

3 Senate Bill No. 890

4 SENATE BILL NO. 890 - By: CRUTCHFIELD of the Senate and HILLIARD of
5 the House.

6 An Act relating to motor vehicles; amending 47 O.S. 2001,
7 Section 6-206.1, as amended by Section 2, Chapter 49, O.S.L.
8 2002 (47 O.S. Supp. 2003, Section 6-206.1), which relates to
9 driver improvement or defensive driving courses; removing
10 certain requirement relating to qualification of
11 instructors; and declaring an emergency.

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

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

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

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

23 1. Adequate facilities which meet or exceed state and local
24 fire, health and safety codes;

25 2. Adequate equipment, in good working order, and instructional
26 materials for such courses;

1 3. Qualified instructors who shall:

- 2 a. possess an undergraduate degree and have nine (9)
3 college or university credit hours in traffic safety
4 education, or is a peace officer certified by the
5 Council on Law Enforcement Education and Training
6 (CLEET) ~~who is employed by a municipality,~~
7 b. have no alcohol or drug-related convictions or
8 revocations in the past five (5) years,
9 c. have no more than five (5) points accumulated on the
10 driving record in the past three (3) years in
11 accordance with the Oklahoma Mandatory Point System,
12 d. have a valid Oklahoma driver license, and
13 e. complete a course of training through the approved
14 organization or institution;

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

- 23 a. driver personality traits - behavioral attitudes,

- 1 b. driver qualifications and limitations,
2 c. effects of alcohol and other drugs, and
3 d. current accident prevention and defensive driving
4 techniques: speed control, perception, reactions,
5 lane positioning, safe turning and passing, occupant
6 restraints, following distance and rules of the road;
7 and

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

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

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

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

16 3. Certification that instructors meet statutory requirements;
17 and

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

21 D. The Department of Public Safety is authorized to grant a two
22 point credit towards the Oklahoma Point System Regulations to any
23 person who successfully completes a course pursuant to this section

1 provided only one such course shall be acknowledged once every
2 twenty-four (24) months.

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

5 1. Unethical conduct of an instructor or official of an
6 institution or organization;

7 2. Failure to satisfactorily resolve citizens' complaints;

8 3. Falsifying or misrepresenting any document or information to
9 the Department or student;

10 4. Failure of organization or instructor to meet statutory
11 requirements;

12 5. Conflict of interest by the organization or institution
13 and/or its personnel; or

14 6. Failure of organization, institution or instructor to
15 continue to meet statutory requirements as provided for in this
16 section.

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

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

22 H. The organization or institution shall within fifteen (15)
23 days of the completion certify to the Department of Public Safety

1 all persons who successfully complete the course on a form approved
2 or furnished by the Department. This shall include the person's
3 full name, address, date of birth and driver license number.

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

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

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-9-04 -
16 DO PASS.