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SENATE BILL NO. 486

Offered January 26, 1998

A *BILL to amend and reenact § 22.1-205 of the Code of Virginia, relating to the suspension of driver's license of certain students.*

Patron—Colgan

Referred to the Committee on Education and Health

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

§ 22.1-205. Driver education programs; Board may request suspension of driver's license.

A. The Board of Education shall establish for the public school system a standardized program of driver education in the safe operation of motor vehicles. Such program shall consist of classroom training and behind the wheel driver training. However, any student who participates in such a program of driver education shall meet the academic requirements established by the Board, and no student in a course shall be permitted to operate a motor vehicle without a license or permit to do so issued by the Department of Motor Vehicles. The program shall include instruction concerning alcohol and drug abuse. Such instruction shall be developed by the Department in cooperation with the Virginia Alcohol Safety Action Program and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

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

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

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

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

F. A school board shall require the division superintendent to request, in writing, that the Department of Motor Vehicles suspend the driver's license of any student who the school board determines has acquired fifteen or more unexcused absences and who has not complied with efforts of the school division to ensure the student's regular school attendance. When the school board has determined that the student's regular school attendance has been achieved, the school board shall require the division superintendent to so notify the Department of Motor Vehicles, in writing, and to request that the student's driver's license be reinstated.

INTRODUCED

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