



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1587

Introduced 2/15/2011, by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-24.2

from Ch. 122, par. 27-24.2

105 ILCS 5/27-24.3

from Ch. 122, par. 27-24.3

Amends the Driver Education Act of the School Code. Provides that instead of a school district providing the practice driving part of a driver education course, the district may enter into a memorandum of understanding with a private driver education provider stating the provider's ability and willingness to offer the practice driving part of the driver education course at a cost to the student equal to or less than the cost the district would incur in offering the instruction. Requires the district to submit to the State Board of Education and the State Board of Education to approve the memorandum of understanding before the district is relieved of its duty to provide behind-the-wheel instruction.

LRB097 03006 NHT 50709 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 27-24.2 and 27-24.3 as follows:

6 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

7 Sec. 27-24.2. Safety education; driver education course.
8 Instruction shall be given in safety education in each of
9 grades one through 8, equivalent to one class period each week,
10 and any school district which maintains grades 9 through 12
11 shall offer a driver education course in any such school which
12 it operates. Its curriculum shall include content dealing with
13 Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code,
14 the rules adopted pursuant to those Chapters insofar as they
15 pertain to the operation of motor vehicles, and the portions of
16 the Litter Control Act relating to the operation of motor
17 vehicles. The course of instruction given in grades 10 through
18 12 shall include an emphasis on the development of knowledge,
19 attitudes, habits, and skills necessary for the safe operation
20 of motor vehicles, including motorcycles insofar as they can be
21 taught in the classroom, and instruction on distracted driving
22 as a major traffic safety issue. In addition, the course shall
23 include instruction on special hazards existing at and required

1 safety and driving precautions that must be observed at
2 emergency situations, highway construction and maintenance
3 zones, and railroad crossings and the approaches thereto. The
4 course of instruction required of each eligible student at the
5 high school level shall consist of a minimum of 30 clock hours
6 of classroom instruction and a minimum of 6 clock hours of
7 individual behind-the-wheel instruction in a dual control car
8 on public roadways taught by a driver education instructor
9 endorsed by the State Board of Education. However, instead of
10 the school district providing the behind-the-wheel
11 instruction, the district may enter into a memorandum of
12 understanding with a private driver education provider stating
13 the provider's ability and willingness to offer the practice
14 driving part of the driver education course at a cost to the
15 student equal to or less than the cost the district would incur
16 in offering the instruction. The district must submit to the
17 State Board of Education and the State Board of Education must
18 approve the memorandum of understanding before the district is
19 relieved of its duty to provide behind-the-wheel instruction.
20 Behind-the-wheel instruction provided by a private driver
21 education provider must meet the requirements of this Code, the
22 Illinois Vehicle Code, and any rules of the State Board of
23 Education. Both the classroom instruction part and the practice
24 driving part of ~~a such~~ driver education course shall be open to
25 a resident or non-resident student attending a non-public
26 school in the district wherein the course is offered. Each

1 student attending any public or non-public high school in the
2 district must receive a passing grade in at least 8 courses
3 during the previous 2 semesters prior to enrolling in a driver
4 education course, or the student shall not be permitted to
5 enroll in the course; provided that the local superintendent of
6 schools (with respect to a student attending a public high
7 school in the district) or chief school administrator (with
8 respect to a student attending a non-public high school in the
9 district) may waive the requirement if the superintendent or
10 chief school administrator, as the case may be, deems it to be
11 in the best interest of the student. A student may be allowed
12 to commence the classroom instruction part of such driver
13 education course prior to reaching age 15 if such student then
14 will be eligible to complete the entire course within 12 months
15 after being allowed to commence such classroom instruction.

16 Such a course may be commenced immediately after the
17 completion of a prior course. Teachers of such courses shall
18 meet the certification requirements of this Act and regulations
19 of the State Board as to qualifications.

20 Subject to rules of the State Board of Education, the
21 school district may charge a reasonable fee, not to exceed \$50,
22 to students who participate in the course, unless a student is
23 unable to pay for such a course, in which event the fee for
24 such a student must be waived. The total amount from driver
25 education fees and reimbursement from the State for driver
26 education must not exceed the total cost of the driver

1 education program in any year and must be deposited into the
2 school district's driver education fund as a separate line item
3 budget entry. All moneys deposited into the school district's
4 driver education fund must be used solely for the funding of a
5 high school driver education program approved by the State
6 Board of Education that uses driver education instructors
7 endorsed by the State Board of Education.

8 (Source: P.A. 95-339, eff. 8-21-07; 96-734, eff. 8-25-09.)

9 (105 ILCS 5/27-24.3) (from Ch. 122, par. 27-24.3)

10 Sec. 27-24.3. Reimbursement. In order for the school
11 district to receive reimbursement from the State as hereinafter
12 provided, the driver education course offered in its schools
13 shall consist of at least 30 clock hours of classroom
14 instruction and, subject to modification as hereinafter
15 allowed and unless a memorandum of understanding has been
16 entered into with a private driver education provider under
17 Section 27-24.2 of this Code, at least 6 clock hours of
18 practice driving in a car having dual operating controls under
19 direct individual instruction.

20 (Source: P.A. 95-310, eff. 7-1-08.)