

HOUSE BILL REPORT

HB 3069

As Reported By House Committee On:

Education

Title: An act relating to traffic safety education.

Brief Description: Requiring development of a traffic safety education course for parents providing home-based instruction.

Sponsors: Representatives Sherstad and Johnson.

Brief History:

Committee Activity:

Education: 2/3/98, 2/6/98 [DPS].

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Smith; Sterk; Sump and Talcott.

Minority Report: Do not pass. Signed by 5 members: Representatives Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall and Veloria.

Staff: Susan Morrissey (786-7111).

Background: People under the age of 18 must satisfactorily complete a traffic safety education course before they can apply for licenses to drive. By law, these courses are limited to those taught either through the public schools or through commercial driving instructors. The courses must meet certain requirements that are prescribed through law and through rules adopted by the Superintendent of Public Instruction (SPI). The rules describe the credentials instructors must possess, some of the components of the courses, the safety standards that vehicles used to teach students must meet, the state funding for courses taught in the public schools, and course scheduling requirements.

Home-schooled and private school students may enroll in the public schools on a part-time basis in order to take courses such as traffic safety courses. By law, school districts must offer at least one traffic safety class at times other than regular school hours, if the

districts have an approved private high school within their boundaries and sufficient demand exists to fill the class.

Traffic safety courses in the public schools are funded from the Public Safety Education Account. Money in the account is provided through a surcharge placed on moving traffic violations. School districts receive \$137 per student per class. The money from the account often does not cover the entire cost to the district of offering the course, so many districts supplement that amount with a student fee of up to \$200. The Public Safety Account provides districts with an additional \$66.81 for each enrolled student who is eligible for the free and reduced lunch program. If the districts charge fees for the course, they must use the additional dollars to provide eligible low-income students with a scholarship that partially or completely covers the required student fees.

Summary of Substitute Bill: SPI will develop, and make available to parents who are home-schooling their children, a list of parent-led traffic safety and driver's education courses. To be included on the list, courses must be either nationally recognized or approved for use in other states. In addition, the courses must include the following components.

- The equivalent of 30 hours of instruction;
- The equivalent of 50 hours of street driving;
- Instruction on drug and alcohol use and its effect on driving; and
- Materials that the parent can use to evaluate the student's driving skills.

A parent who is planning to use the course must certify to SPI that he or she has a current Washington driver's license, has not been convicted in the last 10 years of criminally negligent vehicular homicide or driving while intoxicated, and has not been disabled because of mental illness. SPI is not authorized to require the parent to undergo a background investigation to verify the parent's driving record or mental health history.

In addition, the agency may not require the parent to participate in instructional classes. The agency may request the driving record of the parent providing the instruction. A parent who meets the requirements will be considered a qualified teacher of traffic safety education— for the purposes of teaching the parent-led course to his or her children.

Home-schooled students who have successfully completed the parent-led traffic safety or driver's education course will meet the educational requirements that must be completed before a person under 18 may apply for a driver's license.

Substitute Bill Compared to Original Bill: The definition of qualified teacher of traffic safety education— is clarified, the SPI will make lists of qualified parent-led traffic safety and driver's education courses available to parents who are home-schooling their children instead of developing a course for that purpose; the components of the course

are refined; the qualifications of parents teaching the course are clarified, and SPI is permitted to review the driving record of the parent instructor.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 6, 1998.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The traffic safety curriculum proposed in this legislation is performance based. It requires far more instruction in street driving than students receive in public school courses. It gives home-schooling parents another choice, an option to provide the instruction at home. This is a fiscally prudent proposal because home-schooled students would not have to enroll in a public school for the same course. Parents are as well qualified as other traffic safety instructors, and they have a greater interest in the health and well being of their children.

Testimony Against: (original bill) The qualifications included in the legislation for the parent instructor give rise to concerns. The legislation would not permit SPI to verify the parent's driving record. The requirements are not consistent with the state's other policies for home-schooled courses and programs. There are 52,000 students a year, including home-schooled students, who have access to driver's education. This legislation will lead to different standards for home-schooling parents, and possibly other parents.

Testified: Representative Sherstad, prime sponsor; Charles Taylor, National Driver Training (pro); Gary Bloomfield, Office of Superintendent of Public Instruction (con); and Jim Hagman, parent (pro).