

By Senator Hargrett

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A bill to be entitled
An act relating to driver improvement schools;
amending s. 318.1451, F.S.; providing
additional standards for such schools;
providing duties of the Department of Highway
Safety and Motor Vehicles; deleting an obsolete
requirement; providing for rulemaking;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 318.1451, Florida Statutes, is amended to read:

318.1451 Driver improvement schools.--

(1) The Department of Highway Safety and Motor Vehicles must ~~shall~~ approve and monitor the courses of all driver improvement schools, as the courses relate to ss. 318.14(9), 322.0261, 322.095, and 322.291. The chief judge of the applicable judicial circuit may establish requirements regarding the location of schools within the judicial circuit. A person may engage in the business of operating a driver improvement school that offers department-approved courses related to ss. 318.14(9), 322.0261, 322.095, and 322.291 and shall notify the department on a form approved by the department that the school is offering a driver improvement course.

(2) In determining whether to approve the courses referenced in this section, the department shall consider course content designed to promote safety, driver awareness, accident avoidance techniques, and other factors or criteria to improve driver performance from a safety viewpoint. The

1 department must evaluate applicants and monitor the use of the
2 approved courses and the driver improvement schools offering
3 approved courses to ensure that:

4 (a) The approved courses are conducted in accordance
5 with the approved curriculum;

6 (b) The approved courses are taught by instructors who
7 have completed at least 2 years of formal education beyond
8 high school at an accredited educational institution or have
9 at least 4 years of experience in teaching driver improvement
10 or driver education courses and who have completed a training
11 program consisting of at least 8 contact hours in the specific
12 driver improvement course they are teaching;

13 (c) The courses are updated to cover current law; and

14 (d) The school and course provider have a published
15 procedure to resolve consumer complaints.

16 (3) The Department of Highway Safety and Motor
17 Vehicles shall develop a procedure for resolving consumer
18 complaints that are not resolved by a driver improvement
19 school or course provider. The procedure must include an
20 opportunity for input from the consumer, the school, and the
21 course provider. The department must suspend accepting proof
22 of attendance of courses from persons who attend those schools
23 that do not teach an approved course or that otherwise fail to
24 comply with this section, s. 322.095, or applicable rules of
25 the department. In those circumstances, a person who has
26 elected to take courses from such a school shall receive a
27 refund from the school, and the person shall have the
28 opportunity to take the course at another school. The
29 providers of approved courses must monitor the schools that
30 conduct its courses to ensure full compliance with this
31 section. The department must suspend or revoke approval of any

1 course that does not satisfy the criteria contained in this
2 section, s. 322.095, or applicable rules of the department.
3 Before suspending or revoking course approval, the department
4 must give the course provider written notice of the violation
5 and an opportunity to correct any deficiency. The department
6 must prepare a list of approved curricula and of schools found
7 to comply with the requirements of this section and of those
8 courses from which the department has determined proof of
9 attendance will not be accepted.

10 (4) In addition to a regular course fee, an assessment
11 fee in the amount of \$2.50 shall be collected by the school
12 from each person who elects to attend a course, as it relates
13 to ss. 318.14(9), 322.0261, 322.291, and 627.06501, which
14 shall be remitted to the Department of Highway Safety and
15 Motor Vehicles and deposited in the Highway Safety Operating
16 Trust Fund to administer this program and to fund the general
17 operations of the department.

18 (5) The Department of Highway Safety and Motor
19 Vehicles is directed to perform studies of the driver
20 improvement courses offered in Florida to determine the
21 effectiveness of such courses on crash and violation rates.
22 ~~The department must report its findings to the Legislature by~~
23 ~~October 1, 1997.~~ The department is authorized to establish
24 control groups of licensed drivers to test the effectiveness
25 of the courses, and the department shall have the authority to
26 suspend the normal penalties provided by chapters 316, 318,
27 and 322 with respect to those persons participating in the
28 studies. The department may adopt those rules necessary to
29 administer this section.

30 Section 2. This act shall take effect July 1, 1998.
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SENATE SUMMARY

Provides additional requirements for driver improvement schools. Provides duties of the Department of Highway Safety and Motor Vehicles relating to driver improvement. Deletes a requirement for which the deadline has passed. Allows the department to adopt necessary rules.