

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-205 of the Code of Virginia, relating to driver education*  
3 *programs.*

4  
5 Approved

[S 248]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 22.1-205 of the Code of Virginia is amended and reenacted as follows:**

8 § 22.1-205. Driver education programs.

9 A. The Board of Education shall establish for the public school system a standardized program of  
10 driver education in the safe operation of motor vehicles. Such program shall consist of classroom  
11 training and behind-the-wheel driver training. However, any student who participates in such a program  
12 of driver education shall meet the academic requirements established by the Board, and no student in a  
13 course shall be permitted to operate a motor vehicle without a license or permit to do so issued by the  
14 Department of Motor Vehicles. The program shall include instruction concerning (i) alcohol and drug  
15 abuse ~~and~~, (ii) aggressive driving, *and (iii) motorcycle awareness*. Such instruction shall be developed  
16 by the Department in cooperation with the Virginia Alcohol Safety Action Program and the Department  
17 of Mental Health, Mental Retardation and Substance Abuse Services.

18 B. The Board shall assist school divisions by preparation, publication and distribution of competent  
19 driver education instructional materials to ensure a more complete understanding of the responsibilities  
20 and duties of motor vehicle operators.

21 C. Each school board shall determine whether to offer the program of driver education in the safe  
22 operation of motor vehicles and, if offered, whether such program shall be an elective or a required  
23 course. Only school divisions complying with the standardized program and regulations established by  
24 the Board of Education and the provisions of § 46.2-335 shall be entitled to participate in the  
25 distribution of state funds appropriated for driver education.

26 D. The actual initial driving instruction shall be conducted, with motor vehicles equipped as may be  
27 required by regulation of the Board of Education, on private or public property removed from public  
28 highways if practicable; if impracticable, then, at the request of the school board, the Commonwealth  
29 Transportation Board shall designate a suitable section of road near the school to be used for such  
30 instruction. Such section of road shall be marked with signs, which the Commonwealth Transportation  
31 Board shall supply, giving notice of its use for driving instruction. Such signs shall be removed at the  
32 close of the instruction period. No vehicle other than those used for driver training shall be operated  
33 between such signs at a speed in excess of twenty-five miles per hour. Violation of this limit shall be a  
34 Class 4 misdemeanor.

35 E. The Board of Education may, in its discretion, promulgate regulations for the use and certification  
36 of paraprofessionals as teaching assistants in the driver education programs of school divisions.

37 F. The Board of Education shall approve correspondence courses for the classroom training  
38 component of driver education. These correspondence courses shall be consistent in quality with  
39 instructional programs developed by the Board for classroom training in the public schools. Students  
40 completing the correspondence courses for classroom training, who are eligible to take behind-the-wheel  
41 driver training, may receive behind-the-wheel driver training (i) from a public school, upon payment of  
42 the required fee, if the school division offers behind-the-wheel driver training and space is available or  
43 (ii) from a commercial driver training school licensed by the Department of Motor Vehicles. Nothing  
44 herein shall be construed to require any school division to provide behind-the-wheel driver training to  
45 nonpublic school students.

ENROLLED

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