

Amendment to SB 307

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the issuance of safe boater education certificates and commercial
4 driving instruction.
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6 Amend the bill by replacing all after section 1 with the following:

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8 2 Drivers' School; Commercial Drivers. Amend RSA 259:26 to read as follows:

9 259:26 Drivers' School. "Drivers' school" shall mean the business of giving instruction, for
10 compensation, in the operation of motor vehicles, **and** motorcycles~~[-and commercial motor vehicles]~~.
11 "Drivers' school" shall not include:

12 **I.** A business or other person giving advanced instruction, with or without compensation,
13 when the instruction is not intended to meet the requirements of basic driver training under RSA
14 263:19 and the instruction is given only to licensed drivers who already hold a license for the class of
15 vehicle for which they are being trained; **or**

16 **II. A business or other person giving instruction, with or without compensation, for**
17 **the licensing of commercial drivers, who meets or exceeds any rules promulgated under 49**
18 **U.S.C. section 31136 by the Federal Motor Carrier Safety Administration of the United**
19 **States Department of Transportation.**

20 3 License Required. Amend RSA 263:44 to read as follows:

21 263:44 License Required; Fee, Term, Renewal. No person shall engage in the business of
22 conducting a drivers' school, **as defined by RSA 259:26**, without being licensed therefor by the
23 department. Application therefor shall be in writing and contain such information therein as the
24 department shall require. If the application is approved, the applicant shall be granted a license
25 upon the payment of a fee of \$200; provided, however, that no license fee shall be charged for the
26 issuance of a license to any board of education, school board, public, private, or parochial school,
27 which conducts a course in driver education. A license so issued shall be valid during the calendar
28 year. The annual fee for renewal shall be \$100. The department shall issue a license certificate or
29 license certificates to each licensee, one of which shall be displayed in each place of business of the
30 licensee. In the case of loss, mutilation or destruction of a certificate, the department shall issue a
31 duplicate upon proof of the facts and the payment of a fee of \$1.

32 4 Driver Education Certificate. Amend RSA 263:44-a to read as follows:

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1 263:44-a Driver Education Certificate.

2 **I.** No person shall be a driver education instructor unless such person has a driver education
3 certificate issued by the department.

4 **II. This section shall not apply to a person giving instruction, with or without**
5 **compensation, for the licensing of commercial drivers, who meets or exceeds any rules**
6 **promulgated under 49 U.S.C. section 31136 by the Federal Motor Carrier Safety**
7 **Administration of the United States Department of Transportation.**

8 5 New Subparagraph; Definitions; Private Postsecondary Career School. Amend RSA 188-G:1,
9 II by inserting after subparagraph (m) the following new subparagraph:

10 (n) Entities giving instruction, with or without compensation, for the licensing of
11 commercial drivers, who meet or exceed any rules promulgated under 49 U.S.C. section 31136 by the
12 Federal Motor Carrier Safety Administration of the United States Department of Transportation.

13 6 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill allows the commissioner of the department of safety to approved an examination for safe boater education certificates.

This bill also exempts certain commercial driver instructors from licensing requirements so long as they meet federal standards.