

By: Crutchfield of the Senate
and
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An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-206.1, as amended by Section 2, Chapter 49, O.S.L. 2002 (47 O.S. Supp. 2003, Section 6-206.1), which relates to driver improvement or defensive driving courses; removing certain requirement relating to qualification of instructors; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 6-206.1, as amended by Section 2, Chapter 49, O.S.L. 2002 (47 O.S. Supp. 2003, Section 6-206.1), is amended to read as follows:

Section 6-206.1 A. Driver improvement or defensive driving course is a course which offers an educational setting, provides for driving concepts which encourage attitude or behavioral changes in the responsibility of operating a motor vehicle in a safe and responsible manner.

B. It shall be the responsibility of the institution or organization to provide:

1. Adequate facilities which meet or exceed state and local fire, health and safety codes;
2. Adequate equipment, in good working order, and instructional materials for such courses;
3. Qualified instructors who shall:
 - a. possess an undergraduate degree and have nine (9) college or university credit hours in traffic safety education, or is a peace officer certified by the Council on Law Enforcement Education and Training (CLEET) ~~who is employed by a municipality,~~

- b. have no alcohol or drug-related convictions or revocations in the past five (5) years,
- c. have no more than five (5) points accumulated on the driving record in the past three (3) years in accordance with the Oklahoma Mandatory Point System,
- d. have a valid Oklahoma driver license, and
- e. complete a course of training through the approved organization or institution;

4. A course of study designed to inform the participant of driver improvement and defensive driving concepts while encouraging attitude or behavioral changes in the responsibility of operating a motor vehicle in a safe and responsible manner. The curriculum, which means the complete lesson plans which include instructional strategy, presentation methods and resources utilized to incorporate the concepts of traffic safety, must provide for but not be limited to the following:

- a. driver personality traits - behavioral attitudes,
- b. driver qualifications and limitations,
- c. effects of alcohol and other drugs, and
- d. current accident prevention and defensive driving techniques: speed control, perception, reactions, lane positioning, safe turning and passing, occupant restraints, following distance and rules of the road; and

5. Provide at least six (6) hours of classroom instruction.

C. Organizations or institutions desirous of making application shall submit the following to the Department of Public Safety:

1. Evidence of organizational or institutional status which meet statutory requirements;

2. Copy of proposed course curriculum which includes lesson objectives, presentation materials, instructional strategy and resources utilized;

3. Certification that instructors meet statutory requirements;
and

4. Upon Department of Public Safety approval said organization or institution shall be considered for point credits as set forth in this section.

D. The Department of Public Safety is authorized to grant a two point credit towards the Oklahoma Point System Regulations to any person who successfully completes a course pursuant to this section provided only one such course shall be acknowledged once every twenty-four (24) months.

E. The Department upon giving of notice and hearing may decline to grant credit points to any organization or institution for:

1. Unethical conduct of an instructor or official of an institution or organization;
2. Failure to satisfactorily resolve citizens' complaints;
3. Falsifying or misrepresenting any document or information to the Department or student;
4. Failure of organization or instructor to meet statutory requirements;
5. Conflict of interest by the organization or institution and/or its personnel; or
6. Failure of organization, institution or instructor to continue to meet statutory requirements as provided for in this section.

F. Course enrollment will be limited to not more than thirty students with an enrollment fee of Fifty Dollars (\$50.00) per student.

G. Enrollment in the course shall not be limited to persons ordered to enroll, attend and successfully complete the course.

H. The organization or institution shall within fifteen (15) days of the completion certify to the Department of Public Safety all persons who successfully complete the course on a form approved

or furnished by the Department. This shall include the person's full name, address, date of birth and driver license number.

I. Department personnel shall be admitted to any course without charge, upon request and display of proper credentials.

J. Each organization or institution shall develop auditing procedures which could be utilized to show compliance with this section.

K. Any point credit allowed must comply with the Department's Point System Regulations.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 25th day of February, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2004.

Presiding Officer of the House
of Representatives