

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1200 Session of 2024

INTRODUCED BY DiSANTO, BOSCOLA, ROTHMAN, VOGEL AND BAKER, MAY 17, 2024

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, JUNE 11, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, providing for private
3 driver education and training schools; imposing a penalty;
4 and making a repeal.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 75 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 1508.2. Private driver education and training schools.

10 (a) General rule.--The department shall establish:

11 (1) A program to license or permit private driver
12 education schools and driver education instructors.

13 (2) The minimum standards for a driver education
14 curriculum.

15 (b) Applicability.--Unless a person has been licensed or
16 permitted by the department in accordance with subsection (a),
17 the person may not operate as a:

18 (1) Private driver education school.

19 (2) Driver education instructor.

1 (c) Driver education curriculum and testing.--The department  
2 shall develop the driver education curriculum and standards for  
3 testing of driver education instructors, which may include  
4 provision for the following:

5 (1) An abbreviated license process for applicants who  
6 previously have been licensed under the act of January 18,  
7 1952 (1951 P.L.2128, No.605), referred to as the Private  
8 Driver Education or Training School Act.

9 (2) An abbreviated license process for licensure as a  
10 private driver education school or as a driver education  
11 instructor for applicants that have been authorized to  
12 administer third-party drivers' licensing exams, as permitted  
13 by section 1508 (relating to examination of applicant for  
14 driver's license).

15 (3) Multiple driver education instructor testing  
16 locations that strategically include all regions of this  
17 Commonwealth. At no point shall there be only one driver  
18 education instructor testing location within this  
19 Commonwealth.

20 (4) The development of an electronic version of the  
21 examination required for licensure as a driver education  
22 instructor.

23 (5) Prohibiting a driver education instructor from  
24 administering a third-party drivers' licensing exam, as  
25 permitted by section 1508, and the driver education  
26 curriculum to the same prospective licensed driver.

27 (6) Requiring an applicant for licensure as a driver  
28 education instructor to complete a private driver education  
29 school's training program before obtaining a department-  
30 issued license.

1       (7) Requiring a driver education instructor to pass a  
2 physical driving examination to obtain a department-issued  
3 license when the individual has an excess number of points  
4 under section 1535 (relating to schedule of convictions and  
5 points).

6       (d) Penalty.--Any person violating subsection (b) commits a  
7 summary offense and shall, upon conviction, be sentenced to pay  
8 a fine of \$500.

9       (e) Applicability.--This section shall not apply to:

10       (1) colleges or universities;

11       (2) schools maintained or classes conducted by employers  
12 for their own employees where no fee or tuition is charged;

13       (3) schools or classes owned and operated by or under  
14 the authority of bona fide religious institutions or by the  
15 Commonwealth or a political subdivision of the Commonwealth;

16       (4) schools accredited by accrediting associations  
17 approved by the Department of Education; or

18       (5) schools licensed by the State Board of Private  
19 Academic Schools.

20       (F) TEMPORARY REGULATIONS.--

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21       (1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF  
22 THIS SECTION, THE DEPARTMENT MAY PROMULGATE TEMPORARY  
23 REGULATIONS. THE DEPARTMENT SHALL TRANSMIT NOTICE OF THE  
24 TEMPORARY REGULATIONS TO THE LEGISLATIVE REFERENCE BUREAU FOR  
25 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA  
26 BULLETIN. THE TEMPORARY REGULATIONS SHALL EXPIRE NO LATER  
27 THAN TWO YEARS FOLLOWING PUBLICATION IN THE PENNSYLVANIA  
28 BULLETIN. THE DEPARTMENT MAY PROMULGATE TEMPORARY REGULATIONS  
29 NOT SUBJECT TO:

30       (I) SECTION 612 OF THE ACT OF APRIL 9, 1929

1 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF  
2 1929.

3 (II) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT  
4 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE  
5 COMMONWEALTH DOCUMENTS LAW.

6 (III) SECTIONS 204(B) AND 301(10) OF THE ACT OF  
7 OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE  
8 COMMONWEALTH ATTORNEYS ACT.

9 (IV) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),  
10 KNOWN AS THE REGULATORY REVIEW ACT.

11 (2) THE DEPARTMENT'S AUTHORITY TO ADOPT TEMPORARY  
12 REGULATIONS UNDER PARAGRAPH (1) SHALL EXPIRE SIX MONTHS AFTER  
13 THE EFFECTIVE DATE OF THIS PARAGRAPH. REGULATIONS ADOPTED  
14 AFTER THIS PERIOD SHALL BE PROMULGATED AS PROVIDED BY LAW.

15 (3) THE TEMPORARY REGULATIONS PROMULGATED UNDER THIS  
16 SUBSECTION SHALL MEET ALL THE FOLLOWING CRITERIA:

17 (I) BE BASED ON CONSIDERATION OF FORMAL AND INFORMAL  
18 INPUT FROM ALL STAKEHOLDERS.

19 (II) ESTABLISH REQUIREMENTS FOR DRIVER EDUCATION  
20 INSTRUCTOR APPLICANTS THAT INCLUDE PASSAGE OF A MAXIMUM  
21 50 MULTIPLE CHOICE QUESTION EXAMINATION, EMBRACING  
22 SUBJECT MATTER PERTINENT ONLY TO THE PENNSYLVANIA  
23 DRIVER'S MANUAL PUBLISHED BY THE DEPARTMENT AND PROVIDE  
24 APPLICANTS THREE OPPORTUNITIES TO PASS THE EXAMINATION  
25 WITH A SCORE OF 70% WITHOUT NEEDING TO SUBMIT A NEW  
26 APPLICATION.

27 ~~(f)~~ (G) Definitions.--As used in this section, the following <--  
28 words and phrases shall have the meanings given to them in this  
29 subsection unless the context clearly indicates otherwise:

30 "Department-issued license." A verifiable document issued to

1 a private driver education school or driver education instructor  
2 stating the department has certified the eligibility of the  
3 private driver education school or driver education instructor  
4 to administer the driver education curriculum to a prospective  
5 licensed driver.

6 "Driver education curriculum." A practical or theoretical  
7 experience needed to teach the knowledge of how to operate a  
8 motor vehicle on a roadway requiring the motorist to navigate  
9 through traffic or a trafficway.

10 "Driver education instructor." A person employed by or  
11 volunteering for a private driver education school and is tasked  
12 with teaching a prospective licensed driver how to lawfully,  
13 safely and properly operate a motor vehicle.

14 "Private driver education school." A person that administers  
15 schooling or training on how to operate a motor vehicle to a  
16 prospective licensed driver by the Commonwealth for profit.

17 "Prospective licensed driver." An individual who employs the  
18 services of a private driver education school for the purposes  
19 of learning to operate a motor vehicle.

20 Section 2. Repeals are as follows:

21 (1) The General Assembly declares that the repeal under  
22 paragraph (2) is necessary to effectuate the addition of 75  
23 Pa.C.S. § 1508.2.

24 (2) The act of January 18, 1952 (1951 P.L.2128, No.605),  
25 referred to as the Private Driver Education or Training  
26 School Act, is repealed.

27 Section 3. This act shall take effect in 180 days.