

ACT No. 176

2023 Regular Session

HOUSE BILL NO. 592

BY REPRESENTATIVE SCHAMERHORN

1 AN ACT

2 To amend and reenact R.S. 32:402.1(A)(2)(introductory paragraph) and R.S. 40:1461(F), to
3 enact R.S. 32:407(G), and to repeal R.S. 40:1461(G), relative to driver education; to
4 allow a driving skills test administered by a properly licensed third party examiner
5 to driver education requirements for those eighteen years of age and older; to provide
6 for a skills test for nonparticipants in a driver education course; to remove the
7 requirement that licensed and contracted driving instructor training schools or
8 agencies also become licensed third-party testers; to designate third-party examiner
9 as licensed and contracted administrator of knowledge and driving skills test required
10 for Class "D" or "E" license; to provide the option for a parent or legal guardian to
11 submit a signature electronically for certain credentials which allow the operation of
12 a motor vehicle; to provide for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 32:402.1(A)(2)(introductory paragraph) is hereby amended and
15 reenacted and R.S. 32:407(G) is hereby enacted to read as follows:

16 §402.1. Driver education; required

17 A. No application for a license for the operation of a motor vehicle shall be
18 received from any person making application for the first time unless there is also
19 submitted with the application, on a form approved by the secretary of the
20 Department of Public Safety and Corrections, public safety services, written
21 evidence of the successful completion by the applicant of one of the following:

22 * * *

23 (2) A "prelicensing training course" administered by a Class "D" and "E"
24 driver education provider licensed and contracted pursuant to RS 40:1461 ~~from~~ for
25 any person eighteen years or older if a driver education course is not completed. The

1 F. Every person licensed or contracted pursuant to this Section to operate a
 2 ~~private driving instructor training school or agency, or providing driving courses,~~
 3 ~~shall also be or become licensed or contracted on or before June 30, 2012, as a third-~~
 4 ~~party tester pursuant to R.S. 32:408. Any currently licensed or contracted driving~~
 5 ~~school or instructor who fails to become licensed as a third-party tester on or before~~
 6 ~~June 30, 2012, shall be deemed to be ineligible to engage in the business of operating~~
 7 ~~a private driving school, or instructing in a driving course in any manner until such~~
 8 ~~school or instructor obtains such license or contract.~~

9 ~~G.~~ Every person properly licensed pursuant to this Section on or after June
 10 30, 2012, shall administer in accordance with law and administrative rules
 11 promulgated by the Department of Public Safety and Corrections, as a third-party
 12 examiner, both the knowledge and on-road driving skills tests required for the
 13 issuance of a Class "D" or "E" license in Louisiana.

14 Section 3. R.S. 40:1461(G) is hereby repealed in its entirety.

15 Section 4. The administering of the road skills test prior to the conclusion of the
 16 eight hour behind the wheel training shall begin no later than January 1, 2024. In the event
 17 the office of motor vehicles completes any necessary rule making, policy changes, and
 18 system changes prior to January 1, 2024, the administering of the road skills test prior to the
 19 conclusion of the eight hour behind the wheel training may commence at that time.

20 Section 5. This Act shall become effective upon signature by the governor or, if not
 21 signed by the governor, upon expiration of the time for bills to become law without signature
 22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____