

SB 427-FN - AS INTRODUCED

2024 SESSION

24-2949

02/10

SENATE BILL      ***427-FN***

AN ACT            relative to establishing an alternative driver education program.

SPONSORS:      Sen. Lang, Dist 2; Sen. Innis, Dist 7; Sen. Murphy, Dist 16; Sen. Pearl, Dist 17;  
Rep. Coker, Belk. 2; Rep. A. Lekas, Hills. 38; Rep. Moffett, Merr. 4; Rep. Wallace,  
Rock. 8

COMMITTEE:    Transportation

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ANALYSIS

This bill establishes an alternative driver education program and authorizes the commissioner of safety to develop and adopt rules for said purpose.

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Explanation:    Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT relative to establishing an alternative driver education program.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1       1 Driver Education. Amend RSA 263:19, I to read as follows:

2       I. A driver's license may be issued subject to the provisions of this chapter to a person under  
3 the age of 18 years who has attained his or her sixteenth birthday, if such person shall present a  
4 certificate of successful completion of a driver education course given by a public or nonpublic  
5 secondary school and approved by the department of education in cooperation with the department  
6 of safety or given by a motor vehicle drivers' school licensed under the provisions of this chapter, **or**  
7 **completes the requirements as outlined in the program authorized pursuant to RSA 263:19-**  
8 **a.** An approved driver education course licensed under this chapter, shall consist of not less than 30  
9 hours of classroom instruction, not less than 10 hours of behind the wheel driver training and not  
10 less than 6 hours of observation, in accordance with rules adopted pursuant to RSA 541-A, published  
11 by the commissioner of safety, such standards to be not less than those presently required. The  
12 classroom instruction shall include 45 minutes of a nationally-recognized motorcycle safety  
13 education course approved by the director and 45 minutes of a nationally-recognized tractor-trailer  
14 safety education and awareness course approved by the director. No more than 15 hours of the  
15 classroom instruction may be satisfied through the completion of an online driver education course.  
16 The commissioner may enter into contracts for assistance in developing, assisting, and conducting an  
17 online driver education course. The department of safety, by the nature of its function, shall be held  
18 ultimately responsible for setting and maintaining the quality standards for driver education in the  
19 state. This authority shall apply uniformly over both secondary school courses and private motor  
20 vehicle drivers' school courses.

21       2 New Section; Driver Training Program. Amend RSA 263 by inserting after section 19 the  
22 following new section:

23       263:19-a Driver Training Program.

24       I. A driver's license may be issued subject to the provisions of this chapter to a person under  
25 the age of 18 years who has attained his or her sixteenth birthday, if such person shall present a  
26 certificate of successful completion of all the elements of the driver training program as outlined in  
27 this section.

28       II. To qualify for a driver's license under this section, a person under the age of 18 shall:

29       (a) Submit written documentation with their parent's, guardian's, or supervising  
30 licensed adult's signature, and under the pains of perjury, of the completion of 40 hours of  
31 supervised driving time under the supervision of a licensed parent or guardian, or, if there is no

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1 licensed parent or guardian, under the supervision of a licensed adult over the age of 25. At least 10  
2 of the hours of additional supervised driving time shall be during the period from 1/2 hour after  
3 sunset to 1/2 hour before sunrise;

4 (b) Complete classroom instruction through a department approved online driver  
5 education course or driver knowledge course given by a public or nonpublic secondary school and  
6 approved by the department of education. The commissioner may enter into contracts for assistance  
7 in developing, assisting, and conducting an online driver education course;

8 (c) Complete the visual acuity and knowledge examination as required by RSA 263:6;  
9 and

10 (d) Attend and complete successfully the driver training program created under  
11 paragraph III to complete the road skills requirement in RSA 263:6.

12 III. The director shall create, establish standards for, and administer the driver training  
13 program. The standards shall include, but not be limited to, standards for a nationally accepted and  
14 state-approved driver training course; and:

15 (a) The director shall appoint a program coordinator who shall oversee and direct the  
16 program by setting program and funding guidelines, and conduct an annual evaluation.

17 (b) The director may also appoint one or more training specialists who shall assist in  
18 establishing driver training courses throughout the state, support and implement program and  
19 funding guidelines and supervise instructors and other personnel as necessary. The training  
20 specialist may be a trained chief instructor. Driver training courses shall meet minimum standards  
21 established by the director, designed to develop and instill the knowledge, attitudes, habits, and  
22 skills necessary for the safe operation of a motor vehicle. Driver training courses shall be open to all  
23 residents of the state who either hold a current valid driver's license for any classification or who  
24 successfully completed the requirements of RSA 263:19-a, II(a)-(c). The director may allow residents  
25 of other states who hold a current valid driver's license to take a driver training course only if an  
26 adequate number of driver training courses have been provided for New Hampshire residents. An  
27 adequate number of driver training courses shall be provided to meet the reasonably anticipated  
28 needs of all persons in the state who are eligible and who desire to participate in the program. The  
29 division shall issue certificates of completion in the manner and form prescribed by the director to  
30 persons who satisfactorily complete the requirements of the course. Program delivery may be  
31 phased in over a reasonable period of time.

32 (c) The director may enter into contracts with either public or private institutions for  
33 technical assistance in conducting driver training courses, if the course is administered and taught  
34 by a trained instructor as established in RSA 263:44-a. If necessary, an organization conducting a  
35 driver training course may charge a reasonable tuition fee. The director shall determine the largest  
36 tuition fee a private organization may charge, but shall not exceed \$250 per student.

1           IV. The commissioner is authorized to develop and adopt rules under RSA 541-A to  
2   implement this section.

3           3 Effective Date. This act shall take effect January 1, 2025.

**SB 427-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT relative to establishing an alternative driver education program.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures</b>	\$0	\$6,112,000	\$6,016,000+	\$6,016,000+
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

**METHODOLOGY:**

This bill requires the Department of Safety's Division of Motor Vehicles (DMV) to develop and administer a driver training program used to satisfy the requirements needed to obtain a driver's license. The Department states the number of potential applicants participating in the driver training program and the number of potential public/private contractors that could be relied upon to assist the DMV in fulfilling this mission is unknown at this time. Assuming there would be no contracted help, the Department has provided the following cost estimates associated with this bill:

- Positions needed (it should be noted this bill provides neither appropriation nor authorization for new personnel):
  - One (1) administrator I and one (1) program assistant II to manage the driver training program. The estimated cost for these two positions is approximately \$156,000 per year.
  - Approximately eighty (80) training specialist positions to facilitate the “behind-the-wheel” training, for a total annual cost of \$5,760,000. This estimate was derived using the following assumptions:
    - 17,000 students X 10 hours of mandated “behind-the-wheel” training = 170,000 driving hours.

- 80 training specialists X 40 hours per week X 52 weeks = 166,400 hours per year.
  - Estimated position cost of \$72,000 X 80 training specialists = \$5,760,000.
- Approximately \$1,600,000 to purchase 80 new vehicles, at an estimated cost of \$20,000 each, to fulfill the driver training program “behind-the-wheel” driving requirement. In addition, there would be additional ongoing costs such as insurance, maintenance, and outfitting each vehicle with a passenger-side foot brake for safety.
  - Approximately \$100,000 per year to support an online learning platform to support an estimated 17,000 students. As a cost comparison, the base model for the Moodle platform, an open-source learning management system, can cost \$25,000 per year, with costs increasing based on the number of users.

	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
One (1) Administrator I and One (1) Program Assistant II*	\$117,000	\$156,000	\$156,000
Eighty (80) Training Specialists*	\$4,320,000	\$5,760,000	\$5,760,000
Vehicles	\$1,600,000	Indeterminable	Indeterminable
Online Learning Platform*	\$75,000	\$100,000	\$100,000
<b>Total</b>	<b>\$6,112,000</b>	<b>\$6,016,000+</b>	<b>\$6,016,000+</b>

\* FY 2025 estimate assumes positions hire date and online learning platform start date of October 1, 2024 (due to bill's effective date of January 1, 2025).

The Department of Safety states it does not believe it would have authority to charge fees for this program with this bill as written, therefore, it is not anticipated this bill would have any impact on state revenue. This bill limits any "tuition fee" charged by a private organization to \$250. The Department states typical driver education programs charge between \$800-\$900 per student, which is why it does not expect it would find any outside contractors to support this program and it would need to be run by DMV.

**AGENCIES CONTACTED:**

Department of Safety