

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 983

H.P. 764

House of Representatives, February 20, 2001

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**An Act to Revise Driver Education Laws.**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BUCK of Yarmouth.

Cosponsored by Representatives: BUNKER of Kossuth Township, COLLINS of Wells,  
McKENNEY of Cumberland.

**Be it enacted by the People of the State of Maine as follows:**

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**Sec. 1. 29-A MRSA §1354, sub-§6, ¶B,** as enacted by PL 1995, c. 505, §15 and affected by §22, is amended to read:

B. The Secretary of State shall develop and implement a standardized driver education curriculum that establishes minimum standards for instructional goals and learning objectives. The curriculum must include an Internet-based course as an alternative option to the required 30 hours of classroom instruction. The Secretary of State shall expand current record-keeping requirements to allow electronic filing, reporting and authorization. The Internet-based course is governed by the following conditions:

(1) Provider requirements:

- (a) The provider may be a different provider than the provider of the behind-the-wheel instruction;
- (b) Physical site requirements are not required for course location;
- (c) The provider shall give the Secretary of State notice of identity of the provider and the location of business headquarters where all records are maintained;
- (d) The provider may keep records in electronic format;
- (e) The provider is not required to provide paper copies of course publications;
- (f) The provider shall maintain electronic records for at least 3 years;
- (g) The provider shall permit inspection by the Secretary of State of the provider's records at any time;
- (h) The provider shall notify the Secretary of State in writing of any change in business ownership;
- (i) The provider shall establish a refund and cancellation policy; and

(2) Curriculum requirements:

- 2                   (a) The curriculum must allow students to work at  
4                   their own pace with time boundaries established  
6                   for optimal information retention rates;
- 8                   (b) The Secretary of State may allow the written  
10                   operator's permit to be administered privately and  
12                   securely over the Internet;
- 14                   (c) The Secretary of State shall require a  
16                   mandatory eye exam to be given at the time of the  
18                   first behind-the-wheel instruction;
- 20                   (d) A maximum of one unit of the course may be  
22                   completed in any 24-hour period;
- 24                   (e) If the student is a minor, the curriculum  
26                   must include parental involvement;
- 28                   (f) The first two units of the Internet-based  
30                   course must be completed before the student is  
                      eligible to begin the behind-the-wheel  
                      instruction; and
- (g) A final exam may be administered on-line. The  
                      final exam must include 30 questions, including  
                      those questions required by the Secretary of State  
                      for a driver's license. Eighty percent of the  
                      questions must be answered correctly to pass the  
                      course. A course completion certificate may be  
                      issued in a printable form over the Internet.

**SUMMARY**

34                   This bill amends the requirements of the standardized driver  
36                   education curriculum to include an Internet-based course that may  
38                   be substituted for the minimum number of hours required for  
                      classroom instruction.

40                   The Secretary of State shall expand current record keeping  
42                   requirements to allow electronic filing, reporting and  
44                   authorization. The Internet-based course is governed by the  
                      following provider and curriculum conditions. Provider  
                      requirements include the following.

- 46                   1. The provider may be a different provider than the  
48                   provider of the behind-the-wheel instruction.
- 50                   2. Physical site requirements are not required for course  
                      location.

2 3. The provider shall give the Secretary of State notice of  
identity of the provider and the location of business  
headquarters where all records are maintained.

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6 4. The provider may keep records in electronic format.

8 5. The provider is not required to provide paper copies of  
course publications.

10 6. The provider shall maintain electronic records for at  
least 3 years.

12  
14 7. The provider shall permit inspection by the Secretary of  
State of the provider's records at any time.

16 8. The provider shall notify the Secretary of State in  
writing of any change in business ownership.

18  
20 9. The provider shall establish a refund and cancellation  
policy.

22 Curriculum requirements include the following.

24 1. The curriculum must allow students to work at their own  
pace with time boundaries established for optimal information  
26 retention rates.

28 2. The Secretary of State may allow the written operator's  
permit to be administered privately and securely over the  
30 Internet.

32 3. The Secretary of State shall require a mandatory eye  
exam to be given at the time of the first behind-the-wheel  
34 instruction.

36 4. A maximum of one unit of the course may be completed in  
any 24-hour period.

38  
40 5. If the student is a minor, the curriculum must include  
parental involvement.

42 6. The first 2 units of the Internet-based course must be  
completed before the student is eligible to begin the  
44 behind-the-wheel instruction.

46 7. A final exam may be administered on-line. The final  
exam must include 30 questions, including those required by the  
48 Secretary of State. Eighty percent of the questions must be  
answered correctly to pass the course. A course completion  
50 certificate may be issued in a printable form over the Internet.