



Economic Impact Analysis Virginia Department of Planning and Budget

80 VAC 20-340 – Regulations Governing Driver Education Department of Education January 16, 2003

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Board of Education (board) proposes to: 1) establish a minimum number of miles driven during the behind-the-wheel phase of driver education instruction, 2) incorporate language from the *Driver Education Administration Manual* into these regulations, and 3) amend language to be consistent with the Code of Virginia.

Estimated Economic Impact

Section § 22.1-205 of the Code of Virginia states that the "Board of Education shall establish for the public school system a standardized program of driver education in the safe operation of motor vehicles." Pursuant to legislation passed by the 2001 General Assembly, "such program shall require a minimum number of miles driven during the behind-the-wheel driver training." The board proposes to require that students drive a minimum of 50 miles during the in-car phase of instruction in high school driver education programs. This requirement will have no impact. The board already requires that driver education programs have 14 periods of

in-car instruction. Since a period lasts 50 minutes, 14 periods add up to 11 hours and 40 minutes. Even allowing for time to get into and out of the car, as well as pre and post-driving instruction, it seems unlikely that in any program students would drive less than 50 miles in 11 hours and 40 minutes. Indeed the Department of Education (department) surveyed school divisions and found that in all programs students drive substantially more than 50 miles during the in-car phase of instruction.

The board proposes to incorporate part of the *Driver Education Administration Manual* into these regulations. The incorporation does not affect policy.

These regulations have not been amended since 1980.¹ The current regulations state that “schools shall schedule a program of driver education for all eligible students.” This conflicts with Section § 22.1-205 of the Code of Virginia, which states that “each (local) school board shall determine whether to offer the program of driver education ...” In order to conform the regulations with the Code of Virginia, the board proposes to eliminate the language requiring that schools schedule a program of driver education. According to the department, the board has left the decision on whether to offer driver education programs to local school boards for at least 12 years. Thus, this proposed change to the regulations will have no impact.

Businesses and Entities Affected

The proposed regulations affect all school divisions, the 2,300² driver education teachers in Virginia schools, and their students.

Localities Particularly Affected

The proposed regulations affect all Virginia localities.

Projected Impact on Employment

The proposed amendments do not affect employment.

Effects on the Use and Value of Private Property

The proposed amendments do not affect the use and value of private property.

¹ Source: Department of Education

² Approximate number from the Department of Education