

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 [H 686]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 22.1-205 of the Code of Virginia is amended and reenacted as follows:**

7 § 22.1-205. Driver education programs.

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

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

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

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

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

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

ENROLLED

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