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. Meffett, Merr. 4; Rep. Wallace, Rock. 8

COMMITTEE: Transportation

ANALYSIS

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
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 Driver Education. Amend RSA 263:19, I to read as follows:

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

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

   263:19-a Driver Training Program.

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

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

      (a) Submit written documentation with their parent's, guardian's, or supervising
licensed adult's signature, and under the pains of perjury, of the completion of 40 hours of
supervised driving time under the supervision of a licensed parent or guardian, or, if there is no
licensed parent or guardian, under the supervision of a licensed adult over the age of 25. At least 10
of the hours of additional supervised driving time shall be during the period from 1/2 hour after
sunset to 1/2 hour before sunrise;
(b) Complete classroom instruction through a department approved online driver
education course or driver knowledge course given by a public or nonpublic secondary school and
approved by the department of education. The commissioner may enter into contracts for assistance
in developing, assisting, and conducting an online driver education course;
(c) Complete the visual acuity and knowledge examination as required by RSA 263:6;
and
(d) Attend and complete successfully the driver training program created under
paragraph III to complete the road skills requirement in RSA 263:6.

III. The director shall create, establish standards for, and administer the driver training
program. The standards shall include, but not be limited to, standards for a nationally accepted and
state-approved driver training course; and:
(a) The director shall appoint a program coordinator who shall oversee and direct the
program by setting program and funding guidelines, and conduct an annual evaluation.
(b) The director may also appoint one or more training specialists who shall assist in
establishing driver training courses throughout the state, support and implement program and
funding guidelines and supervise instructors and other personnel as necessary. The training
specialist may be a trained chief instructor. Driver training courses shall meet minimum standards
established by the director, designed to develop and instill the knowledge, attitudes, habits, and
skills necessary for the safe operation of a motor vehicle. Driver training courses shall be open to all
residents of the state who either hold a current valid driver's license for any classification or who
successfully completed the requirements of RSA 263:19-a, II(a)-(c). The director may allow residents
of other states who hold a current valid driver's license to take a driver training course only if an
adequate number of driver training courses have been provided for New Hampshire residents. An
adequate number of driver training courses shall be provided to meet the reasonably anticipated
needs of all persons in the state who are eligible and who desire to participate in the program. The
division shall issue certificates of completion in the manner and form prescribed by the director to
persons who satisfactorily complete the requirements of the course. Program delivery may be
phased in over a reasonable period of time.
(c) The director may enter into contracts with either public or private institutions for
technical assistance in conducting driver training courses, if the course is administered and taught
by a trained instructor as established in RSA 263:44-a. If necessary, an organization conducting a
driver training course may charge a reasonable tuition fee. The director shall determine the largest
tuition fee a private organization may charge, but shall not exceed $250 per student.
IV. The commissioner is authorized to develop and adopt rules under RSA 541-A to implement this section.

3 Effective Date. This act shall take effect January 1, 2025.
AN ACT relative to establishing an alternative driver education program.

FISCAL IMPACT:  [ X ] State  [ ] County  [ ] Local  [ ] None

<table>
<thead>
<tr>
<th>Estimated State Impact - Increase / (Decrease)</th>
<th>FY 2024</th>
<th>FY 2025</th>
<th>FY 2026</th>
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<td>$0</td>
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<td>Revenue Fund(s)</td>
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<tr>
<td>Expenditures</td>
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<td>Appropriations</td>
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<tr>
<td>Funding Source(s)</td>
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<td></td>
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</table>

• Does this bill provide sufficient funding to cover estimated expenditures? [X] No
• Does this bill authorize new positions to implement this bill? [X] 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.

<table>
<thead>
<tr>
<th></th>
<th>FY 2025</th>
<th>FY 2026</th>
<th>FY 2027</th>
</tr>
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<tbody>
<tr>
<td>One (1) Administrator I and</td>
<td>$117,000</td>
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<td>One (1) Program Assistant II*</td>
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<tr>
<td>Eighty (80) Training Specialists*</td>
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<td><strong>Total</strong></td>
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* 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