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AB-2537 Vehicles: driver education. (2021-2022)

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Assembly Bill No. 2537

CHAPTER 332

An act to amend Section 51220.4 of the Education Code, and to amend Section 11113 of, and to add Sections 1656.1 and 12800.6 to, the Vehicle Code, relating to vehicles.

[Approved by Governor September 15, 2022. Filed with Secretary of State September 15, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2537, Gipson. Vehicles: driver education.

Existing law requires the Department of Motor Vehicles to publish a synopsis or summary of the laws regulating the operation of a vehicle and the use of the highways, known as the California Driver's Handbook, and requires the department to include specified information in the handbook, including a person's civil rights during a traffic stop, the extent and limitations of a peace officer's authority during a traffic stop, and the legal rights of drivers and passengers.

This bill would require the Department of Justice, in conjunction with the department and the Commission on Peace Officer Standards and Training, to develop and create a video demonstrating the proper conduct by a peace officer and an individual during a traffic stop and to post the video on its internet website.

Existing law authorizes the department to prescribe rules and regulations for driving schools regarding the conduct of courses of driver education and driver training, including, among other things, curriculum that requires a component relating to the dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle and a component examining driver attitude and motivation that focuses on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior commonly known as "road rage."

The bill would additionally require those rules and regulations regarding the curriculum to include viewing the Department of Justice's video on proper conduct during a traffic stop.

Existing law prohibits a person from driving a motor vehicle on a highway unless the person holds a valid driver's license. Existing law requires a person to apply for a driver's license, as specified.

The bill would require the application to inform an applicant of the Department of Justice's video about proper conduct during a traffic stop at the time of an application for an original, renewal, or duplicate of a driver's license.

Existing law prescribes the adopted course of study for grades 7 to 12, inclusive. That course of study is required to include English, social sciences, world language, physical education, science, mathematics, visual and performing arts, applied arts, career technical education, automobile driver education, and other studies that the governing board may prescribe. Existing law requires courses offered in automobile driver education to include, but not be limited to, education regarding the rights and duties of a motorist as those rights and duties pertain to pedestrians and the rights and duties of pedestrians as those rights and duties pertain to traffic laws and traffic safety.

The bill would require viewing the Department of Justice's video on proper conduct during traffic stops as part of a course in automobile driver education. Because this would increase the level of service required of school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 51220.4 of the Education Code is amended to read:

51220.4. For purposes of subdivision (j) of Section 51220, a course in automobile driver education shall include, but is not limited to, both of the following:

(a) Education regarding the rights and duties of a motorist as those rights and duties pertain to pedestrians and the rights and duties of pedestrians as those rights and duties pertain to traffic laws and traffic safety.

(b) Viewing the Department of Justice's video on proper conduct during traffic stops created pursuant to Section 1656.1 of the Vehicle Code.

SEC. 2. Section 1656.1 is added to the Vehicle Code, to read:

1656.1. The Department of Justice shall, in conjunction with the department and the Commission on Peace Officer Standards and Training, develop and create a video demonstrating the proper conduct by a peace officer and an individual during a traffic stop. The department shall post this video on its internet website.

SEC. 3. Section 11113 of the Vehicle Code is amended to read:

11113. (a) The director may prescribe rules and regulations for driving schools regarding the conduct of courses of driver education and driver training, including curriculum, facilities, and equipment. The rules and regulations regarding curriculum shall require all the following:

(1) A component relating to the dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle.

(2) A component examining driver attitude and motivation that focuses on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior commonly known as "road rage."

(3) Viewing the Department of Justice's video on proper conduct during a traffic stop created pursuant to Section 1656.1.

(b) The director may also prescribe rules and regulations for the conduct of driving instructor training courses required by Sections 11102.5 and 11104, including curriculum, facilities, and equipment. The department shall monitor instruction given by driving schools.

SEC. 4. Section 12800.6 is added to the Vehicle Code, to read:

12800.6. (a) An application for an original, renewal, or duplicate of a driver's license shall inform the applicant of the Department of Justice's video on proper conduct during a traffic stop created pursuant to Section 1656.1.

(b) The information in subdivision (a) shall be included upon the next scheduled revision of the driver's license application subsequent to the release of the Department of Justice's video on proper conduct during a traffic stop created pursuant to Section 1656.1.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.