

1                                   A bill to be entitled  
 2           An act relating to driver education; providing a short  
 3           title; creating s. 322.093, F.S.; providing that the  
 4           Department of Highway Safety and Motor Vehicles may not  
 5           issue a driver's license to a minor unless the minor has  
 6           successfully completed a specified driver education  
 7           course; specifying nonapplication to distribution of  
 8           certain funds; providing for issuance of a certificate for  
 9           successful course completion; amending s. 1003.48, F.S.;  
 10          providing requirements for a school district course of  
 11          instruction in the operation of motor vehicles; requiring  
 12          the Commissioner of Education to prescribe standards and  
 13          curriculum requirements; requiring certified instructors  
 14          or commercial driving schools offering the course to meet  
 15          the standards and requirements; providing for a restricted  
 16          driver's permit under certain circumstances; providing an  
 17          effective date.

18  
 19   Be It Enacted by the Legislature of the State of Florida:

20  
 21           Section 1. This act may be cited as "Tyler's Bill for  
 22 Driver Education."

23           Section 2. Section 322.093, Florida Statutes, is created  
 24 to read:

25           322.093 Driver education for minors.--Notwithstanding any  
 26 other provision of law, the department may not issue a driver's  
 27 license to a person who has not attained 18 years of age unless  
 28 the person has successfully completed a driver education course

29 of instruction in the operation of motor vehicles given by a  
 30 public secondary school in compliance with s. 1003.48, a  
 31 nonpublic school meeting the standards prescribed under s.  
 32 1003.48, or a commercial driving school licensed under chapter  
 33 488. However, nothing in this section shall alter the  
 34 distribution of funds pursuant to s. 318.1215. The school shall  
 35 issue a certificate to each student who successfully completes  
 36 the driver education course.

37 Section 3. Section 1003.48, Florida Statutes, is amended  
 38 to read:

39 1003.48 Instruction in operation of motor vehicles.--

40 (1) A course of study and instruction in the safe and  
 41 lawful operation of a motor vehicle shall be made available by  
 42 each district school board to students in the secondary schools  
 43 in the state. As used in this section, the term "motor vehicle"  
 44 shall have the same meaning as in s. 320.01(1)(a) and shall  
 45 include motorcycles and mopeds. The course must include  
 46 classroom or virtual instruction and behind-the-wheel training,  
 47 which may include use of a simulator, except that instruction in  
 48 motorcycle or moped operation may be limited to classroom  
 49 instruction. The course shall not be made a part of, or a  
 50 substitute for, any of the minimum requirements for graduation.

51 (2) In order to make such a course available to any  
 52 secondary school student, the district school board may use any  
 53 one of the following procedures or any combination thereof:

54 (a) Utilize instructional personnel employed by the  
 55 district school board.

56 (b) Contract with a commercial driving school licensed  
57 under the provisions of chapter 488.

58 (c) Contract with an instructor certified under the  
59 provisions of chapter 488.

60 (3)(a) District school boards shall earn funds on full-  
61 time equivalent students at the appropriate basic program cost  
62 factor, regardless of the method by which such courses are  
63 offered.

64 (b) For the purpose of financing the driver education  
65 program in the secondary schools, there shall be levied an  
66 additional 50 cents per year to the driver's license fee  
67 required by s. 322.21. The additional fee shall be promptly  
68 remitted to the Department of Highway Safety and Motor Vehicles,  
69 which shall transmit the fee to the Chief Financial Officer to  
70 be deposited in the General Revenue Fund.

71 (4) The Commissioner of Education ~~district school board~~  
72 shall prescribe standards and curriculum requirements for the  
73 course required by this section and for instructional personnel  
74 directly employed by the district school board. Notwithstanding  
75 any other provision of law, any certified instructor or licensed  
76 commercial driving school offering the course pursuant to  
77 subsection (2) shall ~~be deemed sufficiently qualified and shall~~  
78 ~~not~~ be required to meet the standards and curriculum  
79 requirements prescribed for the course ~~any standards in lieu of~~  
80 ~~or~~ in addition to those prescribed under chapter 488.

81 (5) Any student under 18 years of age who has not  
82 satisfactorily completed the course required under this section  
83 shall have a restriction placed on his or her driver's permit.

CS/HB 1299

2008

84 The student shall be restricted when operating a motor vehicle  
85 to having one passenger in the motor vehicle unless the student  
86 is accompanied by a driver who holds a valid license to operate  
87 a motor vehicle and who is at least 21 years of age.

88 Section 4. This act shall take effect March 1, 2009.