approved by the State Board of Education, the State Superintendent of Public Instruction shall organize and administer a program of driver education to be offered at the public high schools of this State for all ~~persons of provisional license age. This program shall be made available to all physically and mentally qualified persons~~ who (i) are of provisional license age, including public school students, nonpublic school students and out-of-school youths older than 15 years and are approved by the principal of the school, pursuant to rules adopted by the State Board of Education, (ii) are enrolled in a public or private high school within the State and (iii) have not previously enrolled in the program. The State Board of Education shall use for such purpose all funds appropriated to it for said purpose, and may use all other funds that become available for its use for said purpose. The drivers' education program established pursuant to this section shall include instructions on the rights and privileges of the handicapped and the signs and symbols used to assist the handicapped relative to motor vehicles, including the 'international symbol of accessibility' and other symbols and devices as provided in Article 2A of this Chapter. In addition, this program shall

1 include at least six hours of instruction on the offense of driving while impaired and  
2 related subjects.

3 (b) The State Board of Education shall adopt a salary schedule for Driver's  
4 Education Training ~~Instructors~~-Instructors who are public school employees. The salary  
5 schedule shall be a noncertified employees' salary schedule and driver's education  
6 training instructors may not be required to be certified in order to be employed. The  
7 highest salary for a driver's education instructor under the schedule shall be no higher  
8 than the salary of a public school teacher with an 'A' certificate who has no years of  
9 experience. No educational degree requirement may be a criterion used in setting  
10 ~~salaries~~-salaries. ~~The State Board of Education shall report the salary schedule and criteria~~  
11 ~~developed for a drivers' education program to the 1983 General Assembly, Second Session~~  
12 ~~1984.~~

13 The salary schedule adopted pursuant to this subsection shall not apply to any  
14 driver's education training instructor, who was employed as a driver's education training  
15 instructor in a North Carolina public school during the 1989-90 school year or the  
16 summer of 1990, until July 1, 1995.

17 The State Board of Education may also adopt rules to permit local boards of  
18 education to enter contracts with public or private entities to provide a program of driver  
19 education at its public high schools.

20 (c) All expenses incurred by the State in carrying out the provisions of this  
21 section up to the amount appropriated in the Current Operations Appropriations Act  
22 shall be paid out of the ~~General Highway Fund~~; the State Board of Education may use  
23 funds appropriated to the Department of Public Education for aid to local school  
24 administrative units if additional funds are required to operate this program."

25 Sec. 2. G.S. 115C-215 reads as rewritten:

26 "**§ 115C-215. Instruction in driver training and safety education.**

27 There shall be organized and administered under the general supervision of the  
28 Superintendent of Public Instruction a program of driver training and safety education in  
29 the public schools of this State, said courses to be noncredit courses taught by  
30 ~~instructors approved by the Department of Public Instruction, who meet the requirements~~  
31 established by the State Board of Education."

32 Sec. 3. G.S. 115C-216 reads as rewritten:

33 "**§ 115C-216. Boards of education required to provide courses in operation of**  
34 **motor vehicles.**

35 (a) Course of Training and Instruction Required in Public High Schools. – The  
36 State Board of Education and local boards of education are ~~hereby~~ required to provide as  
37 a part of the program of the public high schools in this State a course of training and  
38 instruction in the operation of motor ~~vehicles~~-vehicles, pursuant to G.S. 20-88.1. ~~and to~~  
39 ~~make such courses available for all persons of provisional license age, including public school~~  
40 ~~students, nonpublic school students and out-of-school youths under 18 years of age whose~~  
41 ~~physical and mental qualifications meet license requirements, in conformance with course~~  
42 ~~requirements and funds made available under the provisions of G.S. 20-88.1 or as hereinafter~~  
43 ~~provided or both.~~

44 (b) ~~Inclusion of Expense in Budget.~~ – ~~The local boards of education of every~~  
45 ~~local school administrative unit are hereby authorized to include as an item of~~

1 ~~instructional service and as a part of the current expense fund of the budget of the~~  
2 ~~several high schools under their supervision, the expense necessary to install and~~  
3 ~~maintain such a course of training and instructing eligible persons in such schools in the~~  
4 ~~operation of motor vehicles.~~

5 ~~(e) Appropriations.—The boards of county commissioners in the several counties~~  
6 ~~of the State and the governing bodies of all municipalities having power to appropriate~~  
7 ~~and raise money by taxation and otherwise are hereby authorized to appropriate funds~~  
8 ~~necessary to pay the expenses necessary to install and maintain in any public high~~  
9 ~~school under their supervision a course of training and instruction for eligible students~~  
10 ~~in such schools in the operation of motor vehicles, whether or not the county board of~~  
11 ~~education or administrative unit shall have included the cost of the same in its budget~~  
12 ~~request when submitted for approval.~~

13 ~~(d) How Moneys Appropriated May Be Provided.—The board of county~~  
14 ~~commissioners and the governing bodies of all municipalities having power to~~  
15 ~~appropriate money and to levy taxes and raise money are hereby authorized to allocate~~  
16 ~~and expend the moneys appropriated pursuant to this section or other acts of the General~~  
17 ~~Assembly and the moneys provided by taxation, by sale or rental of any real or personal~~  
18 ~~property owned by such county or other taxing unit, or by use of any surplus funds on~~  
19 ~~hand or acquired from any source, for the purpose of funding any such course of~~  
20 ~~instruction and training in any public high school. The special approval of the General~~  
21 ~~Assembly is hereby given for the levying of taxes for such purpose and for providing~~  
22 ~~funds for such purpose by the other means herein mentioned.~~

23 ~~(e) Content of Course; What Persons Eligible.—The words ‘a course of training~~  
24 ~~and instruction for eligible persons in the operation of motor vehicles’ as applied to this~~  
25 ~~section means such course of instruction in the operation of motor vehicles prescribed~~  
26 ~~or approved by the Department of Public Instruction, provided that every such course~~  
27 ~~shall include actual operation of motor vehicles by the persons eligible for same, under~~  
28 ~~the supervision of a qualified instructor. Only such persons older than 14 years and six~~  
29 ~~months, who are approved by the principal of the school, shall be eligible for such~~  
30 ~~course of instruction, subject to rules and regulations prescribed by the Department of~~  
31 ~~Public Instruction.~~

32 ~~(f) Acts Ratified and Confirmed.—The acts of all boards of county~~  
33 ~~commissioners and the governing bodies of all municipalities, the acts of all local~~  
34 ~~boards of education, and the acts of the State Board of Education heretofore done in~~  
35 ~~connection with providing courses of training and instruction in the operation of motor~~  
36 ~~vehicles in this State, including the appropriation and expenditure of funds for such~~  
37 ~~purpose, are hereby ratified and confirmed."~~

38 Sec. 4. The State Board of Education and the Superintendent of Public  
39 Instruction shall report on November 15, 1990, February 15, 1991, May 15, 1991, and  
40 August 15, 1991, to the Joint Legislative Highway Oversight Committee, to the Fiscal  
41 Research Division, and to the Secretary of Transportation concerning the operation of  
42 the program of driver training and safety education. These reports shall contain  
43 statistical information concerning the program including, but not limited to, the number  
44 of students enrolled in drivers education, the number of those students who are

1 dropouts, the number of those students who attend private schools, the number and  
2 provisions of the contracts signed for drivers education by public or private entities at  
3 the public high schools, the number of classroom hours of drivers instruction  
4 accomplished during the preceding three months, the number of hours of driving  
5 instruction in motor vehicles during the preceding three months, the number of vehicles  
6 used in driving instruction during the preceding three months, the number of miles  
7 driven during driving instruction during the preceding three months, and the number of  
8 students who pass the driver license test administered by the Division of Motor  
9 Vehicles, during the preceding three months, the first time that test is administered to  
10 those students.

11           Sec. 5. This act is effective upon ratification.