

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1558 Session of  
2007

INTRODUCED BY PETRONE, GRUCELA, BELFANTI, CALTAGIRONE, COSTA,  
CREIGHTON, CURRY, DALEY, J. EVANS, FABRIZIO, FREEMAN, GEORGE,  
HORNAMAN, JAMES, KIRKLAND, KOTIK, KULA, McCALL,  
McILVAINE SMITH, MENSCH, MOUL, REICHLEY, SCAVELLO, SEIP,  
SIPTROTH, SOLOBAY, SONNEY, STERN, STURLA, WALKO AND KORTZ,  
JUNE 18, 2007

REFERRED TO COMMITTEE ON EDUCATION, JUNE 18, 2007

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," further providing for teaching of  
6 safe driving of motor vehicles and for the standardized  
7 driver-education program.

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

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

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

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

1 Department of Public Instruction.] All school districts shall  
2 provide for the teaching of safe driving of motor vehicles in  
3 the secondary schools of the district in accordance with the  
4 standardized driver-education program established by the  
5 Department of Education. In the case of pupils under the age of  
6 sixteen (16) years, such instruction shall be limited to class  
7 room instruction by those who shall possess the qualifications  
8 prescribed by the State Board of Education. In the case of  
9 pupils of the age of sixteen (16) years and over, the  
10 instruction may include practical instruction in the operation  
11 of motor vehicles on the public highways, or other places,  
12 selected by the board of school directors or by the principal of  
13 the school where the instruction is given.

14 (b) The board of school directors may employ and fix the  
15 compensation of qualified persons to teach the practical  
16 operation of motor vehicles on the highways, or elsewhere, who  
17 shall possess the qualifications prescribed by the State Board  
18 of Education. Teacher aides may be used in the practice driving  
19 phase of the standardized program in the public schools of [the]  
20 this Commonwealth. The [Superintendent of Public Instruction]  
21 Secretary of Education shall, upon the request of the local  
22 chief school administrator for employment of a teacher aide,  
23 provide for an oral examination, a written theoretical  
24 examination and a practical examination. In addition, the  
25 applicant shall possess the following qualifications: (1)  
26 satisfactory completion of the examination provided by the  
27 [Superintendent of Public Instruction] Secretary of Education,  
28 (2) possess a high school diploma, (3) have a motor vehicle  
29 operator's record free of violation of ["The Vehicle Code"] 75  
30 Pa.C.S. (relating to vehicles) and other traffic laws and free

1 of accidents, (4) completed a three-credit course in driver  
2 education, (5) shall complete an additional nine hours of credit  
3 in General and Traffic Safety Education within a three year  
4 period of employment, and (6) shall be eligible according to the  
5 provisions in section 1209 of [the "Public School Code of  
6 1949."] this act. The board of school directors may purchase,  
7 rent or hire motor vehicles for such instruction and shall  
8 procure or require automobile liability insurance in such  
9 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 appropriate and expend  
22 money of the school district for the purpose of paying the  
23 compensation of the instructors and to purchase, rent or hire  
24 motor vehicles, automobile liability insurance and to maintain  
25 and repair the same and to purchase fuel, lubricants, parts and  
26 accessories therefor.

27 Section 2. Section 1519.1 of the act, amended January 24,  
28 1966 (1965, P.L.1506, No.528), is amended to read:

29 Section 1519.1. Standardized Driver-Education Program.--

30 (a) The Department of [Public Instruction] Education shall

1 establish, for operation in the public school system of the  
2 Commonwealth, a standardized driver-education program in the  
3 safe operation of motor vehicles available to all public high  
4 school pupils and all high school pupils attending nonpublic  
5 high schools.

6 (b) The Department of [Public Instruction] Education shall  
7 assist school districts throughout [the] this Commonwealth in  
8 the functioning of [such] the program by[--] the:

9 (1) Preparation, publication and free distribution of  
10 driver-education instructional material to insure a more  
11 complete understanding of the duties of motor vehicle  
12 operators[;]\_.

13 (2) Making such rules and regulations as may be necessary to  
14 carry out [such] the program.

15 (c) Annual expenditures of the Department of [Public  
16 Instruction] Education from the Motor License Fund for (1)  
17 salaries and expenses of employes of the Department of [Public  
18 Instruction] Education essential to the program; (2) purchase of  
19 visual training aids and psychophysical testing equipment; and  
20 (3) costs of preparation, publication and distribution of  
21 driver-education instructional material, for assistance to their  
22 driver-education programs, shall not exceed three (3) per centum  
23 of the annual total amount paid by the Commonwealth to all  
24 school districts, or joint school organizations, on account of  
25 standardized driver-education programs.

26 (d) On an annual basis, the Department of Education shall  
27 review the standardized driver-education program to determine  
28 its effectiveness in facilitating the safe operation of motor  
29 vehicles by high school pupils throughout this Commonwealth. As  
30 part of that process, the Department of Education shall consult

1 with the Pennsylvania State Police to obtain its views on  
2 whether any changes are needed to make the program more  
3 effective.

4       Section 3. This act shall take effect in 60 days.