

# **Curriculum and Administrative Guide for Driver Education in Virginia 2010**

## **Program Administration Section**

### **Introduction**

- **Driver Education Standards of Learning**
- **Curriculum Scope and Sequence Modules**
- **Program Administration**
  - *Code of Virginia*
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  - **Teacher Licensure Regulations**
  - **Local Supervision**
- **Juvenile Licensing Process**
- **Accommodating Students with Special Needs**

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Many driver educators, organizations, and agency representatives with extensive traffic safety expertise offered invaluable critical review to the development of the *Curriculum and Administrative Guide for Driver Education in Virginia*. Special thanks go to the Standards of Learning revision committee and the curriculum review committee. Their collective efforts ensured that the standards, and in turn the curriculum guide, identified the essential knowledge and skills to address the traffic safety needs of Virginia public, nonpublic, and commercial school students.

Federal Highway 402 grants, administered by the Virginia Department of Motor Vehicles (DMV), were the primary funding source for the development and printing of the guide and the teacher training.

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P.O. Box 2120  
Richmond, Virginia 23218-2120  
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## FOREWORD

Cars do not crash—people crash them. Effective traffic safety instruction has great benefit to students, parents, and the Commonwealth.

According to the Virginia Online Injury Reporting System, <http://www.vahealth.org/Injury/voirs/index.htm>, motor vehicle injuries account for more years of productive life lost by students than all other causes of death. In addition, hospitalization and rehabilitation costs, lost time from school, and other costs associated with long-term injuries create substantial emotional, physical, and financial problems for families, schools, and the community. The social costs of these senseless tragedies are immeasurable.

As required by §22.1-205 of the *Code of Virginia*, the Virginia Board of Education has established a standardized program of driver education for public, private, and commercial schools. The mission of the Board of Education is to set education policy and provide leadership that improves the achievement of all students by advocating for effective programs that address individual and diverse learning needs of students, establishes high standards and has high expectations for learning, measures student performance, provides accountability to the public, and promotes a culture of lifelong learning.

*The Driver Education Standards of Learning* and the *Curriculum and Administrative Guide for Driver Education in Virginia* provide the content and administrative requirements of a state-approved driver education program. The Department of Education has developed a model driver education curriculum to assist teachers in providing a program of instruction that meets state requirements. These 11 curriculum modules are included in this document and schools may access the *Curriculum Scope and Sequence* online at [http://www.doe.virginia.gov/instruction/driver\\_education/curriculum\\_admin\\_guide/index.shtml](http://www.doe.virginia.gov/instruction/driver_education/curriculum_admin_guide/index.shtml).

Course content, minimum requirements, and administrative guidelines for classroom driver education and laboratory training (in-car driving and observing and, if utilized, simulation and multi-car-range instruction), shall follow the Board of Education's standardized program of instruction as outlined in the curriculum and administrative guide. Successful course completion is a prerequisite to obtain a Virginia driver's license for students less than 19 years-of-age.

Upon successful completion of the course, compliance with all the juvenile licensing provisions (age, education, parent permission, learner's permit holding period, etc.) the school will issue the student a 180-day provisional driver's license. The Department of Motor Vehicle-issued (DMV) hard copy of the provisional driver license is then awarded at the Juvenile Driver Licensing Ceremony as required by §46.2-336 of the *Code of Virginia*. The ceremony gives judges an opportunity to impress upon both the teenagers and their parents, the enormous responsibility that comes with a license to drive.

The goal of driver education is to transfer traffic safety knowledge and skills into injury prevention behaviors. Successful completion of a state-approved driver education program does not, in itself, make a teenager a responsible, experienced driver. The ability to move a car skillfully is not the same thing as the ability to drive safely. Driving is a complex psychomotor task requiring mastery of various performance skills. It requires identifying, processing and accurately evaluating risks in the driving environment, developing appropriate responses to minimize these risks, and gaining experience to predict what actions others may take. Statistically, teen drivers have a disproportionately high percentage of vehicle crashes. The commonly cited theories to explain this age group's high crash rate are: immaturity, lack of experience, attitude, and a perception of immortality. The family, not the school, is in the best position to have a sustained effect on minimizing the risks faced by inexperienced drivers and encouraging responsible behaviors. Throughout the course, emphasis is placed on extended supervised practice with a licensed parent or guardian to develop precision in the application of skills and processes to effectively manage risks.

Research shows that in order to remain collision-free in both low- and high-risk driving environments, parents must model safe driving behaviors and invest in meaningful guided practice over a long period of time to turn these skills into good driving habits that will last a lifetime. Teachers should encourage parents to follow the performance tasks in the *45-Hour Parent/Teen Driving Guide* to reinforce student mastery of the curriculum standards.

The *Curriculum and Administrative Guide for Driver Education in Virginia* is designed to provide students with a detailed understanding of the fundamentals of driving and to foster responsible attitudes and driving behaviors. Students must use knowledge, processes, and skills learned in driver education, and receive guided practice from their parents to become competent users of the highway transportation system. Emphasis is placed on linking visual search skills, space management, and balanced vehicle movement to risk-reducing driving strategies. Significant attention is given to risk awareness, driver alertness, and responsible actions relative to occupant protection devices, positive interactions with other roadway users, and the physical and psychological conditions that affect driver performance.

Driver education requires a coordinated blend of classroom instruction and carefully structured hands-on laboratory training. Students must apply concepts learned “behind a desk” to the realities of driving behind the wheel. Driving knowledge is gained by moving from simple to complex skills, while emphasizing hands-on training, and the opportunity to apply abstract concepts to the realities of driving. While curriculum content is an essential element for improved driver education, a quality delivery system is critical to effective student learning. Outstanding teaching supports standards-based instruction, motivates students, and fosters a love of learning. It requires an ongoing process of assessing prior knowledge; planning learning episodes to meet individual and collective needs of diverse students; and implementing and determining the effectiveness of sequenced lessons. This guide provides several tools to help students meet competencies through a combination of classroom and laboratory instruction. These include modeling, knowledge and skill assessment, guided observation, and parental involvement. Driver education instruction is also greatly enhanced by using driving simulators, multiple-car off-street driving ranges, and computer programs. When students learn with understanding, they have a strong base for subsequent learning which enables them to connect new knowledge to what they already know and gives them the capacity to refine skills for use in more complex settings.

Effective teaching is based on learning outcomes of students. Learning requires time and effort. Mastery of skills requires: 1) wanting to learn because the skill is personally important; 2) observing how and when the skill is used effectively; 3) having the steps to the skill broken down and modeled; and 4) practicing the skill until eventual mastery. Quality instruction requires relevant and engaging classroom and laboratory learning experiences delivered to students over an adequate period of time so they can practice processes and skills and develop habits necessary for safe vehicle operation. To be successful, instruction should be delivered in short training sessions over a long period of time. This approach allows students to learn simple skills correctly while adding more complex skills. It is not adequate for students to merely know the correct response, they must practice it often enough to generate correct automatic responses that develop into effective habits.

When the student receives instruction is also critical to effective learning. A student who completes classroom instruction during first semester sophomore year and is not eligible for behind-the-wheel training until his/her junior or senior year will not have the opportunity to apply concepts learned in the classroom to actual driving experiences within the recommended time frame. The preferred method would be scheduling younger sophomores for classroom instruction during second semester, or in an elective driver education course.

The automotive manufacturers, the government, and the insurance industry have made great progress through crash testing to encourage the development of injury and crash prevention technologies and improved road design. Many of the vehicle safety technologies currently under development are designed to reduce or modulate driver decisions and reduce driver error and crashes.

Skidding tires are less effective at changing direction or the speed of a car. Reducing tire skid is the objective of antilock braking systems (ABS), traction control systems, and yaw vehicle control technologies. These systems are available on many new vehicles and use electronic sensors and computers to monitor and manage wheel slip.

If cars are equipped with these features, drivers must know how to use them. Antilock braking systems did not live up to the industry's initial crash reduction projections because the driver skill component was neglected—most drivers received no training. The 2010 *Curriculum and Administrative Guide for Driver Education in Virginia* bridges that vehicle safety technology gap.

The curriculum and administrative guide contains the *Driver Education Standards of Learning for Virginia Public Schools*, Curriculum Scope and Sequence, Program Administration, and Special Needs Populations sections. The *Driver Education Standards of Learning* provide the framework for the curriculum content. The 11 *Curriculum Scope and Sequence Modules for Driver Education in Virginia* provide teachers with a sample curricula for teaching a state-approved driver education course. The driver education curriculum modules alone, however, do not guarantee a successful experience for students, and teachers must continually refine and improve their methodology to create quality learning experiences for the diverse learners in their driver education classrooms.

If you have any questions or need further assistance regarding driver education programs in the *Commonwealth*, please contact the Department of Education or the Department of Motor Vehicles.

- For questions concerning public, private, and correspondence schools, or college and university teacher endorsement programs, contact the Department of Education at (804) 225-3300.
- For questions concerning commercial school program licensing and regulations, contact the Department of Motor Vehicles at (804) 367-1969.





# DRIVER EDUCATION STANDARDS OF LEARNING

## Revised January 2008

### INTRODUCTION

The *Driver Education Standards of Learning for Virginia Public Schools* provides the framework for the *Curriculum Guide for Driver Education in Virginia*. As prescribed by §22.1-205 of the *Code of Virginia*, this curriculum guide serves as the Board of Education's approved driver-education and traffic-safety program of instruction for public and private school programs. Commercial driver training schools are approved and licensed by the Department of Motor Vehicles as prescribed by VR 485-60-9201, and they follow the same course content as public and private school driver education programs.

The classroom and in-car driver education standards focus on safe driving attitudes; time, space, and distance-perception skill development; and the recognition of and appropriate response to hazards in the ever-changing driving environment. Emphasis is placed on linking visual search skills, space management, and maintenance of balanced vehicle control to risk-reducing driving strategies. Significant attention is given to risk awareness, driver alertness, driver distractions, the social and economic consequences of driving, occupant protection, positive interactions with other roadway users, and the physical and psychological conditions that affect driver performance. Students apply basic driving skills in low-to-moderate traffic environments and progress to demonstration of skill proficiency in more complex traffic situations. When possible, teachers are also encouraged to use simulation and other technologies that will enhance student learning.

Successful completion of a state-approved driver education program alone does not make a teenager a responsible, experienced driver. Traffic safety education involves family, community, industry, government, and personal factors such as motivation, maturity, and perception abilities. These factors play a major role in the development of young safe drivers. Evidence shows that often it is not poor driving skills that cause accidents among this age group, but inexperience and/or poor attitude. The family, not the school, is in the best position to have a sustained effect on minimizing the risks faced by inexperienced drivers and encouraging responsible behaviors. Throughout the course, emphasis is placed on extensive supervised practice with a licensed parent or guardian to develop precision in the use of skills, processes, and responsibilities.

### GOALS

The purpose of driver education is to provide students with a detailed understanding of the fundamentals of driving and to foster responsible attitudes and behaviors. As a result of quality traffic-safety instruction, students will be able to

- demonstrate a working knowledge of the laws governing the operation of a motor vehicle;
- identify and analyze the physical and psychological conditions that affect driver performance;
- apply knowledge, processes, and skills to become safe, competent users of the highway transportation system;
- use visual search skills to make risk-reducing decisions by adjusting speed and/or position;
- demonstrate balanced vehicle movement through precise and timely steering, braking, and accelerating under a variety of conditions; and
- display responsible driving behaviors when alone and with peers.

## DRIVER EDUCATION STANDARDS OF LEARNING

Revised January 2008

- DE.1 The student will demonstrate an understanding of Virginia traffic laws, licensing procedures, and other responsibilities associated with the driving privilege. Key concepts include
- a) licensing requirements and types of licenses;
  - b) the motor vehicle section of the *Code of Virginia*;
  - c) the organ and tissue donation designation process.
- DE.2 The student will demonstrate an understanding of basic vehicle operating procedures. Key concepts/skills include
- a) pre-driving procedures;
  - b) starting procedures (automatic and manual transmissions);
  - c) vehicle information, warning, and control devices;
  - d) vehicle securing procedures.
- DE.3 The student will recognize the effects of momentum, gravity, and inertia on vehicle control and balance, and the relationship between kinetic energy and force of impact. Key concepts/skills include
- a) seating and hand position;
  - b) steering, braking, and acceleration;
  - c) compensating for shifts in vehicle load (from side to side, front to rear, and rear to front) that affect vehicle performance;
  - d) front tire traction loss (understeer) and rear tire traction loss (oversteer);
  - e) types of collisions — head-on, near-frontal, broadside, rear-end, rollover, sideswipe.
- DE.4 The student will demonstrate the ability to manage visibility, time, and space to avoid conflicts and reduce driving risks. Key concepts/skills include
- a) synthesizing information visually from the driving environment, using a space-management process;
  - b) applying following-distance, time and space concepts;
  - c) selecting gap and judging distance;
  - d) estimating passing-time and space needs;
  - e) identifying and responding to open or closed space and changes to line-of-sight or path-of-travel.
- DE.5 The student will demonstrate appropriate adjustments when approaching controlled and uncontrolled intersections, curves, work zones, railroad crossings, and hills with line-of-sight or path-of-travel limitations. Key concepts/skills include
- a) roadway signs, signals, and markings;
  - b) right-of-way rules;
  - c) slope/grade of terrain;
  - d) vehicle position and speed control.
- DE.6 The student will identify the characteristics of an expressway and apply risk-reducing expressway driving strategies. Key concepts/skills include
- a) entering, merging, integrating into, and exiting from traffic flow;
  - b) managing interchanges; selecting vehicle position and changing lanes;
  - c) managing toll facilities.

- DE.7 The student will demonstrate the ability to communicate presence and intentions with other highway transportation users. Key concepts/skills include
- vehicle position and driver action;
  - vehicle communication devices;
  - hand signals (i.e., slow/stop, right and left turns).
- DE.8 The student will analyze and describe the physiological and psychological effects of alcohol and other drugs and their impact on a driver's awareness of risks and involvement in collisions. Key concepts include
- prescribed and over-the-counter medications;
  - illegal or illicit drugs;
  - effects of alcohol and other drugs on vision and space management;
  - synergistic effects of drugs;
  - how alcohol is eliminated from the body .
- DE.9 The student will identify and analyze the legal, health, and economic consequences associated with alcohol and other drug use and driving. Key concepts/skills include
- positive and negative peer pressure;
  - refusal skills;
  - Implied Consent, Zero Tolerance, and Use and Lose laws;
  - Administrative License Revocation, loss of license, ignition interlock, and other licensing restrictions;
  - court costs, insurance requirements, Virginia Alcohol Safety Action Program referral, and other costs.
- DE.10 The student will recognize the consequences of aggressive driving and other emotions that influence driving behaviors. Key concepts include
- stress and anxiety;
  - anger management;
  - the relationship between aggressive driving and road rage.
- DE.11 The student will analyze the effects of fatigue and other physical conditions on driver performance. Key concepts include
- short- and long-term physical and mental disabilities;
  - chronic health conditions;
  - circadian rhythms;
  - sleep deprivation.
- DE.12 The student will identify distractions that contribute to driver error. Key concepts include
- passengers and pets;
  - vehicle accessories;
  - cell phones and other portable technology devices;
  - insects and animals;
  - driver behaviors (e.g., eating, smoking, personal grooming).
- DE.13 The student will identify changes in the environment that affect visibility and traction and demonstrate an understanding of appropriate driver reaction to these risks. Key concepts/skills include
- driving at night;
  - smoke- and weather-related conditions;
  - road conditions and construction;
  - vehicle stability and traction control systems.

- DE.14 The student will demonstrate an understanding of the proper use of vehicle occupant-protection features and analyze how they reduce injury severity and increase collision survival. Key concepts/skills include
- a) active restraint systems;
  - b) passive restraint systems;
  - c) child restraint systems;
  - d) highway safety design.
- DE.15 The student will identify and evaluate emergency response strategies to reduce the severity of or avoid a collision in high-risk driving situations. Key concepts/skills include
- a) evasive maneuvers, using brake and steering combinations;
  - b) off-road recovery;
  - c) front and rear traction control.
- DE.16 The student will identify and describe the performance characteristics of other road users and apply problem-solving skills to minimize risks when sharing the roadway with
- a) pedestrians and animals;
  - b) bicycles, scooters, mopeds and motorcycles;
  - c) tractor-trailers, trucks, and construction vehicles;
  - d) sport utility vehicles, recreation vehicles, and trailers;
  - e) emergency vehicles;
  - f) funeral processions;
  - g) passenger and school buses;
  - h) farm machinery and horse drawn vehicles.
- DE.17 The student will compare vehicle-braking systems and explain proper braking techniques for various weather and roadway conditions. Key concepts/skills include
- a) small and large vehicle conventional brake systems;
  - b) two- and four-wheel anti-lock brake systems (ABS);
  - c) controlled braking, trail braking, threshold braking, and antilock braking.
- DE.18 The student will analyze how preventive maintenance reduces the possibility of vehicle failures and recognize the warning signs that indicate the need for maintenance, repair, or replacement. Key concepts/skills include
- a) vehicle warning devices;
  - b) lights and signals;
  - c) steering and suspension systems;
  - d) tires and braking systems;
  - e) cooling system and belts;
  - f) fuel and ignition electronics.

- DE.19 The student will identify and describe the legal aspects of and calculate the financial responsibilities associated with purchasing, operating, maintaining, and insuring a motor vehicle. Key concepts include
- a) Financial Responsibility Law;
  - b) required and optional insurance coverage;
  - c) title and vehicle registration;
  - d) vehicle inspection;
  - e) fuel, fluids, tires, and other maintenance costs;
  - f) crash involvement.
- DE.20 The student will demonstrate competency in map-reading and trip-planning skills. Key concepts/skills include
- a) route planning;
  - b) trip-planning technologies.
- DE.21 The student will research and evaluate personal transportation needs and their impact on the environment, and demonstrate skills necessary to be an informed consumer. Key concepts/skills include
- a) printed and Internet resources;
  - b) community resources;
  - c) vehicle pollution, including carbon monoxide, carbon dioxide, ozone-causing gases, and acids;
  - d) appropriate disposal of batteries, fluids, tires, and other environmentally hazardous materials;
  - e) energy conservation, alternative or renewable sources of energy, and conservation of natural resources.
- DE.22 The student will use vehicle reference points to establish vehicle position and execute basic driving maneuvers. Key concepts/skills include
- a) parking;
  - b) turning;
  - c) establishing lane position;
  - d) backing.

## CURRICULUM SCOPE AND SEQUENCE MODULES

### **Module One—Virginia Driver Responsibilities: Licensing Responsibilities**

The student will develop an understanding of Virginia traffic laws and will be able to relate traffic safety rules, regulations, and penalties to driver responsibility.

Related SOL: DE.1, DE.5, and DE.19

- **Topic 1—Driver Education Program Guidelines**  
The student will understand the rules and guidelines of the program.
- **Topic 2—Your License to Drive**  
The student will investigate the process of obtaining and maintaining a driver's license, examine the vehicle inspection and registration process, and learn the value of being a financially responsible driver.
- **Topic 3—Right-of-Way Concepts**  
The student will know and understand the rules and regulations that determine right-of-way on Virginia roadways, and assess the consequences of violating the right-of-way rules and regulations.
- **Topic 4—Traffic Control Devices**  
The student will recognize, understand, and describe the laws and procedures related to roadway signs, signals, and markings.

### **Module Two—Virginia Driver Responsibilities: Preparing to Operate a Vehicle**

The student will recognize the necessity of making routine vehicle checks and adjustments prior to and after entering the vehicle; appropriately identify and respond to alert symbols, warning symbols, vehicle control devices, and safety devices; understand and control vehicle balance and vehicle operating space; and appropriately apply the techniques of vehicle reference points to establish roadway position and vehicle placement.

Related SOL: DE.2, DE.3, DE.4, DE.7, DE.15, and DE.18

- **Topic 1—Driver Preparation Procedures**  
The student will utilize basic procedures and readiness techniques to enter, start, and secure the vehicle, and perform basic vehicle maintenance checks.
- **Topic 2—Identifying Vehicle Control Devices**  
The student will recognize and understand the function and operation of each vehicular alert or warning symbol, control device, information device, and comfort system.
- **Topic 3—Operating Vehicle Control Devices**  
The student will demonstrate proper steering, braking, and acceleration techniques, and be able to operate the vehicular systems and devices while seated in the driver's seat.
- **Topic 4—Vehicle Balance Considerations**  
The student will recognize the effects of steering, braking, and acceleration on the balance of a vehicle, and will demonstrate vehicular control utilizing vehicle balance techniques.
- **Topic 5—Standard Vehicle Reference Points**  
The student will utilize standard vehicle reference points to determine and execute lane placement, stopping position, and turning maneuvers.

### **Module Three—Basic Maneuvering Tasks: Low-Risk Environment**

The student will utilize critical thinking and problem-solving skills to operate the vehicle and perform basic maneuvers in low-risk environments.

Related SOL: DE.3, DE.4, DE.5, DE.6, and DE.7

- **Topic 1—Basic Maneuvers**  
The student will demonstrate appropriate procedures to enter and start the vehicle, enter roadways, and maneuver in reverse with competency.
- **Topic 2—Vision and Perception**  
The student will understand the basic components of vision, and demonstrate an ability to visually synthesize information from the driving environment.
- **Topic 3—Controlling Risk Using a Space Management System**  
The student will apply a space management system to search and evaluate the traffic environment and respond appropriately.
- **Topic 4—Developing Good Driving Habits**  
The student will consistently demonstrate behaviors that contribute to the development of safe driving habits.

### **Module Four—Basic Maneuvering Tasks: Moderate Risk Driving Environment**

The student will define risk assessment; apply risk reduction principles; recognize moderate risk driving environments; utilize space management concepts to determine roadway position, establish vehicle speed, and communicate with other roadway users; synthesize information from the driving environment; and demonstrate an ability to select the appropriate parking or turnabout maneuver for a given situation.

Related SOL: DE.4, DE.5, DE.6, DE.7, and DE.12

- **Topic 1—Risk Assessment**  
The student will define risk assessment and apply risk reduction principles to determine roadway position, establish vehicle speed, and communicate with other roadway users.
- **Topic 2—Space Management System**  
The student will assess moderate risk driving environments and apply space management concepts (search, evaluate, execute) to determine roadway position, establish vehicle speed, and communicate with other roadway users.
- **Topic 3—Lane Changes**  
The student will utilize basic space management concepts when changing the path of travel and turning the vehicle.
- **Topic 4—Turnabouts**  
The student will demonstrate an ability to select and safely execute turnabouts.
- **Topic 5—Parking**  
The student will demonstrate an ability to select and safely execute parking procedures.

## **Module Five—Information Processing: Moderate Risk Driving Environment**

The student will define driver information processing; apply information processing principles; recognize moderate risk driving environments; utilize space management concepts to determine roadway position, establish vehicle speed, and communicate with other roadway users; synthesize information from the driving environment; demonstrate an ability to select the appropriate intersection entry, and to manage curves, hills, and passing maneuvers for a given situation.

Related SOL: DE.4, DE.5, DE.6, and DE.7

### ➤ **Topic 1—Processing Information**

The student will define driver information processing and apply processing principles to determine roadway position, establish vehicle speed, and communicate with other roadway users.

### ➤ **Topic 2—Intersections, Curves, and Hills**

The student will utilize basic space management concepts to adjust speed or the path of travel when approaching controlled and uncontrolled intersections, and curves and hills with line of sight or path of travel limitations.

### ➤ **Topic 3—Passing**

The student will demonstrate an ability to select and safely execute speed and position adjustments for passing another vehicle.

## **Module Six—Information Processing: Complex Risk Environments**

The student will use risk-reducing strategies to manage multiple-lane roadways at speeds up to 70 miles per hour in complex risk environments.

Related SOL: DE.3, DE.4, DE.5, DE.6, DE.7, and DE.20

### ➤ **Topic 1—Characteristics of Expressways**

The student will understand the characteristics of expressways.

### ➤ **Topic 2—Entering, Changing Lanes, and Exiting**

The student will apply risk-reducing strategies to enter and exit traffic, steer, establish speed and lane position, pass other vehicles, and travel on multiple-lane roadways.

### ➤ **Topic 3—High Speed Considerations**

The student will understand the added risks and precautions necessary when driving on an expressway at speeds up to 65 miles per hour.

## **Module Seven—Driver Performance: Personal Factors**

The student will develop an understanding of the effects of alcohol and other drugs, fatigue, and emotions on the driving task; assess the dangers of these factors; and develop strategies to make health-promoting decisions throughout his/her life.

Related SOL: DE.8, DE.9, DE.10, and DE.11

### ➤ **Topic 1—Introduction to Alcohol – Saying No**

The student will identify and analyze the legal, health, and economic consequences associated with alcohol use.

### ➤ **Topic 2—Nature of Alcohol-Related Crash Problems**

The student will analyze statistical data and utilize critical thinking to evaluate the nature of impaired driving crash problems.



- **Topic 3—Physiological and Psychological Effects of Alcohol**  
The student will analyze and evaluate the physiological and psychological effects of alcohol.
- **Topic 4—Effects of Alcohol and Other Drugs on the Driving Task**  
The student will understand the effects of alcohol and other drugs on the driving task, and assess their impact on a driver's awareness of risk and potential for involvement in a crash.
- **Topic 5—Dealing with Driver Fatigue**  
The student will recognize the symptoms of fatigue, and develop strategies to avoid driving when fatigued.
- **Topic 6—Preventing Road Rage**  
The student will understand the dangers of aggressive driving, develop strategies to avoid aggressive driving, and utilize strategies to respond appropriately to aggressive drivers.

### **Module Eight—Driver Responsibilities: Adverse Conditions**

The student will appraise inclement and extreme weather conditions and predict vehicular and driver limitations; investigate roadway and vehicle technologies; demonstrate proper use of occupant protection devices; and utilize map reading and route planning techniques to avoid adverse driving conditions.

Related SOL: DE.13, DE.14, and DE.15

- **Topic 1—Visibility in Adverse Conditions**  
The student will recognize driver and vehicular limitations in reduced-visibility driving conditions such as glare, darkness, fog, precipitation, winter weather, or smoke, and evaluate and execute appropriate responses.
- **Topic 2—Extreme Weather Conditions**  
The student will describe extreme weather conditions relative to driving, such as flooding, heat, cold, or strong winds, and evaluate and execute appropriate responses.
- **Topic 3—Protecting Occupants**  
The student will understand the proper use of seatbelts, airbags, and child restraints.
- **Topic 4—Roadway and Vehicle Technology**  
The student will understand and properly use vehicular protection features and roadway technologies that reduce injury severity and increase collision survival.
- **Topic 5—Traction Loss Concerns**  
The student will recognize vehicular imbalance and choose appropriate countermeasures to prevent loss of vehicle control.

### **Module Nine - Driver Responsibilities: Vehicle Functions**

The driver will gain information about vehicle system functions and malfunctions, recognize when ABS engages, respond to vehicle malfunctions, respect other users, and understand the role of agencies that manage the highway system.

Related SOL: DE.16, DE.17, and DE.18

- **Topic 1—Vehicle Functions/Malfunctions**  
The student will understand how the steering, suspension, traction control, fuel, electrical, and brake systems function.

- **Topic 2—Anti-Lock Braking Systems**  
The student will understand the proper use of ABS technology.
- **Topic 3—Vehicle Performance**  
The student will understand vehicle performance characteristics and potential conflicts with other motorized and non-motorized roadway users.
- **Topic 4—Highway Transportation System Agencies**  
The student will understand that a consortia of federal, state, local, and individual systems function together to provide a safe and lawful driving community.

### **Module Ten—Driver Responsibilities: Making Informed Choices**

The student will synthesize information and apply strategies to select motor vehicles and purchase insurance, plan extended trips, and protect the environment.

Related SOL: DE.19, DE.20, and DE.21

- **Topic 1—Insuring Vehicle**  
The student will comply with the Financial Responsibility Law, understand the conditions of insurance coverage, and demonstrate responsibility for immediate and long-term obligations of owning and driving an automobile.
- **Topic 2—Purchasing Vehicle**  
The student will analyze data and be able to apply critical-thinking techniques to the purchase of a new or used automobile.
- **Topic 3—Trip Planning**  
The student will plan, determine routes, predict personal and vehicular needs, and calculate costs for an extended trip.
- **Topic 4—Virginia Conservation Concerns**  
The student will develop personal strategies to conserve fuel, recycle automobile fluids and parts, maintain motor vehicles, and make wise automobile selections to protect the environment by reducing pollution and conserving energy.
- **Topic 5—Driver Licensing**  
The student will recognize driver and traffic safety education as a foundation for lifelong learning and reduced-risk driving.

### **Module Eleven: Laboratory Instruction – Behind-the-Wheel and In-car Observation**

The student will apply Module 1-10 concepts in simulated or in-car driving experiences.

Related SOL: DE.2, DE.3, DE.4, DE.5, DE.6, DE.7, DE.9, DE.13, DE.14, DE.15, DE.16, DE.17, and DE.18

# Notes

## PROGRAM ADMINISTRATION

### CODE OF VIRGINIA

§ 22.1-205. Driver education programs.

- A. The Board of Education shall establish for the public school system a standardized program of driver education in the safe operation of motor vehicles. Such program shall consist of classroom training and behind-the-wheel driver training. However, any student who participates in such a program of driver education shall meet the academic requirements established by the Board, and no student in a course shall be permitted to operate a motor vehicle without a license or permit to do so issued by the Department of Motor Vehicles. The program shall include instruction concerning (i) alcohol and drug abuse, (ii) aggressive driving, (iii) distracted driving, (iv) motorcycle awareness, (v) organ and tissue donor awareness, and (vi) in Planning District 8, for any student completing a driver education program beginning in academic year 2010-2011, an additional minimum 90-minute parent/student driver education component included as part of the in-classroom portion of the driver education curriculum, requiring the participation of the student's parent or guardian and emphasizing parental responsibilities regarding juvenile driver behavior, juvenile driving restrictions pursuant to the Code of Virginia, and the dangers of driving while intoxicated and underage consumption of alcohol. Such instruction shall be developed by the Department in cooperation with the Virginia Alcohol Safety Action Program, the Department of Health, and the Department of Behavioral Health and Developmental Services, as appropriate. Such program shall require a minimum number of miles driven during the behind-the-wheel driver training.
- B. The Board shall assist school divisions by preparation, publication and distribution of competent driver education instructional materials to ensure a more complete understanding of the responsibilities and duties of motor vehicle operators.
- C. Each school board shall determine whether to offer the program of driver education in the safe operation of motor vehicles and, if offered, whether such program shall be an elective or a required course. Only school divisions complying with the standardized program and regulations established by the Board of Education and the provisions of § 46.2-335 shall be entitled to participate in the distribution of state funds appropriated for driver education.
- D. The actual initial driving instruction shall be conducted, with motor vehicles equipped as may be required by regulation of the Board of Education, on private or public property removed from public highways if practicable; if impracticable, then, at the request of the school board, the Commonwealth Transportation Board shall designate a suitable section of road near the school to be used for such instruction. Such section of road shall be marked with signs, which the Commonwealth Transportation Board shall supply, giving notice of its use for driving instruction. Such signs shall be removed at the close of the instruction period. No vehicle other than those used for driver training shall be operated between such signs at a speed in excess of twenty-five miles per hour. Violation of this limit shall be a Class 4 misdemeanor.
- E. The Board of Education may, in its discretion, promulgate regulations for the use and certification of paraprofessionals as teaching assistants in the driver education programs of school divisions.

- F. The Board of Education shall approve correspondence courses for the classroom training component of driver education. These correspondence courses shall be consistent in quality with instructional programs developed by the Board for classroom training in the public schools. Students completing the correspondence courses for classroom training, who are eligible to take behind-the-wheel driver training, may receive behind-the-wheel driver training (i) from a public school, upon payment of the required fee, if the school division offers behind-the-wheel driver training and space is available, (ii) from a driver training school licensed by the Department of Motor Vehicles, or (iii) in the case of a home schooling parent or guardian instructing his own child who meets the requirements for home school instruction under § 22.1-254.1 or subdivision B 1 of § 22.1-254. Nothing herein shall be construed to require any school division to provide behind-the-wheel driver training to nonpublic school students.

(Code 1950, § 22-235.1; 1962, c. 482; 1966, c. 208; 1968, c. 433; 1974, c. 154; 1980, c. 559; 1988, c. 105; 1989, c. 392; 1998, c. 96; 1999, c. 928; 2000, cc. 82, 651; 2001, cc. 659, 665; 2002, cc. 177, 386; 2003, c. 951; 2007, c. 278.)

## **§ 46.2-340. Information concerning driver education instructors.**

- A. At the beginning of each school year, and whenever changes need to be made, each local school division shall furnish to the Department of Motor Vehicles the name, driver's license number, and commercial driver's license number of all persons driving school buses for that school division. Whenever any commercial driver's license with a school bus driver's endorsement is suspended or revoked, or the holder of a driver's license with a school bus driver's endorsement or commercial driver's license with a school bus driver's endorsement is convicted in any court of reckless driving or driving while intoxicated, the Department shall notify the affected local school division of the name and driver's license number or commercial driver's license number of the driver involved.
- B. If the driving record of such driver education instructor accumulates more than six demerit points based on convictions occurring in any calendar year, the Department shall notify the relevant local school division or private school of the name and driver's license number of the driver. Safe driving points shall not be used to reduce the six demerit points. No driver education program in a public school division or a private school shall retain its approval by the Department of Education unless such a person who has accumulated such six demerit points is removed from providing behind-the-wheel driver education instruction in the private school or public school division for a period of twenty-four months.
- C. The provisions of the Government Data Collection and Dissemination Practices Act (Chapter 38 of Title 2.2, § 2.2-3800 et seq.) shall not apply to the exchange of information under this section.

## **BOARD OF EDUCATION REGULATIONS GOVERNING DRIVER EDUCATION**

### **8VAC 20-340-10. Driver education program.**

- A. In accordance with provisions of the National Highway Safety Act of 1966 (23 USC § 401 et seq.) and § 46.2-334 of the *Code of Virginia*, local school boards shall determine whether to offer a driver education program, and, if offered, whether it will be elective or required. School divisions offering programs that comply with the standardized program of study and regulations established by the Board of Education and the provisions of § 22.1-205 of the *Code of Virginia* are entitled to participate in the distribution of state funds for driver education.
- B. A state-approved driver education program consists of a minimum of 36 periods of classroom instruction and 14 periods of in-car instruction. The standardized driver education program established by the Board of Education requires that:
  - 1. Classroom and in-car instruction shall follow the standardized program of study.
  - 2. Local programs shall have the option that classroom driver education may be taught in lieu of 36 class periods of health education or as an elective course.
  - 3. Superintendents and heads of private schools must seek program approval from the Department of Education prior to providing instruction and certify that the proposed program meets all state-approved program requirements.
  - 4. The length of a class period must be a minimum of 50 minutes.
  - 5. Students must drive a minimum of 50 miles during the in-car phase of instruction.
  - 6. In-car instruction must be limited to no more than two periods of instruction in any 24-hour period, of which at least one must be actual driving.

7. Combination, on-street, simulation, and multiple-car-range programs must provide at least six periods of on-street driving and observation, four periods of multiple-car-range driving and observation, and eight periods of simulation.
8. Only fees approved by the Board of Education shall be collected for the laboratory phase of driver education pursuant to the Appropriation Act.
9. Public or private schools must submit classroom and in-car driver education teachers' driver license information for driver record monitoring as required by § 46.2-340 of the *Code of Virginia*.
10. Local school boards must develop written policies concerning initial or continued employment of classroom and in-car teachers who receive excessive demerit points on their driving record.
11. Public and private schools must provide the Department of Education with the previous year's program data to calculate in-car basic aid reimbursement and to monitor program compliance.
12. Classroom and laboratory phases of the program must be offered concurrently at the same school, or allow only a limited amount of time to elapse between classroom completion and laboratory instruction.
13. Students who have not successfully completed the classroom phase at one school cannot begin in-car instruction at another school.
14. Successful completion of a standardized end-of-course road skills assessment must be achieved prior to the school issuing a 180-day provisional license.

Statutory Authority

§§ 22.1-16, 22.1-205 and 46.2-334 of the *Code of Virginia*.

Historical Notes

Derived from VR270-01-0033 § 1, eff. September 1, 1980; amended, Virginia Register Volume 20, Issue 23, eff. August 25, 2004.

### **8VAC 20-131-100. Instructional program in a secondary school.**

Classroom driver education may count for 36 class periods of health education. Students shall not be removed from classes other than health and physical education for the in-car phase of driver education.

### **8VAC20-340-20. Driver education vehicles.**

The school division or school shall:

1. Provide a vehicle in excellent mechanical condition, equipped with dual-control brakes, a roof top sign, dual side mirrors, and safety restraints;
2. Ensure all driver education vehicles are equipped with restraint systems of the type approved by the Department of State Police in accordance with §§ 46.2-1093 and 46.2-1095 of the *Code of Virginia*;
3. Provide a vehicle with a current Virginia inspection sticker and license plate;
4. Insure the vehicle above the minimum amount required by state statute for liability and property damage; and
5. Identify the instructional vehicle by displaying "DRIVER EDUCATION VEHICLE" and name of school (or school division) attached to the top of the vehicle. The school name does not have to be on the rooftop sign and may appear in another visible location on the vehicle.

Statutory Authority

§§ 22.1-16, 22.1-205 and 46.2-334 of the *Code of Virginia*.

Historical Notes

Derived from Virginia Register Volume 20, Issue 23, eff. August 25, 2004.

## **REGULATIONS ESTABLISHING STANDARDS FOR ACCREDITING PUBLIC SCHOOLS IN VIRGINIA**

### **8VAC 20-131-70. Program of instruction and learning objectives.**

Each school shall provide a program of instruction that promotes individual student academic achievement in the essential academic disciplines and shall provide additional instructional opportunities that meet the abilities, interests and educational needs of students. Each school shall establish learning objectives to be achieved by students at successive grade levels that meet or exceed the knowledge and skills contained within the Standards of Learning for English, mathematics, science, and history/social science adopted by the Board, and shall continually assess the progress of each student in relation to the objectives.

Instruction shall be designed to accommodate all students including those with disabilities, those identified as gifted/talented, and those who have limited English proficiency.



**8VAC20-131-100. Instructional program in secondary schools.**

- A. The secondary school shall provide each student a program of instruction in the academic areas of English, mathematics, science, and history/social science that enables each student to meet the graduation requirements described in 8VAC20-131-50 and shall offer opportunities for students to pursue a program of studies in foreign languages, fine arts, and career and technical areas including:
1. Career and technical education choices that prepare the student as a career and technical education program completer in one of three or more occupational areas and that prepare the student for technical or preprofessional postsecondary programs;
  2. Coursework and experiences that prepare the student for college-level studies including access to at least three Advanced Placement (AP) courses, college-level courses for degree credit, International Baccalaureate (IB) courses, Cambridge courses, or any combination thereof;
  3. Preparation for college admissions tests; and
  4. Opportunities to study and explore the fine arts and foreign languages.
- B. Minimum course offerings for each secondary school shall provide opportunities for students to meet the graduation requirements stated in 8VAC20-131-50 and must include:

English	4
Mathematics	4
Science (Laboratory)	4
History and Social Sciences	4
Foreign Language	3
Electives	4
Career and Technical Education	11
Fine Arts	2
Health and Physical Education	2
Total Units	38

- C. Classroom driver education may count for 36 class periods of health education. Students shall not be removed from classes other than health and physical education for the in-car phase of driver education.
- D. Each school shall ensure that students who are unable to read with comprehension the materials used for instruction receive additional instruction in reading, which may include summer school.

Statutory Authority

§§ 22.1-19 and 22.1-253.13:3 of the *Code of Virginia*.

Historical Notes

Derived from Virginia Register Volume 14, Issue 1, eff. October 29, 1997; amended, Virginia Register Volume 16, Issue 25, eff. September 28, 2000; Volume 22, Issue 24, eff. September 7, 2006.

### **8VAC 20-131-180. Off-site instruction.**

- A. Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist. For students eligible for special education or related services, the Individualized Education Program committee must revise the IEP, as appropriate. Credit for the work shall be awarded when it is done under the supervision of a licensed teacher, a person eligible to hold a Virginia license, or other appropriately licensed professional employed by the local school board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the local school board in accordance with the provisions of 8VAC20-131-110 have been met.
- B. Students may enroll in and receive a standard and verified unit of credit for supervised correspondence courses with prior approval of the principal. Standard units of credit shall be awarded for the successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, approved by the local school board. Verified units of credit may be earned when the student has passed the SOL test associated with the correspondence course completed. The local school board shall develop policies governing this method of instruction in accordance with the provisions of 8VAC 20-131-110 and the administration of required SOL tests prescribed by 8VAC20-131-110.
- C. Schools are encouraged to pursue alternative means to deliver instruction to accommodate student needs through emerging technologies and other similar means. Standard units of credit shall be awarded for successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia teaching license and approved by the local school board. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The local school board shall develop policies governing this method of delivery of instruction that shall include the provisions of 8VAC20-131-110 and the administration of required SOL tests prescribed by 8VAC20-131-30.

Statutory Authority §§ 22.1-19 and 22.1-253.13:3 of the *Code of Virginia*.

Historical Notes: Derived from Virginia Register Volume 14, Issue 1, eff. October 29, 1997; amended, Virginia

A Certificate of Completion for Classroom Driver Education (DEC-1) shall be awarded when the classroom instruction is done under the supervision of a licensed and endorsed teacher.

### **STATE-APPROVED DRIVER EDUCATION PROGRAMS**

In accordance with § 46.2-334 of the *Code of Virginia*, the Department of Education is charged with approving public and private school driver education programs. Commercial driver training schools are licensed and monitored by the Department of Motor Vehicles as prescribed by VR 485-60-9201, and follow the same course content as public and private schools.

Public and private schools seeking program approval from the Department of Education must submit a *Driver Education Program Approval Application* by August 1<sup>st</sup> prior to beginning instruction. The application form will require division superintendents or heads of private schools requesting driver education program approval to certify that the proposed program will meet all state-approved program requirements. The Department of Education will use the teacher information submitted on the program approval application to satisfy the *Code of Virginia* requirement which directs the Department of Motor Vehicles (DMV) to monitor classroom and in-car driver education teachers' driving records. During the remainder of the school year, DMV will periodically send each school a list of the approved teachers, to verify accuracy and to amend if necessary.

## **CHARGING A LABORATORY FEE**

Only fees approved by the Board of Education may be collected for the laboratory phase of driver education. Charging this fee is optional for local school boards and has no impact on the fee charged for the summer school driver education program, which continues to be authorized without prior approval from the Department of Education. Summer school fees will not result in a pro rata reduction in basic aid.

Item 140.C.5.e.1, Chapter 781, 2009 Virginia Acts of Assembly, states:

e.1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of the basic operation cost in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.

2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

The "average per pupil cost" for the laboratory (in-car driving and observing and, if utilized, simulation and multiple-car-range instruction) phase of the program is based on financial data from the previous school year's regular term program.

At the end of the regular school year, public and private schools must provide the Department of Education with the previous year's Driver Education Status Questionnaire program data. This information will be used to calculate in-car basic aid reimbursement and to monitor program compliance.

Local school boards that elect to charge a fee may want to consider developing written policies to address parent requests for fee reduction based on need. To determine student eligibility for reduced in-car instruction fees, some school divisions use documented financial need based on student participation in the federally funded School Nutrition Accountability Program. School divisions may also want to consider using a sliding scale to differentiate fee reductions given to students who are eligible for reduced lunch and those who qualify for free lunch.

## TEACHER LICENSURE REGULATIONS

In accordance with Virginia *Licensure Regulations for School Personnel* (8VAC 20-22-10 et seq.), all prospective educators should demonstrate proficiency in grammar, usage, and mechanics in their integration in writing. The teacher competencies are based on a strong knowledge of instructional content and laboratory experience.

The approved teacher education program provides prospective driver educators with opportunities to demonstrate both skill and knowledge to accommodate individual differences among learners. Teachers should adapt instruction to environmental constraints, plan for the teaching process, manage in-car scheduling, implement the juvenile licensing process, assess student achievement, utilize emerging technology, and evaluate the teaching-learning process. The driver education endorsement program is based on the conceptual framework reflected in the *Driver Education Standards of Learning for Virginia Public Schools*, and the *Curriculum and Administrative Guide for Driver Education in Virginia*. Teachers supplement the framework with traffic safety resources that facilitate student acquisition of knowledge, attitudes, critical thinking, and motor skill development to become safe, responsible members of the highway transportation system.

An applicant for public or nonpublic driver education teaching credentials shall meet the following requirements:

- Hold a valid Virginia teaching license with a six-semester hour endorsement in driver education from an approved teacher preparation program.
- Traffic safety education courses taken out-of-state will be evaluated by a Virginia Department of Education licensure analyst as to their comparable content.

### 8VAC20-22-330. DRIVER EDUCATION (add-on endorsement)

Endorsement requirements. The candidate must have:

1. Completed an approved teacher preparation program in driver education; or
2. Completed 6 semester hours of coursework distributed in the following areas:
  - a) Driver Task Analysis: 3 semester hours; and
  - b) Principles and methodologies of classroom and in-car instruction, including a minimum of 14 hours of actual behind-the-wheel supervised teaching experience and 2 hours of basic evasive maneuvers; 3 semester hours.

### 8VAC20-340-30 TEACHER REQUIREMENTS

The standardized driver education program established by the Board of Education requires that teachers:

1. Hold a valid Virginia teaching license with an add-on endorsement or approved program endorsement in driver education; or, for in-car instruction, satisfy the paraprofessional training requirements;
2. Hold a valid Virginia driver's license; or, for teachers with a valid out-of-state driver's license, provide the Department of Education with a copy of their driving record at the beginning of each semester, at the beginning of summer school, and when they receive a moving violation;
3. Have a broad background of driving experiences (two years minimum) in cities, rural roadways and highways;
4. Possess sound physical, mental and emotional qualities;
5. Have a satisfactory driving record; teachers who have accumulated six or more demerit points shall be removed from providing behind-the-wheel instruction for a minimum of 24 months, (no public or private school shall retain its driver education program approval by the Department of Education unless the teacher is removed);

6. Who have had their license suspended or revoked, or who have received a Driving Under the Influence (DUI) arrest or conviction, be immediately removed from any classroom or laboratory driver education teaching assignment;
7. Obtain parent/guardian permission to enroll a student in the laboratory phase of instruction;
8. Make every reasonable effort to protect students from injury;
9. Ensure the proper use of safety restraints by all persons occupying the driver education vehicle;
10. Ensure the student driver has in his possession a valid Virginia learner's permit when operating a driver education vehicle;
11. Have at least two students, and no more than three students, in the car; however, when it is in the best interest of the student, and with prior written permission from the parents or legal guardians, one student may be scheduled for in-car instruction;
12. Shall not allow the driver education vehicle to be used by any student during on-street instruction without the teacher being in the vehicle to provide direct instruction. If the vehicle is parked and students remain in the vehicle, the keys shall be removed by the teacher. In no event should the vehicle's engine remain running with students inside the vehicle without the teacher also being inside the vehicle; and
13. Shall not allow the driver education vehicle to be used during multiple-car-range instruction without teacher supervision.

Statutory Authority

§§ 22.1-16, 22.1-205 and 46.2-334 of the *Code of Virginia*.

## **PARAPROFESSIONAL QUALIFICATIONS AND TRAINING**

Personnel selected to be trained as paraprofessionals in public or nonpublic driver education programs shall meet the following qualifications:

- Must be at least 21 years of age;
- Must have a high school diploma or equivalent;
- Must possess sound physical and mental health;
- Must hold a current/valid Virginia driver's license;
- Must have a three-year driving record upon which the Department of Motor Vehicles has taken no corrective action immediately prior to approval as a teaching paraprofessional; and
- Must have at least four years of driving experience.

It is also suggested that when selecting paraprofessionals, administrators consider the candidate's background in the area of traffic safety (or related areas such as school bus driver, retired civilian or military police officer) as part of the criteria.

The candidate must have:

1. Completed an approved teacher preparation program in driver education; or
2. Completed 6 semester hours of coursework distributed in the following areas:
  - a) Driver Task Analysis: 3 semester hours; and
  - b) Principles and methodologies of classroom and in-car instruction, including a minimum of 14 hours of actual behind-the-wheel supervised teaching experience and 2 hours of basic evasive maneuvers; 3 semester hours.

Upon completion of the training, the school administrator must submit to the Department of Education the school division's certificate of completion that includes the paraprofessional instructor's full name, driver's license number, and date of completion.

The paraprofessional shall receive a minimum of eight hours of driver education in-service training every two years.

## **PARAPROFESSIONALS TEACHING THE LABORATORY PHASE**

- Paraprofessionals, when conducting laboratory instruction, shall be supervised by a licensed, endorsed driver education teacher or administrator.
- A driver education teacher or administrator with an endorsement in driver education may supervise no more than three paraprofessionals.
- Approved paraprofessionals may conduct in-car instruction, multiple-car range instruction, and simulation instruction for public, nonpublic, and commercial schools with state-approved programs.
- The validity and performance records of the paraprofessional driver education instructor shall be reviewed annually by the school division. If the instructor has failed to meet the requirements or has in any way disqualified him/herself as a paraprofessional driver educator, the school division should immediately notify the Department of Education.

## LOCAL SUPERVISION

State-approved driver education programs are based on carefully planned policies and sound educational principles. Program success depends on administrative leadership, qualified and dedicated teachers, appropriate equipment, facilities, and competent supervision. In addition, quality programs are a product of continuous, careful, and cooperative planning. Through effective scheduling and organization, all students can be assured of timely participation in the classroom and in-car phases of the program.

As the instructional leader of the school, the principal is responsible for effective program management that promotes student achievement, a safe and secure environment in which to teach and learn, and efficient use of resources. The most successful driver education programs are actively supported by administrators who take a direct interest in their development. Administrative responsibilities include:

- selecting personnel;
- purchasing equipment;
- securing facilities and adequate financing;
- maintaining accurate records and reports;
- gaining community support and promoting parent involvement;
- protecting instructional time from unnecessary interruptions and disruptions;
- providing staff development designed to improve instruction and student learning; and
- establishing partnerships with local, state and nonprofit agencies with traffic safety missions or responsibilities.

Administrators and supervisors should give special attention to the development of sound classroom and in-car program policies to provide a basis for consistent decision making. A qualified staff person should be designated to supervise and coordinate the driver education program. This person should ensure quality instruction by:

- assisting with formulating general policies and practices;
- supervising and improving the instructional process;
- selecting and evaluating materials and equipment;
- assisting with scheduling and student enrollment policies;
- preparing an annual budget and maintaining program cost accounting;
- evaluating the effectiveness of the instructional program; and
- promoting public relations and community involvement.

## SCHOOL, TEACHER, AND STUDENT IN-CAR RESPONSIBILITIES

Driving a motor vehicle exposes the roadway user to inherent dangers which school officials and driver education teachers should take every possible precaution to minimize.

### The school division or school

- Shall provide a vehicle, in excellent mechanical condition, equipped with dual-control brakes, roof top sign, dual side mirrors, and safety restraints. The vehicle must have a current Virginia inspection sticker and license plate.
- Shall provide sufficient insurance to protect the school, the teacher, and the students.

### The driver education teacher

- Shall obtain parent/guardian permission for student enrollment in the laboratory phase of instruction.
- Shall make every reasonable effort to protect students from injury.
- Shall have a first aid kit (administer first aid only if qualified), and a fire extinguisher (at least UL rated 5-B:C) in the car.
- Shall ensure the proper use of safety restraints by all persons occupying the driver education vehicle.
- Shall ensure that the student driver has in his/her possession a valid Virginia learner's permit when operating a driver education vehicle.

- Shall not allow the driver education vehicle to be used by any student during on-street instruction without the teacher being in the vehicle and providing direct instruction. If the vehicle is parked and students remain in the vehicle, the keys shall be removed by the teacher. In no event should the vehicle's engine remain running with students inside the vehicle without the teacher also being inside the vehicle.
- Shall not allow the driver education vehicle to be used during multiple-car range instruction without teacher supervision.
- Shall not conduct in-car instruction with less than two, or more than three, students in the car. Exception: When it is in the best interest of the student, and with prior written permission from the parents or legal guardians, one student may be scheduled for in-car instruction.

## VEHICLE PROCUREMENT, LICENSING, AND IDENTIFICATION

Sources for obtaining vehicles for laboratory instruction for public and nonpublic high schools are as follows:

- **Rent or lease** - Payment may be made to dealers for administrative fees, and/or dealer preparation and reconditioning.
- **Purchase** - When vehicles are returned, repayment is made to the school division for the amount originally paid, less reconditioning fees (this procedure eliminates the interest rates the dealer must pay).
- **Alternative method** - New and surplus vehicles for public school driver education programs may be purchased through the Department of General Services, Division of Purchases and Supply. This procedure is cost effective, especially when vehicles are purchased for a multiple-car range program.
- **Purchase program vehicles from rental agencies**
- **Loan from local motor vehicle dealers**
- **Loan from other sources**
- **Floor plan** - Dealers are paid the amount normally charged by the manufacturer to display a vehicle.

### The local school board should

- Authorize the use of a vehicle or vehicles for instructional purposes;
- Designate a school official as an agent for the board to obtain a written agreement to purchase, rent, or borrow a vehicle or vehicles for the driver education program; and
- Execute agreement forms when contracting for driver education vehicles.

To secure public-use license plates from the Department of Motor Vehicles, ownership must be transferred to and vested in the local school board. The transfer of the title must be recorded by the Department of Motor Vehicles and a title certificate must be issued to the school board. Dealer plates may be used as an alternative to public use license plates. Dealer plates from bordering states are also acceptable (§46.2 – 1557).

The Department of Motor Vehicles will refuse to issue free license plates for vehicles that bear advertising or which bear the identification of private interest. If a license is issued and it is discovered that the vehicle bears advertising for a private interest, a representative of DMV will repossess the free license plates. The motor vehicle may have courtesy lettering identifying the dealer, but such lettering shall not be more than one and a half inches high.

Vehicles operated by student drivers shall be properly identified as instructional vehicles by displaying the information, **DRIVER EDUCATION VEHICLE AND NAME OF SCHOOL** (or school division) attached to the top of the vehicle. The school name does not have to be on the rooftop sign, but must appear in another



visible location on the vehicle. Local school officials are responsible for proper vehicle identification, and for making certain that the vehicles are being used only for driver education purposes.

School personnel who assume responsibility for driver education vehicles loaned by dealers should take adequate steps to ensure that the loaned vehicles are only used for instructional purposes.

Commercial schools should refer to the driver training school vehicle requirement regulations VR 485-60-9201.

## **DUAL CONTROLS AND RESTRAINT SYSTEMS**

Dual controls must be installed in all driver education vehicles. Information relative to the cost and suppliers of dual brake controls and other safety equipment may be obtained from the Department of Education or the Department of Motor Vehicles. All driver education vehicles shall be equipped with restraint systems of the type approved by the Department of State Police in accordance with §§46.2-1093 and 46.2-1095 of the *Code of Virginia*.

## **OPTIONAL IN-CAR INSTRUCTIONAL EQUIPMENT**

- Teacher rear view mirror
- Eye-check mirror
- Instructor clipboard/in-car traffic board
- Observer activity sheets
- Ruler or tape measure (measure distance from curb, airbag, etc.)
- Hand-held voice recorder/player
- Timing device (e.g., stopwatch)
- Hand-held computer device for instruction/record keeping
- Brake and accelerator pedal extensions to ensure the driver is at least 10 inches from the airbag
- Appropriate seat cushions (student driver's chin should be above the top of the steering wheel)
- Cones

## **VEHICLE INSURANCE**

Driver education vehicles must be insured above and beyond the minimum amount required by state statute for liability and property damage. It is recommended that liability and property damage amounts be at a minimum \$250,000/\$500,000/\$100,000 (\$250,000 for a single individual's injuries/\$500,000 for multiple individual's injuries/\$100,000 for damage to property).

## **DRIVER EDUCATION TEXTBOOKS**

The driver education curriculum modules provide a list of textbooks. Including this information in the curriculum modules assists teachers in organizing their lesson plans, and does not imply endorsement of a textbook by the Virginia Department of Motor Vehicles or the Virginia Department of Education.

## **PROGRAM COST EFFECTIVENESS**

School administrators should choose the method of instruction that provides the highest quality instruction at the lowest cost.

## **BUDGET ESTIMATION**

Established fiscal accounting procedure requires cost projections to plan an annual budget for high school driver education programs. The classroom phase of instruction should be budgeted in the same manner as used for other subjects and should include textbook costs for each student enrolled. Careful analysis of potential laboratory costs should be made to determine total projected program costs. Based on the projected number of eligible students, the following are items to consider in estimating program costs:

### **1. Personnel**

- Number of instructors needed
- Instructor salaries (full-time with fringe benefits or hourly rate)

### **2. Vehicles**

- Vehicles needed (rent, lease, floor plan, or owned)
- Insurance (fleet plan, self-insured, assigned risk plan)
- Maintenance (gasoline, routine maintenance, repairs)

### **3. Equipment and Supplies**

- Simulators (purchase, maintenance, teaching materials, and films)
- On-street equipment (roof-top signs, dual outside mirrors, first aid kit, fire extinguisher, and dual control brakes for each vehicle)
- Multiple-car range equipment (traffic cones, communication systems, etc.)
- Miscellaneous expenditures (flares, first aid supplies)

Careful consideration should be given to determine which classroom and laboratory plan will provide the most effective and efficient driver education instructional program for the school.

## **ASSESSMENT**

Assessments inform teachers and others what driving-related concepts and skills students have learned, how well they have learned these concepts and skills, and whether or not adjustments need to be made to curricula and/or instruction. There are two types of assessments that should occur. The first is an ongoing or formative assessment that continually measures student performance to guide instruction and enhance student learning. Formative assessment is part of the instructional process. These assessments inform both teachers and students about student understanding at a point when timely adjustments can be made.

Formative assessments may be accomplished in several ways. They may include evaluation of homework assignments, worksheets, reports, verbal feedback in class, role-playing activities or demonstrations. Examples of ongoing in-car assessments may include daily skill and maneuvering assessments, and the student observer's in-car activity sheets.

The second type of assessment is a summative or end of phase (classroom and behind-the-wheel) assessment. The standardized end-of-course road skills test shall be used as the culminating assessment. The culminating skill and process evaluation must be based on the objectives stated on the state-approved evaluation instrument. Students who receive parental permission, are properly insured, have held a learner's permit for the prescribed time, reach the minimum age, have no court sanctions, and successfully master the course objectives, are eligible for a 180-day provisional license. Accurate record keeping is essential and results of assessments should be shared with parents.

## RECORD KEEPING

Minimum time and the performance standards outlined in the curriculum modules have been established for state-approved driver education programs. Accurate record keeping is essential for quality assurance and public safety accountability. These records should be reviewed periodically by administrators responsible for the driver education program. Records should be kept for all phases of the driver education program, including program enhancement (e.g., driving simulation, driving range) for at least one year, and should include time frames and performance assessments.

Driver education student records should include:

- Parental/guardian permission to enroll in the course;
- General information sheet that includes the student's name, learner's permit number, address, phone, emergency contact person, and if applicable, visa information;
- School copy of the 180-day provisional license;
- Attendance records;
- Hours completed (including program enhancements);
- Remedial instruction records;
- In-car progress report, mileage, and final road skills analysis; and
- Parent Permission Form (PPF-08) authorizing issuance of the 180-day provisional license.

## WHEN TO OFFER PROGRAM

Learning interest typically peaks when students approach, or have reached, the minimum legal driving age. It is recommended that administrators carefully consider the age at which driver education classes are offered. It is also desirable to allow a limited amount of time to elapse between classroom completion and laboratory instruction.

If possible, students should have the opportunity to receive classroom instruction during the school semester in which they have reached, or are approaching, their fifteenth birthday. The majority of Virginia's public school students are eligible for classroom instruction during the first or second semester of their sophomore year. In the event driver education is taught in lieu of tenth-grade health education, consideration should be given to offering classroom driver education during both first and second semesters. Offering the course both semesters complements developmentally appropriate practices, and effective use of facilities and equipment. Older students would be scheduled first semester and younger students second semester. In addition, laboratory instruction can be offered concurrently, or as soon as possible thereafter, at the same school to students eligible for a learner's permit.

Classroom driver education may not be offered in lieu of ninth-grade health education. Successful completion of two standard units of credit in health and physical education is required to earn a Virginia high school diploma.

**Schools must obtain written parental permission before a student less than 18-years old is allowed to enroll in the laboratory phase of driver education.** Laboratory instruction may be offered before, during, or after the regular school day. Some divisions find it necessary and cost effective to schedule in-car instruction outside the regular school day. These divisions provide instruction before or after school, on Saturdays, and during school breaks and holidays. School divisions should develop policies to address in-car instruction on days when schools are closed due to adverse road conditions.

Students with disabilities who require special licensing and/or predriving assessments should be identified during the classroom phase of the program. This will provide adequate time to determine if adapted driving equipment and/or DMV medical release forms are needed.

## AVAILABILITY OF PROGRAM AND STUDENT ELIGIBILITY

Section 46.2-334 of the *Code of Virginia* requires that all persons successfully complete a state-approved classroom and in-car program of instruction to be eligible for a Virginia driver's license. If a public or private school elects to offer the program, the program should be available to students who have received parental permission and are eligible for a learner's permit. Prior to offering a driver education program, public and private schools must receive program approval from the Department of Education, and commercial driver training schools must be approved by the Department of Motor Vehicles. **Students must have a valid Virginia learner's permit to participate in any in-car phase of laboratory instruction.**

## DRIVER EDUCATION

Students may enroll in a public, nonpublic, or commercial school driver education program. A state-approved driver education program consists of a minimum of 36 periods of classroom instruction, and 14 periods of in-car instruction (seven periods observing and seven periods driving, and includes a standardized road skills examination.) The *Curriculum and Administrative Guide for Driver Education in Virginia* is the mechanism to standardize classroom and in-car driver education instruction in the Commonwealth.

The classroom and laboratory phases of the program **may be offered concurrently at the same school**. Students who **have not** successfully completed the classroom phase at one school **may not** begin in-car instruction at another school. Prior to starting in-car instruction at another school, the student must provide the in-car teacher with a certificate of completion for classroom driver education (DEC-1 certificate) to document successful classroom completion. To prevent forgeries, the DEC-1 is the only acceptable in-state classroom completion document.

## LENGTH OF DAILY INSTRUCTION

Studies show that shorter and more frequent lessons are more effective than longer lessons given over a shorter period of time. In addition, because student safety is of foremost consideration in program scheduling, **the maximum in-car time should NOT exceed two periods of instruction a day.**

**A class period is defined as a MINIMUM of 50 minutes.** During the regular school year, instruction should not exceed a total of two periods of classroom and two periods of laboratory instruction within any 24-hour period.

Summer school **classroom** driver education is the exception to the maximum two periods of classroom instruction in a 24-hour period rule. Driver education students may receive the same amount of classroom instruction as allowed for other summer school courses. The rationale for this exception is summer school students do not have to maintain a regular school year academic load.

Laboratory instruction may include simulation, multiple-car-range (MCR), and on-street instruction.

## LABORATORY INSTRUCTION

The average length of time a student should operate the driver education vehicle in traffic may vary. Many teachers have found that student learning is maximized by offering two 25-minute instructional intervals (switching the two students more frequently) to satisfy the 50-minute requirement. This instructional approach is especially effective during initial lessons when students may be nervous, anxious, or afraid. In addition, dividing the lesson into two segments allows the teacher to intensify the number of steps and complexity of the performance skills included in that lesson. It also maximizes the learning opportunity for the observing student to immediately apply the skills they observed.

## THE MULTIPLE-CAR-RANGE LABORATORY INSTRUCTIONAL PROGRAM

The multiple-car-range (MCR) method of laboratory instruction in driver education permits several motor vehicles to be operated simultaneously by student-drivers on an off-street area under the supervision of one or more teachers. Range instruction provides learning experiences that allow students to develop basic motor skills, visual search patterns, and management of time and space decision-making abilities. To be of maximum value, learning experiences on the MCR should be offered in a sequence preparatory to and integrated with on-street driving and driving simulation when such combination programs are offered.

The MCR method of instruction emphasizes learning experiences that enable students to develop basic manipulative skills, make time/space judgments, and build confidence in a controlled traffic environment. The range environment is also the preferred method to provide students with simulated vehicle emergency and basic evasive driving experiences.

When providing the MCR laboratory experiences, instruction must follow a systematic pattern beginning with basic skill development and proceeding to more complex perceptual and judgment tasks. The size, design, and number of vehicles used on the range will determine the types of experiences that may be provided. For example, the experiences that may be provided on a 300' x 500' area utilizing 10 to 15 vehicles may duplicate vehicular traffic experiences to a greater degree than those that may be provided on an area 300' x 250' utilizing 4 to 6 vehicles.

For each student participating in a program offering classroom and multiple-car-range instruction in combination with on-street laboratory instruction, one period of multiple-car-range instruction may be substituted for one period of on-street laboratory instruction. This one-to-one substitution ratio may be used for up to a maximum of **four** periods of on-street instruction. Each student enrolled in a program including classroom, multiple-car-range, and on-street laboratory instruction shall receive at least **three** periods of on-street driving and three periods of on-street observation time. In addition, students must receive at least **four** periods of observation time on the multiple-car-range. Students should be assigned learning activities during their observation time.

For each student participating in a program offering some combination of classroom, simulation, multiple-car-range, and on-street laboratory instruction, up to **four** periods of on-street laboratory instruction may be replaced with any combination of simulation and multiple-car-range instruction. Simulation instruction may be substituted for on-street laboratory instruction at a four-to-one ratio.

A minimum of two, and a maximum of three, students may be assigned in a vehicle during on-street instruction. Students may receive a maximum of two periods of classroom instruction or two periods of laboratory instruction in a 24-hour period. The period of instruction should be at least 50 minutes. Students

## SIMULATION INSTRUCTION

The simulator is an effective method of introducing students to various driving experiences in a controlled environment. Simulation allows students to acquire traffic safety knowledge without exposure to highway hazards. The nature and complexity of the simulated learning experiences range from basic decision-making to emergency driving decisions.

If school divisions elect to use driving simulators, a driver education teacher trained in the proper role and use of simulators should provide the instruction. A simulation instructor is able to teach at a 16:1 student ratio. Simulators are a valuable instructional tool to diagnose student understanding and practice perceptual search, identification, and processing skills.

Simulation instruction should proceed from simple to complex. If simulation instruction is used to replace a portion of the on-street instruction, a substitution ratio of four periods of simulation instruction to one period of on-street instruction (4:1) may be used.

## MINIMUM NUMBER OF REQUIRED PERIODS

Type of Instruction	Classroom	On-Street	*Multiple-Car -Range (1-1 ratio)	Simulation (4-1 ratio)	Observation Time	Total Periods
On-Street	36	7			7	50
*MCR	36	3	4		7	50
Simulation	36	4		16	4	60
MCR, Simulation, and On-Street	36	3	2	8	5	54

\*MCR = Multiple-car-range

## COMPUTER PROGRAMS

There are a number of driver education classroom computer software programs designed to enhance traffic safety instruction. These software programs have narrative, decision-making, and/or situational-type deliveries that present an array of scenes for the student driver to negotiate. General topics include basic control maneuvers, advanced maneuvers, making choices about alcohol/drug use and driving, and other traffic safety-related topics.

The decision to use computer programs to enhance instruction may be based on several factors. Some of those factors may include, whether the program:

- helps achieve the goals and objectives of the driver education Standards of Learning;
- is user-friendly and accessible to all students;
- includes consequences for making incorrect skill, knowledge, or attitudinal decisions or actions; and/or
- provides remedial attempts towards eventual student success.

## SIZE OF CLASSES AND FACILITIES

The number of students enrolled in driver education classes should be the same as any other academic course. Adequate classroom space with easy access to instructional resources should be provided to promote quality instruction. In addition, provisions for secure storage for the 180-day provisional licenses and the other licensing documents is essential.

## **SEPARATE ELECTIVE PROGRAM SCHEDULING OPTION**

School divisions may find it desirable to schedule driver education as a semester elective course to:

- enroll students by age, rather than by grade level;
- allow students to take the program when their schedule is most flexible;
- accommodate the coordination of classroom and laboratory instruction;
- minimize problems associated with teacher assignments;
- permit students to earn .5 unit of elective credit, for the 90 periods or 70 clock hours of instruction; and
- provide students with more health education and driver education instruction.

When scheduled as a semester course, the driver education teacher can exceed the minimum 36-periods of classroom and 14-periods of in-car instruction.

## **OBTAINING A VIRGINIA LEARNER'S PERMIT AFTER JULY 1, 2009**

If the applicant is at least 15 years and six months old and under the age of 18, he/she may obtain a learner's permit at a DMV customer service center after fulfilling the following requirements.

- Complete the Virginia Driver's License Application Form (DL1P). A parent/guardian over the age of 18 must sign the DL1P form to grant DMV permission to issue the student less than 18-years of age a learner's permit and a driver's license. Minors providing evidence of solemnization of marriage or a certified copy of a court order of emancipation are not required to provide certification of compliance with compulsory school attendance laws, good academic standing, or have any other written parent or guardian authorization to obtain a learner's permit or a driver's license. In the event the student is not married or under legal custody of a parent/guardian, the DL1P form must be signed by a Juvenile and Domestic Relations Court judge. Host parents are NOT eligible to sign for exchange students.
- Furnish proof of a social security number. DMV will assign each customer a number that will be displayed on the learner's permit and driver's license.
- Provide an original identification document certifying name and date of birth. A list of acceptable documents is available at: [www.dmvnow.com](http://www.dmvnow.com). Applicants under 19 years of age are required to have only one document to certify proof of identity.
- Furnish proof of residency. A list of acceptable documents is available online at: [www.dmvnow.com](http://www.dmvnow.com). Parent or legal guardians of applicants under 19 years of age may certify Virginia residency.
- Furnish proof of legal presence in the USA by using one of the acceptable documents listed on the DMV Web site.
- Pass a multiple-choice sign and knowledge test. The student must answer all 10 sign questions correctly before being able to proceed to the second part of the test. To pass the second part of the test, the student must answer at least 80 percent of the 25 general knowledge questions correctly (20 out of 25). Students who fail either section of the DMV knowledge test will not be eligible for re-testing for at least 15 days, and are required to retake both tests.
- Any applicant who fails the DMV driver knowledge or sign test for a learner's permit three times shall not be permitted to take the examination a fourth time until he/she successfully completes the classroom component of driver education subsequent to the third failure.

- Pass the vision test. If the student needs to wear glasses or contact lenses to pass the test, the driver's license will show this restriction. Virginia's vision standards are 20/40 or better vision in one or both eyes, and 100 degrees, or better, horizontal vision in one or both eyes. Individuals are restricted to driving during daylight hours if they have 20/70 or better vision in one or both eyes, and 70 degrees or better horizontal vision. If only one eye is affected, 40 degrees or better temporal and 30 degrees or better horizontal vision are required. This type of license permits driving one-half hour after sunrise to one-half hour before sunset. Students who wear bioptic telescopic lenses should contact DMV to find out about vision requirements.
- Organ donor information is collected by DMV on the learner's permit/driver's license application form. Students should be encouraged to share their donor preference with their families.
- Students with a mental or physical condition that may impair their ability to safely operate a motor vehicle, even temporarily, must provide DMV with a medical statement from a doctor. Some of these conditions include loss of consciousness, vision changes, impairment of judgment or loss of motor function. DMV will evaluate the medical information to determine if a driver's license may be issued or restricted. Medical forms are available on DMV's Web site.
- A learner's permit will remain valid until the applicant is issued a provisional driver's license by DMV.
- If a student has a visa, the learner's permit will expire when the student's visa expires. The learner's permit and the expiration date on the 180-day license should be the same as the visa expiration date. If there is no expiration date on the visa, the learner's permit and the driver's license will be valid for one year.
- The cost is \$3 for the learner's permit and \$4 for each additional year for the driver's license until the applicant reaches an age divisible by five. For security reasons, the learner's permit will be mailed and the applicant should receive the learner's permit within 15 days. A temporary learner's permit will be issued at the DMV customer service center.

Falsifying information on a driver's license, a learner's permit or a photo identification card application is a criminal offense. In addition, DMV will not issue, for a period of one year, a driver's license or learner's permit when their records clearly show that the person has made a willful material false statement on any application for a driver's license.

A learner's permit allows the student to operate a motor vehicle when accompanied by a driver 21 years of age or older who is lawfully permitted to operate a motor vehicle, or by a parent, legal guardian, brother, sister, half brother, half sister, stepbrother, or stepsister 18 years of age or older who is lawfully permitted to operate a motor vehicle. The accompanying person shall be alert, able to assist the driver and occupying the seat next to the driver.

- Learner's permit holders may not operate a motor vehicle between midnight and four a.m., or with more than one passenger who is less than 18-years old, except when participating in a driver education program approved by the Department of Education or the Department of Motor Vehicles. This passenger limitation, however, shall not apply to the driver's family or household siblings as defined in subsection B of § 46.2-334.01.
- If any learner's permit or driver's license issued to any person less than 20-years of age shows that he has been convicted of: (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter; or (ii) a safety belt or child restraint violation, the DMV Commissioner shall direct such person to attend a driver improvement clinic. A computer-based driver improvement course will not satisfy this requirement. No safe driving points will be awarded for attending the clinic. Such person's parent, guardian, legal custodian, or other person standing in loco parentis may attend such clinic and receive a reduction in demerit points and/or an award of safe driving points pursuant to § 46.2-498.



## OBTAINING A VIRGINIA DRIVER'S LICENSE AS OF JULY 1, 2009

Students must be at least sixteen years and **three months** old to apply for a provisional driver's license.

### Applicants under the age of 18 must:

- Hold a valid learner's permit (from Virginia, another state, U.S. territory, or Canadian province) for a period of at least **nine** months and successfully complete a state-approved classroom and behind-the-wheel driver education program. U.S. territories that have been granted a test waiver include: American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.
- Successfully complete a state-approved driver education program. **Classroom completion certificates** (DEC-1) must be issued to students who successfully complete the classroom phase at one school and enroll in the in-car phase at a different school. To prevent forgeries, **the DEC-1 is the only acceptable classroom completion document**. During the summer please make provisions for students to receive their DEC-1 cards.
- Students who transfer to Virginia from another state or U.S. territory must have documentation of at least **30 hours of classroom instruction** from a state-approved program to be eligible for in-car instruction. This 30-hour documentation along with the DMV copy of the student's 180-day license must be mailed to the DMV image retrieval center in Richmond.
- No driver's license shall be issued to a student who is less than 18-years old unless, while holding a learner's permit, the student has driven a motor vehicle for at least 45 hours, at least 15 of which were after sunset, as certified by his parent or legal guardian unless the person is married or otherwise emancipated.
- The parent, guardian, legal custodian, or other person standing in loco parentis must provide written authorization for a minor less than 18-years old to receive a 180-day provisional license on the school parent permission form. The PPF-08 also documents the required parental certification of understanding the Commonwealth's interest in good academic standing and regular school attendance, and that the minor is mentally, physically and otherwise able to operate a motor vehicle. The parents will also certify that their child has driven a motor vehicle for 45 hours, at least 15 of which were after sunset on the PPF-08. The parent permission form must be kept with the student's driver education records and not mailed to DMV. As prescribed by the *Code*, parents will sign the following statement and provide their DMV issued driver's license or ID number.

*It is illegal for anyone to give false information in connection with obtaining a driver's license. This certification is considered part of the driver's license application, and anyone who certifies to a false statement may be prosecuted. I certify that the statements made and the information submitted by me regarding this certification are true and correct.*

- After receipt of the PPF-08, the public or private school providing the behind-the-wheel instruction can issue a 180-day temporary license (TDL-180). One-hundred and eighty-day provisional licenses with post-dated validation dates may be given to the parent/guardian, but should never be given to a minor. Parents should make sure their insurance company is aware of the newly licensed driver in the family.
- Schools should mail DMV's copy of the 180-day temporary license (TDL-180) to the Image Retrieval Center in Richmond using a DMV postage-paid label. Students and parents should make sure all information on the TDL-180 is accurate before signing it. If the 180-day temporary license is missing any information or signatures, if the student is not 16 years and three months old, or if the student has not held a learner's permit for nine months, the 180-day temporary license is NOT VALID and the student CANNOT drive until the problem is remedied. Please note, if stopped, this student will be cited for driving without a license. When the mistake is discovered, DMV will send an advisory letter to the student/parent explaining why the student is not properly licensed.

- DMV will send the student's provisional driver's license to the Juvenile and Domestic Relations Court that serves the student's zip code. It is very important that DMV has the student's correct home address noted on the learner's permit. Address changes can be done online, by visiting any DMV branch, by fax (804) 367-6379, or by calling toll free 1-866-368-5463. Change of address for a driver's license and registration card is free. A new driver's license showing the change costs \$10. If during the 180-day period the student does not receive notification from the court to attend a licensing ceremony, or if the student loses or damages the 180-day temporary license, send the student to any DMV Customer Service Center to receive another 180-day temporary driver's license. DMV will charge \$10 for a duplicate copy of the 180-day temporary license.
- If the student received his/her driver's license at age 16 or 17, it will expire on his/her 20th birthday. If the licensee has received one or more traffic convictions, he/she must retake the two-part knowledge test. Thereafter, the license will be valid for eight years and expire on the driver's birthday.
- The 180-day temporary license (TDL-180) is valid when accompanied by a valid Virginia learner's permit. All restrictions, (i.e., vision, hand controls) will appear on the learner's permit and permanent license. They will NOT be noted on the 180-day temporary license.

### **PROVISIONAL DRIVING RESTRICTIONS FOR YOUNG DRIVERS**

- A provisional driver's license shall not authorize its holder to operate a motor vehicle with more than one nonfamily passenger less than 18 years old until the holder has held a provisional license for one year, and no more than three nonfamily passengers less than 18 years old until the licensee turns 18. Drivers younger than 18 shall not operate a vehicle on the highways of the Commonwealth between the hours of midnight and 4 a.m. except when driving: (i) to or from work; (ii) to or from a school-sponsored activity; (iii) when accompanied by a parent or person in loco parentis, or by a spouse who is 18 years old or older; or (iv) in cases of emergency.
- Except in a driver emergency or when the vehicle is lawfully parked or stopped, the holder of a provisional driver's license less than 18 years old, shall not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.
- Any learner's permit or driver's license issued to anyone who is not 20-years of age and is convicted of an offense for which demerit points are assessed, or for violating the safety seat requirement for children under the age of six, or the primary safety belt mandate for front- or back-seat passengers younger than 18 years of age, shall be directed by the DMV Commissioner to attend a driver improvement clinic. If a person who is younger than 18-years of age is convicted a second time for an offense for which demerit points are assessed, or for violating the child-restraint legislation, the DMV Commissioner shall suspend the young driver's license for 90 days.
- If any such person is convicted a third time for an offense for which demerit points have been assessed, or for violating the child-safety restraint legislation, the Commissioner shall revoke the driver's privilege to operate a motor vehicle for one year—or until the student reaches the age of 18—whichever is longer. These suspensions shall be consecutive to, and not concurrent with, any other period of license suspension, revocation, or denial.
- Individuals under age 18 may receive safe driving points for attending driver improvement clinics (if they have not been directed to attend by the DMV Commissioner or required to attend by a court).

- DMV can deny or suspend driving privileges for persons under age 18 if a court finds that the juvenile is delinquent, in need of supervision, involved in an alcohol or drug-related offense, or needs court-assigned services or programs such as counseling.
- Driver's licenses may be suspended for minors who have 10 or more unexcused absences from school on consecutive school days. Applications for a driver's license from minors attending public school must be signed by the parent or legal guardian authorizing the school principal to notify the local Juvenile and Domestic Relations District court when the juvenile has 10 or more unexcused absences on consecutive school days. Upon receipt of notification, the court will issue a "show cause" order to the student giving him an opportunity to explain the absences. The court may suspend the minor's driver's license for any period of time up until age 18.
- Driving without a license is a class 2 misdemeanor.

### **EIGHTEEN-TO-26-YEAR-OLD STUDENTS**

- Eighteen-year-old students must successfully complete both the classroom and in-car phases of the driver education program and **hold a learner's permit for a minimum of 9 months** to be eligible for a driver's license.
- The 180-day temporary license issued to 18-year olds must be mailed to DMV. DMV will mail the permanent license to the Juvenile and Domestic Court. Each court will determine if the licensee must attend a juvenile licensing ceremony, or if they will mail the permanent license to the licensee.

**Nineteen-year and older students** who have not previously held driver's licenses must show they have passed a state-approved driver education program or have held a learner's permit for at least **30** days before being eligible to take a DMV-administered road skills test. The provisions of this section shall only apply to persons who are at least 19-years old and who either: (i) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country with which DMV has established reciprocal driver's licensing privileges or, (ii) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate. An adult applicant may not take the DMV-administered road skills test more than three times in any three-month period.

License renewal applicants less than 21-years old convicted of one or more moving violations must retake the DMV-administered knowledge test.

Every male under the age of 26 who applies for or renews a learner's permit, driver's license, commercial driver's license or photo identification card must certify that he is registered with the Military Selective Service. DMV will share this information with the Selective Service. For males under age 18, the Selective Service will register them with Selective Service when they turn age 18. This law applies to U.S. citizens and immigrants.

### **TRANSFER STUDENTS**

- Knowledge testing is not required for the holder of a valid out-of-state learner's permit. These students simply "exchange" a valid out-of-state permit for a Virginia learner's permit at any DMV branch office.
- Students who transfer to Virginia from another state or U.S. territory must have documentation of at least 30 hours of classroom instruction from a state-approved program to be eligible for in-car instruction. If a transfer student successfully completes a state-approved classroom and in-car driver education program from another state, the student must present the certificate of completion, specifying the number of instructional hours, directly to the DMV customer service representative. Out-of-state students must have at least 30 hours of classroom and six hours of in-car instruction.

- Students holding a current out-of-state license, who are less than 19-years of age and do not have proof that they completed a driver education course will be issued a six-month temporary license. This six-month temporary licensing period provides them time to obtain documentation of course completion, or to complete a Virginia driver education course.
- If the student holds a valid driver's license issued by a U.S. state, territory, jurisdiction, Canadian province, or Germany, it must be surrendered when the student applies for a Virginia driver's license. The student may not be required to take the two-part knowledge test or the road skills test, but will be required to pass a vision screening. Remind the student to photocopy the out-of-state driver's license for future insurance or licensing needs. Provided the expiration date is within six months, out-of-state license holders may be issued a Virginia driver's license without having to take the knowledge or skills test even if their license has expired. This policy is consistent with the six-month driver's license renewal grace period granted to Virginia license holders. However, this does not apply to holders of commercial driver's licenses. They are required to have a valid CDL license to qualify for test waiver.
- If the student's license has been suspended or revoked by another state, a Virginia license may not be issued until the student's driving record in that state is cleared, or until the student has served five years of the suspension or revocation, whichever occurs first. The holder of a valid driver's license from another state qualifies for a temporary license under Subdivision 3 of § 46.2-334, and will not be subject to the nine-month learner's permit holding period.

#### **FOREIGN EXCHANGE AND BOARDING SCHOOL STUDENTS**

- In many countries driver education costs students thousands of dollars, and foreign exchange students often want to receive this instruction while attending school in Virginia. Successful completion of a driver education program does not mean that these foreign exchange students can drive with a Virginia driver's license in their country of origin. The licensing age, motor vehicle laws, and the country's testing requirements are usually very different. In many cases, however, successful completion of a Virginia driver education program may satisfy some of their educational requirements.
- If you have foreign exchange or boarding school students who are returning home, and have not met the nine-month holding period or have not received notification from the Juvenile and Domestic Relations Court, you have the following options:
  - Include a letter to the DMV Image Retrieval Center with the student's 180-day temporary license explaining the student's situation, and request that the student be scheduled for an earlier licensing ceremony;
  - Ask the parent/legal guardian to submit a written explanation about the student's situation to the Juvenile and Domestic Relations Court and request that the judge waive attendance at the juvenile licensing ceremony; or
  - Provide a detailed course description of the driver education program on school letterhead for the student to use to document course content and hours of instruction.

#### **CHILDREN OF ACTIVE-DUTY MEMBERS OF THE ARMED FORCES**

If a student is a dependent child of an active-duty member of the Armed Forces stationed in Virginia, and is 16 years and three months or older, he/she may drive with a valid driver's license issued by his/her home state or country. Vehicles registered in the parents' or student's name may be driven with valid out-of-state license plates. The family may register the vehicle in Virginia without obtaining a Virginia driver's license.

## **NON-RESIDENTS**

Nonresidents temporarily living in Virginia may drive with their home state driver's license and license plates for no more than six months. This does not apply to commercial vehicle drivers. Individuals who are temporarily working in Virginia, but reside in another state, do not need to register their vehicle in Virginia if their home state has a reciprocity agreement with Virginia.

## **HEARING IMPAIRED STUDENTS**

If a student is hearing impaired, arrangements can be made for an interpreter to assist during the transaction. The Department of the Deaf and Hard of Hearing (DDHH) provides interpreters. Either the customer or a DMV employee can contact the DDHH to set up an appointment for the interpreter to meet with the customer at DMV. The phone number at DDHH is (804) 225-2570. Special license plates and photo IDs for the hearing impaired are available from any DMV office. Drivers who are hearing impaired may request a "hearing impaired" indicator is placed on the driver's license. The plates and photo IDs help law enforcement officers recognize drivers who are hearing impaired.

## **COURT SANCTION**

The Juvenile and Domestic Relations Court is required to order the denial of driving privileges for at least 30 days to any child at least 13-years of age upon finding that the student has failed to comply with certain school attendance or parent-school conference meeting requirements. The measure provides for restricted licenses to be issued upon demonstration of hardship.

## **DRIVING OUT OF STATE**

Young drivers holding valid Virginia driver's licenses must check to make sure they can legally operate a vehicle in another state. In some states, the age requirement is different.

## **MOTORCYCLE PERMITS**

A motorcycle learner's permit allows the student to operate a motorcycle:

- one-half hour after sunrise to one-half hour before sunset; and
- under the immediate supervision of a person licensed to operate a motorcycle who is 21-years of age or older, or by his/her parent or legal guardian, or by a brother, half brother, half sister, stepbrother, or stepsister 18-years of age or older.

Motorcycle learner's permit holders may not:

- operate on limited access highways; or
- carry a passenger.

When the motorcycle learner's permit expires, a licensee who has submitted an application, paid the application fee, and successfully completed the examinations, may be issued another twelve-month motorcycle learner's permit. The Department of Motor Vehicles will deposit three dollars of each motorcycle registration and all motorcycle driver's license endorsement fees into the Motorcycle Rider Safety Training Program Fund.

## **MOTORCYCLE LICENSE**

Students with a valid Virginia driver's license may add a Class M endorsement to operate a motorcycle. To add the Class M endorsement, the student must pass the motorcycle knowledge and skills tests, plus a vision exam. The motorcycle endorsement costs \$2 per year, and is valid for the same period as his/her driver's license.

Instead of a Class M endorsement, students may obtain a driver's license that allows them to operate only a motorcycle. To obtain this driver's license they must provide proof of completion of an approved driver education course, pass the motorcycle knowledge and skills test, and a vision exam. The motorcycle-only driver's license costs \$3.40 per year and is valid for 5 years.

## LICENSING FEES

Type of License	Fee
Driver's License	\$4 per year (For example, a five-year driver's license will cost \$20.)
Motorcycle Class M	\$2 per year
Learner's permit	\$3 plus \$4 per year
Duplicate license	\$10
Retesting fee	\$2 (if retaken within 15 days)

A copy of an individual's driver or vehicle record is available online, at a DMV branch office, or by writing to DMV. The charge for the record is \$8. If the record needs to be certified, an additional \$5 fee is required. A 5-year history of the driving record is sent to an insurance company; a 7-year history is sent for employment purposes; and, if a reason is not specified, DMV will provide an 11-year driving history.

Individuals can report hazardous or impaired drivers to DMV. In accordance with Code Section § 46.2-322 and DMV's Medical Review Policy, DMV requires that persons who are reporting impaired drivers

- provide their name, address, and telephone number, so that a DMV representative may follow up if additional information is needed; and
- send a detailed written description of the hazardous or impaired driving to DMV Medical Review Services, Post Office Box 27412, Richmond, Virginia 23269-0001, or fax to (804) 367-1604.

Additional licensing and traffic safety information is available at: [www.dmvnow.com](http://www.dmvnow.com).

## JUVENILE LICENSING CEREMONY

Juvenile and Domestic Relations Court judges rarely have an opportunity to interact with teenagers in a positive setting. Usually, a teenager appears before the judge because he or she is accused of violating the law. The Juvenile Driver Licensing Ceremony required by *Code of Virginia* § 46.2-336 gives judges an opportunity to have a positive interaction with teenage drivers. While it is incumbent upon the judge during the ceremony to impress upon teenagers and their parents the responsibility that comes with a license to drive, this can be done in a manner that is serious, yet recognizes the excitement of this important milestone in our culture.

Virginia Juvenile and Domestic Relations Court judges are nearly unanimous in their support of the Juvenile Driver Licensing Ceremony. Each judge brings his or her unique style to the licensing ceremony. The ceremonies vary, depending on the needs of the jurisdiction.

The majority of courts average 100 or fewer people attending each licensing ceremony. The ceremonies are held as frequently as once a week to as infrequently as once every two months, depending on the needs of the locality. The majority of ceremonies are held in the courtroom. Half of the ceremonies take less than 30 minutes; the other half, 30 minutes to an hour.

Most judges find that the ceremony is most effective when it is conducted in the courtroom. The courtroom lends a note of seriousness to the ceremony and signals to the teen and the parent that this is, in fact, an official, serious court proceeding. Coming to the courtroom also allows teens to see where they will be if they commit a traffic violation. Teens interviewed indicated that the courtroom setting sent them the message that the event was not something to be taken lightly.

Some jurisdictions are unable to hold the ceremony in the courtroom due to the number of students who attend. The judges in these jurisdictions suggest that all typical courtroom procedures and decorum be followed.

Due to heavy court dockets, parent schedules, and school schedules, there is no time of day that is convenient and agreeable to all parties involved in the ceremonies. Some ceremonies are conducted in the morning, others are held after school, and some are held in the evenings.

Judges who conduct their ceremonies in a courtroom wear robes. Most of those who use other locations wear robes as well. Generally, teens and their parents are required to dress in a manner that is appropriate to appearing in court. Observations of ceremonies across the Commonwealth indicate that attire varies from ceremony to ceremony. Some judges have deputies tell people to leave if they are inappropriately dressed. Some judges do not enforce the dress code indicated in the notice sent to the students prior to the ceremony.

Most judges require the attendees to follow the normal rules of their courtroom, such as not chewing gum. Insistence on appropriate attire and decorum adds to the seriousness of the responsibility the teen is being given.

## **CODE OF VIRGINIA LICENSING REQUIREMENTS**

### **§ 46.2-330. Expiration and renewal of licenses; examinations required.**

- A. Every driver's license shall expire on the applicant's birthday at the end of the period of years for which a driver's license has been issued. At no time shall any driver's license be issued for more than eight years. Thereafter, the driver's license shall be renewed on or before the birthday of the licensee and shall be valid for a period not to exceed eight years except as otherwise provided by law. In determining the number of years for which a driver's license shall be renewed, the Commissioner shall take into consideration the examinations, conditions, requirements, and other criteria provided under this title that relate to the issuance of a license to operate a vehicle. Any driver's license issued to a person required to register pursuant to Chapter 9 of Title 9.1 shall expire on the applicant's birthday in years which the applicant attains an age equally divisible by five.
- B. Within one year prior to the date shown on the driver's license as the date of expiration, the Department shall mail notice, to the holder thereof, at the address shown on the records of the Department in its driver's license file, that his license will expire on a date specified therein, whether he must be reexamined, and when he may be reexamined. Nonreceipt of the notice shall not extend the period of validity of the driver's license beyond its expiration date.

Any driver's license may be renewed by application after the applicant has taken and successfully completed those parts of the examination provided for in §§ [46.2-311](#), [46.2-325](#), and the Virginia Commercial Driver's License Act (§ [46.2-341.1](#) et seq.), including vision and written tests, other than the parts of the examination requiring the applicant to drive a motor vehicle. All drivers applying in person for renewal of a license shall take and successfully complete the examination each renewal year. Every applicant for a renewal shall appear in person before the Department, unless specifically notified by the Department that renewal may be accomplished in another manner as provided in the notice. Applicants who are required to appear in person before the Department to apply for a renewal may also be required to present proof of identity, legal presence, residency, and social security number or non-work authorized status.

- C. Notwithstanding any other provision of this section, the Commissioner, in his discretion, may require any applicant for renewal to be fully examined as provided in §§ 46.2-311, 46.2-325, and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). Furthermore, if the applicant is less than 80 years old, the Commissioner may waive the vision examination for any applicant for renewal of a driver's license which is not a commercial driver's license, and the requirement or the taking of the written test as provided in subsection B of this section, § 46.2-325 and the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), for any applicant for renewal who is at least 21 years old. Such written test shall not be waived for an applicant less than 21 years old if such applicant's driver's license record on file with the Department contains a record of one or more convictions for any offense reportable under §§ 46.2-382, 46.2-382.1, and 46.2-383. However, in no case shall there be any waiver of the vision examination for applicants for renewal of a commercial driver's license or of the knowledge test required by the Virginia Commercial Driver's License Act for the hazardous materials endorsement on a commercial driver's license. No driver's license or learner's permit issued to any person who is 80 years old or older shall be renewed unless the applicant for renewal appears in person and either (i) passes a vision examination or (ii) presents a report of a vision examination, made within 90 days prior thereto by an ophthalmologist or optometrist, indicating that the applicant's vision meets or exceeds the standards contained in § 46.2-311.
- D. Every applicant for renewal of a driver's license, whether renewal shall or shall not be dependent on any examination of the applicant, shall appear in person before the Department to apply for renewal, unless specifically notified by the Department that renewal may be accomplished in another manner as provided in the notice.
- E. This section shall not modify the provisions of § 46.2-221.2.

**§ 46.2-334.** Conditions and requirements for licensure of persons under 18; requests for cancellation of minor's driver's license; temporary driver's licenses; Board of Education approved programs; home-schooled students; fee.

- A. Minors at least 16 years and three months old may be issued driver's licenses under the following conditions:
  - 1. The minor shall submit a proper application and satisfactory evidence that he (i) is a resident of the Commonwealth; (ii) has successfully completed a driver education course approved by either the State Department of Education or, in the case of a course offered by a driver training school licensed under Chapter 17 (§ 46.2-1700 et seq.) of this title, by the Department of Motor Vehicles; and (iii) is mentally, physically, and otherwise qualified to drive a motor vehicle safely.
  - 2. The minor's application for a driver's license must be signed by a parent of the applicant, otherwise by the guardian having custody of him. However, in the event a minor has no parent or guardian, then a driver's license shall not be issued to him unless his application is signed by the judge of the juvenile and domestic relations district court of the city or county in which he resides. If the minor making the application is married or otherwise emancipated, in lieu of any parent's, guardian's or judge's signature, the minor may present proper evidence of the solemnization of the marriage or the order of emancipation.
  - 3. The minor shall be required to state in his application whether or not he has been convicted of an offense triable by, or tried in, a juvenile and domestic relations district court or found by such court to be a child in need of supervision, as defined in § 16.1-228. If it appears that the minor has been adjudged not innocent of the offense alleged or has been found to be a child in need of supervision, the Department shall not issue a license without the written approval of the judge of the juvenile and domestic relations district court making an adjudication as to the minor or the like approval of a similar court of the county or city in which the parent or guardian, respectively, of the minor resides.



4. The application for a permanent driver's license by a minor of the age of persons required to attend school pursuant to § 22.1-254 shall be accompanied by evidence of compliance with the compulsory school attendance law set forth in Article 1 (§ 22.1-254 et seq.) of Chapter 14 of Title 22.1. This evidence shall be provided in writing by the minor's parent. If the minor is unable to provide such evidence, he shall not be granted a driver's license until he reaches the age of 18 or presents proper evidence of the solemnization of his marriage or an order of emancipation, or the parent, as defined in § 22.1-1, or other person standing in loco parentis has provided written authorization for the minor to obtain a driver's license.

A minor may, however, present a high school diploma or its equivalent or a certificate indicating completion of a prescribed course of study as defined by the local school board pursuant to § 22.1-253.13:4 as evidence of compulsory school attendance compliance.

5. The minor applicant shall certify in writing, on a form prescribed by the Commissioner, that he is a resident of the Commonwealth. The applicant's parent or guardian shall also certify that the applicant is a resident by signing the certification. Any minor providing proper evidence of the solemnization of his marriage or a certified copy of a court order of emancipation shall not be required to provide the parent's certification of residence.
- B. Any custodial parent or guardian of an unmarried or unemancipated minor may, after the issuance of a permanent driver's license to such minor, file with the Department a written request that the license of the minor be canceled. When such request is filed, the Department shall cancel the license of the minor and the license shall not thereafter be reissued by the Department until a period of six months has elapsed from the date of cancellation or the minor reaches his eighteenth birthday, whichever shall occur sooner. Notwithstanding the foregoing provisions of this subsection, in the case of a minor whose parents have been awarded joint legal custody, a request that the license of the minor be cancelled must be signed by both legal custodians. In the event one parent is not reasonably available or the parents do not agree, one parent may petition the juvenile and domestic relations district court to make a determination that the license of the minor be cancelled.
  - C. The provisions of subsection A of this section requiring that an application for a driver's license be signed by the parent or guardian shall be waived by the Commissioner if the application is accompanied by proper evidence of the solemnization of the minor's marriage or a certified copy of a court order, issued under the provisions of Article 15 (§ 16.1-331 et seq.) of Chapter 11 of Title 16.1, declaring the applicant to be an emancipated minor.
  - D. A learner's permit accompanied by documentation verifying the minor's successful completion of an approved driver education course, signed by the minor's parent, guardian, legal custodian or other person standing in loco parentis, shall constitute a temporary driver's license for purposes of driving unaccompanied by a licensed driver as required in § 46.2-335, if all other requirements of this chapter have been met. The temporary license shall only be valid until the permanent license is presented as provided in § 46.2-336.
  - E. Notwithstanding the provisions of subsection A of this section requiring the successful completion of a driver education course approved by the State Department of Education, the Commissioner, on application therefor by a person at least 16 years and three months old but less than 18 years old, shall issue to the applicant a temporary driver's license valid for six months if he: (i) certifies by signing, together with his parent or guardian, on a form prescribed by the Commissioner that he is a resident of the Commonwealth; (ii) is the holder of a valid driver's license from another state; and (iii) has not been found guilty of or otherwise responsible for an offense involving the operation of a motor vehicle. No temporary license issued under this subsection shall be renewed, nor shall any second or subsequent temporary license under this subsection be issued to the same applicant. Any such minor providing proper evidence of the solemnization of his marriage or a certified copy of a court order of emancipation shall not be required to obtain the signature of his parent or guardian for the temporary driver's license.

- F. For persons qualifying for a driver's license through driver education courses approved by the Department of Education or courses offered by driver training schools licensed by the Department, the application for the learner's permit shall be used as the application for the driver's license pursuant to § 46.2-335.
- G. Driver's licenses shall be issued by the Department to minors successfully completing driver education courses approved by the Department of Education (i) when the Department receives from the school proper certification that the student (a) has successfully completed such course, including a road skills examination and (b) is regularly attending school and is in good academic standing or, if not in such standing or submitting evidence thereof, whose parent or guardian, having custody of such minor, provides written authorization for the minor to obtain a driver's license, which written authorization shall be obtained on forms provided by the Department and indicating the Commonwealth's interest in the good academic standing and regular school attendance of such minors; and (ii) upon payment of a fee of \$2.40 per year, based on the period of the license's validity. For applicants attending public schools, good academic standing may be certified by the public school principal or any of his designees. For applicants attending nonpublic schools, such certification shall be made by the private school principal or any of his designees; for minors receiving home schooling, such certification shall be made by the home schooling parent or tutor. Any minor providing proper evidence of the solemnization of his marriage or a certified copy of a court order of emancipation shall not be required to provide the certification of good academic standing or any written authorization from his parent or guardian to obtain a driver's license.
- H. For those home schooled students completing driver education courses approved by the Board of Education and instructed by his own parent or guardian, no driver's license shall be issued until the student has successfully completed the driver's license examination administered by the Department. Furthermore, the Commissioner shall not issue a driver's license for those home schooled students completing driver education courses approved by the Board of Education and instructed by his own parent or guardian if it is determined by the Commissioner that, at the time of such instruction, such parent or guardian had accumulated six or more driver demerit points in the most recently preceding 12 months, had been convicted within the most recent 11 preceding years of driving while intoxicated in violation of § 18.2-266 or a substantially similar law in another state, or had ever been convicted of voluntary or involuntary manslaughter in violation of § 18.2-35 or § 18.2-36 or a substantially similar law in another state.

**§ 46.2-334.01.** Licenses issued to persons less than 19 years old subject to certain restrictions.

- A. Any learner's permit or driver's license issued to any person less than 18 years old shall be subject to the following:
  - 1. Notwithstanding the provisions of § 46.2-498, whenever the driving record of a person less than 19 years old shows that he has been convicted of committing, when he was less than 18 years old, (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter or (ii) a violation of any provision of Article 12 (§ 46.2-1091 et seq.) or Article 13 (§ 46.2-1095 et seq.) of Chapter 10 of this title, the Commissioner shall direct such person to attend a driver improvement clinic. No safe driving points shall be awarded for such clinic attendance, nor shall any safe driving points be awarded for voluntary or court-assigned clinic attendance. Such person's parent, guardian, legal custodian, or other person standing in loco parentis may attend such clinic and receive a reduction in demerit points and/or an award of safe driving points pursuant to § 46.2-498. The provisions of this subdivision shall not be construed to prohibit awarding of safe driving points to a person less than 18 years old who attends and successfully completes a driver improvement clinic without having been directed to do so by the Commissioner or required to do so by a court.

2. If any person less than 19 years old is convicted a second time of committing, when he was less than 18 years old, (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter or (ii) a violation of any provision of Article 12 (§ 46.2-1091 et seq.) or Article 13 (§ 46.2-1095 et seq.) of Chapter 10 of this title, the Commissioner shall suspend such person's driver's license or privilege to operate a motor vehicle for 90 days. Such suspension shall be consecutive to, and not concurrent with, any other period of license suspension, revocation or denial. Any person who has had his driver's license or privilege to operate a motor vehicle suspended in accordance with this subdivision may petition the juvenile and domestic relations district court of his residence for a restricted license to authorize such person to drive a motor vehicle in the Commonwealth to and from his home, his place of employment, or an institution of higher learning where he is enrolled, provided there is no other means of transportation by which such person may travel between his home and his place of employment or the institution of higher learning where he is enrolled. On such petition the court may, in its discretion, authorize the issuance of a restricted license for a period not to exceed the term of the suspension of the person's license or privilege to operate a motor vehicle in the Commonwealth. Such restricted license shall be valid solely for operation of a motor vehicle between such person's home and his place of employment or the institution of higher learning where he is enrolled.
  3. If any person is convicted a third time of committing, when he was less than 18 years old, (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter or (ii) a violation of any provision of Article 12 (§ 46.2-1091 et seq.) or Article 13 (§ 46.2-1095 et seq.) of Chapter 10 of this title, the Commissioner shall revoke such person's driver's license or privilege to operate a motor vehicle for one year or until such person reaches the age of 18 years, whichever is longer. Such revocation shall be consecutive to, and not concurrent with, any other period of license suspension, revocation or denial.
  4. In no event shall any person subject to the provisions of this section, be subject to the suspension or revocation provisions of subdivision 2 or 3 of this section for multiple convictions arising out of the same transaction or occurrence.
- B. The initial license issued to any person younger than 18 years of age shall be deemed a provisional driver's license. Until the holder is 18 years old, a provisional driver's license shall not authorize its holder to operate a motor vehicle with more than one passenger who is less than 18 years old for the first year after the license is issued nor more than three passengers who are less than 18 years old thereafter until the holder's eighteenth birthday. This passenger limitation, however, shall not apply to members of the driver's family or household. For the purposes of this subsection, "members of the driver's family or household" means (i) the driver's spouse, children, stepchildren, brothers, sisters, half brothers, half sisters, and any individual who has a child in common with the driver, whether or not they reside in the same home with the driver; (ii) the driver's brothers-in-law and sisters-in-law who reside in the same home with the driver; and (iii) any individual who cohabits with the driver, and any children of such individual residing in the same home with the driver.
- C. The holder of a provisional driver's license shall not operate a motor vehicle on the highways of the Commonwealth between the hours of midnight and 4:00 a.m. except when driving (i) to or from a place of business where he is employed; (ii) to or from a school-sponsored activity; (iii) accompanied by a parent, a person acting in loco parentis, or by a spouse who is 18 years old or older, provided that such person accompanying the driver is actually occupying a seat beside the driver and is lawfully permitted to operate a motor vehicle at the time; or (iv) in cases of emergency, including response by volunteer firefighters and volunteer rescue squad personnel to emergency calls.

- C1. Except in a driver emergency or when the vehicle is lawfully parked or stopped, the holder of a provisional driver's license shall not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.
- D. The provisional driver's license restrictions in subsections B, C, and C1 of this section shall expire on the holder's eighteenth birthday. A violation of the provisional driver's license restrictions in either subsection B, C, or C1 of this section shall constitute a traffic infraction. For a second or subsequent violation of the provisional driver's license restrictions in either subsection B, C, or C1, in addition to any other penalties which may be imposed pursuant to § 16.1-278.10, the court may suspend the juvenile's privilege to drive for a period not to exceed six months.
- E. A violation of subsection B, C, or C1 of this section shall not constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a motor vehicle, nor shall anything in this subsection change any existing law, rule, or procedure pertaining to any such civil action.
- F. No citation for a violation of this section shall be issued unless the officer issuing such citation has cause to stop or arrest the driver of such motor vehicle for the violation of some other provision of this Code or local ordinance relating to the operation, ownership, or maintenance of a motor vehicle or any criminal statute.

**§ 46.2-334.02. Licenses issued to persons less than twenty years old subject to certain restrictions.**

Notwithstanding the provisions of § 46.2-498, whenever the driving record of a person who is at least eighteen years old but less than twenty years old shows that he has been convicted of (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter or (ii) a violation of any provision of Article 12 (§ 46.2-1091 et seq.) or Article 13 (§ 46.2-1095 et seq.) of Chapter 10 of this title, the Commissioner shall direct such person to attend a driver improvement clinic.

**§ 46.2-335. Learner's permits; fees; certification required.**

- A. The Department, on receiving from any Virginia resident over the age of 15 years and six months an application for a learner's permit or motorcycle learner's permit, may, subject to the applicant's satisfactory documentation of meeting the requirements of this chapter and successful completion of the written or automated knowledge and vision examinations and, in the case of a motorcycle learner's permit applicant, the automated motorcycle test, issue a permit entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle or, if the application is made for a motorcycle learner's permit, a motorcycle, on the highways, when accompanied by any licensed driver 21 years of age or older or by his parent or legal guardian, or by a brother, sister, half-brother, half-sister, step-brother, or step-sister 18 years of age or older. The accompanying person shall be (i) alert, able to assist the driver, and actually occupying a seat beside the driver or, for motorcycle instruction, providing immediate supervision from a separate accompanying motor vehicle and (ii) lawfully permitted to operate the motor vehicle or accompanying motorcycle at that time.

The Department shall not, however, issue a learner's permit or motorcycle learner's permit to any minor applicant required to provide evidence of compliance with the compulsory school attendance law set forth in Article 1 (§ 22.1-254 et seq.) of Chapter 14 of Title 22.1, unless such applicant is in good academic standing or, if not in such standing or submitting evidence thereof, whose parent or guardian, having custody of such minor, provides written authorization for the minor to obtain a learner's permit or motorcycle learner's permit, which written authorization shall be obtained on forms provided by the Department and indicating the Commonwealth's interest in the good academic standing and regular school attendance of such minors. Any minor providing proper evidence of the solemnization of his marriage or a certified copy of a court order of emancipation shall not be required to provide the certification of good academic standing or any written authorization from his parent or guardian to obtain a learner's permit or motorcycle learner's permit.

- B. No driver's license shall be issued to any such person who is less than 18 years old unless, while holding a learner's permit, he has driven a motor vehicle for at least 45 hours, at least 15 of which were after sunset, as certified by his parent, foster parent, or legal guardian unless the person is married or otherwise emancipated. Such certification shall be on a form provided by the Commissioner and shall contain the following statement:

*"It is illegal for anyone to give false information in connection with obtaining a driver's license. This certification is considered part of the driver's license application, and anyone who certifies to a false statement may be prosecuted. I certify that the statements made and the information submitted by me regarding this certification are true and correct."*

Such form shall also include the driver's license or Department of Motor Vehicles-issued identification card number of the person making the certification.

- C. No learner's permit shall authorize its holder to operate a motor vehicle with more than one passenger who is less than 18 years old, except when participating in a driver education program approved by the Department of Education or a course offered by a driver training school licensed by the Department. This passenger limitation, however, shall not apply to the driver's family or household as defined in subsection B of § 46.2-334.01.
- D. No learner's permit shall authorize its holder to operate a motor vehicle between midnight and four a.m.
- E. A violation of subsection C or D of this section shall not constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a motor vehicle, nor shall anything in this subsection change any existing law, rule, or procedure pertaining to any such civil action.
- F. The provisions of §§ 46.2-323 and 46.2-334 relating to evidence and certification of Virginia residence and, in the case of persons of school age, compliance with the compulsory school attendance law shall apply, mutatis mutandis, to applications for learner's permits and motorcycle learner's permits issued under this section.
- G. For persons qualifying for a driver's license through driver education courses approved by the Department of Education or courses offered by driver training schools licensed by the Department, the application for the learner's permit shall be used as the application for the driver's license.
- H. The Department shall charge a fee of \$3 for each learner's permit and motorcycle learner's permit issued under this section. Fees for issuance of learner's permits shall be paid into the driver education fund of the state treasury; fees for issuance of motorcycle learner's permits shall be paid into the state treasury and credited to the Motorcycle Rider Safety Training Program Fund created pursuant to § 46.2-1191. It shall be unlawful for any person, after having received a learner's permit, to drive a motor vehicle without being accompanied by a licensed driver as provided in the foregoing provisions of this section; however, a learner's permit other than a motorcycle learner's permit, accompanied by documentation verifying that the driver is at least 16 years and three months old and has successfully completed an approved driver's education course, signed by the minor's parent, guardian, legal custodian or other person standing in loco parentis, shall constitute a temporary driver's license for the purpose of driving unaccompanied by a licensed driver 18 years of age or older, if all other requirements of this chapter have been met. Such temporary driver's license shall only be valid until the driver has received his permanent license pursuant to § 46.2-336.
- I. Nothing in this section shall be construed to permit the issuance of a learner's permit entitling a person to drive a commercial motor vehicle, except as provided by the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

- J. The following limitations shall apply to operation of motorcycles by all persons holding motorcycle learner's permits:
1. The operator shall wear an approved safety helmet as provided in § 46.2-910.
  2. Operation shall be under the immediate supervision of a person licensed to operate a motorcycle who is 21 years of age or older.
  3. No person other than the operator shall occupy the motorcycle.
- K. Any violation of this section shall be punishable as a Class 2 misdemeanor.

**§ 46.2-335.2. Learner's permits; required before driver's license; minimum holding period.**

- A. No person under the age of nineteen years shall be eligible to receive a driver's license pursuant to § 46.2-334 unless the Department has previously issued such person a learner's permit pursuant to § 46.2-335 and such person has satisfied the minimum holding period requirements set forth in subsection B, or unless such person is the holder of a valid driver's license from another state and qualifies for a temporary license under subsection E of § 46.2-334 or subsection C of this section.
- B. Effective July 1, 2002, any person under the age of nineteen years issued a learner's permit pursuant to § 46.2-335 shall hold such permit for a minimum period of nine months or until he reaches the age of nineteen years, whichever occurs first.
- C. Notwithstanding the provisions of subsection D of § 46.2-323, requiring the successful completion of a driver education course approved by the State Department of Education, the Commissioner, on application therefor by a person who is at least eighteen years old but less than nineteen years old, shall issue to the applicant a temporary driver's license valid for six months if he (i) certifies by signing on a form prescribed by the Commissioner that he is a resident of the Commonwealth; (ii) is the holder of a valid driver's license from another state; and (iii) has not been found guilty or otherwise responsible for an offense involving the operation of a motor vehicle. No temporary license issued under this subsection shall be renewed, nor shall a second or subsequent temporary license under this subsection be issued to the same applicant.

Go to <http://leg1.state.va.us/lis.htm> to search the *Code of Virginia*.

## ACCOMMODATING ENGLISH LANGUAGE LEARNERS (ELL) IN A DRIVER EDUCATION PROGRAM

- Make students feel welcome and included, but do not push them to speak at first. Keep talking to the students. It is normal for them to have a silent period that can last days, weeks, or months. They will develop listening skills before speaking skills.
- Provide students with a “buddy” to help with classroom work.
- Position the students close to the front of the room.
- Encourage peer tutoring.
- Recognize that listening to a foreign language (English) all day can be exhausting. Help to overcome this fatigue by permitting students to withdraw from classroom activities occasionally.
- Speak to the students at a normal speed, in complete sentences, using simple vocabulary. Avoid raising your voice.
- Recognize that the student desperately wants to be like their peers, but certain differences and parental pressure may cause emotional conflicts.
- The chalkboard is one of the most effective aids in helping ELL. Seeing the spoken words is an essential component for understanding. The value of writing key vocabulary words, notes, diagrams, on the board cannot be overemphasized in facilitating learning.
- Ask a more proficient student to take notes to share with ELL.
- If possible, give ELL a list of crucial terms prior to class so they can look up the terms in a bilingual dictionary.
- Give exact assignments at first, rather than a choice of assignments. Often students are not accustomed to having a choice and may find it confusing.
- Do not be afraid to correct student’s speech, but make corrections short and immediate.
- Set realistic learning goals.
- When assigning special projects, be sure the student understands your expectations and instructions; written instructions would be helpful.
- In grading ELL, teachers are encouraged to evaluate achievement in regard to the student’s proficiency level. Because listening and speaking skills are acquired before reading and writing skills, students could use diagrams and pictures (where appropriate) to communicate what they cannot write. Where time and setting is suitable, another option could be an orally administered and answered assignment using a tape recorder.
- Foreign-born students will not only be continuing their education in a language which may be unfamiliar to them, but they may also be studying in an environment and in a style unknown to them.
- Keep in close touch with the ELL teacher, if one is available. The ELL teacher acts as a facilitator and a specialist to help the student learn English and adapt to the American culture.

*(This information was adapted from the ELL Handbook for Teachers and Administrators which is available on the Department of Education’s Web site, <http://www.doe.virginia.gov/instruction/esl/index.shtml>.)*

*This document provides administrative and instructional information and resources for school personnel who work with limited English Language Learners.)*

The Department of Motor Vehicles will provide the knowledge exam in Spanish. If necessary, an applicant can request to have the exam translated.

## ACCOMMODATING STUDENTS WITH SPECIAL NEEDS

Through a well-planned, individualized program, students with disabilities can become safe, responsible drivers. The driver education program offers an opportunity for independent mobility that enhances the individual's potential for employment and economic independence.

Driver education is a course that most students look forward to with eager anticipation. Students with disabilities are eligible for driver education (P.L.94-142 and Section 504 of P.L.93-112, The Rehabilitation Act of 1973) if they meet the qualifications for licensing established by the Department of Motor Vehicles.

Public Law 94-142 requires that a "free appropriate public education" be provided in the least restrictive environment for students with disabilities who have not reached 22 years of age. While a student may not need the driver education experience in order to meet graduation requirements, if specified in the Individualized Education Plan (IEP), the student should be afforded the educational opportunity to increase traffic safety knowledge to enhance personal safety as a transportation system user.

Some students with disabilities may benefit from being mainstreamed into regularly scheduled driver education classes. For others, learning may be optimized through a team approach. If instruction is delivered in this manner, student assessment should be determined jointly by both teachers as outlined in the student's Individualized Education Plan (IEP). See the section entitled "Modifications for Students with Special Needs" for more information.

Team members may include:

- Special education and driver education teachers;
- Parent(s) or guardian(s);
- Student;
- Therapist (occupational, physical, speech);
- Physicians;
- Equipment vendors;
- Department of Motor Vehicles and the Department of Rehabilitative Services personnel;
- National organizations' staff, such as March of Dimes, Easter Seal and Muscular Dystrophy Association.

Specially equipped vehicles and individualized instructional methods may be necessary for some physically disabled students to facilitate successful completion of the in-car phase of the program. These students may also require additional periods of instruction beyond the minimum 14 period in-car requirement (7 driving and 7 observing).

It is recommended that school divisions formulate detailed plans for the student's IEP well in advance of actual enrollment in the driver education program. Physically challenged students will need a predriving assessment to determine if they are capable of handling the driving task, and to identify whether they need any vehicle modifications.

Students with a mental or physical condition that may impair their ability to safely operate a motor vehicle, even temporarily, must provide Department of Motor Vehicles (DMV) with a medical statement from a doctor. Some of these conditions include loss of consciousness, vision changes, impairment of judgment, or loss of motor function. DMV will evaluate the medical information to determine if a driver's license may be issued or should be restricted. The medical report must be completed by the individual and his/her physician before a Virginia driver's license can be issued. The *Customer Medical Report* forms can be accessed at: [www.dmv.state.va.us](http://www.dmv.state.va.us).



**DMV's Medical Advisory Board's current seizure/black-out policy states that an individual must be seizure or blackout free for at least six months from the date of the last episode. This six-month period allows the individual to establish proper medical control before driving a motor vehicle on public roadways.**

Virginia law does not require physicians to report individuals to DMV. However, Section 46.2-322 does protect the identity of any physician or relative who expresses concern about the individual's safety to DMV.

In the event the student has serious reading deficiencies, an oral test may be administered by a Department of Motor Vehicle's examiner in lieu of a computer or written test. Some students who are deaf/hard of hearing have difficulty reading English and will need an interpreter to communicate the test items in sign language if the students have this accommodation on his/her IEP. To deviate from standard licensing procedure and provide quality customer service, the local DMV branch should be contacted in advance so that they can expeditiously accommodate this need.

At the present time there are no special licensing requirements, other than a teaching license with an endorsement in driver education or a commercial instructor's license, to teach driver education to students with disabilities. Most licensed, endorsed teachers have received specialized training beyond the minimum driver education certification requirements and are comfortable teaching students with special needs in the classroom setting. However, some in-car instructors have limited experience working with physically challenged students and may be apprehensive about teaching in specially equipped vehicles. In such situations, administrators and parents will need to pursue individualized student instruction through a rehabilitation center or an occupational therapy program with a driver education program.

**The Individualized Education Plan (IEP) Committee** should include the driver education instructor. While the driver education instructor is responsible for successful acquisition of instructional objectives, the course content may be taught in conjunction with a special education teacher. However, there should be minimal change in curriculum content or performance objectives for any learning experience in driver education (classroom, on-street, multiple-car-range, driving simulation).

Student success depends upon the instructor's ability to design instructional strategies that meet the student's developmental and functional capabilities. An individualized instructional plan should lead the student to the same performance objectives set for any driver education student.

The driver education instructor, in cooperation with other professionals, is responsible for developing instructional strategies to meet the student's motor, visual, auditory, communicative, cognitive, and affective domain needs. The design may require special content, methods, and materials.

## **SUPPORT SERVICES**

Implementation of a driver education program in public schools for students with special needs requires the support and cooperation of many local, state, and private agencies.

Assistance may be received from the following sources.

- **Rehabilitative Services Administration**—may provide funds for adaptive equipment and instruction when a student is one of its clients and pursuing a vocation or advanced education. Driver education for severely handicapped students can be requested through the Woodrow Wilson Rehabilitation Center in Fishersville, Virginia.
- **State Medical Facilities**—services such as bio-engineering, custom design, psychiatric evaluation, neurological evaluation, etc., may be requested through an Interagency Service Agreement.

- Virginia School for the Deaf and the Blind—assistance is available in the design of the classroom environment, curriculum, and laboratory facilities. They will prescribe appropriate adaptive equipment. Driving simulators provide an opportunity for the student with communication disorders to demonstrate an understanding of the driving task while in a protected environment. It can also be used to demonstrate orientation in neurologically impaired students.
- Medical Advisory Board/Department of Motor Vehicles—responsible for approving DI-191 form for medical driver impairment. The parents have the option to appeal DMV decision if licensing is denied.
- Department of Education’s special education staff—provides an interdisciplinary approach for serving the special education student.
- Veterans Administration—assistance may be requested through the driver training program established under P.L.95-535.

## **PROGRAM MODIFICATIONS**

### **Modifications to Four-Phase Program**

There should be no change in curriculum content or performance objectives for any learning experience in driver education (classroom, on-street, multiple-car-range, driving simulation) for the student with special needs. Modifications are suggested to accommodate special driving needs in the following sections.

## **MODIFICATIONS FOR STUDENTS WITH SPECIAL NEEDS**

### **Availability/Eligibility**

The driver education program should be made available to all individuals who meet the state requirements for driver licensing.

Visually impaired students are eligible for the classroom phase of driver education as users of the highway transportation system. Some visually impaired students may be eligible for in-car driver education with corrective (bioptic telescopic) lenses.

### **Instructional Periods**

- The recommended course minimum may need to be increased in order to attain performance objectives.
- Symptoms associated with some disability conditions may be triggered by anxiety. Lessons should be adjusted when necessary.
- An alternative instructional plan should be designed for students who are unable to complete observation requirements.

### **Size of Classes and Facilities**

Placement of students with disabilities should accommodate the instructional needs of the students. Classroom facilities should comply with the Occupational Health and Safety Administration (OSHA) accessibility standards.

### **Teacher Qualifications**

It is recommended that driver education teachers become knowledgeable about characteristics and needs of special populations through workshops or other educational opportunities.

### **School, Teacher, and Student Responsibility**

Driver education teachers should be provided with a copy of the student's Individualized Education Plan (IEP) to assure consistency in programming.

- The driver education vehicle should be adapted with equipment to accommodate individual functional capability.
- Provision for independent mobility should be available and accessible during on-street instruction in the event of an emergency (e.g., wheelchair, crutches, etc.).
- Parents of driver education students who require prescribed medication that may interfere with the student's ability to perform the driving task should notify the proper school authorities.

### **Vehicle Procurement**

The dealer agreement form should be modified, in cooperation with the dealer providing driver education vehicles, when it is necessary to install adaptive equipment.

### **Dual Controls/Restraint Systems/Adaptive Devices**

All driver education vehicles equipped with adaptive devices, restraints, and lifts should use equipment that has been approved by the Veterans Administration or other appropriate agencies. Installation of adapted driving equipment should only be performed by authorized dealers.

### **Driver Education Curriculum Materials**

Curriculum materials appropriate for the instructional levels of and the format most accessible to English Language Learners and students with disabilities should be provided (to include Braille, large print, text to speech, or digital text).

### **Examination for Instructional Permits**

When special testing procedures are required, arrangements should be made in advance at the Department of Motor Vehicles (e.g., oral testing, signing, etc.). The driver education instructor and/or special education teacher may assist when other qualified DMV staff are not available.

### **Budget**

Cost of all adaptive equipment should be included in budgetary estimates (e.g., hand controls and/or other adaptive equipment).

### **Assessment**

Each student identified as eligible for services under P.L.94-142 programs is assessed in terms of:

- present levels of education performance;
- medical and health problems that may impede optimal learning;
- sociocultural patterns;
- psychological characteristics; and
- developmental functioning in the areas of cognition, motor, social/adaptive perception and communication skills.

Assessments should be compiled by appropriate professionals. A partial list of driving evaluation centers is provided at the end of this section.

Information gathered from the assessment becomes the basis for the development of an Individualized Education Plan for the students with disabilities. It is recommended that the driver education teacher participate in the development and/or annual review of the IEP. The adapted driver education service is critical to the attainment of independent mobility that may be necessary for job placement for the student. Structuring the driver education program for student success requires an understanding of individual functional capabilities in all of the previously identified areas. Adapting learning activities to maximize student strengths is the essence of success.

### **Service Delivery**

The terms of P.L.94-142 require that a "free appropriate public education" (FAPE) be provided for each eligible student in the least restrictive environment. "Appropriate" addresses the unique needs of the individual. "Least restrictive environment" has variations depending on student needs. Students with disabilities should be integrated and mainstreamed when possible. It is the professional responsibility of the driver education instructor, cooperating with the special education staff, to determine the environment that is best adapted to the student's needs. In turn, it is the prerogative of the instructor to ask for a reevaluation of any student with disabilities who does not demonstrate reasonable progress through the methods prescribed in the Individualized Education Plan (Accountability P.L.94-142, Section 121a.349).

### **Multi-Disciplinary Approach**

Successful implementation of an Individualized Education Plan or Specialized Plan may be enhanced by a team approach. All professionals serving students with disabilities have knowledge and insights that may provide guidance to the development of meaningful learning activities for students. A communication network functioning within administrative constraints that includes these professionals is provided through the "Interagency Cooperative Services Agreement" established to facilitate information exchange about eligible students with disabilities.

### **Team Approach**

The professionals who serve the student with disabilities may include:

- Physician
- Therapists - occupational, physical, corrective
- Psychologist
- Speech Pathologist
- Special Educators - Reading, Communication, Adaptive Physical Education
- Counselor.

The student's family and the student are also valuable sources of information. Asking questions about behavior and personal likes and dislikes could provide clues that may be significant when developing instructional strategies.

### **Classroom Modification Suggestions**

- Make provisions for students with disabilities to be scheduled for additional instructional time.
- Provide activities to build self-confidence.
- Facilitate students to experience some evidence of success in each lesson.
- Adjust instructional methods for shorter attention spans.
- Incorporate audiovisual and visual aids, which may complement the multimodality needs of students with disabilities.
- Develop supplemental materials in coordination with the resource teacher.
- Utilize models, mockups and other training devices (e.g., driving simulators) to reinforce classroom activities.
- Provide a classroom environment that accommodates orthopedically impaired students.
- Special equipment should be available to meet the sensory needs of students (e.g., visually impaired).
- Provide select seating for visually and hearing impaired students.

### **On-Street Suggestions**

- Shorten daily laboratory instruction to accommodate attention span and reduce fatigue.
- Schedule classes on a daily basis to assure continuity.
- Supplement directions with hand signals in addition to verbal cues to enhance communication and reduce confusion.

## **DISABILITIES AND THEIR IMPLICATIONS FOR DRIVING**

Disabilities may be classified in several ways. The following outline is a guide to assist the educator/instructor working with special needs students. Basically, impairments are physical, mental, or both.

### **General Considerations**

- Help students with transfers, only when necessary; encourage maximum independence getting into, out of, and to and from the vehicle.
- Become familiar with adaptive controls and adaptive devices.
- Allow time for vehicle transfers when scheduling.
- Become familiar with wheelchair components and operation.
- Consider limitations when considering tasks such as bending or lifting movements.

### **HEARING IMPAIRED/DEAF**

Studies that analyzed driving statistics of individuals with severe hearing impairment indicate that, as a group, their driving record is better than that of drivers who do not have a hearing impairment, (Austroads, 2005).

### **Suggested Adaptive Equipment**

- Full range of convex rearview mirrors
- Dual outside mirrors
- Devices for communicating visually with the student (flip cards, text messaging, mirrors that help the student see the interpreter in the back seat, etc.)

### **Teaching Strategies**

- Have the other student drive first.
- Establish a communication system that might include sign language, lip reading, or communicating through interpreter.
- Properly position the interpreter behind the instructor.
- Speak at a normal pace when using an interpreter.
- Do not give too many instructions at one time.
- Enhance visual aspects of learning, e.g., keep lights on during videos or when commentary is provided; provide written script of slides or filmstrip commentary.

### **VISUALLY IMPAIRED**

Special DMV requirements must be met to secure a learner's permit. Daytime only driving restrictions are generally assigned to visually impaired drivers. Predriving assessments by an ophthalmologist are necessary for medical clearance. The process of securing an instructional permit can be very time consuming (1 to 2 months). The student with low vision (visual acuity, 20/200 with correction in one eye) may need bioptic telescopic lenses.

### **Teaching Strategies**

- Emphasize visual scanning of the environment;
- Ensure student is using bioptic lens correctly (seek assistance from the special education teacher);
- Instruct student regarding weather conditions that produce low light situations and avoid driving in such conditions.

### **ORTHOPEDIC DISABILITIES**

Orthopedic disabilities may include disabilities associated with the inability to move a part of the body because of fatigue, muscle weakness, or some other condition.

## **LOWER EXTREMITIES**

- Amputation
- Burn
- Spinal cord injury-Paraplegia
- Arthritis
- Muscular dystrophy
- Poliomyelitis
- Short stature
- Spina bifida

### **Implications for Driver Education**

- Maintaining balance may require seat or back cushions and/or a chest strap in addition to the safety belt for support.
- Heat and humidity may irritate prosthetic devices.
- Pain associated with the disability may require flexible scheduling.
- Safety belts, perspiration, etc., may irritate skin more easily than normal. Padded straps may be necessary.
- General muscle weakness and fatigue occur frequently.
- Sensations to heat, cold, pain, etc., may be nonexistent; therefore, the instructor must be cognizant of potential problems related to hot seats, temperature control, etc.
- A variety of emotions, including depression, hostility, denial, or helplessness may occur during instruction.

### **Examples of Adaptive Devices**

- Left-foot accelerator
- Left- or right-hand controls
- Hand dimmer switch
- Chest strap for balance
- Parking brake extension
- Horn button
- Steering assists
- Additional mirrors
- Pedal extensions
- Right turn signal

### **Vehicle Adaptations to consider**

- 2-door model with gears on the column
- 4-door model, 60/40 split-seat design
- Automatic transmission
- Steering wheel extension/smaller diameter wheel
- Full power package to include brakes, steering, seats, door locks, and power windows
- 4-door minivan to facilitate ease in wheelchair loading

### **Teaching Strategies**

A priority is to attain the proper seating position to ensure trunk stability; and to secure lower extremities to prevent interference with the accelerator, brake, or hand control.

## **UPPER EXTREMITIES**

- Amputations
- Burns
- Arthritis

### **Examples of Adaptive Devices**

- Tilt steering wheel
- Steering devices
- Small diameter steering wheel with minimal steering resistance
- Reduced effort power steering

### **Teaching Strategies**

- Encourage student's use of prosthetics
- Reduce driving time when necessary to avoid fatigue
- Strength training or reduced effort steering is essential when using smaller diameter wheel

## **UPPER/LOWER EXTREMITIES**

- Poliomyelitis
- Muscular Dystrophy
- Quadriplegia
- Frederick's Ataxia
- Multiple Sclerosis
- Rheumatic Diseases

### **Samples of Adaptive Devices and Teaching Strategies**

See subsection concerning lower extremities and upper extremities, as previously outlined.

## **TRAUMATIC BRAIN INJURY**

Some people who have had traumatic brain injuries may have few or no physical limitations. However, at the other extreme there are those who have had an injury resulting in extensive loss of strength, range of motion, coordination, reaction abilities, and/or balance.

Cognitive skills, such as problem solving, judgment, memory, and attention span may be affected. In addition, perceptual motor skills, such as spatial relationships and reaction time may also be affected.

Furthermore, the ability to recognize road signs, signals, and markings may be impaired. The ability for the student to exercise sound judgment and carry out needed decision-making and problem-solving skills may also be impaired to the point that reaching the goal of becoming a safe driver is unattainable.

The extent of the student's physical limitation will determine the type of vehicle that is needed, how that vehicle should be modified, and the equipment needed to allow the person to drive independently.

### **Symptoms Associated with Brain Damage**

Conditions which may cause lapses of consciousness:

- Epilepsy
- Cerebral palsy
- Other convulsive disorders

Persons with these symptoms cannot drive unless their condition has been medically controlled.

### **Neuromotor Symptoms**

- Flaccidity - no muscle activity at all
- Spasticity - too much muscle activity
- Athetosis - involuntary movement
- Rigidity - slow, strong muscular response
- Hyperactive Reflex - quick jerk loss of motor control in response to certain stimuli.

The driving ability of individuals with these symptoms should not be prejudged. Motivation and practice have enabled many of these individuals to learn how to drive successfully.

### **Intellectual Symptoms**

Patience is imperative. The appropriate avenues should be pursued to enable students to learn essential skills. The time, care, and concern of the instructor will make a significant difference in this situation.

### **Neurosensory Symptoms**

Double vision-confusion in the visual field to include blind spots and poorly established eye dominance. With proper training, some students can learn to compensate for these visual distortions.

### **Perceptual Symptoms**

- Difficulty perceiving where and how one's body (and therefore one's car) is positioned in space
- Difficulty distinguishing objects from background

A road test becomes a very important part of the predriving assessment process for students with visual deficiencies. In conjunction with the medical evaluation, this should enable the instructor to obtain a fairly realistic appraisal of the student's challenges as they affect the driving task.

### **Behavioral Symptoms**

- Easily upset, angered, or agitated under stress
- Poor judgment, distractibility, short attention span
- Inability to concentrate on more than one thing at a time while under stress

The instructor should work with a specialist who is knowledgeable about these problems in order to understand and more effectively teach students with behavioral problems.

### **Some Common Disabilities Involving Brain Damage**

- Left Hemiplegic - This disability usually occurs as the result of a cerebral vascular impairment, or a stroke, affecting the right side of the brain. The individual may be able to use only the right arm and leg. The only adaptive equipment needed may be a right turn signal indicator lever.
- Right Hemiplegic - This disability is usually the result of a stroke on the left side of the brain, causing impairment of the right side of the body. This individual may need a left foot accelerator and possibly a steering knob.

### **Cerebral Palsy**

This is a permanent and chronic disability sustained at birth. Numerous symptoms are associated with cerebral palsy, which include servomotor, perception, neurosensory, and intellectual. The predriving assessment process should be thorough. Patience on the part of the instructor is necessary and success may take a long time to achieve.



## DRIVER EVALUATIONS

A driver evaluation for students with special needs should be completed at an assessment center that has access to the necessary equipment for the type of disability. These assessments, along with medical records and driving history, will help the evaluator and physician in prescribing the proper driving equipment for the student's needs. Some of the driver evaluation centers complete the physical and cognitive capability components, but not the actual driver training. They will have a list of approved driver education providers.

Following is a list of driver evaluation centers in Virginia. Additional information is available online at the Association of Driver Rehabilitation Specialists' (ADED) Web site at: [info@driver-ed.org](mailto:info@driver-ed.org).

### Alexandria

Mt. Vernon Hospital  
Occupational Therapy  
(703) 664-7190  
<http://www.inova.org/patient-and-visitor-information/facilities/inova-mount-vernon-hospital/index.jsp>

### Fishersville

Woodrow Wilson Rehabilitation Center  
Occupational Therapy Department  
(540) 332-7117  
<http://wwrc.virginia.gov/>

### Hampton

Veterans Administration Hospital  
Rehabilitation Services  
Driver Training Office  
(757) 722-9961 ext. 2202  
<http://www.hampton.va.gov/>

Driver Rehabilitation of Hampton Roads, Inc.  
(757) 240-4983  
[karlhoffman@drhr.hrcoxmail.com](mailto:karlhoffman@drhr.hrcoxmail.com)

Pagels Driver Rehab Services, L.L.C.  
(757) 692-0973  
[pagelsdriverrehab@verizon.net](mailto:pagelsdriverrehab@verizon.net)

### Newport News

Riverside Rehabilitation Institute  
Occupational Therapy Department  
(757) 928-8050  
<http://www.riversideonline.com/rri/>

### Norfolk

Sentara Norfolk General Hospital  
The Therapy Center  
(757) 668-4114  
<http://www.sentara.com/Pages/default.aspx>

### Richmond

Johnston-Willis Medical Center  
Occupational Therapy Department  
(804) 330-2145  
<http://www.cjwmedical.com/>

McGuire Veterans Administration Center  
Rehabilitative Medicine Services  
(804) 675-5273  
[jvaughter@aol.com](mailto:jvaughter@aol.com)

Sheltering Arms Rehabilitation Hospital  
Occupational Therapy Department  
(804) 288-3424  
[www.shelteringarm.com](http://www.shelteringarm.com)

### Roanoke

Driver Side Rehab LLC  
(540) 981-1611  
[janetcdrs@aol.com](mailto:janetcdrs@aol.com)

### Waynesboro

Boundless Mobility  
(540) 943-3898  
[boundlessmobility@gmail.com](mailto:boundlessmobility@gmail.com)

### Winchester

Winchester Rehabilitation Center  
Outpatient Occupational Therapy Department  
(540) 536-5113  
[photodeb@comcast.net](mailto:photodeb@comcast.net)

The Evaluation will assess

- Physical capabilities;
- Cognitive capabilities;
- General knowledge of the road; and
- Ability to use an appropriately modified vehicle.

## **NOTIFYING DMV**

The Department of Motor Vehicles should be notified of any physical, mental, or visual driving impairments. The physician and driving evaluator must complete a DL191 medical report and file it with DMV. Failure to report any medical impairment could put the student's driving privileges in jeopardy.

Reporting the medical status to DMV will help protect the individual. If a student with disabilities is involved in an accident and the adaptive equipment is not documented, the insurance company may deny the claim.

It is illegal for an insurance carrier to refuse to insure, refuse to continue to insure, or limit the amount, extent or kind of vehicle insurance coverage available for a disabled driver. A carrier cannot charge a different rate for the same coverage only because the person has a disability or uses adaptive equipment that has been properly prescribed and evaluated, unless they can prove their action is based on sound principles.

A carrier can, however, establish rates based on the increased value of the vehicle retrofitted with adaptive driving equipment. If there are questions, call the Department of Rights of Virginians with Disabilities at (800) 552-3962.

A qualified teacher should provide the adapted in-car instruction. All instruction should be provided in a vehicle equipped with the same type of adapted equipment that the student will be using after course completion. Supervised driving experiences should be continued until the student masters adequate driving skills.

## **ADAPTIVE EQUIPMENT**

Because of the broad range of technology and adapted driving equipment, it is important to get an appropriate evaluation to determine equipment needs. Once the proper equipment is identified, it is important to find a dealer and installation vendor. Investigate the dealer's qualifications, capabilities, service practices, and warranties. Before buying a new or used vehicle, consult with an adaptive equipment dealer. The model of vehicle can affect the type of equipment that can be installed. Some dealers have a "turn key" product that includes the vehicle.

The following is a partial list of vendors that carry adaptive equipment. For more information contact them directly. This list is supplied for informational purposes only. The adaptive driver instructors should be familiar with vendors in their area. Another great resource is the ADED Web site (<http://www.driver-ed.org>) which has a list of the latest links and adapted driving resources.

## RESOURCES

### **The Association for Driver Rehabilitation Specialists (ADED)**

2425 N. Center St. #369  
Hickory, NC 28601  
(877) 529-1830  
<http://www.driver-ed.org>

### **The Family Village Waisman Center**

University of Wisconsin-Madison  
1500 Highland Avenue  
Madison, WI 53705-2280  
Family Village Accessibility Mall  
Family Village – Adaptive Driving  
<http://www.familyvillage.wisc.edu>

### **The Low Vision Gateway**

<http://www.lowvision>

### **The National Organization for Albinism and Hypopigmentation (NOAH)**

1530 Locust Street # 29  
Philadelphia, PA 19102-4415  
(215) 545-2322  
(800) 473-2310  
<http://www.albinism.org>

### **Access Unlimited**

570 Hance Road  
Binghamton, NY 13903  
(800) 849-2143; fax: (607) 699-4595  
<http://www.accessunlimited.com/driver-rehab.html>

### **Bioptic Driving Systems**

The Low Vision Centers of Indiana  
<http://www.eyecenters.com/biopicl.htm>

### **Ford Mobility Motoring Program**

<http://www.ford.com/showrooms/mobility.html>

### **GM Mobility Program**

<http://www.gm.com/vehicles/us/owners/mobility.html>

