

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 563

To improve driver licensing and education, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 8, 2005

Mr. DEWINE (for himself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To improve driver licensing and education, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Driver Licensing and  
5       Education Improvement Act of 2005”.

6       **SEC. 2. DRIVER LICENSING AND EDUCATION.**

7       (a) NATIONAL DRIVER LICENSING AND EDUCATION  
8       IMPROVEMENT PROGRAM.—Section 105 of title 49,  
9       United States Code, is amended by adding at the end the  
10      following:

1       “(f)(1) There is established, within the National  
2 Highway Traffic Safety Administration, the National  
3 Driver Licensing and Education Improvement Program.

4       “(2) The National Driver Licensing and Education  
5 Improvement Program shall—

6           “(A) provide States with services for coordi-  
7 nating the motor vehicle driver education and licens-  
8 ing programs of the States;

9           “(B) develop, and make available to the States,  
10 a cooperatively developed, research-based model for  
11 novice driver motor vehicle driver education and  
12 graduated licensing that incorporates the best prac-  
13 tices in driver education and graduated licensing;

14           “(C) carry out such research and undertake  
15 such other activities that the Administrator deter-  
16 mines appropriate to develop and continually im-  
17 prove the model described in subparagraph (B);

18           “(D) provide States with voluntary technical as-  
19 sistance for the implementation and deployment of  
20 the model described in subparagraph (B) through  
21 pilot programs and other means;

22           “(E) develop and recommend to the States  
23 methods for harmonizing the presentation of motor  
24 vehicle driver education and licensing with the re-  
25 quirements of multistage graduated licensing sys-

1       tems, including systems described in section  
2       410(b)(1)(D) of title 23, and to demonstrate and  
3       evaluate the effectiveness of those methods in se-  
4       lected States;

5               “(F) develop programs identifying best prac-  
6       tices for the certification of driver education instruc-  
7       tors;

8               “(G) provide States with financial assistance  
9       under section 412 of title 23 for—

10               “(i) the implementation of the motor vehi-  
11       cle driver education and licensing comprehen-  
12       sive model recommended under subparagraph  
13       (B);

14               “(ii) the establishment or improved admin-  
15       istration of multistage graduated licensing sys-  
16       tems; and

17               “(iii) the support of other improvements in  
18       motor vehicle driver education and licensing  
19       programs;

20               “(H) evaluate the effectiveness of the com-  
21       prehensive model recommended under subparagraph  
22       (B); and

23               “(I) perform such other functions relating to  
24       motor vehicle driver education or licensing as the  
25       Secretary may require.

1 “(3) Not later than 3 years after the date of enact-  
 2 ment of the Driver Licensing and Education Improvement  
 3 Act of 2005, the Administrator shall submit to Congress  
 4 a report on the progress made by the National Driver Li-  
 5 censing and Education with respect to the functions de-  
 6 scribed in paragraph (2).”.

7 (b) GRANT PROGRAM FOR IMPROVEMENT OF DRIVER  
 8 EDUCATION AND LICENSING.—

9 (1) AUTHORITY.—Chapter 4 of title 23, United  
 10 States Code, is amended by adding at the end the  
 11 following:

12 **“§ 412. Driver education and licensing**

13 “(a) AUTHORITY.—

14 “(1) IN GENERAL.—The Secretary shall estab-  
 15 lish a program to provide grants to States to—

16 “(A) improve motor vehicle driver edu-  
 17 cation programs; and

18 “(B) establish and improve the administra-  
 19 tion of graduated licensing systems, including  
 20 systems described in section 410(b)(1)(D).

21 “(2) PROGRAM ADMINISTRATION.—The Sec-  
 22 retary shall administer the program established  
 23 under this section through the National Driver Li-  
 24 censing and Education Improvement Program.

25 “(b) RULEMAKING.—

1           “(1) ELIGIBILITY REQUIREMENTS.—Not later  
2 than 18 months after the date of enactment of this  
3 section, the Secretary shall issue regulations, which  
4 describe the eligibility requirements, application and  
5 approval procedures and standards, and authorized  
6 uses of grant funds awarded under this section.

7           “(2) USE OF FUNDS.—The regulations issued  
8 under this subsection shall authorize the use of  
9 grant funds—

10                   “(A) for quality assurance testing, includ-  
11 ing followup testing to monitor the effectiveness  
12 of—

13                           “(i) driver licensing and education  
14 programs;

15                           “(ii) instructor certification testing;  
16 and

17                           “(iii) other statistical research de-  
18 signed to evaluate the performance of driv-  
19 er education and licensing programs;

20                   “(B) to improve motor vehicle driver edu-  
21 cation curricula;

22                   “(C) to train instructors for motor vehicle  
23 driver education programs;

24                   “(D) to test and evaluate motor vehicle  
25 driver performance;

1           “(E) for public education and outreach re-  
2           garding motor vehicle driver education and li-  
3           censing; and

4           “(F) to improve State graduated licensing  
5           programs and carry out related enforcement ac-  
6           tivities.

7           “(3) CONSULTATION REQUIREMENT.—In pre-  
8           scribing regulations under this subsection, the Sec-  
9           retary shall consult with—

10           “(A) the heads of such Federal depart-  
11           ments and agencies as the Secretary considers  
12           appropriate on the basis of relevant interests or  
13           expertise;

14           “(B) appropriate officials of the govern-  
15           ments of States and political subdivisions of  
16           States; and

17           “(C) other experts and organizations rec-  
18           ognized for expertise, with respect to novice  
19           drivers, in—

20           “(i) graduated driver licensing;

21           “(ii) publicly administered driver edu-  
22           cation; or

23           “(iii) privately administered driver  
24           education.

1       “(c) MATCHING REQUIREMENT.—The amount of  
 2 grant funds awarded for a program, project, or activity  
 3 under this section may not exceed 75 percent of the total  
 4 cost of such program, project, or activity.

5       “(d) PROHIBITED ACTIVITIES.—Grant funds pro-  
 6 vided to States under this section may not be used to fi-  
 7 nance—

8               “(1) the day-to-day operational expenses, in-  
 9 cluding employee salaries and facilities costs, of pub-  
 10 licly or privately administered driver education pro-  
 11 grams; or

12               “(2) the activities described in subparagraphs  
 13 (A) through (C) of subsection (b)(2) in fiscal year  
 14 2006 or 2007.”.

15       (2) CLERICAL AMENDMENT.—The table of sec-  
 16 tions at the beginning of chapter 4 of title 23,  
 17 United States Code, is amended by adding at the  
 18 end the following:

“412. Driver education and licensing.”.

19       (c) STUDY OF NATIONAL DRIVER EDUCATION  
 20 STANDARDS.—

21               (1) REQUIREMENT FOR STUDY.—The Secretary  
 22 of Transportation shall conduct a study to determine  
 23 whether the establishment and imposition of nation-  
 24 wide minimum standards of motor vehicle driver  
 25 education would improve national highway traffic

1 safety or the performance and legal compliance of  
2 novice drivers.

3 (2) TIME FOR COMPLETION OF STUDY.—The  
4 Secretary shall complete the study not later than 2  
5 years after the date of enactment of this Act.

6 (3) REPORT.—The Secretary shall publish a re-  
7 port on the results of the study under this section  
8 not later than 2 years after the study is completed.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There are authorized to be  
11 appropriated \$25,000,000 for each of the fiscal  
12 years 2006 through 2010 to carry out section 412  
13 of title 23, United States Code, as added by sub-  
14 section (b).

15 (2) AVAILABILITY.—Funds appropriated pursu-  
16 ant to paragraph (1) for fiscal years 2006 and 2007  
17 may be used for the National Driver Licensing and  
18 Education Improvement Program established under  
19 section 105(f) of title 49, United States Code.

20 (e) GRANTS FOR SUPPORT OF ALCOHOL-IMPAIRED  
21 DRIVING COUNTERMEASURES.—

22 (1) REVISED ELIGIBILITY REQUIREMENTS.—  
23 Section 410(b)(1)(D) of title 23, United States  
24 Code, is amended to read as follows:

1           “(D) GRADUATED LICENSING SYSTEM.—A  
2 multiple-stage graduated licensing system for  
3 young drivers that—

4           “(i) authorizes the issuance of an ini-  
5 tial license or learner’s permit to a driver  
6 on or after the driver’s 16th birthday;

7           “(ii) makes it unlawful for a person  
8 under age 21 to operate a motor vehicle  
9 with a blood alcohol concentration of .02  
10 percent or greater;

11           “(iii) provides for a learning stage of  
12 at least 6 months and an intermediate  
13 stage of at least 6 months; and

14           “(iv) applies the following restrictions  
15 and features to the stages described in  
16 clause (iii) and to such other stage or  
17 stages as may be provided under State law:

18           “(I) A restriction that not more  
19 than 2 passengers under age 18 may  
20 occupy a vehicle while it is being oper-  
21 ated by a young driver.

22           “(II) Nighttime driving restric-  
23 tions applicable, at a minimum, dur-  
24 ing the hours between 10:00 p.m. and  
25 5:00 a.m.

1                   “(III) Special penalties (includ-  
2                   ing delays in progression through the  
3                   stages of the graduated licensing sys-  
4                   tem) for violations of restrictions  
5                   under the system and violations of  
6                   other State laws relating to operation  
7                   of motor vehicles.”.

8                   (2) EFFECTIVE DATE.—The amendment made  
9                   by paragraph (1) shall take effect 1 year after the  
10                  date of enactment of this Act.

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