SB 39-FN - AS INTRODUCED

2025 SESSION

25-0488
06/02

SENATE BILL ***39-FN***

AN ACT relative to establishing an alternative driver education program.

SPONSORS: Sen. Lang, Dist 2; Sen. Ward, Dist 8; Sen. Murphy, Dist 16; Sen. Innis, Dist 7; Sen. Reardon, Dist 15; Sen. Pearl, Dist 17; Sen. Sullivan, Dist 18; Rep. Osborne, Rock. 2; Rep. Edwards, Rock. 31; Rep. Moffett, Merr. 4; Rep. J. Aron, Sull. 4; Rep. Coker, Belk. 2

COMMITTEE: Transportation

ANALYSIS

This bill establishes an alternative driver education program and authorizes the commissioner of safety to develop and adopt rules for said purpose.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to establishing an alternative driver education program.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Driver Education. Amend RSA 263:19, I to read as follows:

I. A driver's license may be issued subject to the provisions of this chapter to a person under the age of 18 years who has attained his or her sixteenth birthday, if such person shall present a certificate of successful completion of a driver education course given by a public or nonpublic secondary school and approved by the department of education in cooperation with the department of safety or given by a motor vehicle drivers' school licensed under the provisions of this chapter***, or completes the requirements as outlined in the program authorized pursuant to RSA 263:19-a***. An approved driver education course licensed under this chapter, shall consist of not less than 30 hours of classroom instruction, not less than 10 hours of behind the wheel driver training and not less than 6 hours of observation, in accordance with rules adopted pursuant to RSA 541-A, published by the commissioner of safety, such standards to be not less than those presently required. The classroom instruction shall include 45 minutes of a nationally-recognized motorcycle safety education course approved by the director and 45 minutes of a nationally-recognized tractor-trailer safety education and awareness course approved by the director. No more than 15 hours of the classroom instruction may be satisfied through the completion of an online driver education course. The commissioner may enter into contracts for assistance in developing, assisting, and conducting an online driver education course. The department of safety, by the nature of its function, shall be held ultimately responsible for setting and maintaining the quality standards for driver education in the state. This authority shall apply uniformly over both secondary school courses and private motor vehicle drivers' school courses.

2 New Section; Driver Training Program. Amend RSA 263 by inserting after section 19 the following new section:

263:19-a Driver Training Program.

I. A driver's license may be issued subject to the provisions of this chapter to a person under the age of 18 years who has attained his or her sixteenth birthday, if such person shall present a certificate of successful completion of all the elements of the driver training program as outlined in this section.

II. To qualify for a driver's license under this section, a person under the age of 18 shall:

(a) Submit written documentation with their parent's, guardian's, or supervising licensed adult's signature, and under the pains of perjury, of the completion of 40 hours of supervised driving time under the supervision of a licensed parent or guardian, or, if there is no

licensed parent or guardian, under the supervision of a licensed adult over the age of 25. At least 10 of the hours of additional supervised driving time shall be during the period from 1/2 hour after sunset to 1/2 hour before sunrise;

(b) Complete classroom instruction through a department approved online driver education course or driver knowledge course given by a public or nonpublic secondary school and approved by the department of education. The commissioner may enter into contracts for assistance in developing, assisting, and conducting an online driver education course;

(c) Complete the visual acuity and knowledge examination as required by RSA 263:6; and

(d) Attend and complete successfully the driver training program created under paragraph III to complete the road skills requirement in RSA 263:6.

III. The director shall create, establish standards for, and administer the driver training program. The standards shall include, but not be limited to, standards for a nationally accepted and state-approved driver training course; and:

(a) The director shall appoint a program coordinator who shall oversee and direct the program by setting program and funding guidelines, and conduct an annual evaluation.

(b) The director may also appoint one or more training specialists who shall assist in establishing driver training courses throughout the state, support and implement program and funding guidelines and supervise instructors and other personnel as necessary. The training specialist may be a trained chief instructor. Driver training courses shall meet minimum standards established by the director, designed to develop and instill the knowledge, attitudes, habits, and skills necessary for the safe operation of a motor vehicle. Driver training courses shall be open to all residents of the state who either hold a current valid driver's license for any classification or who successfully completed the requirements of RSA 263:19-a, II(a)-(c). The director may allow residents of other states who hold a current valid driver's license to take a driver training course only if an adequate number of driver training courses have been provided for New Hampshire residents. An adequate number of driver training courses shall be provided to meet the reasonably anticipated needs of all persons in the state who are eligible and who desire to participate in the program. The division shall issue certificates of completion in the manner and form prescribed by the director to persons who satisfactorily complete the requirements of the course. Program delivery may be phased in over a reasonable period of time.

(c) The director may enter into contracts with either public or private institutions for technical assistance in conducting driver training courses, if the course is administered and taught by a trained instructor as established in RSA 263:44-a. If necessary, an organization conducting a driver training course may charge a reasonable tuition fee, which shall be no greater than a rate to break even to cover the organization's costs. The director shall determine the largest tuition fee a private organization may charge, but shall not exceed $350 per student.

IV. The commissioner is authorized to develop and adopt rules under RSA 541-A to implement this section.

3 Effective Date. This act shall take effect January 1, 2026.

LBA
25-0488
1/1/25

SB 39-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to establishing an alternative driver education program.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	**FY 2026**	**FY 2027**	**FY 2028**
Revenue	$0	$0	$0	$0
Revenue Fund(s)	None			
Expenditures*	$0	Indeterminable, See Methodology Below (Up to $15 Million in Year One and $12 Million in Year Two, and Beyond)		
Funding Source(s)	Restricted - Highway Fund Cost of Collections - Per the state constitution, costs associated with the collection/administration of highway fund revenue by the Department of Safety is deducted prior to funds being credited as unrestricted highway fund revenue			
Appropriations*	$0	$0	$0	$0
Funding Source(s)	None			

***Expenditure = Cost of bill** ***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill, effective January 1, 2026, requires the Division of Motor Vehicles (DMV) to develop and administer a driver training program used to satisfy the requirements needed to obtain a driver's license. The Department of Safety has provided the following assumptions/estimates relative to this bill:

- The number of potential applicants participating in the driver training program and the number of potential public/private contractors that could be relied upon to assist the DMV in fulfilling this mission is unknown. However, this bill allows the DMV to contract with outside organizations for this program, however, limits that organization from charging anything more than $350 per student. It is unlikely that any significant number of students will seek availability outside of the DMV program.

- It is estimated that it would cost approximately $1,000,000 per year to support an online learning platform to support an estimated 20,000 students. The Department reports, for example, the base model for the Moodle platform cost a minimum of $50,000 a year for 1,000 users, and those cost increase based on the number of users.

- In total, approximately 127 new positions would be needed:
    - An Administrator I and a Program Assistant II to manage the driver training program. The estimated cost associated with these positions is $176,000 per year.
    - For the DMV to facilitate behind the wheel driver training, approximately 125 full time training specialists (40 hours a week), at an estimated cost of $9,000,000 per year ($72,000 per position x 125). This number of training specialists was determined as follows:
        - 20,000 potential students X 10 hours of statutorily mandated behind-the-wheel driver training = 200,000 driving hours to be addressed.
        - 125 training specialists X 35 hours of 1-hour lessons X 47 weeks in a year = 205,625 hours of statutorily mandated behind-the-wheel training conducted by training specialists.

- The program would need 144 new vehicles, at an estimated cost of $25,000 per vehicle, to fulfill the driver training program behind the wheel driving requirement. The 144 vehicles are reflective of a 15% overage of the number of training specialists to account for out of service vehicle situations. The total cost for vehicles is estimated to be $3,600,000 (144 vehicles X $25,000).
    - Other vehicle costs include fuel ($600,000), tires ($100,000), dual control brakes ($144,000), instructor mirrors ($21,600), general maintenance ($144,000), and insurance ($144,000).
- There are unknown costs including personnel to maintain the fleet of instructor vehicles, building/service stations to conduct maintenance, storage of vehicles and driving hours for students who fail the road skills test three (3) times who must obtain an additional five (5) hours of administratively mandated behind-the-wheel driver training.

This bill states program delivery "may be phased in over a reasonable period of time", therefore the fiscal year(s) in which expenditures may occur is unknown at this time. Below is an illustration of potential costs of this program, if/when fully implemented, based upon the assumptions/estimates above.

Description	Year One	Year Two
Online Learning Platform	$1,000,000	$1,000,000
One (1) Administrator I	$107,000	$110,000
One (1) Program Assistant II	$69,000	$70,000
125 Training Specialists @ $72,000/$75,000	$9,000,000	$9,375,000

144 Vehicles @ $25,000	$3,600,000	$0
Other Vehicle Related Costs	$1,153,600	$1,153,600
Total Costs[1]	**$14,929,600**	**$11,708,600**

[1] Does not include unknown costs such as building/service station or vehicle storage costs

This bill does provide authority for the DMV director to appoint training specialists, however, does not provide funding.

AGENCIES CONTACTED:

Department of Safety