

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 68

Session of
1999

INTRODUCED BY TULLI, BUXTON, E. Z. TAYLOR, M. COHEN, STAIRS,
WILT, BELARDI, BAKER, BELFANTI, CURRY, FICHTER, FLEAGLE,
HARHAI, HERMAN, S. MILLER, PESCI, READSHAW, ROSS, SATHER,
SHANER, STABACK, STERN, SURRA, THOMAS, TIGUE, TRELLO,
C. WILLIAMS, YOUNGBLOOD, B. SMITH, MELIO, RAMOS AND SOLOBAY,
JANUARY 20, 1999

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 20, 1999

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," mandating that all school districts
6 provide instruction for the safe driving of motor vehicles;
7 further providing for payment for driver-education programs;
8 and making an editorial change.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 1519 of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949,
13 amended October 21, 1965 (P.L.601, No.312) and January 26, 1966
14 (1965 P.L.1620, No.574), is amended to read:

15 Section 1519. Teaching of Safe Driving of Motor Vehicles.--

16 (a) [Any] Every school district [may] shall provide for the
17 teaching of safe driving of motor vehicles in the elementary and
18 secondary schools of the district or in the secondary schools
19 only, in accordance with the standardized program established by

1 the Department of [Public Instruction] Education. The classroom
2 and practical instruction shall be conducted by a certified
3 teacher. In the case of pupils under the age of sixteen (16)
4 years, such instruction shall be limited to class room
5 instruction [by those who shall possess the qualifications
6 prescribed by the State Board of Education]. In the case of
7 pupils of the age of sixteen (16) years and over, the
8 instruction [may] shall include practical instruction in the
9 operation of motor vehicles on the public highways, or other
10 places, selected by the board of school directors or by the
11 principal of the school where the instruction is given.

12 (b) The board of school directors [may] shall employ [and
13 fix the compensation of qualified] persons certified as teachers
14 under this act to teach the practical operation of motor
15 vehicles on the highways, or elsewhere, who shall possess the
16 qualifications prescribed by the State Board of Education.
17 Teacher aides employed prior to July 1, 1999, may be used in the
18 practice driving phase of the standardized program in the public
19 schools of the Commonwealth. After July 1, 1999, all qualified
20 persons shall be certified teachers. The [Superintendent of
21 Public Instruction] Secretary of Education shall, upon the
22 request of the local chief school administrator for employment
23 of a teacher [aid] aide, provide for an oral examination, a
24 written theoretical examination and a practical examination. In
25 addition, the applicant shall possess the following
26 qualifications: (1) satisfactory completion of the examination
27 provided by the [Superintendent of Public Instruction] Secretary
28 of Education, (2) possess a high school diploma, (3) have a
29 motor vehicle operator's record free of violation of "The
30 Vehicle Code" and other traffic laws and free of accidents, (4)

1 completed a three-credit course in driver education, (5) shall
2 complete an additional nine hours of credit in General and
3 Traffic Safety Education within a three year period of
4 employment, and (6) shall be eligible according to the
5 provisions in section 1209 of the "Public School Code of 1949."
6 The board of school directors [may] shall purchase, rent [or],
7 hire or otherwise provide motor vehicles for such instruction
8 only and shall procure or require automobile liability insurance
9 in such amounts as the board of school directors shall prescribe
10 covering vehicles owned or operated pursuant to this section.
11 Such insurance shall be for the public liability of the owner of
12 the vehicle, when the owner is some one other than the school
13 district, the employe of the school district, the employe of the
14 owner and the pupil operating the vehicle, against claims for
15 damages, for injuries to person or property. No liability shall
16 attach to any individual, school director, superintendent,
17 teacher or other school authority by reason of teaching safe
18 driving, except that which is protected by the automobile
19 liability insurance policies which are procured by reason of the
20 authority granted herein.

21 (c) The board of school directors [may] shall appropriate
22 and expend money of the school district for the purpose of
23 paying the compensation of the instructors and to purchase, rent
24 [or], hire or otherwise provide motor vehicles, automobile
25 liability insurance and to maintain and repair the same and to
26 purchase fuel, lubricants, parts and accessories therefor.

27 Section 2. Section 2504.1 of the act, amended January 24,
28 1966 (1965 P.L.1506, No.528), is amended to read:

29 Section 2504.1. Payments on Account of Standardized Driver-
30 Education Programs.--Every school district or joint school

1 organization complying with the standardized driver-education
2 program established by the department and which has expended
3 money for the purpose of paying the compensation of instructors
4 and to purchase, rent, hire or otherwise provide motor vehicles,
5 automobile liability insurance and to maintain and repair the
6 same and to purchase fuel, lubricants, parts and accessories
7 therefor shall be paid, by the Commonwealth from the Motor
8 License Fund, an amount to be determined by multiplying the
9 number of pupils who have completed the high school standardized
10 driver-education program conducted by any given school district
11 or joint school organization by a basic figure of thirty-five
12 (\$35) dollars per student[.] and the actual costs of
13 instructors, vehicles, insurance and maintenance, lubricants,
14 parts and accessories.

15 Section 3. This act shall be applicable to the school year
16 1999-2000 and each school year thereafter.

17 Section 4. This act shall take effect immediately.