

Members

Sen. Travis Holdman, Chairperson  
Sen. Michael Delph  
Sen. James Tomes  
Sen. James Arnold  
Sen. Timothy Skinner  
Sen. Greg Taylor  
Rep. Kevin Mahan, Vice-Chairperson  
Rep. Douglas Gutwein  
Rep. Thomas Knollman  
Rep. Charles Moseley  
Rep. Gail Riecken  
Rep. Mary Ann Sullivan



# INTERIM STUDY COMMITTEE ON DRIVER EDUCATION

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Authority: P.L. 101-2009

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** September 20, 2012  
**Meeting Time:** 9:30 A.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 2

**Members Present:** Sen. Travis Holdman, Chairperson; Sen. James Tomes; Sen. James Arnold; Sen. Timothy Skinner; Rep. Kevin Mahan, Vice-Chairperson; Rep. Charles Moseley; Rep. Gail Riecken; Rep. Mary Ann Sullivan.

**Members Absent:** Sen. Michael Delph; Sen. Greg Taylor; Rep. Douglas Gutwein; Rep. Thomas Knollman.

Chairperson Holdman called the meeting to order at 9:35 a.m. and introductions of the members were made. Chairperson Holdman announced that at the meeting suggestions and recommendations received by the Committee, digests of which were read to the Committee by Attorney for the Committee Susan Montgomery, would be considered for potential change in the Indiana Code.

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<sup>1</sup> These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative> Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

### 1. Final Examination at Schools of Driver Education

Ms. Betty Bradtmiller from Safeway Driving School, Fort Wayne, Indiana, had commented that students who have taken a written test prior to beginning a driver education course do not want to take the final examination that the school requires. Attorney for the Committee Susan Montgomery stated that IC 9-24-7-2 requires the instructor of an approved driver education course to validate or certify a learner's permit when the holder has satisfactorily completed the course. Further, the Administrative Rules and Guidelines of the Bureau of Motor Vehicles (BMV) require a school to keep the date of course completion for a student. The Committee took no action on this point.

### 2. On-line Courses of Driver Education

Ms. Bradtmiller also had commented that students who have completed an on-line course of driver education seem to need more instruction on the rules of the road than students who have personalized instruction. Sherry Deane of the American Automobile Association of Indiana (AAA) stated that a student of an on-line course may not have mastered all of the course material. When an on-line course is taken and then another school provides the behind the wheel training, the profits go to the first school. Senator Skinner, an educator, believes that interaction by means of a classroom is valuable. Elizabeth Murphy, General Counsel for the BMV, stated that statistics show that an on-line course is no better or worse than a classroom course and that some students in rural areas have little access to classroom courses. Discussion ensued concerning the costs and curricula related to on-line versus classroom courses. Representative Mahan moved, and Representative Riecken seconded, a motion to ask BMV to track on-line and classroom training students beginning January 2013. The motion carried by voice vote.

### 3. Practice Driving Logs of Adults with Learner's Permits

Both Ms. Bradtmiller and Ms. Deane had concerns about adults who are required by IC 9-24-3-2.5(a) to log hours in practice driving. The Committee discussed the pros and cons of requiring adults to engage in a specified number of hours of practice driving before an operator's permit may be issued. Currently 50 hours of practice driving are required to be logged, regardless of the age of the applicant. Representative Moseley moved, and Representative Riecken seconded, a motion that there be no requirements of a driving log of any number of hours for individuals over age 25 at the time of the first application for an operator's license. The motion failed 2-6.

### 4. Grandparent of Driver Accompanying in Practice Driving

Both Ms. Bradtmiller and Karen Burkhardt of the American Driving Academy, Kokomo, Indiana, proposed changes in the Indiana Code for students in driver education. Currently, IC 9-24-7-4(2) does not allow a grandparent as a supervising driver to accompany a learner's permit holder when participating in practice driving after the holder has commenced an approved driver education course. Elizabeth Murphy of the BMV said the agency does not have an issue with changing the statute to allow any licensed driver over the age of 25 to accompany a learner's permit holder when in a driver education class as a supervising driver. Representative Sullivan moved and Representative Mahan seconded, that IC 9-24-7-4(2) be amended to make this change. The motion passed unanimously by voice vote.

### 5. Home School Program for Driver Education

Ms. Burkhardt stated that commercial driver education schools are required to utilize

vehicles with an extra brake and an extra mirror. She wondered if a home school of driver education would be held to the same standards as a commercial school. Chairperson Holdman stated no action would be taken on this issue.

#### 6. Handicapped New Drivers

Ms. Burkhardt's students who need assistive devices in order to drive would like to wait until they receive their operator's license in order to retrofit their vehicles. Stephen Leak, Executive Director, Credentials Program of the BMV, stated that the BMV has an adaptive driving program wherein the installation of the devices is done after the learner's permit is issued, after the first 6 hours of drive time. The program continues through the 50 hours required time that must be logged in practice driving. Chairperson Holdman believed that the issue was resolved but asked the BMV to connect with the commercial driving schools on this point.

#### 7. Prohibition of Non-Familial Passengers Under Certain Circumstances When Driver Is Under Age 18

Ryan Klitzsch, Division Director, Traffic Safety, of the Indiana Criminal Justice Institute (ICJI), voiced two concerns. In order for Indiana to qualify for incentive grants in FY 2013, certain statutory language pertaining to graduated driver licensing laws must be passed by the state. Mr. Klitzsch said that Indiana's motor vehicle law would need to be amended to: (1) prohibit more than one non-familial passenger under age 21 unless there is a licensed driver older than 21 in the vehicle (IC 9-24-11-3.3(b)(5)); and (2) provide that (1) remains in effect until the newly licensed driver reaches age 18 (also IC 9-24-11-3.3(b)(5)). (Current Indiana law provides that this prohibition lasts for 180 days or when the newly licensed driver reaches age 18, whichever comes first.) He gave the Committee statistics concerning young drivers involved in collisions (Exhibit A). He stated that maturity is the biggest factor in driver safety. After a certain age, having passengers actually improves driver performance.

Senator Tomes commented that he did not want to make it more difficult for young people to drive. Representative Mahan is interested in good students and their accident rates; he believes that students with higher grades are not as likely to be involved in a crash. He also does not want to make it hard to drive on single parents or for young people who are out on their own. Mr. Klitzsch believed ICJI may lose about \$500,000 if the law is not changed. Representative Riecken stated that she was concerned about amending the Indiana Code on this point at this time, as was Representative Mahan. Senator Skinner would like to see data of this type concerning distracted driving. Mr. Klitzsch believed that data show 15% less cell phone usage by teen drivers. Senator Tomes commented that he believes there is a deterioration in driving, more poor attitude, and less respect. The Committee took no action on this topic.

#### 8. Graduated Licensing Law-Age of Driver at Issuance

Ms. Deane was interested in revising the age at which an individual could receive the first operator's license (found at IC 9-24-3-2.5). Chairperson Holdman expressed his belief that there would not be support for this change and therefore the issue was not discussed.

#### 9. Veterans Who Seek a Commercial Driver's License

Senator Skinner asked about this issue mentioned at the last meeting, concerning returning veterans who have operated commercial vehicles while in the military service but do not hold a commercial driver's license (CDL). Discussion ensued about the veterans

and their ability to secure a CDL in Indiana by "fast tracking" based on their military experience. Ms. Murphy of the BMV commented that BMV is working with the military and the Indiana State Police to allow CDL licensing administratively by the end of 2012. Representative Moseley asked that Ms. Murphy forward an update to the members of the Committee when the policy is in place. The Committee agreed by consent to recommend that BMV set up a policy to allow qualified returning military veterans to secure a CDL administratively, and if not, that legislation be introduced in the 2013 Session to allow this licensing.

Chairperson Holdman announced that the Committee is not required to file a final report. The Legislative Services Agency will file an informational report that will be available to the members and to the public.

There being no more business before the Committee, Chairperson Holdman adjourned the meeting at 11:10 a.m.