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Good morning. My name is Kara Templeton, and I am the Director of the Bureau of Driver Licensing at the Pennsylvania Department of Transportation (PennDOT). On behalf of Secretary Gramian, thank you for the opportunity to discuss House Bill 1244.

I would like to take a few minutes to discuss PennDOT's current role and processes related to driver education instructors and highlight some of the key areas that lead the agency to have concerns about this legislation.

PennDOT's role in the process of licensing drivers is to administer the testing of driver license applicants by providing knowledge testing and driver skills testing to ensure those seeking a driver's license can safely operate a motor vehicle. Our expertise lies in the examination of the individual's knowledge and skills. Although PennDOT does approve third party testers to administer driver testing through the administration of the skills examination, PennDOT does not play any role in developing the curriculum or providing oversight of the educational aspects. Driver's education and driver's examination are two completely different areas of scope, which is why the Pennsylvania Department of Education has structured all aspects of the driver education curriculum, including those used at private driver training schools. While PennDOT is responsible for providing the Pennsylvania Driver's Manual which explains the rules of the road and prepares an individual for the examination process, PennDOT has no experience or expertise with the development of curriculum for new drivers and the teaching and licensing of driver education instructors. For PennDOT to develop a curriculum, PennDOT would need to either procure a vendor who specializes in the development of driver education curriculum or work with the Department of Education for curriculum. This would essentially duplicate work that has historically been performed by the Department of Education.

Second, there are multiple areas within HB 1244 that may need to be clarified.

- Both sections 1508.2(b) and 1508.2(e) are titled as relating to "Applicability," it is likely that these two subsections should either be combined or given different titles.
- It is unclear what is meant by "abbreviated license process" for instructor and school applicants as used in proposed subsections 1508.2(c)(1) and (c)(2).
- Section 1508.2(c)(2) suggests an abbreviated license process for licensure for applicants that have been authorized to administer third-party drivers' licensing exams as permitted by section 1508.1 (relating to physical examinations); however, Section 1508.1 relates to the medical "physical examination" which is conducted by medical professionals such as physicians, chiropractors, certified nurse practitioners, etc. It is not clear why these medical professionals would have an abbreviated license process to be driver education instructors.

- Section 1508.2(c)(3) would require PennDOT to have multiple driver education instructor testing locations that strategically include all regions of this Commonwealth; however, it is unclear as to what is considered “regions” of the Commonwealth. Without an understanding of what a “region” is, the Department cannot estimate how many facilities would be needed. Obtaining additional facilities will likely come at a significant cost, as the Department currently does not have facilities to use for this purpose.
- Section 1508.2(c)(5) prohibits a driver education instructor from administering a third-party drivers' licensing exam as permitted in section 1508.1. PennDOT's contracts with approved third-party testers already contain a provision which prohibits individuals administering driving exams to a person that the examiner also trained. This section of the law; however, as proposed, is referring to the “physical examination” conducted by a medical professional and not any driving portion of an exam. If the intent of the law is to prohibit a driving instructor from both providing the training and the skills testing to an applicant, that will not be accomplished as the bill is currently written.
- In section 1508.2(c)(6), it is unclear why an applicant for driver education instructor license should take both PennDOT's course and the course offered by the applicant's potential employer. The difference between these courses is not clear.
- Section 1508.2(c)(7) requires a driver education instructor to pass a physical driving examination in order to obtain a department issued license when the individual has an excess number of points under section 1535 (relating to convictions and points). In this section, it is unclear as to what a physical driving examination is, i.e. a medical physical examination or a driving skills test or other examination. The term “excess number of points” is not defined, and there are no timeframe requirements as to when the examination would need to be completed. It is also unclear as to what action needs to be taken if an instructor fails the examination. It is important to note that PennDOT would not have access to driving records to obtain points information when an instructor holds an out-of-state driver's license. Examples of this would include individuals who live in an adjoining state who may commute to and work in PA as a driving instructor and instructors who may have been recently hired and recently moved to PA.
- There are multiple terms in the bill that require a definition. The term “school” is used repeatedly in proposed subsection 1508.2(e), but it is unclear whether the term is meant to mean “private driver education school” as defined in proposed subsection 1508.2(f). The definition of “driver education curriculum” should be clarified. The term “regions” is used in proposed subsection 1508.2(c)(3) but is not defined. Similarly, “excess points” is used in proposed subsection 1508.2(c)(7) but is not defined. Also, “verifiable document” is used in subsection 1508.2(f) as part of the definition of “department-issued license” but is not defined. The terms are used inconsistently; it is unclear whether “school” has the same meaning as “private driver education school.” Similarly, in proposed subsection 1508.2(c)(7), it is unclear whether “driver education instructor” and “individual” are referring to the same person.

Finally, PennDOT has estimated that it would take 20 months to implement HB 1244, as proposed, at a cost of \$400,000 for the first year and \$300,000 annually thereafter. PennDOT estimates the start up costs to be \$50,000 if a vendor is obtained to develop curriculum, \$50,000 for necessary system changes to electronically administer the examination, and annual staffing costs of \$300,000 for program oversight.

These costs do not take into consideration any additional facility costs since it is not clear how many facilities would be required.

Thank you again for the opportunity to speak to you this morning. I would be happy to take any questions from the committee.