

# MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on March 7, 1994 in Room 519-S of the Capitol.

All members were present except: Rep. Hendrix, Excused  
Rep. Lloyd, Excused  
Rep. Shallenburger, Excused

Committee staff present: Hank Avila, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Patricia Easter, Kansas Driving School  
Rosalee C. Blair, Cyrs Driving School  
Sen. Vancrum  
Kurt Winterhalter, Cyrs Driving School  
Jack West, Twin City Driver Education  
Noel Mintz, Emporia State University

Others attending: See attached list

Chairman Crowell opened the hearing on SB 598 relating to age requirements for farm driving permits. Discussion took place by the Committee. The Chairman closed the hearing on SB 598.

Chairman Crowell opened the hearing on SB 553 concerning qualifications of driving school instructors.

Patricia Easter was recognized by the Chairman as proponent of the bill. She testified of the need to train their own driving instructors in order for their business to grow. See Attachment 1.

Rosalee Blair was recognized by the Chairman as a proponent of the bill. She testified that the greatest obstacle in the past has been the inability to have trained instructors at a time when their business most needs them. See Attachment 2.

The Chairman recognized Sen. Vancrum, sponsor of the bill. He testified the only certification approved by the Department of Education is a nine week course conducted at Emporia State University during the summer months. See Attachment 3.

Chairman Crowell recognized Kurt Winterhalter as a proponent of the bill. He testified that the driver education teacher course at Emporia State University has, at times, not been offered because of low enrollment. See Attachment 4.

The Chairman recognized Jack West as an opponent of the bill. He testified that the instructors need to be trained at a college or university. See Attachment 5.

Chairman Crowell recognized Dr. Noel Mintz as an opponent of the bill. He thought it was inappropriate for driving schools to train their own instructors. See Attachment 6.

Written testimony was given to the Committee by John Howland, Midwest Driving School, Lawrence, Kansas. See Attachment 7.

The Chairman ended the hearing on SB 553.

The meeting was adjourned at 2:37 p.m. by Chairman Crowell with the next meeting scheduled for March 8, 1994, at 1:30 p.m. in Room 519-S of the Capitol.

# GUEST LIST

## HOUSE TRANSPORTATION COMMITTEE

March 7, 1994

Name

Address

Representing

Spacia Carter	Oakland Park	Kansas Driving School
Yocake C. Blair	Wichita, Ks	Cyril Driving School
Hert Winterhaster	Wichita, Ks	Cyril Driving School
Snell Christensen	Kansas State	Roadway Education
TOM WHITAKER	TOPEKA	Ks Motor Carriers Assn
Karen Dancy	Topeka	Ks Assn of School Boards
STEVE RODINA	TOPEKA	KHP
Jerome J. Oberly	Manhattan, Ks.	Little Apple Driving School
Wesley O. Mintz	Emporia	Emporia State University
Mike Beam	Topeka	Ks Luth Ann.

My name is Patricia Easter, owner and instructor, Kansas Driving School, Overland Park.

We need to train our own instructors in order for our businesses to grow. At the present time, the only way an instructor can be trained for certification is by going to Emporia State for nine (9) weeks in the summer beginning in June and completing the first week of August. There is no guarantee these classes will be held every year. By the time paper work is completed and transcript returned from Emporia State, an instructor cannot get his/her certification until Sept. We are asking for an alternative method for training instructors as the present system does not coincide with our peak time which is the summer months.

We require high standards for our instructors as that instructor affects our business and reputation. The majority of instructors in commercial schools have received additional training by the schools owner as the training done at the university is not adequate for our needs. We want to train instructors for our own needs insuring that we have qualified people as our reputation depends on our quality of education. I want to emphasize that this would be for our own needs and we would not be an instructor training school. Our business, our name and our money are on the line. This is not a new concept, as in many states this practice already exists.

A proposed curriculum for training instructors has been submitted to the committee. In the curriculum we have a minimum of 24 hours behind-the-wheel training under the direct supervision of a certified instructor.

The question may be raised as why we do not hire currently certified instructors as summer is our busiest time and they would be available. We have many reasons including:

- 1) We provide instruction on a one-on-one basis.
- 2) They want \$15-\$20/hr. The private school cannot afford these wages as we have many costs such as overhead on office, maintenance & repairs on cars, etc. (I have supplied you with a cost sheet of maintenance to keep our cars in top working order.) The schools lease their cars, have low mileage, and repairs are not part of their costs.

The way the law is at the present time it is very difficult to sell our businesses should we wish to do so in the future. In the past, there have been driving schools in Kansas that wished to sell their business and even with ads in local, state and national papers could not sell and had to just close their doors because a school must have a certified instructor

I am a small business owner and small businesses are the backbone of America. We provide a service by teaching students of all ages and all ethnic backgrounds. We need a solution to our problem so our businesses can grow and are asking for your support on SB 553.

**(818) 942-7100**

Address \_\_\_\_\_ Phone \_\_\_\_\_

Insured By \_\_\_\_\_ Adjuster \_\_\_\_\_ Phone: \_\_\_\_\_

Attachment 1-3



815 W. 103rd Street  
Kansas City, Mo. 64114



## Recommended Service Schedule Menu

Time or Mileage Intervals months or miles (000)

CODE	MAINTENANCE ITEMS REQUIRED	3	6	9	12	15	18	21	24	27	30	33	36	39	42	45	48	PRICE
LOF	Engine Oil, Filter Change, Chassis Lub (Inc. Parts)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	1995
A	Transmission/Transaxle Service (Except 4T60E)						X						X					8995
B	Cooling Syst. Serv. Flush & Fill New Coolant							X							X			8995
C D E	Minor Engine Tune-up Inc. plugs. & diag. ck.								X								X	8995
F	Emission Service Complete					X					X					X		10000
G	Complete 27 Point Inspection																	2900
H	Injector Cleaning & Balance Test (Inc. Parts)					X					X					X		6495
I	Brake System Check & Adjust				X				X				X				X	2995
J	AC & Heating System Check			X			X			X			X			X		3495
K	Tire Rotation & Balance		X		X		X		X		X		X		X		X	4495
L	Align Front Suspension				X				X				X				X	4995
M	Rear Axle Service					X					X					X		—
N	Driveability Set up								X								X	6495
O	Full Scope & Cams Test								X								X	5600
P	4 Wheel Alignment								X								X	9995
Q	Shocks (2) Lifetime Guarantee										X							12000
QC	Brakes (per axle) Buick																	16695
R	Brakes (per axle) Cadillac																	—
S	Repack Wheel Bearings (1.2) RWD only										X							—
T	Charging System Insp.										X							3995
VRB	Transmission Service Electric Shift								X								X	—
VRB	Vogue Tires Rotate & Balance		X		X		X		X		X		X		X		X	—

Call (816) 942-7100 for  
Service Reservation

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 1-4



Hours: 7:00 am - 7:00 pm  
Monday - Thursday  
8:00 am - 5:00 pm Saturdays

*Mr. Goodwrench*

**PROFESSIONAL DRIVING SCHOOL ASSOCIATION  
OF KANSAS**

1518 West Douglas Avenue  
Wichita, Kansas 67203-6125  
(316)264-9871

March 3, 1994

We are hopeful that the House Transportation Committee will soon be discussing SB553. With that in mind, we are sending you copies of the information we provided the Senate Transportation and Utilities Committee.

There have been many obstacles in the past that have prevented commercial driving schools from growing. The greatest of which has consistantly been the inability to have trained instructors at a time when our business most needs them.

We are not asking that the current method of training instructors be eliminated. Instead we are asking for another option that would allow commercial driving schools to train their instructors and provide a way for their competency to be evaluated before they become certified by the Board of Education.

It is our hope that you will study the information we have provided and make a favorable decision in our behalf.

Sincerely,



Rosalee C. Blair  
President

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 2-1

# Driving School Association of the Americas, Inc.

February 9, 1994

To Whom It May Concern:

Easy Method/Sears Driving School has operated in the District of Columbia, Maryland, and Virginia for over 63 years. Our school is considered to be one of the largest and most successful in the country.

One of the keys to our growth and success is our continuing effort to provide instructors with the best possible orientation and training. Throughout all the years and all the input from our national association, state and federal agencies, various universities, and countless hours of consultation with colleagues from around the world, we have determined that the goal of turning out the safest and most capable instructors is achieved by implementing an in-house 40-hour training course.

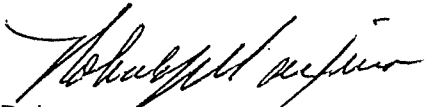
During this free training program, we provide classroom training with the most up-to-date methods, including video tapes and lectures by our most experienced and efficient supervisors and/or senior staff members. Since we are not locked into a set curriculum such as one provided at a university, we are free to implement the latest and best in training technology and information.

Easy Method/Sears is also able to provide "hands-on" practical in-car training which is the major flaw with college-level courses. This is the most important phase of instructor preparation. We can determine weaknesses in the individual trainee's driving personality, and teaching aptitude before they teach in-car with students. Without this opportunity, we could not possibly make a valid judgement on an individual's capability as an instructor.

Cost of training is also a factor in today's economy. Not only do college courses fall short in the total picture of instructor training, they also present a financial burden to prospective trainees. Many excellent prospects are lost when they must overcome both the mandatory costs of licensing as well as required formal and expensive outside training.

Obviously, those charged with providing training during any in-house courses must have impeccable credentials, including years of competency in our field. Each trainer should meet specific guidelines to ensure the integrity of the program.

It is a pleasure to provide my input in this most vital area of driving school operations.

  
Robert J. Maxino,  
Administrative Vice President and  
Immediate Past President

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 2-2

*President:*  
ROBERT MAXINO  
35 Kensington Parkway  
Baltimore, MD 20895  
(301) 929-7918

*Administrative Vice-President:*  
JACK SOUSA  
23 Woodtick Road  
Waterbury, CT 06705  
(203) 574-3158

*Executive Vice-President:*  
CHARLES CORN  
111 West Pomona Blvd.  
Monterey Park, CA 91754  
(213) 728-2108

*Northeastern Vice-President:*  
BARBARA FITZGERALD  
1350 Deer Park Avenue  
North Babylon, NY 11703  
(516) 667-9642

*Eastern Vice-President:*  
KEITH RUSSELL  
3412 West Gato Drive  
Durham, NC 27707  
(919) 490-0359

*Central Vice-President:*  
DARRELL CYR  
1518 West Douglas Street  
Wichita, KS 67203  
(316) 265-9871

*Western Vice-President:*  
U. HALE GAMMILL, III  
12802 Penn Street  
Whittier, CA 90602  
(714) 945-7711

*Canadian Vice-Presidents:*  
BYRON BRITON  
1821 Longsdale Avenue  
North Vancouver, BC V7M 2J8  
(604) 988-1138

FRED GUTENBURG  
2227 South Millway, Suite 203  
Mississauga, Ontario L5L 3H7  
(416) 820-7737

*Controller:*  
GERALD ZEPKA  
1365 South 71st Street  
West Allis, WI 53214  
(414) 257-1333

*Treasurer:*  
LARRY BAXTER  
5351 N. Burdick Street  
Fayetteville, NY 13066  
(315) 488-8400

*Secretary:*  
DAVID AITES  
400 Fifth Avenue  
Pittsburgh, PA 15219  
(412) 391-1840

*Past Presidents:*  
H. B. VINSON  
GEORGE R. HENSEL  
RICHARD R. REDINGER  
MILES H. BARKER  
DAVID E. GANTNER  
ALBERT N. WOLLENBERG  
RAY RABINOWITZ  
SEPH PAUSWINSKI  
DONALD TARTE

*Immediate Past President:*  
MICHAEL A. D'AMATO  
15 North Main Street  
West Hartford, CT 06107  
(203) 521-6130 or 643-9476

**DEDICATED TO SAVING LIVES IN THE AMERICAS**



# The Driving School Association of the Americas, Inc.

**President:**

JACK SOUSA  
23 Woodlark Road  
Waterbury, CT 06705  
(203) 574-3158

**Administrative Vice-President:**

ROBERT J. MAXINO  
10335 Kensington Parkway  
Kensington, MD 20895  
(301) 929-7918

**Executive Vice-President:**

BYRON BRITON  
1821 Lonadale Avenue  
North Vancouver, BC V7M 2J8  
(604) 988-1138

**Treasurer:**

DAVID PECK  
37 Knowlton Road  
Columbia, NJ 07832  
(908) 459-5552

**Controller:**

KEITH RUSSELL  
3412 West Gate Drive  
Durham, NC 27707  
(919) 490-0359

**Secretary:**

LINDA ZEPKA  
1365 South 71st Street  
West Allis, WI 53214  
(414) 257-1333

**Northeastern Vice-President:**

BARBARA FITZGERALD  
1350 Deer Park Avenue  
North Babylon, NY 11703  
(516) 667-9642

**Eastern Vice-President:**

RUSTY HIRSH  
310-A North Gum Street  
Summerville, SC 29483  
(803) 821-1580

**Central Vice-President:**

DARRELL CYR  
1518 West Douglas Street  
Wichita, KS 67203  
(316) 265-9871

**Western Vice-President:**

JIM LAVRINC  
1770 North Tracy Blvd.  
Tracy, CA 95376  
(209) 833-7601

**W. Canadian Vice-President:**

STEPHEN WALLACE  
RR #3 Burke Site Box 7  
Quebec, BC V2J 3H7  
(604) 992-7227

**E. Canadian Vice-President:**

MICHAEL GUTENBERG  
40 Juliana Court  
Toronto, ON M6S 2R2  
(416) 769-9044

**Director of Communications:**

KATHY PAVLO  
400 Fifth Avenue  
Pittsburgh, PA 15219  
(412) 391-1840

**Past Presidents:**

H. B. VINSON  
GEORGE R. HENSEL  
RICHARD R. REDINGER  
MILES H. BARKER  
DAVID E. GANTNER  
ALBERT N. WOLLENBERG  
SY RABINOWITZ  
JOSEPH PAUSWINSKI  
DONALD TARTE  
MICHAEL A. D'AMATO  
ROBERT J. MAXINO

JANUARY 28, 1994

CYR DRIVING SCHOOL  
1518 WEST DOUGLAS ST.  
WICHITA, KANSAS 67203

TO WHOM IT MAY CONCERN:

THIS LETTER IS A RECOMMENDATION TO THE CONCERNED PARTIES REGULATING THE TRAINING OF PROFESSIONAL DRIVING INSTRUCTORS. OUR INDUSTRY HAS BECOME COMPLEX WITH VARYING REQUIREMENTS AND THE INCREASED DANGERS THE MOTORING PUBLIC MUST BE PREPARED FOR. THESE COMPLEXITIES ARE REALIZED ON A DAILY BASIS BY THOSE DRIVING INSTRUCTORS WHO TRAIN ENTRY LEVEL DRIVERS EVERYDAY.

IT HAS BECOME A VIRTUAL EDUCATIONAL ADVANTAGE TO HAVE DRIVING SCHOOL PROPRIETORS TRAIN THE PEOPLE THEY HIRE AS INSTRUCTORS. THROUGHOUT THE COUNTRY, IN FORTY-ONE OF THE FIFTY STATES, INSTRUCTOR TRAINING HAS BECOME THE RESPONSIBILITY OF THOSE WHO EMPLOY THE INSTRUCTOR. SPECIFIC TRAINING CURRICULUMS AND STANDARDS ARE WIDELY AVAILABLE AND MAKE IT EASY FOR STATE GOVERNMENTS TO MONITOR PERFORMANCE.

MOST STATES REQUIRE AN INITIAL FORTY-FIVE HOURS OF TRAINING TO ENABLE THE APPLICANT TO TRAIN NEW DRIVERS BEHIND THE WHEEL AND AN ADDITIONAL FORTY-FIVE HOUR PROGRAM TO INSTRUCT THE CLASSROOM PHASE OF DRIVER TRAINING. WE HAVE AN INDUSTRY AND POLICY STANDARD DOCUMENT THAT ADDRESSES THE TESTING OF INSTRUCTOR APPLICANTS AFTER THEY COMPLETE THEIR TRAINING. THIS PROVIDES A CHECK AND BALANCE WHICH HELPS INSURE A QUALITY PROGRAM.

IN CLOSING, AS A RESULT OF INSTRUCTOR TRAINING PROGRAMS BEING ELIMINATED OUTSIDE THE DRIVING SCHOOL INDUSTRY, IT IS IMPERATIVE TO OUR FUTURE THAT YOU JOIN THE STATES WHO ALREADY ALLOW INSTRUCTOR TRAINING THROUGH APPROVED PROGRAMS. FEEL FREE TO CONTACT ME IF I CAN BE OF FURTHER ASSISTANCE.

SINCERELY,



JACK SOUSA

PRESIDENT HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 2-3

JS/LMD

DEDICATED TO SAVING LIVES IN THE AMERICAS

## SENATE BILL No. 553

By Senator Vancrum

1-20

8 AN ACT concerning drivers' training schools; relating to qualifications  
9 for instructors; amending K.S.A. 8-276 and repealing the existing  
10 section.

11  
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 8-276 is hereby amended to read as follows:  
14 8-276. Every person in order to qualify as an instructor for a driving  
15 school shall meet the following requirements:

16 (a) Be of good moral character.

17 (b) (a) Present to the state board evidence of: (1) Credit in driver  
18 education and safety from an accredited college or university equiv-  
19 alent to credits in those subjects which are required of instructors  
20 in the public schools of Kansas or have; (2) having a valid Kansas  
21 teacher's certificate coded for driver education; or (3) having at least  
22 30 hours of classroom and 24 hours of behind the wheel training  
23 under the direct supervision of an individual who is presently li-  
24 censed as an instructor by the state board and who has been con-  
25 tinuously licensed and who has actively instructed students for a  
26 period of at least three years.

27 (c) (b) Be physically able to operate safely a motor vehicle and  
28 to train others in the operation of motor vehicles.

29 (d) (c) Provide a certificate of health from a medical doctor stating  
30 that he or she such person is free from contagious disease.

31 (e) (d) Hold a valid operator's or chauffeur's Kansas drivers'  
32 license.

33 (f) (e) Pay to the state board an application fee of five dollars  
34 (\$5) \$5.

35 Sec. 2. K.S.A. 8-276 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after  
37 its publication in the statute book.

2-14-94  
I agree that there is a problem  
finding qualified instructors and I do  
support this bill. *[Signature]*

HOUSE TRANSPORTATION

March 7, 1994

Attachment 2-4

Swartz Driving Academy  
501 Delaware St.  
Suite #19 Leavenworth, KANSAS  
66048

BOB VANCURUM  
SENATOR, ELEVENTH DISTRICT  
OVERLAND PARK, LEAWOOD,  
STANLEY, STILWELL, IN  
JOHNSON COUNTY  
9004 W. 104TH STREET  
OVERLAND PARK, KANSAS 66212  
(913) 341-2609



TOPEKA

SENATE CHAMBER  
STATE CAPITOL  
TOPEKA, KANSAS 66612-1504  
(913) 296-7361

COMMITTEE ASSIGNMENTS

VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES  
MEMBER: WAYS AND MEANS  
JUDICIARY  
MEMBER: COMMERCE, LABOR AND REGULATIONS  
COMMITTEE, NATIONAL CONFERENCE ON  
STATE LEGISLATURES  
MEMBER: ENVIRONMENTAL TASK FORCE,  
COUNCIL ON STATE GOVERNMENTS

TESTIMONY FROM SENATOR BOB VANCURUM

TO

SENATE TRANSPORTATION COMMITTEE

RE: SENATE BILL 553

I introduced Senate Bill 553 after having had several meetings this summer with the owners of private drivers training schools in the State of Kansas. In fact, I also set up a meeting with them and the top officials of the Department of Education concerning several of their grievances with the department. As you may recall, I have a bill in this committee that I introduced last year which would take the regulation away from the Department of Education and give it to the Department of Revenue. Unfortunately, Revenue Department refuses to take this jurisdiction.

I really believe it is very inappropriate for the State Department of Education, which is principally concerned with public schools to be the ones regulating private driving schools. To say the least, there is a great potential for conflict of interest. But no one else seems to want to take on more supervisory duties.

One of the principal problems that schools have had is obtaining qualified new instructors that they can use during the summer months, which is their peak season. Currently the only certification training approved by the Department of Education is a nine week course conducted at Emporia State during the summer. People that the schools put into this course cannot get their certification until September. The schools have repeatedly asked the Department of Education to either license a spring course or allow them to train their own instructors with the curriculum to be regulated by the department. The bill before you would allow instructors that have a substantial amount of experience to instruct their own instructors. The behind the wheel training time is actually superior to that required in the Emporia State course. I would anticipate the department would oppose this bill, but I would ask you if they do so ask them why they are doing nothing to help the private schools meet their need for instructors.

These driving schools perform a substantial public service in giving non-traditional or older students an opportunity to learn to drive without the embarrassment and inconvenience of going to drivers education courses with secondary school students and also permit regular students who do not want to give up a class period where they could be earning academic credit or even college credit to take a drivers education course. There is no reason why we should not support the continuance of these usually small family owned driving schools.

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 2-5

Statistics By State	Alabama	Alaska	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	Dis. of Co	Florida	Georgia	Hawaii	Idaho	Illinois
Laws Enacted		87	85		73	70	75			85	82	84	67	75
Classroom Requirements (Hours) * Ages 15 yrs 9 mos ** Mandatory - Prelicensing *** Under Age 18		0	0		8	*30	30			8	8	0	30	6 *30
Instructor/College Requirements		N	N		N	N				N	N	N	Y	N
Contract Required		N	N		N	OPT	N			Y	Y	N	N	N
Governing Body		DPS	DOT		DPS	DOR	DMV			DHS	DPS	DOT	BOE	SOS
Insurance & Bond Requirements		NOR 0	NOR 0		NOR 2m	NOR 0	NOR 2m			NOR 0	NOR 25m	NOR 0	NOR 0	NOR 10m
Physical Examination Kansas - every 3 years Oklahoma - Initial appl. Texas - Initial appl. Colorado - Eye Test Only Connecticut - Initial app.		N	INIT		N	EYE	INIT			Y	INIT	N	Y	N
Minimum Age * Approved Driver Course ** Parental Consent	16	16	18 **16	18	18 *16	21 18P *16	18 *16	18 *16	18 *16	*16	21 *16	18 *15	*16	*16
Branch Offices		Y	Y		Y	Y	Y			Y	Y	Y	Y	Y

12,000 driving instructors nation-wide  
Approximately 1% are college certified

# Statistics By State

	Indiana	Iowa	Kansas	Kentucky	Louisiana	Maine	Maryland	Massachuse	Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska
Laws Enacted	68	85	67	85	93	81	87		88	71				
Classroom Requirements (Hours) * Ages 15 yrs 9 mos ** Mandatory - Prelicensing *** Under Age 18	8		8	5	6	30	30		**30	30		0		6
Instructor/College Requirements	N		Y	N		N	N		N	N		N		N
Contract Required	OPT		Y	Y		OPT	N		Y	OPT		N		N
Governing Body	DMV		BOE	ST POL		DMV	DOT		BDI	DPS		DR		DMV
Insurance & Bond Requirements	NOR 0		200m 25m	NOR 25m		NOR 0	NOR 10m		NOR 25m	NOR 10m		NOR 2m		NOR 10m
Physical Examination Kansas - every 3 years Oklahoma - Initial appl. Texas - Initial appl. Colorado - Eye Test Only Connecticut - Initial app.	INIT		Y	INIT		EYE	N		Y	INIT		N		N
Minimum Age * Approved Driver Course ** Parental Consent	18 **16	18 *16	16 *15	18 **16	18 **15	17 *16	18 *16	17 *16	18 *16	18 *16	15	16	16 *15	16 *17
Branch Offices	Y		N	Y	Y	Y	Y		N	Y		Y		Y

12,000 driving instructors nation-wide  
Approximately 1% are college certified

Statistics By State	Nevada	New Hampsh.	New Jersey	New Mexico	New York	North Car.	North Dako	Ohio	Oklahoma	Oregon	Pennsylvan.	Rhode Isla.	South Car.	South Dako
Laws Enacted	87	85	88		87		85		67	86	81			
Classroom Requirements (Hours) * Ages 15 yrs 9 mos ** Mandatory - Prelicensing *** Under Age 18	0	30	6		5**		6		10	0	0			
Instructor/College Requirements	N	Y	N		N		N		N	N	N			
Contract Required	N	N	Y		N		Y		N	N	OPT			
Governing Body	DMV	DMV	DPS		DMV		HP		DPS	BOE	DPI			
Insurance & Bond Requirements	NOR 10m	NOR 0	250m 25m		NOR 0		NOR 0		NOR 0	NOR 0	50m 0			
Physical Examination Kansas - every 3 years Oklahoma - Initial appl. Texas - Initial appl. Colorado - Eye Test Only Connecticut - Initial app.	N	Y	N		N		INIT		Y	N	INIT			
Minimum Age * Approved Driver Course ** Parental Consent	**16	18	**17	16	18	18	16	18	18	**16	**16	16	16	16
Branch Offices	N	N	Y		N		Y		Y	Y	Y			

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 2-8

12,000 driving instructors nation-wide  
Approximately 1% are college certified

Statistics By State	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming	
Laws Enacted		79	86	83	89	84		85		
Classroom Requirements (Hours) * Ages 15 yrs 9 mos ** Mandatory - Prelicensing *** Under Age 18		8	18	*** 30	*** 36	8		30		
Instructor/College Requirements		N	Y	N	Y	Y	REQUIREMENTS	N	REQUIREMENTS	
Contract Required		Y	Y	N	OPT	N		Y		
Governing Body		DPS	DPS	DMV	BOE	DMV	NO REQUIREMENTS	DOT	NO REQUIREMENTS	
Insurance & Bond Requirements		NOR 0	NOR 0	NOR 0	NOR 0	NOR 0		NOR 0	NO REQUIREMENTS	
Physical Examination Kansas - every 3 years Oklahoma - Initial appl. Texas - Initial appl. Colorado - Eye Test Only Connecticut - Initial app.		Y	Y	N	N	Y		INIT		
Minimum Age * Approved Driver Course ** Parental Consent	16	18 *16	*16	18 **16	18 *16	18 *16	18	18 *16	**16	
Branch Offices		Y	N	N	N	Y		N		

12,000 driving instructors nation-wide  
Approximately 1% are college certified



Proposed Curriculum for the training of driving instructors leading to the testing and certification by the Kansas Division of Motor Vehicles.

We recommend the following courses be taught. The hourly breakdown show 30 hours. The absolute minimum should be no less than 16 hours of classroom training.

<u>Hours</u>	<u>Subject</u>
2	Kansas Traffic Laws
2	Evolution and Impact of Vehicles and Highways
3	Responsibility of Vehicle Operation Understanding kinetic energy, centrifugal force, gravity, tire design, steering and braking, hydroplaning, adhesion.
3	Mechanical and Control Features of the Vehicle Instrumentation, seat and steering wheel design, car care maintenance.
3	Environmental Dynamics of Driving Weather, road conditions, traffic conditions.
3	Psychophysical Aspects of Driving Absorbing energy, bone structure, mental attitude, emotions.
2	Record Keeping Basic in-house record keeping
2	Course Development and Scheduling Time management, communication skills
3	Driving Procedures Pre-driving skills
2	Effects of Drugs and Alcohol
3	Test Administration Learning to administer tests for color vision, peripheral vision, acuity, depth perception and reaction timing.
2	First Aid

30 hours total



Textbooks Used: Kansas Driving Handbook (8/88)  
Handbook Plus (DSAA/92)  
Red Cross CPR Handbook

Films Used: You As A Driver  
Expert Seeing Habits  
Your Responsibility As A Driver  
Seven Deadly Sins  
Turn Left - Right  
High Performance Driving Skills (Mercedes-Benz)  
The Hazards of Drugged Driving  
Survival (Mazda)  
High Speed Sign Reading and Navigation  
You Auto Know

We recommend the following in-car training be given. The applicant should have 5 hours in each of the following procedures totaling 40 hours. The absolute minimum should be no less than 24 hours of in-car training.

#### Predriving Checks and Procedures

Outside Predriving Checks: checks under car; checks for children, pets and other objects; checks for leaks and/or damage to the car; checks tires. All these are visual procedures.

Inside Predriving Checks: enters car safely; assumes proper position behind the steering wheel; places key in ignition; closes and locks door (requires same of passengers); adjusts ventilation; adjusts seat; adjusts head restraint; adjusts rear view mirrors; fastens seat belt (requires same of passengers).

#### Starting and Stopping

Starts engine properly; checks parking brake; right foot on brake firmly/selects proper gear position; checks mirrors; blind spot and gives proper signal before pulling out; hands in proper position on steering wheel; releases foot brake and accelerates smoothly; checks traffic before stopping and signals to stop; does not ride brake; brakes smoothly and stops in the right position; leaves car in the proper park position, removes key from ignition and leaves the car safely.

#### Residential Driving/Steering and Turning the Car

Gives proper signal for turns; signals 100 feet ahead of a turn; checks traffic left-right-left at all unmarked intersections; uses proper turning points; completes all turns in proper land; makes all turns at correct speed; accelerates slightly out of turns; uses hand over hand steering techniques where needed; uses proper recovery techniques (hand over hand or controlled slipping); observes all stop and yield signs and all speed limits.

#### Turning the Car Around/Three-Point Turn and Driveway

Chooses site that is legal and safe for 3-point turn; signals right turn/flashes brake lights; pulls to the far right and stops; signals left turn/checks traffic; turns wheels sharply left/aims for far side of street; stops near curb/turns wheel sharply right without bumping curb; checks traffic/backs slowly/straightens wheels/stops; drives forward slowly into chosen lane; signals and enters driveway squarely; checks traffic/backs slowly into proper traffic lane; straightens wheels and drives forward in proper lane.

#### Angle/Perpendicular/Hill Parking

Checks traffic/signals right turn/flashs brake light; positions car correctly for turning in space; turns sharply right/enters space slowly checking left front bumper and right front fender clearance; centers car in parking space/picks up correct angle; does not bump curb, stanchion lines or cars on sides; checks traffic/moves back slowly until street is visible; checks for clearance/turns sharply right/back into nearest lane; backs until car is parallel/straightens wheels/moves ahead; parks uphill with front wheels turned out toward street; parks downhill with front wheels turned in toward curb; parallel parking as instructed.

#### Rural and Highway Driving

Regulates speed according to road conditions; uses accelerator to reduce, maintain, and increase speed; uses brake properly to slow and/or stop car; selects speed appropriate for road design, type and condition; centers in lane/uses target steering (aim high and center); overtakes and passes properly using 4-step procedure (mirrors, signal, glance, check blind spot), go; maintains proper space cushion (3-second rule); observes all right-of-way rules at intersections; slows down at crest of hills/obstacles or approaching traffic.

#### Heavy City Traffic

Moves along properly with traffic/obeys speed limits; maintains a safe cushion on all sides; maintains a proper following distance/drives defensively; watches ahead for obstacles in lane; yields right-of-way to pedestrians/stops behind pedestrian cross walks; looks ahead/avoids running yellow or red lights; gets into proper lane for all turns/intersects properly at all intersections/signals intentions; makes all lane changes correctly (mirrors, signals, blind spot), change lane; checks for one-way street signs/other traffic control signs/both sides of street; turns into proper lane when turning from a two-way to a one-way street; uses proper lane when turning from a one-way to a two-way street; uses proper lane when turning from a one-way to a one-way street; steers, brakes and accelerates smoothly.

Road Test

Performs all outside predriving checks; performs all inside predriving checks; observes and obeys all traffic regulations; observes proper following distance formula; turns, accelerates and brakes smoothly; properly judges time-space gap for passing; knows and uses emergency power when necessary to pass (passing gear); slows for road hazards and railroad crossings; completes 3-point turn correctly on first try; parallel parks within 12 inches of curb on first try; angle and perpendicular parks without touching stanchion lines on first try; cranks window up and down without abrupt change in steering; has good attitude in driving and is patient with other highway users; able to read road signs aloud verbatim; able to use proper emergency starting procedures when necessary; accepts and utilizes constructive criticism.

BOB VANCURUM  
SENATOR, ELEVENTH DISTRICT  
OVERLAND PARK, LEAWOOD,  
STANLEY, STILWELL, IN  
JOHNSON COUNTY  
9004 W. 104TH STREET  
OVERLAND PARK, KANSAS 66212  
(913) 341-2609



TOPEKA

SENATE CHAMBER  
STATE CAPITOL  
TOPEKA, KANSAS 66612-1504  
(913) 296-7361

COMMITTEE ASSIGNMENTS

VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES  
MEMBER: WAYS AND MEANS  
JUDICIARY  
MEMBER: COMMERCE, LABOR AND REGULATIONS  
COMMITTEE, NATIONAL CONFERENCE ON  
STATE LEGISLATURES  
MEMBER: ENVIRONMENTAL TASK FORCE,  
COUNCIL ON STATE GOVERNMENTS

TESTIMONY FROM SENATOR BOB VANCURUM  
TO  
HOUSE TRANSPORTATION COMMITTEE  
RE: SENATE BILL 553

I introduced Senate Bill 553 after having had several meetings this summer with the owners of private drivers training schools in the State of Kansas. In fact, I also set up a meeting with them and the top officials of the Department of Education concerning several of their grievances with the department. As you may recall, I have a bill in this committee that I introduced last year which would take the regulation away from the Department of Education and give it to the Department of Revenue. Unfortunately, Revenue Department refuses to take this jurisdiction.

I really believe it is very inappropriate for the State Department of Education, which is principally concerned with public schools to be the ones regulating private driving schools. To say the least, there is a great potential for conflict of interest. But no one else seems to want to take on more supervisory duties.

One of the principal problems that schools have had is obtaining qualified new instructors that they can use during the summer months, which is their peak season. Currently the only certification training approved by the Department of Education is a nine week course conducted at Emporia State during the summer. People that the schools put into this course cannot get their certification until September. The schools have repeatedly asked the Department of Education to either license a spring course or allow them to train their own instructors with the curriculum to be regulated by the department. The bill before you would allow instructors that have a substantial amount of experience to instruct their own instructors. The behind the wheel training time is actually superior to that required in the Emporia State course. I would anticipate the department would oppose this bill, but I would ask you if they do so ask them why they are doing nothing to help the private schools meet their need for instructors.

These driving schools perform a substantial public service in giving non-traditional or older students an opportunity to learn to drive without the embarrassment and inconvenience of going to drivers education courses with secondary school students and also permit regular students who do not want to give up a class period where they could be earning academic credit or even college credit to take a drivers education course. There is no reason why we should not support the continuance of these usually small family owned driving schools.

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 3

TESTIMONY FROM KURT WINTERHALTER

TO

HOUSE TRANSPORTATION COMMITTEE

RE: BILL 553

My name is Kurt Winterhalter. I reside in Wichita, and have been employed by Cyr's Driving school as an instructor, for the past seven years. I have been teaching adults, teenagers, and non-traditional students to drive safely. In our business, we provide one on one instruction, and emphasis in-car training.

The public has a need for quality driver training, at a reasonable cost. For us as a commercial school to provide this, we must be able to tap the labor market for quality potential instructors, selectively screen them, and prepare them for the task of training the public to drive competently. Current requirements for college credit hours, and their unavailability, prohibit us from hiring and employing instructors.

The public is willing to pay for our services as professional instructors. Their referrals, and their second daughter or son coming to our school, are what keeps us in business. All that we are requesting is a law change that would allow us to train our own instructors for commercial driving schools, so we will have instructors available in the future to meet the need of the public to have quality driver training.

Currently, there is only one state university where driver education teacher course are offered. These courses are offered periodically at E.S.U. depending on the enrollment number. In the recent past, they have not been offered based on low enrollment. It can take up to a year to get a person certified, and this is too long. The college courses are only offered once a year and take nine weeks in the middle of the summer to complete. From a business point of view, the timing, length, and frequency of this program doesn't meet the need of educating instructors.

We are asking for the option to train our own instructors, then have them tested and certified by the state. After our training, and state testing, we will put them in \$15,000 automobiles, as trained representatives of our schools. Without training our employees properly for the task, no school owner would want the liability or the destruction of their reputation.

Please allow us this option of training our instructors. It is being done in over 40 other states. The majority of driving schools in Kansas support it. These are schools that have a combined total of over 68 years in the business, which see the need for a continuous supply of trained instructors.



TWIN CITY DRIVER EDUCATION  
4503 W. 90th Street  
Prairie Village, KS 66207-2303

6 March 1994

My name is Jack West. My wife, Terri, and I own Twin City Driver Education, which is located in Prairie Village, Kansas. We are opposed to Bill 553 that would allow commercial driving schools in the state of Kansas to train and certify their own instructors. There are several important factors that we think must be considered in evaluating bill 553.

1. Commercial driving schools follow the guidelines of the Kansas Department of Education and the Division of Vehicles. These agencies allow us to offer a program consisting of 8 classroom hours, and 6 behind-the-wheel hours to our students. We are authorized to obtain permits and issue a certificate of completion (this exempts the student from having to be tested with a state examiner, we pass the student only after they have reached driving competence) to each student who successfully completes our course. Would this situation be put in jeopardy if the commercial driving schools no longer use college trained instructors? Will the Department of Education and Division of Vehicles continue to allow us this process if the instructors have no formal training in driver education or traffic safety?
2. If the Department of Education and Division of Vehicles will no longer allow commercial driving schools to issue the permits and certificates of completion for the license, are the driver license testing offices staffed for the increased workload? Kansas is, to my knowledge, the only state in the nation that works so closely with its commercial driving schools as to allow them to essentially license students. This partnership has certainly relieved the Division of Vehicles of some workload and saved them the time and money that would be needed if several hundred or thousand additional people would need to be put through the licensing process each year. It is to our mutual benefit to keep this relationship on good terms, and I worry that lowering the standards we have for drivers would hurt this partnership that has worked pretty well over time.
3. If we were able to hire someone that had no background in education or driver training for considerably less than an instructor who is currently certified, would this not degrade the quality of instruction that we give? The classroom training time that would be given to the instructor according to this bill (30 hours) would mean that a high school student would be in the driver education class (also 30 hours mandated by State Board of Education) as long as someone who is being certified to teach driver education commercially. This does not seem right.
4. Some very high dollar amounts have been used in determining what it would cost the Board of Education to do the written and behind-the-wheel testing. I do not understand why these costs would be so great. However, if the costs are as high as they have been estimated, I am not sure any driving schools would be able to afford to use the process anyway.

The downside to my testimony is that I have no solutions to offer regarding this issue. We do agree with the other school owners that it is difficult to find good certified instructors. Emporia State does a fine job, but its program being in the summer does prevent using them as we would like for the same reason others mentioned before (summer being high season). It would be convenient if this were offered by other universities or at the community college level, as well as offering the courses year-round. However, this does not appear to be in the cards at this time.

We would like to see university educators continue to train driving instructors at the college level. We do not believe driving school owners are qualified to train driving instructors nor do we think it is in the best interest of our industry or state to do so.

Sincerely,

Jack (Leonard J.) West                      Terri D. West  
Co-owners, TWIN CITY DRIVER EDUCATION

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 5

March 7, 1994

DR. NOEL O. MINTZ, PROFESSOR  
TEACHER EDUCATION  
EMPORIA STATE UNIVERSITY

*Noel O. Mintz*

RE: SENATE BILL #553

This committee deserves to have some discrepancies made clear that have been included in the development of this bill. It doesn't make sense to have a school, (Driving School) or any other school to be training and certifying their own instructors. It has been suggested that the State Board of Education provide a test to be sure that those candidates who have completed such training have been properly prepared. Such a test is not presently available, as far as I know for any subject area, and certainly not for testing individuals such as are indicated in this bill. To develop such a test will be very time consuming and expensive and after it is done I believe the validity of such a test would be in question.

I understand the problem that exists for the driving schools in securing teachers. I am sure that they want quality teachers with adequate training. I am also sure that if they want a professional they will need to expect to pay them a professional wage. Presently Emporia State University has the only Driver Education Teacher Preparation Program available in the State of Kansas. The program has an excellent reputation and has been provided every year since 1963. It has been possible, for more than 20 years, to secure the driver and safety education courses required for certification every summer session. The series of courses are provided during a nine week session each summer. They consist of General Safety Education, 3 semester hours, Driver Education I, 3 semester hours, and Driver Education II, 3 semester hours. The total in-class time for the courses is 107 1/2 hours, with approximately the same amount of time required for out of class study and activities. Aside from the obvious instruction in course content and teaching techniques, great emphasis is placed upon attitude development--helping the student realize the seriousness of the task. The development of an appropriate attitude is a very time consuming activity and an activity that is difficult to evaluate, hence the extreme difficulty of determining the quality of an individual trained by someone else. I suggest to you that most accidents are NOT caused because a person has a lack of knowledge of the driving task or a lack of skill in driving the automobile, but rather because of a shoddy attitude and or carelessness. I believe that the same thing can be said of driver education teachers, therefore, considerable effort should be made to develop a good teacher attitude. I consider the courses offered at Emporia State University to be the bare minimum that should be required of anyone preparing teachers for the serious task of teaching others how to drive an automobile. Those students approved for certification for teaching in the public schools must also be certified for teaching some other academic course at the secondary level.

HOUSE TRANSPORTATION  
March 7, 1994  
Attachment 6-1



As for my experience in teaching driver education, I have been teaching the teacher preparation courses at Emporia State University since the Fall Semester, 1964. I am a member of the Board of Directors of the American Driver and Traffic Safety Education Association. I am a member of the Kansas Driver and Safety Education Association and serve on the Kansas Driver Education Advisory Council for The Kansas State Board of Education. The Driver Education Program recently has been approved by the NCATE accrediting agency as a part of The Teachers College evaluation.

I would like to add the following comments to my supporting of  
BILL 553:

Please read this analogy----Let's assume that my neighbor (or yours) has a teenage child who is old enough to drive (15). They go to the M.V.D., pass the handbook exam and eye exam, and receive a learner's permit. Now that neighbor can go out with their child and teach them how to drive a car; this is perfectly legal. On the other hand, I have a prospective teacher whom I am grooming to be a D.E. instructor and give them 54 hrs. of training; plus the usage of an automobile equipped with dual-controls, dual mirrors, and a student driver sign. If I were to send them out to teach your neighbor's daughter this would be breaking the law because they are not certified. However, your neighbor, with no teaching experience nor a dual-controlled car can teach that child. Does this make sense???

Also, keep in mind that we are not proposing to eliminate any of the current requirements, but merely adding another option.

Again, the State Dept. of Ed., would certify and license the instructor. We would train our instructors to become licensed. I would encourage this change to be monitored by either the M.V.D or the D.O.E.

I thank you for this consideration!!!

JOHN HOWLAND  
MIDWEST DRIVING School  
LAWRENCE, KS.

REASONS FOR ADOPTING BILL # 553:

1. At one time there were 5 state universities offering the driver education teacher courses for instructor certification. Now, there is only one and that is at Emporia State University.
2. These 3 courses (6 hrs. of driver safety and 3 hrs. of general safety) are offered periodically at E.S.U. depending on the enrollment number. It usually takes over a year to get certified and this is too long.
3. Most all undergraduate college courses can be challenged (or tested out of) but we have been told that a person cannot challenge these courses at E.S.U. because of school policy. Testing out usually enables a student to enroll in a class and within the first week of class they may take the final exam for course credit.
4. Some people may feel that the current certified instructor (or commercial school) may hire someone whom is incompetent. I ask you, "what school owner would hire someone whom is unprofessional or incompetent and turn them loose in a \$15,000 automobile for driving lessons?" Not to mention destroying the reputation of their school and also the liability factor.
5. At the present, the certified instructor has the right and responsibility to judge if a student can satisfactorily complete a Driver Education course. Therefore, this instructor, or school owner, should be able to decide (after the training) when an instructor is ready to teach the students.
6. Keep in mind, we are not proposing to eliminate any of the current requirements, but merely adding another option.
7. The proposed recommended hours of classroom and In-Car training surpasses the current number of hours for certification offered by any college or university in the state of Kansas.
8. If needed, this new certification option could be monitored by the State Dept. of Ed. or the Motor Vehicle Dept.
9. Due to the Driver Ed. programs being cut in the public school systems, few teachers are being certified in that area of expertise. Therefore, it is more difficult for a commercial driving school to find more certified instructors.
10. The instructional package for bill # 553 includes not only teacher preparation in classroom and In-Car training, but also involves the understanding and application of business aspects in operating a successful commercial driving school.
11. The general safety course that is currently required is not applicable to Driver Safety. The General Safety course that I completed deals with keeping "roller skates off of the stairs, and keeping the lids secure on all medicines and cleaning products and out of the reach of children.
12. This concern has been recommended to the State Board of Education that they offer these certified courses in the summer months, or by monthly modules, to shorten the certification time frame, but we have gotten no response. Hence, this is the reasoning behind bill # 553.