

Date of Hearing: April 20, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1024 (Beth Gaines) – As Amended April 14, 2015

SUBJECT: Driving schools

SUMMARY: Establishes alternative licensing requirements for operators of Internet-based driver education schools, as specified. Specifies that these requirements are to commence for new operators on or after July 1, 2016.

EXISTING LAW:

- 1) Requires DMV to establish occupational licensing requirements for driving school operators.
- 2) Requires driver school operators to meet a number of requirements including, passing a DMV-administered examination, be age 21 or older, and serve as a behind the wheel driving instructor for a minimum of 2,000 hours.

FISCAL EFFECT: Unknown

COMMENTS: Currently a minor between 15 and a half years old and 18 years old interested in obtaining a driver's license under DMV's graduated driver's license program (GDL) must first complete both a driver's education course and a six hour behind-the-wheel driver's training course. The driver's education course includes information on a variety of topics including the basic fundamentals of being a safe and responsible driver, a review of pertinent driving laws, and GDL program restrictions. Additionally, behind-the-wheel driver's training allows the minor to practice basic driving skills under the supervision of an instructor. Once a minor has successfully completed both their driver's education course and driver's training course, the next step is to take DMV's written test to obtain a learner's permit.

DMV licenses and approves all owners, operators, and instructors of driver's education and driver's training courses. DMV also establishes course curricula, conducts monitoring activities, and performs other regulatory functions. Driver's education operators and instructors are also subject to separate licensing requirements due to their differing responsibilities - instructors provide coursework instruction and engage with students, whereas operators carry out administrative functions, oversee instructors, and, at times, provide instruction. Students are also provided a wide range of driver's education and training courses including classroom only driver's education, combined classroom driver's education and behind-the-wheel training, home study driver's education, Internet-based driver's education, and separate driver's training instruction.

The author introduced AB 1024 on behalf of the sponsor to eliminate what she believes is an unnecessary requirement for Internet-based driver's education operators. Presently a driver's education operator must meet a number of requirements in order to obtain a DMV-issued occupational license including serving as a driving instructor for a minimum of 2,000 hours. While these requirements ensured an operator was adequately trained to manage both driver's education and training courses twenty years ago, the use of Internet-based companies solely providing driver's education courses has steadily increased. These online courses typically

provide only driver's education coursework and then, upon successful completion, refer the student to local driver's training courses. An available instructor or operator is required to be available via online chat or through a customer service line to answer any questions a student may pose. Thus, an operator rarely, if at all, engages in person with a student. These particular set of operator requirements originally tailored for the classroom-based driver's education and training model has left many Internet-based driver's education companies struggling to hire or replace operators within a reasonable period, in turn, jeopardizing the company's ability to conduct business.

This bill provides an alternative set of licensing requirements for new operators who only administer Internet-based driver's education. Notably, this bill replaces the 2,000 hour behind-the-wheel instructor requirement with an eight-hour mandatory driver's education program that must be successfully completed. The author notes that AB 1024 will "remove the unnecessary 2,000 hour requirement of behind-the-wheel training from operators of Internet-based driver's education companies who don't provide behind-the-wheel training in the course of their business."

REGISTERED SUPPORT / OPPOSITION:**Support**

The Distance Learning Company (Sponsor)

Opposition

None on file

Analysis Prepared by: Manny Leon / TRANS. / (916) 319-2093