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P U B L I C H E A R I N G

before

ASSEMBLY EDUCATION COMMITTEE

ASSEMBLY BILL 4107
(Establishes State certified driver education program)

ASSEMBLY BILL 4108
(Provides insurance premium reduction for completion of driver education courses)

January 30, 1989
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Elizabeth E. Randall, Vice Chairman
Assemblyman Gerard S. Naples

ALSO PRESENT:

Assemblyman Joseph M. Kyrillos
Assemblyman Patrick J. Roma

David Rosen
Office of Legislative Services
Aide, Assembly Education Committee

* * * * * *

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New Jersey State Legislature
ASSEMBLY EDUCATION COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
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January 19, 1989

NOTICE OF PUBLIC HEARING

on

Assembly Bill No. 4107
(sponsored by Assemblyman Roma & Assemblyman Kyrillos)

Establishes State certified driver education program.

and

Assembly Bill No. 4108
(sponsored by Assemblyman Kyrillos & Assemblyman Roma)

Provides insurance premium reduction for completion of driver education courses.

The Assembly Education Committee will hold a public hearing as follows:

Monday, January 30, 1989 at 10:00 a.m. in Room 341 of the State House Annex, Trenton New Jersey.

Anyone wishing to testify should contact David J. Rosen, aide to the committee at (609) 984-6843 and should submit copies of their testimony to the committee on the day of the hearing.

ASSEMBLY, No. 4107

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1989

By Assemblymen ROMA, KYRILLOS, Palaia, Assemblywoman Farragher, Assemblyman Bennett, Assemblywoman Smith, Assemblymen Pascrell, Naples, Assemblywoman Randall, Assemblyman Schuber, Assemblywoman Ogden, Assemblymen Marsella, Stuhltrager, Collins, Genova, Kern, Rooney, Assemblywoman Crecco, Assemblyman Kelly, Singer, Haytaian, Schwartz and Cimino

AN ACT concerning driver education and supplementing chapter 35 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in this act, "driver education course" means a course of instruction offered by a public or non-public school in the use and operation of motor vehicles, including classroom instruction and behind-the-wheel training designed to promote safe driving, highway courtesy, and an understanding and respect for the State's motor vehicle laws.

2. The State Board of Education, in consultation with the Commissioner of Education and the Director of the Division of Motor Vehicles and the Director of the Office of Highway Traffic Safety, both in the Department of Law and Public Safety, shall develop and monitor a certified driver education program. The purpose of this program shall be to provide curriculum guidelines, instructional materials and other appropriate assistance for the teaching of certified driver education courses. The curriculum guidelines and instructional materials shall be utilized by any local school district or non-public secondary school which applies for and receives State certification for its driver education courses pursuant to this section. The guidelines shall include standards for behind-the-wheel driver training, whether provided by a school or under contract, as well as requirements for the training of teachers of driver education. A teacher of a certified public school driver education course shall hold an endorsement in driver education as promulgated by the Department of Education, in consultation with the Division of Motor Vehicles and the Office of Highway Traffic Safety. No person whose driver's license is suspended or revoked may teach driver education in a

State-certified secondary school driver education course.

3. Public and non-public secondary schools which offer State certified driver education courses shall be eligible for funding from the Driver Education Fund established under P.L....., c..... (C.....), (now pending before the Legislature as Assembly Bill No. .... of 1988).

4. A school district may join with any other school district or districts, according to rules promulgated by the Commissioner of Education with the approval of the State Board of Education, to provide programs pursuant to this act.

5. The Commissioner of Education, in consultation with the Attorney General, shall, with the approval of the State Board of Education, promulgate rules and regulations, establish procedures, employ personnel, and take all other necessary steps to carry out this act.

6. This act shall become effective on the first day of the fifth month after its enactment for the purpose of promulgating rules and regulations but shall not become operative until the passage of P.L. ....., c..... (C.....), (now pending before the Legislature as Assembly Bill No. .... of 1988), which establishes a Driver Education Fund in the Division of Motor Vehicles.

STATEMENT

This bill provides for the establishment of a State certified driver education program. It is one of a package of two bills designed to address declining sponsorship of driver education courses by the State's secondary schools. The bills represent a coordinated effort to improve and encourage driver education in New Jersey through curriculum development, financial incentives for schools and automobile insurance discounts.

This bill provides for uniformity in both the curriculum and instructional materials to be utilized by secondary schools that elect to sponsor certified driver education courses. The State Board of Education, in consultation with the Division of Motor Vehicles and the Office of Highway Traffic Safety, both in the Department of Law and Public Safety, would be responsible for developing and establishing curriculum guidelines, and providing

instructional materials and other assistance related to the teaching of certified driver education courses in the schools. Requirements for the training of driver education teachers would be included in the guidelines. This bill provides incentives for public school districts, as well as for non-public secondary schools, to establish certified driver education courses. The bill would enable secondary schools that comply with the State guidelines to:

a) offer driver education courses that are officially recognized or "certified" by the State; and

b) offer driver education courses that are eligible for funding from a State Driver Education Fund, established in a companion bill.

The second bill in the driver education package makes students who complete a satisfactory driver education course eligible for an automobile insurance rate reduction for five years. It also increases the driver's license suspension restoration fee by $25. The increased revenues would be used to establish a State Driver Education Fund, which would provide matching grants to schools.

The percentage of secondary schools offering comprehensive driver education programs in New Jersey declined from 96 percent in 1976 to 40 percent in 1986, according to a recent report of the New Jersey State Safety Council. The council cited educational budget constraints as a major factor in this decline.

MOTOR VEHICLES

Education

Establishes State certified driver education program.

ASSEMBLY, No. 4108

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1989

By Assemblymen KYRILLOS, ROMA, Palaia, Assemblywoman Farragher, Assemblyman Bennett, Assemblywoman Smith, Assemblymen Pascrell, Naples, Assemblywoman Randall, Assemblyman Schuber, Assemblywoman Ogden, Assemblymen Marsella, Stuhltrager, Genova, Kern, Rooney, Assemblywoman Crecco, Assemblyman Kelly, Singer, Haytaian, Schwartz and Cimino

AN ACT concerning driver education funding and private passenger automobile insurance discounts, amending P.L.1975, c.180 and supplementing P.L.1944, c.27 (C.17:29A-1 et seq.) and chapter 35 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. (New section) Every insurer writing private passenger automobile personal injury protection, bodily injury liability, property damage and collision and comprehensive insurance in this State shall provide, during the first three years following the operative date of this act, a discount of not less than 10 percent from the territorial base rate of every person, who, while attending secondary school, has successfully completed a driver education course certified by the Department of Education pursuant to P.L..... c..... (C.....) (now pending before the Legislature as Assembly Bill No. .... of 1988). The reduction in premium charges after the second year following the operative date of this act shall be an amount justified by the rate filer's actuarial experience.

The insurance rate reduction mandated by this section shall be available to an eligible driver for a period of five years after his completion of the driver education course or until he has accumulated, within the immediately preceding two year period, six or more motor vehicle points, as provided in Title 39 of the Revised Statutes. The allowance for a reduction of points in Title 39 of the Revised Statutes shall not apply for the purpose of determining a discount under this paragraph.

For the purposes of this act, "insurer" shall include the New Jersey Automobile Full Insurance Underwriting Association created pursuant to the provisions of P.L.1983, c.65 (C.17:30E-1 et seq.).

2. (New section) a. There is established in the General Fund the "Driver Education Fund" as a non-lapsing, revolving fund to be used solely to carry out the purposes of this act. There shall be paid into the fund (1) $25.00 from each driver license restoration fee required in section 23 of P.L.1975, c.180 (C.39:3-10a) (2) all interest received from the investment of monies in the fund, and (3) any other monies made available to the fund.

b. Monies in the fund shall be used for grants to help defray the cost of behind-the-wheel driver training. A school district or non-public secondary school which offers to its students driver education courses certified pursuant to the requirements of P.L..... c..... (C.....), (now pending before the Legislature as Assembly Bill No. ..... of 1988), shall be eligible to receive grants from the fund.

3. (New section) a. A qualifying school district or secondary school may apply to the Commissioner of Education annually for partial reimbursement of the cost of providing driver education during the preceding year. Application shall be made in a form prescribed by the Commissioner. The application shall include an accounting of the number of students who successfully completed a certified driver education course in the preceding year and an itemized summary of the cost of providing this education.

b. The Commissioner shall authorize reimbursement of school districts or non-public secondary schools, with approved applications, from monies deposited in the Driver Education Fund. Reimbursement shall be based on the number of students of the district or school who successfully completed a certified driver education course pursuant to section 2 of this act in the preceding year. Reimbursement per capita shall not exceed one-third of the amount established by the commissioner as the representative cost per student of providing certified behind-the-wheel driver training during the same period. Any monies distributed in this manner shall be exclusively utilized by the school district or school to defray the cost of behind-the-wheel courses for its students.

4. (New section) Funds provided to a local school district under the provisions of this act are not subject to the budget limitations established under section 25 of P.L.1975, c.212 (C.18A:7A-25).

5. (New section) The Commissioner of Insurance may promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of section 1 of this act.

6. The Commissioner of Education shall, with the approval of the State Board of Education, in consultation with the Attorney General, have authority to establish rules and regulations as are necessary to effectuate the provisions of section 3 of this act.

7. Section 23 of P.L.1975, c.180 (C.39:3-10a) is amended to read as follows:

23. The Director of Motor Vehicles [may] shall charge a fee of [$30.00] $55.00 for the restoration of any license which has been suspended or revoked by reason of the licensee's violation of any of the provisions of Title 39 or any regulation adopted pursuant thereto. The director may promulgate such regulations hereunder as he may deem necessary.

(cf: P.L.1982, c.53, s.1)

8. (New section) There is appropriated $3,750,000.00 from the General Fund as a loan to the Driver Education Fund, established in section 2 of this act. The appropriation shall be repaid to the General Fund as soon as practicable from the revenues accruing in the Driver Education Fund.

9. Section 1 and section 5 of this act shall take effect immediately for the purposes of accumulating actuarial experience and the promulgation of regulations, but shall not become operative in all other respects until the first day of the fifth month after enactment, but in no event until the enactment of Assembly Bill No. ..... of 1988 now pending before the Legislature which establishes a State certified driver education program. Sections 2, 3, 4, 6 and section 8 of this act shall take effect on the first day of the fifth month after enactment.

STATEMENT

This bill is part of a package of driver education bills designed to improve the quality of driving in New Jersey. It establishes a program for assisting secondary schools in the provision of driver education and provides resources to fund this program.

It also provides for automobile insurance premium discounts to be given for up to five years to drivers who have successfully completed a driver education course while in secondary school. The course would have to be certified by the State Department of Education under the requirements of a companion bill which establishes a statewide driver education curriculum.

This bill, along with the companion bill, is a response to a recent report of the Highway Safety Conference of the New Jersey State Safety Council. That report found that over the past 13 years, the percentage of public secondary schools that offered free comprehensive driver education programs dropped from 96 percent to 40 percent due to a lack of funds.

In the first three years following the operative date of the act, the insurance discount referred to above, would be at least 10 percent. After that, actuarial experience would be used to determine the discount. An eligible driver who accumulates six points for violations of the motor vehicle laws over two years would no longer be eligible for the discount.

The bill would add $25.00 to the driver's license restoration fee which is currently set at $30.00. The additional funds thus derived would be placed in a special Driver Education Fund which would be utilized to provide aid to school districts as well as to non-public schools offering certified driver education courses. Each year, the Commissioner of Education would determine the typical cost of a behind-the-wheel driver education course. The school district or non-public secondary school would be eligible to receive up to one-third of this amount for each student completing a certified driver education course. The bill also appropriates $3,750,000 as a loan from the General Fund to begin the program. This loan would be repaid as monies from the increased license restoration fees accrued in the Driver Education Fund.

MOTOR VEHICLES

Motor Vehicle - License and Registration

Provides insurance premium reductions for completion of driver education courses; creates Driver Education Fund and increases driver's license suspension restoration fees.

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ASSEMBLYWOMAN ELIZABETH E. RANDALL (Vice Chairman): Good morning everyone. We're going to get things under way. Good morning. I'd like to start this public hearing this morning. We will have the benefit of the transcript which we will be able to share with the full Committee. And the members, all of whom cannot be here today-- We will have Assemblyman Naples joining us shortly. Chairman Palaia is on his way but he is a little delayed. So, let me begin by first asking our aide David Rosen to state the purpose of our hearing here this morning.

MR. ROSEN (Committee aide): This hearing is being held to consider Assembly Bills 4107 and 4108 which comprise a two-bill Driver Education package.

Under Assembly Bill 4107, the State Board of Education, in consultation with the Commissioner of Education and the Directors of the Division of Motor Vehicles and the Office of Highway Traffic Safety, will develop and monitor a certified Driver Education Program. This program will provide curriculum guidelines, instructional materials, standards for behind-the-wheel driver training, and requirements for the training of teachers of Driver Education. These guidelines, materials, standards and requirements will be used by any high school which applies for and receives State certification for its Driver Education course.

Any public or non public high school which offers a State certified Driver Education course will be eligible for funding from the Driver Education Fund which is established by Assembly Bill 4108. Annually, the Commissioner of Education would determine the average cost of behind-the-wheel Driver Education courses. The school district or non public secondary school would be eligible to receive State aid equal to not more than one-third of this amount for each student completing a certified Driver Education course. The aid would be paid from a Driver Education Fund, which is established by A-4108 and

would be funded by an increase of $25 in the driver's license restoration fee which is currently set at $35. The bill also appropriates $3.75 million as a loan from the general fund to begin this program. The loan would be repaid as monies from the increased license restoration fees accrue in the Driver Education Fund.

Assembly Bill 4108 also provides for automobile insurance premium discounts to be given for up to five years to drivers who have successfully completed a certified Driver Education course while in high school. In the first three years following the operative date of the act, the insurance discount would be at least 10%. After that, actuarial experience would be used to determine the extent of the discount. An eligible driver who accumulates six points for violations of motor vehicle laws over two years would no longer be eligible for this discount.

These bill are a response to a recent report of the Highway Safety Conference of the New Jersey State Safety Council. That report found that over the past 13 years, the percentage of public secondary schools that offered free comprehensive Driver Education had dropped from 96% to 40%

ASSEMBLYWOMAN RANDALL: Thank you, David. We are pleased to have both sponsors here this morning. We have our former Education Committee member, Joe Kyrillos here. It's nice to see you, Joe.

ASSEMBLYMAN KYRILLOS: Thank you, Madam Chairman.

ASSEMBLYWOMAN RANDALL: And Bergen County's own, Assemblyman Pat Roma. Gentlemen, would you like to tell us about your bills?

ASSEMBLYMAN ROMA: If I may I'd like to testify in support of both of the bills, 4107 and 4108.

And as we are all aware in the State of New Jersey, we are constantly looking for insurance reform. We have in the Assembly passed a number of initiatives to try and lower the

premiums. This is another one of those programs designed to lower the insurance premiums.

It is a good bill -- or good package of bills, 4108 and 4107; 4107 setting up the program and providing for the Driver Education. We have seen a decline as noted over the last couple of years, more particular during the last 13 years that Driver Education has dropped from 96% to 40%. We're all very aware of the fact that with increased Driver Education that we will have less problem drivers on the road.

Coming down this morning on the Turnpike, I looked at the traffic conditions and I was thinking about this hearing -- thinking about the possibilities of somebody being in an accident, and certainly Driver Education is a way of bringing to everybody's attention the necessity for good drivers on the road.

It bring us to another important aspect. While the program is discretionary with the school board, it provides a funding mechanism. It provides an incentive for good drivers. And as indicated earlier, there is a 10% reduction for the first three years and then with actuarial experience, it would then go for the fourth and fifth years.

I would point out to the Chair and the Committee aide in 4108 there may be a typographical error: What was meant to be in the first paragraph "third year" is indicated as "second year." And the intent of the bill was to provide for a mandatory reduction for the first three years and then go to the rate actuarial experience in the fourth and fifth year.

What we have is a combination of bills that will affect our youthful drivers, those individuals that will participate in the program. And having a situation in our State -- as we are fully aware -- with the budgetary constraints, we have a funding mechanism.

Most of the people I have spoken to, quite frankly, are upset over the fact that they're continually paying for the

bad drivers. This is a situation in reverse; where the bad drivers will be funding the program for good drivers. So it provides not only the money necessary, but it also provides a very worthwhile program that will insure that we'll have safe drivers on the road.

I would like to thank not only the Committee, but also all of the people that have helped Assemblyman Kyrillos and myself in setting up this very important package of legislation. I understand that we have a number of witnesses here, and I would like to thank each and every one of them for being behind these bills and helping us to get them to this stage. Thank you very much.

ASSEMBLYWOMAN RANDALL: You're saying everybody is in support of these bills?

ASSEMBLYMAN ROMA: Well I believe we may have one person from the Division of Motor Vehicles-- The objection may be that somehow we are penalizing some of the bad drivers.

ASSEMBLYMAN KYRILLOS: Are they here today?

ASSEMBLYMAN ROMA: Perhaps they stayed home.

ASSEMBLYMAN NAPLES: What are you hiding for, Roiann? Come up here, will you? (laughter) Pretty girl like you, hiding.

ASSEMBLYMAN ROMA: But if I can reply to that one possible argument, my message will not be to the messenger but to the person that actually sent us the information from the Director of Motor Vehicles. We had a conversation concerning this, and quite frankly, I understand the concern that possibly we'd be charging certain people a certain amount of money. Under the present law, we realize if somebody loses their license that there is a restoration fee. All that we're doing is adding an additional $25.

If we take a DWI, we have a situation of a $1000 surcharge each year. We have a $250 fine, up to $400 for the first offense. I don't think that $25 is going to deter a lot of the people from getting their license back.

And if on the other hand, the Division feels that a scofflaw is going to be affected then I would submit rebuttal to the potential argument, that as a result of that, so be it: Have the bad drivers pay the $25. Thank you once again.

ASSEMBLYWOMAN RANDALL: It may have saved you the chance of -- the necessity of coming up a second time.

ASSEMBLYMAN KYRILLOS: You don't have to testify again. (laughter)

ASSEMBLYWOMAN RANDALL: I have another alternative. Thank you Assemblyman Roma and Assemblyman Kyrillos.

ASSEMBLYMAN KYRILLOS: Thank you, Madam Chairman and thank you, Gerry Naples for being here. I appreciate your holding this hearing. Obviously there's a lot of comment on this package of bills and we have quite a number of witnesses to come.

But as you all know, these bills are a reaction to a sobering report issued by the Highway Safety Conference of the State of New Jersey's Safety Council. And we're going to hear from Jim Hughes of that Council in a little bit. And we've already heard -- I'll try not to repeat myself -- what Pat Roma's already said. But approximately 60% of the school districts that offered Driver Education in 1976 have dropped those courses, and now we're down to a figure of 40%. And those statistics from the Conference Report also point out that young drivers are involved in more accidents than any other age group. And most tragically, the leading cause of death among people under age 25 is auto accidents.

Preserving the health and safety of our young people is reason enough to promote Driver Education but there are also financial considerations as well. The cost of auto crashes are borne by all individuals, adults and young people alike, through auto and medical costs, lost wages, lost taxes to the State, and the cost of social programs to assist those injured in car accidents.

According to the Conference Report, Federal figures indicate that the cost to New Jersey approaches $3.1 billion every year. And the bill will work as follows: The Department of Education in conjunction with the Office of Highway Traffic Safety will develop a certified Driver Ed. course. Any school district which offers a certified Driver Ed. course will receive up to one-third of the cost of that program per student. Students will then get a 10% auto insurance discount for at least three years as an incentive to pass the course.

The bills differ somewhat from the recommendations of the Conference Report, and we'll hear how in a little bit. The group argued that the legislation should require Driver Education as a condition for receiving a driver's license for all potential drivers in New Jersey. And the group also recommended that Driver Ed. should be mandated in all of our school districts.

I think that Pat Roma and I feel that it would be inappropriate to establish a required course without providing the funds to pay for it, and therefore, we introduced these bills to provide incentives. The money from the courses would come from an increase in the fee that is charged for the return of a suspended or a revoked driver's license as we've already heard.

The money for the course would come from this extra charge and the increase would go from $30 to $55. The $25 increase paid by the worst drivers in New Jersey would in this way underwrite a program to improve driver skills for our youngsters. So I look forward to hearing all the testimony today, particularly, in regards to the funding source.

I don't see anyone from the insurance industry today. We do have a letter from them. I'd like to hear their reaction on the 10% auto insurance discount. So, I thank you all.

ASSEMBLYWOMAN RANDALL: Thank you very much. Assemblyman Naples.

ASSEMBLYMAN NAPLES: Real quick. I'm not trying to be funny -- no, not much. Do you know that most of the time -- most often by agreement, the vast majority of school districts in our State, Drivers Ed. is taught by phys ed. teachers? So, I thought I'd just throw that out.

ASSEMBLYMAN KYRILLOS: Well, they're going to like this.

ASSEMBLYMAN NAPLES: I didn't say they're going to love you for it.

ASSEMBLYMAN KYRILLOS: We're going to have to get him on as a co-sponsor.

ASSEMBLYWOMAN RANDALL: Thank you very much. The Chair would like to invite both of you to come up and join our Committee for the balance of this hearing if you can. Thank you very much.

ASSEMBLYMAN KYRILLOS: Thank you.

ASSEMBLYWOMAN RANDALL: We would like to hear from Fred Miller. Fred is President of the New Jersey Driver and Traffic Education Association.

F R E D W. M I L L E R: Good morning. My name is Fred Miller. I'm the President of the State Driver Ed. Association. I'm also on the Driver Improvement Committee that worked on the legislation that was developed here. And coming up here this morning, as was mentioned earlier, certainly Driver Education -- the value of Driver Education, I think -- knowing coming up here was pretty difficult driving. I hope we all had a safe trip up, and we buckled up and we're planning a safe trip back.

I'm here to testify in favor of, certainly, these bills. This is what we've been waiting for.

ASSEMBLYMAN NAPLES: You could always fly, you know.

MR. MILLER: What's that?

ASSEMBLYMAN NAPLES: You have Mercer Airport here. You could always--

MR. MILLER: But I am certainly in favor of these bills, 4107 and 4108. It's just what we've been waiting for in Driver Education for so many years. It's been so unfortunate that what has happened around the State and the dropping of Driver Education Programs has certainly been shown on our roads.

I've been teaching Driver Education for 25 years, and I've seen the ups and downs of Driver Education. In 1963, as a matter of fact, I taught Driver Education just a couple of miles from here at Ewing Township. So, I'm very familiar with the areas. I remember parallel parking a few times in front of the State House. Everybody did a very nice job, of course.

In 1969 I went to Pennsauken High School. I've been at Pennsauken High School for the last 20 years teaching Driver Education. And our program, I feel, is probably one of the best in the State and could be used as a model for the rest of the State.

When I went to Pennsauken in '69 there were an awful lot of schools that had Driver Education. Now there are a very few schools that have a good, free, comprehensive Driver Education Program where they have classroom simulation and behind-the-wheel; and that's what we have at Pennsauken.

We offer a free program that's year-round. Our students are taking-- Part of the physical education program is devoted towards classroom Driver Education and simulation. We have $35,000 worth of simulation equipment that was given to the high school when there were State and Federal funds available. Unfortunately those funds dried up and anybody that didn't get simulation equipment in the late '70s, they don't have simulation equipment.

We're very happy with our simulation program. We find that it does help the students when they get in -- behind the wheel, they're ready for situations. They're ready to identify, predict, decide and execute things that they have to. That's been a valuable part of our program.

Our behind-the-wheel program is taught only during the school day. We don't teach it after school. We don't teach it on the weekends because we feel it's a valuable part of our curriculum. It is taught in the summer program. The summer program is not only open to Pennsauken students but to Merchantville students, and anybody in the townships of Pennsauken and Merchantville who goes to private or parochial schools can take summer Driver Education program for free.

I'm only using our program as an example because this is the way every school should have Driver Education. If they had Driver Education like that all around the State, I'm sure that there would be less accidents.

The Pennsauken Board of Education and the administration believe that Driver Education is not a luxury, it is a responsibility. It is a responsibility that a mobile society owes to itself. And I'm fortunate that I've been involved with that program for so long that -- because they've been such supporters of us. But naturally, as Driver Education teachers at the high school, we've also gone out and sold the program to the community. And we feel very strongly that the last thing to be dropped at Pennsauken would be Driver Education, not the first thing as has happened at a lot of schools.

Unfortunately many school districts don't feel that way. Many schools have dropped Driver Ed. and they're not accepting the responsibility. Certainly it's time now -- since we see the tremendous drop in Driver Education -- for the State to step in. If the State doesn't step in, there will be less and less and less Driver Ed., and unfortunately, there will be more and more tragedies on our road.

The insurance premiums are already so high, and a lot of that, I think, has to be attributed to the lack of Driver Education. So, it's important that the State steps in and works on this legislation that we support, and the Driver Ed.

Assocation supports, Driver Improvement Committee supports. And they can do a super job of supporting Driver Education. Our Statewide inspection of motor vehicles is a model program throughout the country. Every state in the country would probably like to have a program as good as our. And I think we could have the same kind of a model program in Driver Education. This bill is certainly a step in the right direction.

In closing, motor vehicles accident -- nine out of ten are caused by driver error -- are a leading cause of injury and death in this State. Beginning drivers are particularly at risk. High school Driver Education is the most effective means of eliminating errors that lead to injury and death. Traffic safety costs less than traffic accidents.

Thank you for your time and your attention and certainly your support of Driver Education. It's appreciated by all the Driver Education people and all the drivers in the State of New Jersey. Questions?

ASSEMBLYMAN KYRILLOS: Thank you, Fred. Just two quick questions. We've been saying about 40% of the school districts in New Jersey offer this kind of course. Do you have any idea of what percentage of potential young drivers actually have some formal training before they get a driver's license?

MR. MILLER: It's lower than 40%. I'm familiar--

ASSEMBLYMAN KYRILLOS: It's got to be lower than 40%.

MR. MILLER: That was a couple of years' ago figure. Each year now-- Fortunately most of the schools that have Driver Ed., and they've been able to survive that late '70 early '80s cutting of the programs, is not as many. But it's tough for all the Driver Ed. programs. I wouldn't be surprised if a third of the new drivers weren't getting any kind of Driver Education.

What they've found -- and I'm sure the commercial people speaking here -- where they've dropped Driver Ed. in the

high school, maybe 10%, 15%, 20% at the most, are going to go out and pay for the program. They're learning Driver Ed. from their friends who have just gotten their license last week, and what their Driver Education consists of is making a right turn, a left turn, a "K" turn, and parallel parking. That's not Driver Education.

ASSEMBLYMAN KYRILLOS: It's not enough.

MR. MILLER: No.

ASSEMBLYMAN KYRILLOS: Do you know offhand what the cost of a learner's permit is?

MR. MILLER: A learner's permit? Five dollars to buy a learner's permit.

ASSEMBLYMAN KYRILLOS: Okay, there was some question about that and the funding source.

MR. MILLER: A driver's license $4. In other words, to get a driver's license, you pay $5 for a learner's permit, $4 for a license. Nine dollars -- and that's all we expect from people. That's not enough. Many states are looking into this same thing. And again, I think our program could be a model.

ASSEMBLYMAN KYRILLOS: Thank you.

ASSEMBLYWOMAN RANDALL: Any other questions from the Committee? (no response)

MR. MILLER: Thank you very much.

ASSEMBLYWOMAN RANDALL: James Hughes from the New Jersey State Safety Council.

J A M E S F. H U G H E S: Thank you. I'm Jim Hughes from the New Jersey State Safety Council and I've been serving as ad hoc Chairman of the Committee because our basic Chairman, Richard Shatzel (phonetic spelling) from The New York Times-- He's the fleet manager for The New York Times. Due to his schedule he has not been able to get to all the meetings, so I pinch hit when our basic general Chairman is not available.

What I'd like to do at this opportunity is talk about how the committee was formed, the things it did, and the kinds of people who have had input into what we need.

And our basic start was from the Police Traffic Officers Association, Chief Anthony Parenti and his group. They came to us and said they were observing a decline in the quality of driving on the road. They said all their police officers were complaining about this. So they said, would we look into it?

So that was what we did. And then we put together a committee. For those of you who have a copy of the report, it's on page 10. I won't go over all the individuals but we put together a committee. We divided it really into two groups, if you will. We had the State agencies involved. We had the Office of Highway Safety, we had the Division of Motor Vehicles, we had representation from the insurance industry, from Continental Insurance, New Jersey Insurance Information Bureau, who participated in all of the rulings and regulations that are here.

We had the AAA, we had commercial driving schools, the high schools, the colleges who are involved in teacher preparation. We had a number of organizations; new car dealers. We had the courts involved; we thought it was important to have the courts involved. They give us their input as to how the driver tickets are clogging up the courts and what's happening.

We also had resource persons. They are individuals who gave us some sort of feeling as to what was going on. Amongst them was Cary Edwards, the Attorney General, who has now gone to greater glory. He was very helpful.

If we go to page three of this report -- page two rather. Let me just talk about some of the principal recommendations of the committee. One of the things that we found out when we were holding the hearings was there's no

uniformity. We were hearing that the course offered in Newton was not the same course offered in Cape May; that we had teachers saying that they give 20 hours of classroom, they're signing a certificate. We had some people saying they were doing seven or eight hours.

What we also found out that the regulations were divided amongst a host of State agencies. The regulations setting up the hours of classroom and the hours behind-the-wheel were housed in the Department of Insurance. The regulations concerning the teacher certification was the DOE, Department of Education. DMV was assigning additional certifications and numbers to teachers, and we also had a number of public schools subcontracting out to the commercial schools.

What we found out is that nobody really knew what qualifications were being observed out in the field. And that a number of instructors were being chosen from non Driver Ed. categories. It would appear that if the algebra teacher had free time, he or she was assigned a function for that semester. So that came to the point that we needed a uniform curriculum; that the student would get the same training again in Jersey City as in Camden.

We also found out that the number of hours behind the wheel seemed to vary. We heard reports that if four children went out in a car, all four were given credit for that hour behind-the-wheel. And actually, one person was behind the wheel, three were observing. So that's why we put into the recommendation that observation time does not qualify you. That does not give you credit for behind-the-wheel.

And again, we thought we needed to have cooperation amongst the State agencies who have responsibilities. We talked to DMV, we talked to DOE, we talked to-- And there's also Highway Safety because it deals basically in Federal

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dollars but it was not involved. Their problem is that they don't have the manpower and they don't have the budget to oversee this function. And in some cases, they haven't looked at this function in ten years. They really don't know what's going on out there.

So that's what we decided we needed to do: Uniform curriculum, uniform certification. We found teachers with no training doing the program. We found that we had-- Three credits gives you certification in New Jersey, and that's amongst, if not the lowest, in the country. So the Committee said, "Let's put together the minimum of six credits," which is not a big drop. It's not a minor, but it's a step in the right direction that we have six credits.

We also came up with the idea that even though we are currently certified, you're working on three credits, that you should get an additional three credits within a period of two years, three years; and that they would be college credits, and for some we might have a leeway in terms of the grandfather. How that would work out, we'll leave up to others.

We came up with other programs beyond the high school program. I won't get into those now, but I'll jump down to number seven. One of the things that we found, if we were going to upgrade the quality of the DMV people and the instructors and the curriculum, we have a host of people out in the Eatontown Testing Center, and we said we think they should be upgraded. If we're asking the teacher to upgrade, the people who are giving the road test should be upgraded.

And this partially came-- In fact they did come from the Division of Motor Vehicles who sat on the committee; that they would really like to update the quality of the people. And one of the things we said: "Let's adopt the American Association of Motor Vehicle Administrators Certified Driver Examiner Program." That's a program put out by the Association of Motor Vehicle Administrators. So we said, "Hey, let's adopt that program and we'll go with that."

Funding? We knew there had to be some form of funding but the Committee decided that they would leave the mechanism for funding up to the Legislature. They have a greater grasp of what's available. They have a greater grasp of what's happening. So, they said, "Let's do that."

Let me go down to number eleven. One of the important things of recommendations that the committee came up with: If you're going to put certified programs, certified teachers, you need an evaluation program. You need some sort of an overseeing mechanism to be sure that the program is being delivered. One of the things we put together is that there be some sort of a coordinating committee put together which would include not only government agencies, but the general public. And we have no problem with that.

They were the basic recommendations that apply to the high school Driver Ed. There were other programs. And we are in favor of 4107 and 4108. We think they're great steps forward. Those are my comments so far, Madam Chairman.

ASSEMBLYWOMAN RANDALL: Thank you. Gerry.

ASSEMBLYMAN NAPLES: When it comes to certification, I, being a professional, usually know what I'm talking about, know my stuff, but I must confess ignorance here because I don't apprise people of the requirements of Driver Ed. certificates. I'll be quite frank with you: I don't know whether there is a Driver Ed. certificate issued or sanctioned by the Board of Examiners. Is there such a certificate?

MR. HUGHES: There's a three credit requirement. Yes, there is an endorsement.

ASSEMBLYMAN NAPLES: Now let me ask you this. When you meant-- Okay, having established that let me read: "Currently certified instructors can meet upgrade certification requirements by completing a three credit college course, etc., etc." This is the State mandated course, whether the State mandated requirement, just three credits for Driver Ed. That's all?

MR. HUGHES: That's all.

ASSEMBLYMAN NAPLES: In addition to another standard certificate.

MR. HUGHES: Well, you have to be basic, kind of--

ASSEMBLYMAN NAPLES: You must be a teacher.

MR. HUGHES: You must be a teacher.

ASSEMBLYMAN NAPLES: So it's almost like a very minimal endorsement you might say.

MR. HUGHES: That's right. And Dr. Oshel from Trenton State who has devised a program and puts on the course at Trenton State, will testify later.

ASSEMBLYMAN NAPLES: Doctor who?

MR. HUGHES: Fred Oshel. He will testify later as to the content of the course and its offering.

ASSEMBLYMAN NAPLES: Well somebody had mentioned, it could vary from district to district.

MR. HUGHES: Yes.

ASSEMBLYMAN NAPLES: The only variation would be the nature of the course, right?

MR. HUGHES: That's what we're hearing happens. They're not following a specific book. They're not following a curriculum. Some are showing 30 hours of movies and no--

ASSEMBLYMAN NAPLES: Jeanne knows what I'm going to say next. So let me just say this. Wouldn't you -- you ipso facto -- I wouldn't say be better off with the Chancellor of Higher Education, we're happy to have you here, but shouldn't that issue be taken up with the Chancellor of Higher Education because you're talking about a college course being given -- three credits or whatever, and there is to be uniformity in your public colleges and private colleges? That would have to be coordinated by the Chancellor of Higher Ed.?

MR. HUGHES: I would assume so, yes.

ASSEMBLYMAN NAPLES: No assumption.

MR. HUGHES: Okay. This is your area. You know this area.

ASSEMBLYMAN NAPLES: Have you contacted the Chancellor?

MR. HUGHES: No we have not. A report went to him. We have not heard anything back.

ASSEMBLYMAN NAPLES: He gets mad when you don't do that. Okay, thank you.

MR. HUGHES: Thank you.

ASSEMBLYWOMAN RANDALL: Anything else?

ASSEMBLYMAN KYRILLOS: Madam Chairman.

ASSEMBLYWOMAN RANDALL: Go ahead, Joe.

ASSEMBLYMAN KYRILLOS: I was just wondering, Jim, if you had looked at what some of the other states are doing in this area? Was that part of the report?

MR. HUGHES: Yes there was extensive looking at. Marlene Atkins from the Office of Highway Safety is here, and she's a curriculum expert in this area. We did look at a number of states. I believe Marlene's opinion that Ohio is one of the better states, and Pam Fisher from the AAA has their national organization doing a national survey. Pam is here also to address the questions.

ASSEMBLYMAN KYRILLOS: Good. Maybe when they come up we can ask how we match up with some of the other folks? Thank you.

ASSEMBLYWOMAN RANDALL: Thank you Mr. Hughes.

MR. HUGHES: Thank you.

ASSEMBLYWOMAN RANDALL: Phyllis Scheps from the New Jersey PTA had difficulty getting here this morning, I understand. And Assemblyman Kyrillos has a letter he'd like to summarize for the record. In addition to that summary is there anyone else here from the PTA who wishes to put a statement on the record? (no response) Then I'll ask the Assemblyman to summarize that piece of information.

ASSEMBLYMAN KYRILLOS: In the absence of that I'll just read a couple quick paragraphs of a letter sent to me before this package was introduced, asking that it be introduced: "The New Jersey Parent Teacher Association at its annual convention in Atlantic City reaffirmed its support of quality high school Driver Education Programs. Our membership is very concerned that our children are not receiving quality high school Driver Education. We ask that you initiate legislative and regulatory inquiries that will insure that these young drivers have the skills necessary to insure that they are not a danger to themselves or others on the State highways."

So in Phyllis's absence I thought maybe that ought to be said for the record. I thank all of you for being here.

ASSEMBLYWOMAN RANDALL: Thank you. Next we'd like to hear from Pam Fisher, New Jersey AAA.

P A M E L A S. F I S H E R: Good morning.

ASSEMBLYWOMAN RANDALL: Good morning.

MS. FISHER: My name is Pam Fisher and I'm with the New Jersey Automobile Club. I'm here today speaking on behalf of all the AAA Clubs -- the six AAA Clubs of New Jersey which have a membership close to a million motorists. What I'd like to do is just give you some basic information about our feelings towards 4107 and 4108 and then I can address a little bit a question that was brought up about what's happening in some other states.

A little bit more than 50 years ago, the American Automobile Association pioneered Driver Education nationwide, and remains the leader in the field today. But Driver Education, particularly in New Jersey, is headed down a dangerous road as more and more school districts are choosing to drop the programs. This demise, however, is not unique to our State. We're finding that it's happening across the country.

AAA has found that the emphasis is being placed on the aging and foreign born driver and away from the young driver. And we believe this neglect will produce a whirlwind of aggressive and poorly trained drivers in the future.

Why is Driver Education being regulated to the back seat in our schools? We believe funding, commitment, curriculum, and teacher training are the heart of the problem here in New Jersey. While we recognize that budgetary restraints, teacher attrition, and removal of Driver Education from the National Highway Traffic Safety Administration's priority list are largely to blame for this situation, we must not allow Driver Education to become a thing of the past.

Driver Education is literally a matter of life and death, not only for our young people but everyone who uses our highways. We found that people want Driver Education. A recent survey of AAA New Jersey Automobile Club members reveal that Driver Education, particularly the behind-the-wheel component, is critical. Eighty-eight percent of the survey respondents called for legislation requiring all new drivers under the age of 18 to successfully completed a 30 and 6 Driver Education Program. That means a 30 hours of classroom instruction and six hours of behind-the-wheel training.

In fact many of the respondents insisted that six hours of behind-the-wheel training simply is not enough. In light of this, the AAA Automobile Clubs of New Jersey are encouraged by Assembly Bills A-4107 and A-4108. We are members of the New Jersey's State Safety Council's Driver Improvement Committee which issued recommendations that you've been hearing about for Driver Education.

AAA agrees that action by the Legislature is needed to insure that driving, a lifetime skill, is once again taught in our schools. We are however concerned about several components of the legislation. First, A-4107 calls for the Department of Education to play a key role in developing and monitoring a

certified Driver Education Program. Historically, the DOE has shown a lack of interest in Driver Education. We hope this will change. As we indicated earlier a lack of commitment is a major part of the problem.

A-4107 does not specifically address Driver Education offered by the commercial schools. AAA is concerned by this omission since many public and private high schools contract with commercial driving schools for the behind-the-wheel portion of the program. We believe that all new drivers, regardless of whether they obtain Driver Education through public or private schools or commercial schools, should be trained by a certified teacher.

We also believe that a certified driver education teacher must set an example for his or her students. Removing that individual's privilege to teacher Driver Education only after his or her license is suspended or revoked, we believe is simply too lenient. And finally, we fear the proposed funding for schools that elect to sponsor a certified Driver Education Program will get bogged down in red tape. How will the Driver Education Fund fueled by increased driver restoration fees be appropriated? Will it require dedication? And if so, what are the chances of that happening?

We believe the Assembly is on the right track with A-4107 and A-4108. And we want to commend the Committee for the quick action on these bills. Your expediency reconfirms the lifesaving value of Driver Ed. and helps to insure that New Jersey's highways and byways, some of the most congested in the area and in the nation, are filled with skilled safety conscious drivers. We believe your actions today are helping to put Driver Education back in the classroom in the driver's seat where it belongs.

At this point I would like to mention that AAA, from a national standpoint, has been looking long and hard at what's happening in other states. There was mention about the Ohio

program. That's an excellent program. They have a 30 and 6 program in place. Connecticut also has a strong program. What we found there is anyone who is certified to teach Driver Education goes through the AAA training program, Driver Improvement Education Program.

The program is also going fairly well in New York. The AAA Clubs are very, very involved in that program as well. But as a whole, when you talk to our National Driver Education people down in Falls Church, Virginia, things aren't looking exceptionally terrific. Driver Education is just simply going by the wayside, and we think that's a national shame.

So we think we're taking the right step here today. We certainly do support A-4107 and 4108 with the-- We're a little concerned about a few of those things we mentioned. Any questions? I'd be glad to answer them.

ASSEMBLYWOMAN RANDALL: Down on this end, any questions, either one of you? (no response) Joe? (no response) Thank you very much, Pam. Ed Zakrewski.

E D Z A K R E W S K I: Zakrewski.

ASSEMBLYWOMAN RANDALL: I thought I might not have it right. I should have known because my sister's name is Kaczkowski so I should have figured that out.

MR. ZAKREWSKI: Kaczkowski, huh?

ASSEMBLYWOMAN RANDALL: Prime Safety Services. What is your organization?

MR. ZAKREWSKI: That's a safety loss control engineering consulting firm out of Carlstadt, New Jersey. I'm currently their Director of Training for In-House Training. Forgive me because I just recovered from surgery, so I have part of my facial nerve compressed, and it takes time to recover.

May I state my background and my credentials? I have held a class for supervisor instructor trainer's license from the State of Texas which is for certifying Driver Education

instructors statewide. I've held intermediate certificates Driver Education in the states of New Hampshire, Missouri, and Texas, and I've taught Driver Education in the high schools for about seven years.

I have an associate's degree in Driver Education out of Kean State College. I have a Master's of Science degree in Transportation Safety out of Central Missouri State, and I'm completing my doctorate out of Texas A&M University in traffic safety. My dissertation in being manuscripted. It is a 550 page comprehensive Driver Education curriculum that the State required from their 1985 law where they have a 56 hour regular half credit option plus the 32 hour class in Driver Education Program.

What I can offer, then, is a few states and how their struggling with these issues. I also was a coordinator of a Driver Education Program in Texas and in Missouri also which dealt with behind-the-wheel advanced programs, evasives for students skidding, and also State Police training on emergency evasive maneuvers.

I currently am a founder and Executive Director of a school that I started here in New Jersey entitled Safety Institute. It's a nonprofit educational institute and obviously Driver Education is one of the more important areas of my interest.

I'd like to share some problems that the other states have been dealing with. There is no uniform curriculum content, obviously. There is inadequate pre- and post-in-service preparation of these Driver Education instructors. There is a lack still of acceptance of Driver Education as a basic subject which, in fact, a one semester Driver Education Program only amounts to 2% of the total hours available for a four-year high school experience.

Former U.S. Secretary of Education, T.H. Bell identified 83 high schools as outstanding and 92% of these high schools included Driver Education as a course offering.

Inadequate funding has been a problem. The states that I have been reviewing and working with, have looked at the education funding coming from the lotto as some states have. Also Driver Education has become more and more a part of the State's school funding procedures which I believe 4108 is looking at and addressing.

Another area that's inadequate, pre- and post- Driver Education experience and controls. In most states obviously, three to six credit hours and you are a certified Driver Education instructor. Obviously you know what I feel about that.

Some of the good schools that this survey that I was talking about previously by T.H. Bell-- The good schools had traffic safety education throughout the school career from K through 12, including small traffic safety programs throughout pedestrian safety, school safety, bus driver safety, etc.

Conditional and restricted licensure for beginning drivers is another area that the states are looking at, because our young, from 17 to 19 years of age or earlier as in the state I believe it's sixteen-and-a-half or sixteen, we need to look at that age, and these states are looking at some kinds of restrictions on their driving behavior. And of course, an advanced course in the twelfth grade, above and beyond Driver Education, has been looked at also. Sort of like a driver improvement for the youth; like a DEC program.

There's some common premises in knowledge that we found nationally. That young people need and want to drive, is obvious. Most parents want their teenagers to drive. Most parents want their children to take Driver Education. Teenagers are still overly represented in traffic accidents. Night hours are the most critical for accidents by young drivers. Alcohol is still frequently a contributing factor in traffic accidents by youth.

There isn't, and never will be, sufficient law enforcement to protect young drivers against foolish behavior. And this was a study by Mr. Kushman (phonetic spelling) in 1984. The issue here is not whether to have Driver Education, it's simply what kind of Driver Education program will we have in this State.

If we choose the quality, we need to look at adequate content, teacher preparation, funding, and monitoring and evaluation. These I believe are what 4107 and 4108 are looking at. Thank you, ladies and gentlemen.

ASSEMBLYWOMAN RANDALL: Thank you. Any other questions?

MR. ZAKREWSKI: Are there any questions?

ASSEMBLYWOMAN RANDALL: Thank you very much.

ASSEMBLYMAN NAPLES: You mentioned certification again. I keep thinking it's hard to separate the professional educator and the Assemblyman sometimes. But you mentioned certification again. Do you think that there should be a more extensive set of guidelines or a more extensive criteria for certification established by New Jersey State Department of Education in concert with the Department of Higher Ed. who would have to obviously offer college courses?

MR. ZAKREWSKI: Oh yes. I definitely--

ASSEMBLYMAN NAPLES: How extensive would you advocate that it be, inasmuch as you have much more training per se in this particular area than the average individual?

MR. ZAKREWSKI: Well, I can respond by asking for example how many credit hours does a teacher in high school -- is required to be certified to teach high school and post secondary education? In this State I believe it's what, 32 credit hours, a four-year college degree with all kinds of subjects, just to teach, perhaps, mathematics or English? So here we have Driver Education which deals actually with people's lives that I feel is more critical because we are in a

society, and we offer maybe three to six credit hours of training. And so again, much more credit hours in professional teaching skills and knowledge.

ASSEMBLYMAN NAPLES: Let's put that under a microscope here. You mention mathematics. I sent a friend of mine -- a young lady who was a teacher in my school -- she had eight certificates. She wanted to become a secondary math teacher, so I sent her out a copy of the requirements with a note that it was a good idea to get a secondary math certificate. And looking them over, it required certain-- Now I'm not being cynical here. If some people think I am, I'm really not. But it required certain Master's. Certain areas: trig., basic math, plane geometry, a knowledge of computation, etc., etc-- Jeanne, you're familiar with all of the ramifications of that certificate.

Now, when you talk about Driver Ed., how do you possibly make something like Driver Ed. so specific in terms of certification as mathematics, science, social studies, driving an Oldsmobile, driving a Cadillac, driving a Lincoln? How do you do that? How do you make it that extensive with that many credits?

MR. ZAKREWSKI: Well, I think it's simple. When I had a school-- I developed a tractor-trailer driving school in Beaumont, Texas. I was asked by the University, Lamar University, that they wanted a school, and they were tired of the truck driving schools locally that were cranking out students in 11 hours.

ASSEMBLYMAN NAPLES: I read about that, yeah.

MR. ZAKREWSKI: So I developed a $300 six week program where students got a minimum of 1500 hours behind-the-wheel. And the same with Driver Education. You have an instructor that is perhaps a phys ed. teacher -- and again I'm not discrediting of their professions -- however, they are on the side quasi certified to teach Driver Education. But there is

an awful lot to teach in Driver Education because we have the research all the way back from the '30s and '40s that analyze 1700 different skills required it take to be a driver. We just take them for granted because we are all driving and we get here fairly well.

A teacher, obviously for certification in math, requires these areas. Also a teacher in Driver Education, as we become more complex as a society, if we stay individually mobilized, we will sooner or later have to deal more with what does a teacher need to teach Driver Education to keep surviving on the streets which will include courses in psychology, courses in perceptual training, courses in effective teaching, curriculum development and curriculum design, to name a few. And that certainly is--

ASSEMBLYMAN NAPLES: You really believe-- When you mention 300 hours of-- I didn't mean to cut you off. If I did, you can certainly continue with the Chair's permission, of course. But the rule of thumb is for a three credit course -- we're talking about 42, 45 hours let's say-- Well, we break it down to 50 minute periods. It's around 40 clock hours. And when you talk 300 hours, you're talking basically what you would need to get an endorsement, 18 credits or so. You work off courses, three credits each, you divide that out, that would be about the amount of hours you put in for 18 credits which would be an endorsement.

You really believe you would need six different courses to do this?

MR. ZAKREWSKI: Ideally yes. There are plenty of things to cover. On my doctorate level I never believed there was so much.

ASSEMBLYMAN NAPLES: But you're an expert in the field. Need we make teachers experts in a field or just good in a field, just knowledgeable of what they have to do? For example, I had K to 8, and I thought I was a hell of a good

seventh and eighth grade math teacher. I certainly was not a mathematician, but I was able to get the job done. I was always very proud of the fact the kids told me I was a good math teacher. I didn't have to be a mathematician or an Einstein.

You are a real specialist. To your credit, one of the top in the State in this area, perhaps in the nation. Need the average teacher need the same expertise you have? And need certification be commensurate with that level of expertise?

MR. ZAKREWSKI: Certainly not. I think what we're trying to do with these bills and struggling with, is simply to raise the standard enough so that we feel that there is uniformity in the State, so that there is some kind of continuity; so that it's repeatable; so that subjects in one county are taught in the same county next door; so that possibly and hopefully we can begin to see a track record of less fatalities in the State.

ASSEMBLYMAN NAPLES: Nobody can disagree with that.

MR. ZAKREWSKI: That's what we're hoping. That's what we're hoping.

ASSEMBLYMAN NAPLES: How many hours would you shoot for? I think I'm talking too long. How many hours would you shoot for in terms of what you think the teacher should have and ultimately what you think a kid should have in being taught the course? You might have mentioned the latter and I might have missed it.

MR. ZAKREWSKI: Well, in Texas they have at least the option now at 30 hour plus a regular semester course in-house, 56 hours.

ASSEMBLYMAN NAPLES: For every teacher?

MR. ZAKREWSKI: No that's for a student. That's a--

ASSEMBLYMAN NAPLES: What about for a teacher in terms of training?

MR. ZAKREWSKI: Okay, they're hoping for the same 15 to 18 hours, or five to six credit units.

ASSEMBLYMAN NAPLES: Credit hours? So you're talking five subjects?

MR. ZAKREWSKI: Five subjects that would cover at least the preliminary requirements of -- on any other teacher, yes. Whether we politically will achieve that level, I don't know.

ASSEMBLYMAN NAPLES: Okay, thank you very much.

ASSEMBLYWOMAN RANDALL: Anyone else?

ASSEMBLYMAN KYRILLOS: I would just add that these don't address the training and certification of teachers of Driver Education. That may be legislation we want to pursue separately--

ASSEMBLYMAN NAPLES: Yeah, yeah.

ASSEMBLYMAN KYRILLOS: --at another time.

ASSEMBLYWOMAN RANDALL: All right, thank you. Moving along, Dr. Fred Oshel, Trenton State College.

ASSEMBLYMAN NAPLES: I take a hint, Joe.

ASSEMBLYMAN KYRILLOS: No, no, I'm serious.

ASSEMBLYMAN NAPLES: I'm only kidding you.

D R. F R E D O S H E L: Either one? (referring to microphones)

ASSEMBLYWOMAN RANDALL: Either one is fine.

DR. OSHEL: Thank you very much for allowing me to come today to testify before the Committee. We at Trenton State College support both bills. We're very happy to see this type of action taken by the State. It's long overdue.

Let me explain a little bit about my function at the college first, and my principal interest for being here. I'm the Director of Traffic Safety Education Programs at Trenton State College. We have been active in teacher training for Driver Education since the early '70s. We prepare teachers to

teach the classroom phase of Driver Education which is typically a 30 hour program; behind-the-wheel instruction, six hours.

We are also involved in simulation training. We are fortunate to have one of the finest simulation labs in the State, if not in this region of the country, for teacher training probably in the amount of $125,000, $130,000 of equipment that we have at the college that will aid the preparation of the teachers and a very important area as Fred Miller related to, simulation training.

We also have courses in evasive maneuvers. We have courses in defensive driver, and we're very proud of a new course that we've instituted, Driver Education Training for the disabled. We're dealing with the disabled individual and also the teacher training phase in the program which we feel has certainly has been neglected in the State.

I'm also involved in doing outreach training programs for teachers or school systems that are recipients for simulation equipment. Now that program has been phased out as Fred Miller mentioned before; Federal funds are no longer available. But we have been fortunate in the past few years to have driver analyzer equipment which analyzes the blood level of alcohol content of the student while they're driving the simulated car. So we've developed a nice alcohol program that will help stress the importance of drinking and driving, and not doing that.

So I go around the State and have the opportunity to meet with a number of teachers doing these training programs. The common cry that I hear from the teacher is, "Where's Trenton? What is Trenton doing to help us preserve, promote, maintain, and improve our Driver Education Programs at the high school level?"

ASSEMBLYMAN NAPLES: Holding public hearings.

DR. OSHEL: Right. It's not being done. And that's the feedback we get. I'm constantly getting calls from teachers, "Can you give us information to help us improve our curriculum?" And we try to do that.

The students that we have in a three credit course, we're trying to do everything for them. We're trying to prepare them to teach the 30 hour talk program, behind the wheel, and simulation, and that basic program. It's too much. It's just kind of throwing a blanket over these very important topic areas. And we cannot-- We do it, but we're not happy with it because the State regulation of just one three credit course for certification.

So if this Committee would address that critical issue and try to get something done in that area, I think it would be a major step in our improvement of traffic safety for our young in the State of New Jersey.

ASSEMBLYWOMAN RANDALL: Thank you.

ASSEMBLYMAN NAPLES: Very quickly, on the subject of the amount of hours. I agree that three credits is far too few in terms of hours which would be 45 hours. That would be, as you say, like throwing a blanket. But when you talk about 18 credits, do you need a separate course for each of the things you mentioned? Would you possibly not be like throwing a tarp along--

DR. OSHEL: You're right.

ASSEMBLYMAN NAPLES: --and covering more than you need?

DR. OSHEL: Well, I think we always try to reach for the stars in the sky. But I don't think--

ASSEMBLYMAN NAPLES: Yeah. Seriously, how many credits do you think you would need if you properly combined -- if you properly evolved a separate syllabus for each particular area and then incorporated into a course of study and a subsequent college curriculum and then, you know, subjects?

DR. OSHEL: As a member of--

ASSEMBLYMAN NAPLES: Three credits I'm working off.

DR. OSHEL: Yeah, three credits. As a member of the Driver Improvement Committee, we discussed this issue to quite an extent. Certainly you can have an ideal program of certification and then let's be practical about it: What we tried to determine in committee was that we have two critical issues where we need teacher training, teacher certification, and improvement in that area. One is a classroom thing. So definitely a three credit course should be designed to cover those topics and methodology and teaching skills to present information that is typically enclosed in a 30 classroom-hour program.

The second major area that we feel minimum certification should carry would be training for behind-the-wheel: To take that teacher and be able to go out and do a meaningful group of lessons in the behind-the-wheel training that cannot be done as well with just one class where you're doing both. We really need two separate classes.

Certainly a third course-- That would be the minimum requirement--

ASSEMBLYMAN NAPLES: That's good. Now you're moving.

DR. OSHEL: --this committee has talked about. I think also, since we're dealing in traffic safety -- or much of what we do or problems we have in driving are psychological problems, behavioral problems, not mechanical problems. Most of our drivers can handle the car well and do the basic things well after a period of training.

But how do we get into the student's head and talk about attitudes and try to do something in this area to make that person realize the importance of safe driving attitudes on the roadways that will prevent accidents and violations? So, I think a course-- If we could go one more course would be something in the area of basic traffic psychology -- safety education that will deal with the principles of safe practice on the roads, pedestrian safety; bicycle as well.

ASSEMBLYMAN NAPLES: Another suggestion, what about one in just plain motor vehicle laws?

DR. OSHEL: Well motor vehicle laws covered--

ASSEMBLYMAN NAPLES: Just like the counterpart of school law.

DR. OSHEL: We touched--

ASSEMBLYMAN NAPLES: We take school law as administrators.

DR. OSHEL: But what I'm worried about here-- We want to make sure a course has sufficient content to make it worthwhile to use up three credits in our college curriculum. And to do one just on motor vehicle law I don't think would be comprehensive enough.

ASSEMBLYMAN NAPLES: Okay.

DR. OSHEL: But I would definitely say a minimum of six credits in those two areas and a third course in the psychology of safety.

ASSEMBLYWOMAN RANDALL: Thank you, Dr. Oshel.

ASSEMBLYMAN NAPLES: Thank you.

ASSEMBLYWOMAN RANDALL: Joseph Lomonico, President, Driving School of New Jersey. I see two of you, so if you can both identify yourselves?

ROBERT L. FOX: Take a guess.

JOSEPH LOMONICO: I'm Joe Lomonico, the President of the Driving School Association of New Jersey. Bob Fox is the Vice President of our organization and our lobbyist.

I want to thank you for this opportunity to be here and when I speak, I guess I speak with three hats. I speak as a member of the Committee which proposed and suggested some of the legislation that you've come up with, I speak as a public educator where I taught Drivers Education for 31 years before I retired recently, and I speak as a private driving school owner who has owned a driving school for 30 years and as part of that, of course, I'm President of the Association for Driving Schools of this State.

I don't know where to begin because I'm so pleased to finally see something being done by the State of New Jersey, where it represents leadership in the proper direction for a change. Every time I teach a defensive driving course I talk about the three E's. And I always explain to them that the most maligned and the weakest of the three E's is currently education. Hopefully that will change in the future.

The problem we have in this State is one of educating drivers, and I think that's what you're involved with in this legislation. I'm very happy that you've come forward with it, and I hope that the suggestions that I make along with suggestions made by others, will be listened to by you because we're so concerned that this be done right. We want it to succeed.

People like myself, we've given a lifetime to Driver Education and at last, some of our dreams are being realized; where maybe Driver Education will be regarded seriously. Maybe we can start a national movement in that direction so that we can stop being the offhanded lackadaisical country that we have been, and still are, when you compare what we do with the rest of the world.

In Japan, if you want to get a driver's license you take about a 35 to 40 hour classroom course at the minimum. You take 20 hours of behind-the-wheel training at the minimum, ten of which is in an off the road area. The other ten are in traffic. And that's only minimal.

You go to Austria, you go to West Germany, you go to Israel, you go to the Scandinavian countries, France, you go to England, and their rule of thumb is that no one learns to drive unless they learn professionally. And no one learns to drive in only a few hours. They take a 30 to 35 hour classroom course. In some it's higher, some it's 40. And when I asked the educator, the driver educator in the typical country what

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their rule of thumb standard was, they said you -- of course they said what we said: That you can't tell different students it's different. But I said, "Give me the minimum, the bare minimum that you would recommend to anyone." And they said, "Well, we recommend one hour of training behind-the-wheel for each year of age." So as we talk about our six hours here, you can appreciate that even though we're happy to see what's happening, there are those like myself who still hope for better things in the future. We hope for a more serious regard for Driver Education so that our fatalities at the national level and the State level will decline, rather than continue to rise. We're up to 48,000 for the year. What is it, around 1100 in New Jersey alone?

So with that in mind, let me go through some of the thoughts we have on this and I'll try not to be too lengthy. But again, we want this to succeed so badly we just want to watch so we don't miss anything.

The major concern that we have with your legislation, as happy as we are with it -- and this has been expressed before -- is the one which puts the State Board of Education, the Commissioner of Education in charge of the whole program. I'm an educator. I've got a teaching degree. I've got a Master's degree. I've got nearly 60 credits beyond that so I'm not one to cast aspirsions on the value of the State Department of Education and education in general.

But as a public educator and a private educator, I've been very disappointed in the manner in which the State Department of Education has handled Driver Education in the State. I've seen them ignore it. I've seen them look the other way when they found out about malpractices where students were getting fewer hours of classroom or behind-the-wheel. I've seen them push this over into the lap of the Director or Motor Vehicles saying that's really their baby anyway. They're not in charge of driver's licensing anyway.

We've seen other statements coming out indicating that maybe it shouldn't be part of the curriculum in the first place. And we saw one of the previous Commissioners of Education make a ruling which countermanded a ruling made by an Administrative Court judge where he had stated that Driver Education could not be taught after hours and for pay. That Commissioner of Education said, "Oh yes it can." He had unfortunately the statutory authority to overrule the decision made by that Administrative Court judge, and Driver Education in the high school has gone downhill ever since then.

As a member of NJEA and as a delegate of NJEA I fought very hard against that, trying to do something about it. NJEA found itself powerless to do anything. So again, I'm very pleased to see that you're doing something. As I said before, I'd like to see it done correctly and I know you would, too, because if this goes and fails, then of course, your positions look awful as well as ours.

So we suggest that the wording: "The State Board of Education in consultation with the Commissioner of Education and the Director of the Division of Motor Vehicles and the Director of the Office of Highway Safety," be revised. And we suggest the revision should be: "The Director of Motor Vehicles and/or," however you choose to work it out, "the Director of the Office of Highway Traffic Safety in consultation with the Commissioner of Education and the State Board of Education shall, etc., etc." We feel that they are the people that are knowledgeable.

The different thing about this with regards to education -- I know where you're coming from when you talk about the Higher Education people, the Chancellor of Higher Education and so on -- but the difference that we have here is we have an area which a lot of people in the education environment at the academic level seem to feel, for some reason, antagonistic towards-- They don't want it in the

curriculum. I don't know why, but they seem to act that way. That's been my observation. It's a personal observation. I'll grant you that. It's a personal observation.

But we do know that the people who are really legally responsible for driver's licensing and evaluating the drivers are the people in the Division of Motor Vehicles; the Office of Highway Safety working with them in other respects. So that's why our suggestion is there. Very honestly, if we believed that the State Department of Ed. could do something with it, then fine. But we fear the possibility of a position being created to handle Driver Education at the State Department of Education, and the person probably doing only minimal work with Driver Ed. and devoting time to something else. But assuming they do devote their full time to Driver Ed., we're not so sure that -- as someone voiced before, they used the word "commitment" -- that the commitment would be there, nevertheless. So we have concerns about that and we'd like you to consider that.

We also were aware that it was perhaps done inadvertently, we believe, where private driving schools are not mentioned. Where it talks about public and non public secondary schools which offer certified Driver Education courses, we feel that at that point it should say this way: "Public and non public secondary schools and private driving schools which offer State certified Driver Education courses shall be eligible for funding, etc."

Again, in my driving school we offer the 30 and 6 program. I'm a high school Driver Education teacher. I have certification. I have other people working with me, and I plan to get more who are certified in that way too. I don't think that I should be denied the same opportunity to serve the public when it's possible. And I don't think it would be to the benefit of the State not to allow schools -- driving

schools like us -- to have such an objective to strive toward to improve ourselves in that way, to really offer 30 and 6. As I said before, I have my feelings about how adequate 30 and 6 is; especially the six.

With regards to the funding on -- I guess that's the second bill -- am I right? Is it 08? I'm working on 07. Let me not jump ahead. Let me just finish with 07 to make sure we're okay.

So anyway, where it says something about the State Board of Ed., we feel again we hope that you will reconsider that. And of course you will have to study it. You may have answers that we don't understand that might have to do it this way whether we like it or not, or whether we appreciate it or not. But at least you'll be watching for it and you may put into the system safeguards to see to it that Driver Education is not mishandled and not maligned, not treated as a stepchild as has been done in the past.

Again, on the third page of that bill -- this is the first one, Bill 4107 -- this bill provides incentives for public school districts as well as non public secondary schools. And again, we feel it should say, "and private driving schools." Again, where appropriate, you know, where the appropriate curriculum is offered.

The rest of that we find satisfactory. I'll take a look at the second one just to make sure that nothing is missed on the suggestions on that one. I'm looking now at 4108. If I went too quickly, if you have any questions I'll be happy to -- of course--

ASSEMBLYWOMAN RANDALL: Joe Kyrillos.

ASSEMBLYMAN KYRILLOS: Before you get to 4108--

ASSEMBLYWOMAN RANDALL: Would you want to finish?

ASSEMBLYMAN KYRILLOS: Well I just--

ASSEMBLYWOMAN RANDALL: Yeah go ahead.

ASSEMBLYMAN KYRILLOS: --have a question about your concern for private driving schools. Are you talking about when a public school system contracts with a private driving school, for that school to provide the education for their local public school students?

MR. LOMONICO: I'm talking about it in two ways. That's one concern. But the other concern is where the private driving school offers identical curriculum, classroom and behind-the-wheel too, where they want to offer 30 and 6. They might be catering more to -- rather than a public school student -- students at private schools, maybe some public schools who in spite of the fact of the funding concept, choose not to offer Driver Ed., behind-the-wheel. Hopefully they'll continue offering it in the classroom, but I have some concerns about that when I watch some of them behave.

ASSEMBLYMAN KYRILLOS: Well, in the first instance, if it's not clear in the legislation, maybe we can change it. We'll think about this. I don't see any problem with a public school contracting out to a private driving school like yours. They certainly should be eligible for the funding. I think that Pat Roma and I -- at least from my perspective -- philosophically would have a problem with your latter point about funding directly to the private driving schools. But anyway, I just wanted to respond to that.

MR. LOMONICO: I understand.

ASSEMBLYMAN KYRILLOS: And you can continue with your thoughts.

MR. LOMONICO: One more thought on that before we go on -- I just happened to remember I wanted to make a strong point on this -- is that we would like you to also consider as you provide funding to the public schools -- well I guess others, too -- but the public schools are the main problem I have. See, in my town, we had-- Fair Lawn was a unique school district. Until I retired, they had Driver Education and we

had it the correct way, 30 hours of classroom, six hours behind-the-wheel, and every student was required by a Board of Education policy to have Driver Education. So in that way, they saw to it that no one was denied it.

ASSEMBLYMAN NAPLES: Senior year?

MR. LOMONICO: No we gave it to them -- tenth grade they had their classroom--

ASSEMBLYMAN NAPLES: Is that right?

MR. LOMONICO: --eleventh grade and sometimes tenth graders, if they were ready for it, we put them behind-the-wheel, too. So we taught all of them. And of course it was under attack while I was there but I was, fortunately, successful.

ASSEMBLYMAN NAPLES: Who attacked it? I'm curious.

MR. LOMONICO: I really hate to say it.

ASSEMBLYMAN NAPLES: Come on, say it. You're out of education. You have nothing to worry about.

MR. LOMONICO: Believe it or not, I found out while I thought it was-- Well there were some people who attacked it just for financial, economic reasons.

ASSEMBLYMAN NAPLES: Yeah, right.

MR. LOMONICO: But I found out--

ASSEMBLYMAN NAPLES: I'm just curious.

MR. LOMONICO: --to my disappointment and embarrassment was that some of the very physical education teachers who were certified to teach Driver Education were attacking it, as gym teachers, saying that it disrupted their phys ed. program and took kids out of their classes. They somehow didn't understand it was part of health, safety, and physical education as I understood.

ASSEMBLYMAN NAPLES: I think you might see a change of attitude now.

MR. LOMONICO: But in line with that, what I was

getting ready to say was that my district did knock out Driver Ed. They put it out on--

ASSEMBLYMAN NAPLES: He told me to say that.

MR. LOMONICO: We bid on it. My firm fortunately got the program. They were pleased to see me get it. But we put a bid in and had to bid very low to get it. And now what I've been told by the principal of that school is that next year the program will be offered only after school. We will not provide students during school hours. And I told him something about this Committee and about legislators and I said, "Well you know, you may be funded next year. You may want to run your regular program. Hopefully you won't need us." And the response from the principal was, "It doesn't matter. Our teachers insist that it disrupts their physical education program and we're going to offer it only after school no matter how we offer it."

So again, I'd like you folks to consider putting into your legislation some constraint on that. You don't want to tell the school districts what to do, but I think that you have a right to say that when they'er funded for Driver Education they must have a bona fide program that's part of the curriculum during the day as other courses are. They can offer, in addition, instruction after hours. That's fine. But to say only after hours, I think they're doing the same thing that was done in the past, and they're being funded for it.

ASSEMBLYWOMAN RANDALL: Yes, Gerry.

ASSEMBLYMAN NAPLES: Real quickly, in special education in certain cases -- in a lot of cases, kids are "farmed out" -- and I use that in a very affectionate way. They're sent to schools, private schools, and these schools are licensed and accredited. I see no reason why that couldn't be the case with respect to private schools concerning Driver Ed., too--

MR. LOMONICO: Yes, I'd say so.

ASSEMBLYMAN NAPLES: --as long as they teach content.

MR. LOMONICO: Well, with the private schools -- some that we handle -- it's done during the curriculum, during the day and we take them out of gym classes, and whatever, there. Public schools are the ones that are changing, unfortunately.

ASSEMBLYMAN NAPLES: There's a greater link between the public and the private sector in education than a lot of educators a few blocks down would like to admit--

MR. LOMONICO: Yes.

ASSEMBLYMAN NAPLES: --and a greater passage of dollars.

ASSEMBLYWOMAN RANDALL: Pat.

ASSEMBLYMAN ROMA: Do we have a general idea as to the number of driving schools that may fit into that category? We were talking about public and private schools, and also schools that are contracting with the school.

MR. LOMONICO: It's hard to say. There are many schools involved in it about which I'm not aware. I know that there are a number of high school people like myself who operate driving schools. I know there are other people, not high school people, who have certification, nevertheless, which enables them to offer the program in that way. I couldn't put a figure on it. My only thought is that if you're going to do something right, you do it in such a way that all people involved in Driver Education including private driving school people, are going to move towards a standard of certification and a standard of performance. And that's what our committee had suggested: trying to get a uniform curriculum; not just for the high schools but that would be included with driving schools, a uniform training standard not just a high school teachers' book for driving school.

ASSEMBLYMAN KYRILLOS: You're talking standards and certification, not funding. Is that what you meant by your comment?

MR. LOMONICO: Well, we're talking about that because-- But at the same time funding is sort of tied into the whole concept. You're going to fund a properly certified program, run by properly certified people. Again, we are watching to see to it that this is the beginning of an upward movement of Driver Education rather than something that flies for a while, that everybody shoots down, and that's the end. We want to see this continue. We want to see this be a foundation and the beginning.

I know earlier you've asked questions about the hours of training that someone should have. They were very good. And how many hours somebody needs. The way we addressed that in our committee with regard to requirements was, we came with the consensus that we felt that all people, public or private, should at least have the first basic cost, and if they're going to teach only classroom, then they must have the classroom course to prepare them for that. If they're going to teach behind-the-wheel, the behind-the-wheel course. And then the next year they'd have to take another course.

We talked about the concept of continued improvement. We really didn't put a strong limit on the number of long-term credits that they would get. We talked about continuous improvement. Yes, maybe after they've had three courses, we'd say, "Well you can take a one point seminar here" or maybe after six we'd say, "There's a flexibility thought on there." We had considered that. We could move either way. Once we got this basic standard where they should have at least one strong course of classroom preparation, one strong course of behind-the-wheel -- if they're going to teach both of those -- and then move on from there so they continue to update and continue to improve. In our field you've got to do that.

ASSEMBLYWOMAN RANDALL: Gerry.

ASSEMBLYMAN NAPLES: In terms of cost here, I'm just trying to get an idea of what it-- Let's just say that half

the school districts in the State contract or enter into contract with a school such as yours, and you're talking about certifying, if you will, maybe say a graduating class of 600 kids. What would it cost for you to prepare one kid, let's multiply times 600?

MR. LOMONICO: You're talking about offering a high school program?

ASSEMBLYMAN NAPLES: Yeah, I'm just trying to get an idea in terms of cost.

MR. LOMONICO: Classroom included, or just behind-the-wheel?

ASSEMBLYMAN NAPLES: The whole thing. The whole thing.

MR. LOMONICO: Well, I can give you behind the figure for 400; behind-the-wheel only for 400. We just worked on one.

ASSEMBLYMAN NAPLES: Four hundred what? Dollars?

MR. FOX: We just worked on one for our school district for 400 students, so I have those numbers pretty fresh in my mind, but it did not include the 30 hours of classroom.

ASSEMBLYMAN NAPLES: All right.

MR. FOX: It included just the six hours behind-the-wheel.

ASSEMBLYMAN NAPLES: Okay what would your phase of it cost?

MR. LOMONICO: The behind-the-wheel?

ASSEMBLYMAN NAPLES: Yeah.

MR. LOMONICO: That could vary, depending on the driving taught, anywhere from an extreme loss-- I've seen people bid as low as $125 which is kind of ridiculous, to the normal figure of around 250 to 300.

ASSEMBLYMAN NAPLES: I see nothing wrong with the private sector being involved. It is in special ed. I hope it doesn't turn into a billion dollar industry the way it has with special ed. in this State, literally that is.

MR. LOMONICO: I look at it this way--

ASSEMBLYMAN NAPLES: But I see no objection.

MR. LOMONICO: The way I look at it is that I realize that no matter how you look at any of this, there's money involved, but hopefully the money will enable people to hire and continue to improve the certification standards of the people who work for them and with the students. Otherwise sure, you can do it for $125, pay somebody $5 an hour. You know what kind of person you're going to get to do it.

ASSEMBLYMAN NAPLES: Right, right, exactly what I'm thinking.

MR. LOMONICO: It's a good partnership.

ASSEMBLYWOMAN RANDALL: Joe, you have another question?

ASSEMBLYMAN KYRILLOS: No, no.

ASSEMBLYWOMAN RANDALL: Nothing else, gentlemen?

ASSEMBLYMAN NAPLES: Very good presentation.

MR. LOMONICO: Just to go onto 4108 just to make sure we're--

ASSEMBLYWOMAN RANDALL: Right, the second bill.

MR. LOMONICO: Yes, the second bill. There it's the same type of recommendation with regards to the very first page, item 1, the same with regard to the Department of Education. I raised a question in my mind. Maybe I was off on it with regards to the phrase, "While attending secondary school." I had raised a question because I was concerned about the dropout, and I was concerned about things told to us in the past by anyone we discussed it with -- government or at the agency level, about the possibility of being accused of being discriminatory towards someone who is too poor because he dropped out of school to-- So you know, that's why I had a question on that.

I'm just making a note in your minds about it, and you have to look into it further. I don't know what to advise you on that. I just say think about it.

On the next page, on page 2, again looking at item 2, Part B: "Monies in the fund shall be used for grants to help defray the cost of behind the wheel driver training." And then it goes on to say, "The school district or non public secondary school," and again we suggest the addition of, "The private or private driving school."

It's consistent all the way through here. Wherever that phrase comes up. I won't go through every one of them. And then, item three again, the Commissioner of Education, again. We'd appreciate if you'd look at all of that.

With the funding down there the only thought that I can bring up-- Well, two thoughts. The one with regard to the manner of payment and collection: I think it's a little bit unreasonable to ask even the school district, and then of course certainly a private school and a private driving school, to wait a whole year before they ask for funds for people whom they taught and paid monies out to their employees to handle, and so on. We'd like to see something different on that; a more frequent capability for receiving funds where funding is allowed.

And again, we believe that the proper agency again should be, the Division of Motor Vehicle, the Office of Highway Safety, whichever is decided on. Both are working together and I guess they can bill the Treasury Department. One thought we had was Treasury Department. Another thought in connection with that was perhaps a voucher system. Maybe vouchers can be given and the students can turn them in, and it might simplify. I don't know. You'd have to work that out. I'm just throwing the thought out. It's one of the thoughts that we kicked around in our Committee session. And we thought that might be a way even though many of us have problems with the idea of vouchers. As a professional educator I've had some serious concerns about it, as I served in public education.

I think those are just the thoughts that I wanted to bring out that will hopefully help you to see it so that when you make your final decisions on this, it will be, again, the right thing. We've just got to do this right. We must succeed. All of us, you and us combined because there are too many lives at stake in the future.

ASSEMBLYMAN KYRILLOS: Thank you.

MR. LOMONICO: Let me see what else. I know, you're dying to get rid of me. I'm trying to get through to make sure.

ASSEMBLYMAN NAPLES: We think you've covered all the bases. We think you're doing a good job.

MR. LOMONICO: Okay, thank you. I think I covered everything. If you have no further questions, I will step aside.

ASSEMBLYMAN NAPLES: Yeah, let me just ask you one last question here. I said before, a moment ago, that there should be some mini type course taught on regulations in motor vehicle laws. In other words, a driver has to know what he's doing, and he has to know that he can't make a left-hand turn here. He has to know that he can't change lanes in a tunnel or something like that.

Unless you know the rudiments, you can't go to the rubrics of something. Don't you think there should be some kind of course mandated for a teacher so that if a kid say, "Mr. So and So or Ms. So and So, what do I do in a situation like that?" Because let's just take the worst: If the teacher can't answer that, how the hell is he going to teach me if he doesn't know himself? What kind of driver is he?

MR. LOMONICO: I agree with you. In fact, in my time I, on my own, read the Title 39 of that time from cover to cover.

ASSEMBLYMAN NAPLES: It's a good thing to know.

MR. LOMONICO: And I'll tell you, it's helped throughout my career in more ways than one because--

ASSEMBLYMAN NAPLES: It might save you a ticket too.

MR. LOMONICO: --I do know the answer most of the time. And I agree, there could be-- It doesn't have to be a mini course. I could see a course given on just--

ASSEMBLYMAN NAPLES: I'd take one myself right now, to tell you the truth.

MR. LOMONICO: Well, I'd take one again. You know, I never had one, so I could take one and be very happy with it. And I could see that course not really being devoted to Motor Vehicle laws and rules and regulations but maybe even bringing in some cases that have been decided on the basis of those rules and regulations. That people know that the law may read something, but there's still a problem when you think you have the right of way and you don't do what you supposed to do--

ASSEMBLYMAN NAPLES: You're exactly right.

MR. LOMONICO: --to prevent the accident. And that comes out in a court of law. So yes, I can see that very definitely. And I can see-- One more thought before I leave -- before I step aside. I can see as we suggested in our committee that all drivers should be in a position of being required to not only get training before they get their initial license but should be in a position to be encouraged to be retrained. And the way I put it all the time is that if we pay $16 -- well $17.50 for the picture license when we renew -- it would seem that the State should be providing us some means of updating so that we're kept abreast of the law instead of telling us, "By the way if you violate the laws which you don't know and haven't heard about, you're going to be held responsible. Ignorance of the law is no excuse."

And it can be done in a good way, by encouraging taking the defensive driving course or other courses like is offered by other groups, periodically and as a point reduction, a point savings type of thing which was a thought that came out of the Division of Motor Vehicle people on our committee.

ASSEMBLYMAN NAPLES: I'll tell you, you'll do a good job with these kids. The reason I'm smiling is I had to pick up a 17-year-old daughter of somebody I was going out with, to drive up to her mother's home. The kid had just gotten her permit, and she was so well versed that she was criticizing the hell out of me. Finally I said, "You have your permit?" "Yup." And I just pulled right over and said, "Here you drive. I'm going to sleep." I mean they really are well versed, and I'm very very moved by the kind of job you all do. Really.

ASSEMBLYWOMAN RANDALL: Thank you very much. Yes, Mr. Fox.

MR. FOX: I just want to bring up a couple things. Somebody asked a question about how many driving schools would be involved in the contracting aspect of it?

ASSEMBLYMAN NAPLES: I did.

MR. FOX: Okay, there's approximately 130 driving schools in the State of New Jersey.

ASSEMBLYMAN NAPLES: But not all of them would be contracting out.

MR. FOX: You'll probably be looking at less than 20%. Now that doesn't mean it wouldn't open up bigger if something like this was to take place.

ASSEMBLYMAN KYRILLOS: Twenty percent of driving schools?

ASSEMBLYMAN NAPLES: Of 130.

MR. FOX: And of the 130 you probably have about 12 that are either tractor-trailer operators or they're rehab people. So that's what you're looking at in the number of schools.

Two of the things I just want to ask; clarification for teachers for certification. You're not thinking in terms of people having teacher's certificates to be certified. Because if you're doing that, you're running into a problem

with the driving school industry because there's very few schools that are owned by "high school teachers." You've got schools out there that have been out there for 30-35 years. In fact the majority have been out there 10 or better years. So if you're looking for teachers-- If you come out with a teacher's certificate saying, "Well, they have to be teacher's certificates to be certified," you're putting the curse of death right on them.

MR. LOMONICO: That's why were thinking in terms of our Committee of a certificate that would be offered by the Division of Motor -- that would be approved by the Division of Motor Vehicles or the Office of Highway Safety or both, rather than the Department of Education, although it would be in consultation with them. The Department of Education would always have to approve their own high school Driver Education teacher. That's still something else.

MR. FOX: I currently hold certificates for 11 high schools. I teach in 11 high schools behind the wheel only but they're issued -- where you issued their I.D. certificates for this purpose. I'm probably one of the leading driving schools in New Jersey. I know in South Jersey we're contracting. We currently have 11 contracts of high schools which is like dealing with 11 different states because they have their own way of doing business. But we just want to make sure that the Committee is not going to come out and say, "Well, they have to be high school teachers to teach in the high school."

ASSEMBLYMAN KYRILLOS: This legislation doesn't address that at all.

MR. FOX: That was the only concern that I really had that clarifying that, that it wouldn't be as such.

ASSEMBLYMAN NAPLES: You ought to do the Voc. Ed.--

MR. FOX: Pardon me.

ASSEMBLYMAN NAPLES: A lot of Voc. Ed. teachers are not -- you know.

MR. FOX: Yeah. We have a lot of Voc. Ed. teachers. Of course you have a lot of people that this has been their livelihood for years, and all of the sudden you're going to pull the doors on them.

ASSEMBLYMAN NAPLES: Alternate route. Alternate route. (laughter).

MR. FOX: Thank you.

ASSEMBLYWOMAN RANDALL: Thank you very much. Jean Oswald. I have two more witnesses after Jean. We have Roiann Morford. Where is Roiann? Oh she's still back there. John Henderson from School Boards Association. If there is anyone else, if you would give us a slip of paper-- Other than that if there is no one further we'll have just these three more witnesses today. Good morning.

J E A N N E M. O S W A L D: Good morning. Thank you very much. The Department of Education supports these bills. We support the concept of encouraging school districts to offer Driver Education Programs. The decrease in the number of programs in recent years is reflective of the competing demands of the tax dollar in school districts as you're all aware. And the proposed funding assistance would certainly serve as an incentive for districts to reinstate or expand the Driver Education Programs they already have.

We will defer to the Departments of Motor Vehicle and Insurance regarding the Motor Vehicle surcharge, the fund, and the insurance reduction that's established in A-4108.

We support however the establishment of Drivers Education Programs and the provision of State funding assistance for districts which provide such programs.

There are two suggestions I'd like to make. First, a very minor technical point: In A-4108 there's a reference to establishment of representative cost per pupil. We would suggest that that be the average cost per pupil, which is what I think you're trying to get at in determining one-third of what.

The second suggestion concerns the Department of Education's administrative responsibilities which are ongoing in this legislation. A-4107 mentions the possible need for additional personnel and that may be possible or at least part of one person's staff time. While ongoing expenses can certainly be built into the Department's budget, the initial expenses which would be associated with the curriculum development, the dissemination, the form development and the staff time for administering the program, for determining the statewide average for the year and the eligible students, there is no program appropriation. We therefore recommend a $50,000 appropriation to the Department of Ed. for the initial administration.

I would just like to raise two other points in response to some of the comments that were made today. First of all, I would like to assure the Committee that if these laws are passed, the Department of Education would certainly implement them appropriately. As provided by the laws, we would follow through on that. Right now Drivers Education is a local option, and we have treated it as such, as we do other local options.

The second thing I would want you to know, that I would take back to the Department of Education and the State Board of Education the recommendation to review the current endorsement requirements for Drivers Education teachers. This would be in response to the recent report that came out from the Driver Improvement Committee and the comments we heard today. The State Board of Education has responsibility for teacher certification requirements, and they would be most interested in hearing these concerns. Thank you.

ASSEMBLYWOMAN RANDALL: Any questions for Jean?

ASSEMBLYMAN KYRILLOS: Yes.

ASSEMBLYWOMAN RANDALL: Yes, Joe.

ASSEMBLYMAN KYRILLOS: Jean do you have any further comment other than what you've already said to respond to some of the concerns about the competency or the qualifications of the State Board to design this curriculum as opposed to the Division of Motor Vehicles or someone else?

MS. OSWALD: I would say in regard of the competency to assign the curriculum, there's no problem there. And there's so many things available right now to work from. I talked with Jim Hughes about the number of curriculums they looked at in doing their report themselves. That's not the problem. I think the concern that was raised was that this isn't important to the Department, it would become a stepchild. What becomes important to the Department is what becomes enacted by law, and what we are instructed to do.

ASSEMBLYMAN KYRILLOS: With regard to the request for a $50,000 appropriation, is there not anywhere in the Department right now somebody or some bureau that oversees Driver Education in the State? I know it's a local option, but is there anything that exists now in the bureaucracy?

MS. OSWALD: No, there is not. There are a number of local options in the school districts and there are staff people in Trenton in a few areas: there's a math specialist, a science specialist, but for the most part there aren't people linked to subjects.

ASSEMBLYMAN KYRILLOS: Where in the structure of things, would this kind of program be placed?

MS. OSWALD: The problems would lie in the funding and the reporting. It would probably end up in Bob Swissler's shop in Finance, as Asbestos Aid does. He now has as a result of enactment of the Asbestos laws some years back, two full-time staff people just to administer all that goes on in providing the funds to districts and so forth. And there are two other State agencies involved in that too: Health and Environmental Protection.

I don't know that requirements in this particular bill would require one full-time staff person, nor does he have anybody -- especially with the hiring freeze -- that could take it on, should it be enacted soon.

ASSEMBLYMAN KYRILLOS: So you see the money in not just a personnel cost but printing and literature.

MS. OSWALD: At first there's the printing up -- the development layout of the curriculum, determination of what should be in it. It's going to be a very important curriculum. It's the one that you're going to be required to use if you want to be eligible for funds from the fund that you're establishing. So we want it to be the best popular curriculum we can put together.

Then there's the laying it out, the printing, the dissemination, which is probably going to come to $20,000 right there.

ASSEMBLYMAN KYRILLOS: Okay, thank you.

ASSEMBLYWOMAN RANDALL: Thank you very much, Jean.

Roiann Morford from the Division of Motor Vehicles. The Department of Education wants $50,000. But if you get the job, how much do you want? (laughter)

ASSEMBLYMAN KYRILLOS: If you say 40, you've got it.

ASSEMBLYMAN ROMA: Depends on the surcharge.

R O I A N N M O R F O R D: Madam Chairman, first let me say this. The Department of Education is in the business of educating students, the Division of Motor Vehicles is in the business of issuing licenses, registrations, and titles in a timely, efficient, and effective manner. So, I would have to take that back and relook at that issue with respect to Mr. Lomonico's suggestion. I have a feeling that you probably would end up coming up with a much larger appropriation that would be necessary with DMV.

We are in total support of the concept that has been presented and we commend Assemblyman Kyrillos and Assemblyman

Roma for their attempt in trying to deal with this important issue. However, as Assemblyman Roma has indicated to this Committee in his opening remarks, we have a very severe concern about the funding mechanism by which they're trying to get the Education course off the ground:

One, the Director feels that there is no correlation between that person who in this State is termed a bad driver and the educational program on students in the secondary school level.

Secondly, from an administrative problem, we have been working for three years very diligently to improve the image of the Division of Motor Vehicle and I think, personally, we have come a long way in attaining that goal. We feel that in dealing with the restoration and an increase in the restoration fee, that this is a back door method and back door approach. The customers that we will have to deal with will not understand why $25 of that $55 has to go to a Driver Education program.

You are already, as Assemblyman Roma has pointed out, a restoration on a bad driver. You've got the gamut from a DWI, at $1000 a year surcharge for three years, a $500 fine up-front for first offense, and a six-month suspension of your license, and then we come along and administratively say, "Thirty dollars for your restoration fee." You have a Blood Alcohol Countermeasures Program which the people have to go to; that's $80. Plus they usually recommend counseling for any number of days or hours with a licensed counselor, to the tune of $80-$125 an hour for those people.

You've got the revoked license. That's another $250 a year for three years for surcharge. Five hundred dollars up-front and a six month suspension of the license.

Then we get down to the lesser degrees, if you will, bad driver. A person writes a check to renew his registration

and it's a bad check. We hit him for the $30 restoration fee and we will suspend his license until such time as he makes good on the check.

You have a person under the Parking Offenses Adjudication Act who is an 80-year-old man who misplaces a parking ticket. That law was amended in 1985 to provide for one outstanding parking summons not paid, for the Division to suspend the driver's license. In suspending the license of this 80-year-old man we then turn around and hit him for a $30 restoration fee in order to get his license back.

What we are saying to you is that we have another alternative to suggest to you. I know that I explained to Assemblyman Roma the increase of the registration and the increases of the licensing fee. And in general, if you're going to look to Motor Vehicle for the conduit to collect your fees, I understand politically that's a very sensitive issue and not one which the Legislature would look favorably upon.

However, we do have another alternative for you and that would be to increase the learner's permits in this State. Currently last year we issued 520,000 permits across-the-board and that may be a better mechanism by which to attain your funding. There is a causal relationship between the permit and the people you're trying to educate rather than the "bad drivers." So, philosophically we would not be opposed to that type of increase in fees.

If you increase the restoration fee, it's another administrative problem for us. We will have to go back and reprogram the comprehensive system because both on the licensing file and on the registration file, you see when you look at the two -- restoration fee paid or unpaid at $30, as it currently stands by regulation.

So those are some of the problems you have from us with respect with the restoration fee, using that. And we're offering this as an alternative for you to consider.

ASSEMBLYWOMAN RANDALL: Comments?

ASSEMBLYMAN ROMA: I have a couple of questions.

ASSEMBLYWOMAN RANDALL: Yes, Pat.

ASSEMBLYMAN ROMA: You've come a long way since the initial conversation. (laughter)

MS. MORFORD: That's my job, Assemblyman.

ASSEMBLYMAN ROMA: But what I'd like to know is how many people fall in that category? And I realize it's a little difficult perhaps--

MS. MORFORD: Of what?

ASSEMBLYMAN ROMA: The person that writes the bad check.

MS. MORFORD: I've already tried to check into that for you, Pat, and in reality I would have to run a program to separate all the restoration causes out. And at this time, between Thursday and today I wasn't -- obviously we weren't able to do that.

ASSEMBLYMAN ROMA: Yeah I'd be concerned if we had a large number of people that were paying that $30 for a bounced check. Because I'm sure there are a couple of situations where people unfortunately, think they're doing the right thing, and I'm sure that that is the smaller percentage. But I certainly think the idea of the learner's permit is another alternative to the funding.

One of the problems, not necessarily political-- There is a general perception out there, as you well know, that people are paying for these other drivers. What we're attempting to do is to effect some sort of legislation that will take care of all of these different issues. It certainly is complicated, but I think that it's something that we can discuss, certainly, at a future Committee hearing in terms of a learner's permit or some combination. Thank you for your cooperation.

ASSEMBLYWOMAN RANDALL: Yes, Joe.

ASSEMBLYMAN KYRILLOS: Where does the current $30 for restoration go to now?

MS. MORFORD: It goes to the general fund. We generate in revenue approximately $500 million for the State.

ASSEMBLYMAN KYRILLOS: If you want to make the argument that we should bite into that $30 you have now, what about the bad checks and the misplaced parking tickets of senior citizens--

MS. MORFORD: Misplaced parking tickets--

ASSEMBLYMAN KYRILLOS: --with your current $30 restoration fee?

MS. MORFORD: A portion of that-- The parking tickets go directly to the municipalities for funding.

ASSEMBLYMAN KYRILLOS: No, I'm talking about the person who misplaces a parking ticket and loses his license, and needs to pay the $30 to get it restored.

MS. MORFORD: It goes back to the general treasury.

ASSEMBLYMAN KYRILLOS: I understand. Your argument about the burden that we're placing on them holds true now and has held true for a number of years. And as far as reprogramming the computers, I'm sure if you increased the learner's permit, you'd have to reprogram your computers for that, as well.

MS. MORFORD: No, the comprehensive system does not indicate a learner's permit out there. We have an auto pick period. It does not have a fee on the system whereby counter the restoration fee, it shows up on both the 5.2 million licensing and 6 million registrations that we have out there when we suspend. So that's what we're talking about in terms of burden.

ASSEMBLYMAN KYRILLOS: Okay, I'm not familiar enough with your system of operation to really comment. You talked about the image of the DMV, staying on that a little bit in terms of how this would hurt that image.

MS. MORFORD: Because people-- Let's be honest about it. That's a hidden way -- a hidden cost of user fee and it's an administrative way of generating revenue.

ASSEMBLYMAN KYRILLOS: A hidden cost from my perspective and I don't mean to quarrel with you -- I know you're just carrying the message here -- is the $30 that we have now that just gets thrown into a-- It seems like an arbitrary figure, and just gets thrown into the general treasury. This would have a purpose. As far as I'm concerned, there is a correlation between bad drivers and people who have lost their licenses for writing a bad check or whatever, but for the worst of reasons and assuming some responsibility for the safety of our roadways and the safety and well-being and training of new, young drivers. To me there is a correlation. But I appreciate your concerns, and obviously we need to hear them.

ASSEMBLYMAN NAPLES: I was just wondering -- if I may, Madam Chairman -- with that kind of revenue, are you available for bond issues? (laughter)

MS. MORFORD: Well I think we're the second largest State agency to be generating revenue.

ASSEMBLYMAN NAPLES: Be careful, you may be next.

MS. MORFORD: No thank you, no thank you.

ASSEMBLYWOMAN RANDALL: I'm sure we'll take a look at the numbers there, Roiann, on increasing learner's permit's fees. If that doesn't appear to be enough though in terms of matching up, then you come back to maybe a combination of the two, which brings up your problem of the reprogramming. I'm surprised that it's that significant of a problem to have to deal with a reprogramming process whenever you talk about an increase in that fee. I just thought you had such a wonderful state-of-the-art system.

MS. MORFORD: No, we have to go through--

ASSEMBLYMAN KYRILLOS: The Attorney General keeps telling me about the great system you have and how nimble they are. (laughter)

MS. MORFORD: We have to go through OTIS and we have priorities and they compete with State Police and Criminal Justice and every other agency that uses that type of a system. And that's where you have your problem.

I think that in talking with staff and looking at the number of permits that we have issued, you can, in effect, get the funding mechanism that you need by increasing that permit by $5 or $6 across-the-board. If the figures are correct--Republican staff has come up with it affects 85,000 potential children in this State and they were looking to subsidize up to $50 a course, so you could get that by doing that on the learner's permit.

ASSEMBLYWOMAN RANDALL: I don't know if those figures are correct. I'd like to think they are but--

MS. MORFORD: Yeah well I mean I'm only depending on that and--

ASSEMBLYWOMAN RANDALL: This time of year we can't agree. Nobody can agree on figures. (laughter)

ASSEMBLYMAN KYRILLOS: Well, we'll look into those figures.

ASSEMBLYWOMAN RANDALL: Yes we will. All right.

MS. MORFORD: Thank you.

ASSEMBLYWOMAN RANDALL: Thank you very much, Roiann. John Henderson, School Boards Association. Our last witness.

J O H N H E N D E R S O N: Thank you, Madam Chairman.

ASSEMBLYMAN NAPLES: The best for last. I have $50 bet on what you're going to say.

MR. HENDERSON: Oh, no.

ASSEMBLYMAN NAPLES: And I'm not going to tell you I'm not crazy.

MR. HENDERSON: Actually there are problems and benefits going -- being last. The benefit is hearing everybody else. The problem is saying something new.

We'd like to, through the Chair, and if we could have your permission, ask a few questions of previous testifiers which we think would help the Committee in their deliberations if that would be possible.

ASSEMBLYWOMAN RANDALL: If they're still here and they wish to.

MR. HENDERSON: Thank you. The bill states that only 40% of the school districts offer comprehensive programs. I wanted to ask either Fred or Jim if they know the percentage of districts-- We're trying to avoid taking a rvey on our own and its cost and whatnot. If you've done the work, what percentage of school districts offer the first phase, the theory course alone? We believe it's the majority of schools.

MR. HUGHES: (speaks from audience) Yeah.

MR. MILLER: (speaks from audience) I think it's high. The classroom Driver Education right now is high.

MR. HENDERSON: That's an important point because what's missing here is the behind-the-wheel component.

ASSEMBLYWOMAN RANDALL: In other words the comprehensive plan is only offered by about 40% of the districts.

MR. HENDERSON: That's right.

ASSEMBLYWOMAN RANDALL: But if you're talking about classroom instruction, you are up to about 90%.

MR. HENDERSON: Thank you fellows, you saved us a lot of time. The second point of information-- Our understanding is that the program -- the projected budget for the program funding, one-third would be three-and-a-half million dollars for the first year. Is that correct?

MR. HUGHES: Yes.

ASSEMBLYWOMAN RANDALL: Are those the figures you have, Jim?

MR. HUGHES: Approximately.

ASSEMBLYMAN KYRILLOS: Yes, that is correct.

MR. HENDERSON: Then our calculation is that if you raise the driver permit fee from $5 to $25 you would now be talking the kind of money that would get school districts to take part in this program. I think I can, first of all, say to you that the School Board Association needs to take this legislation to our Legislative Committee-- Yes.

MS. MORFORD: (speaks from audience) John I'd like to correct you. My alternative approach was to increase by five or six dollars the basic learner's permit which is currently issued at five dollars.

MR. HENDERSON: I know, I didn't mean to misrepresent your testimony but--

MS. MORFORD: No, but I heard $25.

MR. HENDERSON: Well, that's what we're suggesting. That's what we're suggesting.

ASSEMBLYWOMAN RANDALL: He feels that's what might be necessary to do the job.

MR. HENDERSON: Because the first point that I want to leave with is that we've heard a lot of sincere testimony today, and I can tell with some experience with the School Boards Association, I don't know of one school district that will take this program on at one-third funding. I don't know of one.

The legislators here were witness to our rally last Thursday about full funding. The programs like this are the first to go, and more will go this year. It's as simple as that. Therefore, to be serious about this program, we must concern ourselves with the funding.

We suggest that the $25 fee for the learner's permit is not inappropriate in this day and age. Perhaps the last

time it was raised, if we add in the inflation over the years $25 might comport more realistically with today's economy. So, that's the issue the School Boards is focusing on.

The other things that we raise, perhaps of some interest, that would not cause us to oppose the bill, but we wonder if the Committee considered the discrepancy between certification and licensing. There is an interesting difference. Right now the certification is only three credits. We have no problem with it going to six. We're very intrigued by the fact that driving schools' staff must take a three phase test. A written test -- correct me if I'm wrong, John -- a written test, a tougher driving test, and then finally take a DMV person aside and teach them a lesson.

We suggest -- and again it would not cause us to oppose the bill, Assemblyman Kyrillos -- perhaps an option in that extra three credit area you're talking about, or allowing the candidate to take a defensive driving course, a AAA course, and subject themselves to what we think is this rather intriguing accountability aspect of the licensing procedure that is not involved in certification.

If I can be smart for a moment, those of us with basketball background are absolutely sure that Bobby Knight is a terrific teacher and fabulous coach. I'm not sure under any circumstances I'd want him teaching Driver Education. This would come out perhaps, and it may not be caught by the current licensing test, but actually having a candidate teach a lesson to the DMV is an intriguing thing that is not posed here and we throw out to you for your consideration.

ASSEMBLYWOMAN RANDALL: You could ask John Thompson to teach the course but he might not show up. (laughter)

MR. HENDERSON: This ties in also to another concern about supply and demand. We would propose a grandfather clause in the legislation as a matter of stabilizing the supply of Driver Education teachers. But probably would have no problem

with requiring the would-be grandfathered current Driver Education teachers to also go through this licensing. It again comes to as an odd discrepancy that appears in one hand the standards in driving schools may be tougher. True they don't have a bachelor's degree, they don't have to take the six credits, but they do have to perform in a way, in a accountable way, that the would-be certified teachers don't have to perform.

Thank you, Madam Chairman, members.

ASSEMBLYWOMAN RANDALL: Thank you, gentlemen. Gentlemen, any last questions?

ASSEMBLYMAN KYRILLOS: Just a comment, I think Roiann is gone but I was informed -- there she is -- when we talk about learner's permits, we're not just talking about the 17 year old that gets a new learner's permit. We're talking about people that move into the State from other states.

MS. MORFORD: (speaks from audience) Yes, that's--

ASSEMBLYMAN KYRILLOS: We're talking about people that want to drive a motorcycle. There's a whole host of categories.

MS. MORFORD: You have a special learner's permit issued to those students that would be 16, 16-and-a-half years of age. You have the basic driver's permit which when I moving from Pennsylvania I had to apply for on coming to this State. Then you've got the motorcycle permit. You've got the omnibus permit and you've got the articulated license permit.

ASSEMBLYMAN KYRILLOS: So, we're talking about a lot of people, a broad section of the populace. We're not talking about kids that are learning to drive for the first time.

MS. MORFORD: Right, right.

ASSEMBLYMAN KYRILLOS: We're talking about correlation and whatnot. We've got to take that into account.

ASSEMBLYMAN NAPLES: How do you feel about mandatory seat belts in these-- (laughter)

MR. HENDERSON: I had the nicest conversation with Jim Hughes until you had to bring that up.

ASSEMBLYMAN KYRILLOS: John, you really think that no school board in the entire State would take advantage of this? Have you polled this?

MR. HENDERSON: I don't want to deceive you, Assemblyman Kyrillos. Our protest last week was very sincere. The flip side of what I said is I believe that more Driver Ed. programs will be cut this year. It is out there. They go. Librarians go. Anything that isn't mandated goes. Maintenance in the system goes. Facilities get worse. Anything that is hanging out there that isn't mandated will be cut. And I can almost assure you with this current budget, that's exactly what will happen.

ASSEMBLYMAN KYRILLOS: I understand--

MR. HENDERSON: It will be down less than 40, perhaps 30.

ASSEMBLYMAN KYRILLOS: I understand what you're saying. And those of us that were out there pushing and supporting full funding can sympathize with what you're saying. But in the absence of full funding for a whole host of current mandates and programs, we need to be practical on this program, and that's why the money is what it is. But thank you.

ASSEMBLYWOMAN RANDALL: I want to thank everyone for coming. I'm sure Joe Palaia will let everyone know when this will be posted for consideration for vote by the Committee. The transcript of the hearing will be available within a couple of weeks through the OLS. Gus, Gus Nasmith.

A U G U S T U S N A S M I T H, E S Q.: (speaks from audience) Excuse me, may I just make a comment because the sponsor specifically requested that I invite the insurance industry who had concerns to say something. I don't want to be quiet but it's late.

ASSEMBLYMAN NAPLES: You're usually vocal when it's early, the insurance industry.

ASSEMBLYWOMAN RANDALL: Just to make sure so we pick you up for our record, can you come around here and sit by the mikes, please? You can tell us your title while you're at it.

MR. NASMITH: (complies) My name is Augustus Nasmith, I'm a lawyer and I represent the National Association of Independent Insurers, and I hope that I can express our concerns to the sponsor. Do you want me relate them now?

ASSEMBLYMAN KYRILLOS: Sure.

ASSEMBLYWOMAN RANDALL: Please.

MR. NASMITH: Number one, as to the 10% mandatory discount. We think that the discount should be such the principle you'll recognize in succeeding years, whatever the statistics show. Number two, the rate reduction goes to the driver for a period of five years after completion of a course. I'm no expert, but I don't know whether the value of a course sticks with one for five years. Previous legislation has used the term of three years. I think, in my personal opinion, five is too long.

Third, the point accumulation of six points which knocks out the credit makes sense to us. It indicates that the course didn't quite stick with this person. But I think to say that it has to be six points within the immediately preceding two-year period is getting too much of a break. And the credit ought to expire as soon as somebody gets the six points. Thank you for the time.

ASSEMBLYWOMAN RANDALL: Thank you very much.

ASSEMBLYMAN KYRILLOS: I just have one question. What kind of discount do most companies currently offer for those who take Driver Education courses?

MR. NASMITH: I honestly don't know. I'll have to find out.

ASSEMBLYMAN KYRILLOS: I'm told that it's at least 10%, sometimes even higher, so I'm not looking to reduce it, maybe up it. Do you know offhand?

MR. NASMITH: I don't.

ASSEMBLYMAN KYRILLOS: Okay. I have a letter from a constituent saying some offer up to 20% discount. We'll find that out. Thank you.

ASSEMBLYWOMAN RANDALL: All right, thank you everyone for coming. We'll stand adjourned.

(HEARING CONCLUDED)

APPENDIX

ORGANIZED 1894 INCORPORATED 1914

NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS

January 26, 1989

David Rosen, Staff Associate
Assembly Education Committee
State House Annex
CN 319
Trenton, NJ 08625

Re: Legislative Hearing
Assembly Bills A-4107 and A-4108

Having investigated Assembly Bills A-4107 and A-4108 I wish to register my support of these bills.

It has been proven that drivers who have had driver education are better drivers, and I am most pleased to seea uniform driver education curriculum.

Sincerely,

Betsy Foster

Betsy Foster, State Chairman
Public Affairs Department
Safety Division, NJSFWC

IX

Highway Safety Conference

Division of New Jersey State Safety Council

6 COMMERCE DRIVE • CRANFORD, NEW JERSEY 07016 • (201) 272-7712/2930

A NONPROFIT, NONGOVERNMENTAL PUBLIC SERVICE ORGANIZATION DEDICATED TO THE PREVENTION OF ACCIDENTAL DEATH AND INJURY

SECTIONS

Traffic Safety Committees of:

Atlantic
Cape May
Bergen
Burlington
Camden
Cumberland
Gloucester
Salem
Essex
Hudson
Hunterdon
Sussex
Warren
Mercer
Middlesex
Somerset
Monmouth
Morris
Passaic
Ocean
Union

January 26, 1989

Honorable Joseph A. Palaia
Chairman of the Education Committee
of the General Assembly
Room 341
State House Annex
State Street
Trenton, New Jersey 08625

Dear Assemblyman Palaia:

The Highway Safety Conference has supported driver training programs that would impact on traffic safety in New Jersey. There has been a serious decline in the quality of these programs to a point where they are almost non existent. It is very important that drivers on our congested roadways have the special skills that today's traffic patterns demand. Driver error is responsible for almost 85% of all our serious or fatal accidents.

The Safety Conference and its sections fully support A-1407 and A-1408 and urge the passage of these bills. These laws will upgrade the quality of the high school's driver training programs.

The student will be better prepared to cope with driving problems generated in the mix of small cars and big trucks on overcrowded highways. A well trained driver will avoid accidents and thereby save lives, time and money and place less of a financial drain on the state's resources.

We urge passage of these two important bills.

Sincerely,

Bruce Montgomery
Chairman

BM:ck

2X

CHAIRMAN, BRUCE MONTGOMERY, Fleet and Leasing Manager, Ford Motor Company; VICE CHAIRMEN, GEORGE HAGEMEISTER, Vice President, Gannett Outdoor Co., Inc. of New Jersey; RODEN S. LIGHTBODY, Traffic Engineer, Ocean County; RICHARD W. SCHATZEL, Fleet Safety Coordinator, The New York Times; SECRETARY, HARRY J. VAN LENTEN, Director, Traffic Division, New Jersey State Safety Council.

Highway Safety Conference

Division of New Jersey State Safety Council

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Essex
Hudson
Hunterdon
Sussex
Warren
Mercer
Middlesex
Somerset
Monmouth
Morris
Passaic
Ocean
Union

January 27, 1989

Honorable Joseph A. Palaia
Chairman of the Education Committee
of the General Assembly
Room 341
State House Annex
State Street
Trenton, New Jersey 08625

Dear Assemblyman Palaia:

World famous race drivers Andretti and Rutherford work hard at being skilled drivers and pay close attention to their driving. They say that the nation's streets and highways would be much safer if the motoring public did the same thing. Driver Education Programs, early in life, help develop these driving skills so necessary to the safe operation of a motor vehicle, but most high schools have eliminated the "behind the wheel" portion of this important training program. In surveys conducted by the Burlington County section of the Highway Safety Conference, most high school programs have deteriorated to classroom lectures.

Accidents cost money which affect the family and community in many ways. "Budget-restraints" are the reason given when Driver Education Programs are curtailed. Persons who take driver training reduce their chances of having an accident by as much as 32.8% and driver traffic violations by 24.9% thus reducing the high cost of accidents.

A-4107 and A-4108 would restore the Driver Education Program to its rightful place in preparing new drivers to avoid serious accidents. Our committee urges the passage of these important bills, since "Driver Error" is the cause of most fatal accidents. Young drivers are involved in a disproportionate number of accidents, when compared with other age groups. These bills would help our young drivers to change this statistic.

Thank you for your interest and support on this important issue.

Sincerely,

Tom Lynskey
Chairman, Burlington-Camden
Traffic Safety Committee

TL:dk

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Highway Safety Conference

Division of New Jersey State Safety Council

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A NONPROFIT, NONGOVERNMENTAL PUBLIC SERVICE ORGANIZATION DEDICATED TO THE PREVENTION OF ACCIDENTAL DEATH AND INJURY

September 13, 1988

DRIVER IMPROVEMENT COMMITTEE

EXECUTIVE SUMMARY

Although young drivers are greatly over-represented in all automobile crashes, and especially in fatal crashes, there is no consistent statewide effort to teach young drivers the skills and attitudes they need to drive safely. The secondary school Driver Education Programs that do exist are the responsibility of local school districts operating within minimum state guidelines.

As a result of increasing fiscal constraints in recent years, school boards have terminated existing programs or declined to establish programs. In the past 13 years, there has been a 60 percent decline in the number of comprehensive (30 & 6) Driver Education Programs offered by secondary schools in the state at no charge to the student and many other districts are considering the termination of their Driver Education Programs.

The lack of comprehensive Driver Education and the continued erosion of the programs offered means that an increasing number of initial drivers have no formal training in safe driving techniques and attitudes. That lack is quite literally a matter of life and death for not only initial drivers, but all other highway users as well. The high number of accidents in which young drivers are involved produces great personal loss and suffering and a financial drain on all of the citizens of New Jersey, and contributes to the automobile insurance premium crisis.

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The New Jersey Driver Education/Improvement Committee* was formed by the New Jersey State Safety Council to evaluate the present status of Driver Education and Driver Improvement activities. The committee reviewed the current state of Driver Education and Driver Improvement in New Jersey and identified the principal problems affecting Driver Education/Improvement efforts. The committee determined that in order to be effective, quality Driver Education must be available to all initial drivers. In order to retain existing programs and restore terminated programs, funding on a per student basis must be made available.

As a result, the committee moved to develop recommendations for the creation of a comprehensive statewide Driver Education and Improvement Program provided by both public and private sector which will address deficiencies in the current system.

The principal recommendations of the committee are:

1. Develop a required comprehensive Driver Education and Improvement package that would include: a) training for all drivers prior to initial licensure, b) special emphasis programs for problem drivers, and c) periodic Driver Improvement/Refresher programs for all drivers.

2. Develop a uniform Driver Education curriculum for the traditional 30 clock-hour minimum classroom and 6 clock-hour minimum behind-the-wheel instruction, (observation time does not satisfy the behind-the-wheel time requirement). The 30 and 6 program shall be a condition for initial licensing for all individuals under age 18. (Co-approved by the New Jersey Department of Education and New Jersey Division of Motor Vehicle Services and New Jersey Division of Highway Traffic Safety).

*(List of participating Committee members and resource persons attached)

3. Develop a uniform Driver Education/Improvement Instructor certification curriculum. There shall be parity of instructor qualifications for all secondary and private school instructors who present the 30 and 6 program. Minimum three college credit teacher preparation course in driver education classroom subject content shall be required for all instructors of the classroom phase and an additional minimum three college credit course in behind-the-wheel subject content shall be required for all instructors of the behind-the-wheel phase (6 credits).

   Currently certified instructors can meet upgraded certification requirements by completing a three credit college traffic safety course or by attending approved continuing education programs (3.0) within a three year period.

4. Develop a uniform Driver Education curriculum for a 7 clock-hour minimum classroom and 3 clock-hour minimum behind-the-wheel familiarization program to be required as a condition for initial licensure for all individuals 18 years of age and over (New York State has a similar requirement).

5. Instructor certification for the 7 and 3 program shall be the satisfactory completion of a three credit college Driver Education teacher certification course which includes both classroom and behind-the-wheel subject content and teaching methodology.

6. Teachers for all (30 & 6 - 7 & 3) programs shall be authorized to administer law knowledge test and vision screening. Division of Motor Vehicle Services personnel shall monitor the testing procedures. Division of Motor Vehicles Services shall be assigned the administration of the 30 & 6 and the 7 & 3 programs.

7. Division of Motor Vehicle Services shall upgrade the quality of the existing driver testing program (road test) by adopting the American Association of Motor Vehicle Administrators - Certified Driver Examiner program.

8. Partial State funding shall be provided for all 30 and 6 Driver Education Programs. Possible sources of funding may be dedication of specific motor vehicle fees such as fines or registration and license fees. (The Legislature has set a precedent for using dedicated funds, i.e., alcohol surcharges).

9. Develop a special remedial package of instruction for all problem drivers. This package shall include the existing Probationary Driver Programs administered by the Division of Motor Vehicle Services.

   The package could also include a court mandated driver improvement program similar to Florida and other states and a motor vehicle violation point reduction and/or insurance premium reduction based upon satisfactory completion of any of the approved programs, as in New York State, Delaware and a number of other states.

10. Utilize existing community programs for individuals who desire periodic improvement of their driving ability. This would be an incentive oriented proposal utilizing programs approved by the Director of the Division of Motor Vehicle Services such as, the AARP's 55 Alive Program, AAA's Driver Improvement Program, and the National Safety Council's Defensive Driving Courses.

    Instructors for these programs shall be trained and certified by the sponsoring organizations and approved by the Director of Motor Vehicle Services. Instructors for these courses shall not be required to take the college teacher preparation course/s required of teachers who instruct the 30 and 6 and 7 and 3 programs.

11. An ongoing evaluation of all recommended programs shall be conducted by government agencies which have responsibility for driver improvement and by an advisory committee which shall include but not restricted to the organizations serving on the present Driver Improvement Committee.

12. The Legislature of the State of New Jersey and the New Jersey Congressional delegation are requested to petition the National Highway Traffic Safety Administration to reinstate high school driver education as a priority standard.

PROBLEM STATEMENT

Since the advent of the age of the automobile, writers, and commentators have praised and decried the auto's impact on society. On the one hand, the auto has been hailed as the vehicle for unparalleled economic growth, prosperity and mobility, and on the other hand, has been damned as an instrument that has severed the bonds of society.

Whether it is seen as a boon or a curse, however, the auto has been recognized as a terrible instrument of destruction. Automobile crashes have taken more lives than all of our nation's wars. The costs associated with automobile crashes are counted in the tens of billions of dollars nationwide each year.

Figures developed by the National Highway Traffic Safety Administration, when applied to the accidents which occurred in New Jersey in 1986, indicate that cost to the State approached $3.1 billion.* That cost is borne directly by the individuals involved in crashes and indirectly by all citizens of the State: in automobile and medical insurance costs, lost wages and taxes, the cost of social programs which attempt to pick up the pieces and by tax-supported services provided by State and local agencies.

The financial cost of automobile crashes is borne by all citizens of the State, but automobile deaths strike the young most heavily. Automobile crashes are the leading cause of death of young people between the ages of 1 to 25. Young drivers are over-represented in all automobile crashes in relation to their percentage of the driving public.

*(New Jersey Division of Highway Traffic Safety figures).

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Mindful of those tragedies and the cost of automobile accidents, the citizens of New Jersey instituted Driver Education Programs in the secondary schools as far back as 1949 to train initial drivers. The insurance industry even responded by lowering the premiums of young drivers who satisfactorily completed a program.

In 1976, 96% of the secondary schools offered comprehensive Driver Education Programs at no charge to the student. In 1981, the percentage had fallen to 72%, a net loss of nearly 25%.* In 1986, the percentage had fallen to 40%, a net loss of 60%.** The number one cause of program terminations has been financial. Since the advent of budget caps on school districts, lack of legislation mandating the availability of driver education for all eligible students, reduction in staff and difficulty in the procurement of training vehicles, driver education has deteriorated considerably in New Jersey's secondary schools.

For the most part, young drivers who are unable to afford to pay for driving instruction, join the motoring public untrained and inexperienced, a deadly combination.

Driver training should be viewed as a long term comprehensive program which is intended to create appropriate driving attitudes and manipulative skills. The combination of the teaching of manipulative skills associated with the operation of a motor vehicle is of equal importance to the educational treatment which must be applied to the development or modification of inappropriate driving behavior and attitudes.

*(1981 Governor's Driver Education Task Force Report).

**(Estimate based on a survey conducted by the New Jersey Division of Highway Traffic Safety and the New Jersey State Safety Council's County Traffic Safety Committees).

Driver Education Programs, taught in the secondary schools are most likely to be used by all young people for the rest of their lives if they are to function in today's working society. Many students will never take the wide variety of courses offered in the secondary school or even become athletes, but nearly all will drive. Few students die in athletic or academic activities. However, many die while driving and proper skills and knowledge must be made available to young drivers in order to reduce that loss.

Traffic record data analysis indicates that action must be taken to reduce the number of deaths, injuries, accidents and motor vehicle violations that are occurring on New Jersey roads - and that something must be preventive-before the damage is done-not after.

The magnitude of the problem in New Jersey is evident when we look at the 1986 traffic accident report - motorists drove 56 million miles were involved in 265,000 accidents resulting in 1,070 deaths and 146,000 injuries (New Jersey Department of Transportation figures).

CURRENT STATUS OF DRIVER EDUCATION IN NEW JERSEY

Secondary School Driver Education Programs

As previously indicated, there has been a considerable decrease in the number of secondary school Driver Education Programs offered in New Jersey at no charge to the student. There has been a 60% decline in the number of behind-the-wheel programs offered at no charge to the student. As a result, of the approximately 110,000 potential young drivers eligible for driver education training, only 40,140 or 40% participate in a comprehensive secondary school Driver Education Program.

The secondary schools have experienced difficulties with funding for the comprehensive program because of budgetary constraints and many schools have also experienced problems funding the behind-the-wheel segment. Formerly, most driver education vehicles were loaned to the schools by local automobile dealers at no charge. Because of the considerable financial problems faced by the dealers, they have been unable to loan cars to the program. Instead vehicles must be leased or purchased by the local school districts.

Additionally, the subject matter for the classroom instruction is not standardized and is not subject to evaluation by the State Department of Education.

At present, a secondary school driver education teacher's certification requires only three college credit hours in traffic safety education in order to teach the classroom and/or behind-the-wheel phase of driver education.

Private Driving School Programs

Private driving school standards are defined within Title 39 Chapter 12 and compliance review is the responsibility of the Division of Motor Vehicle Services.

Presently, private driving school instructors must pass a special law knowledge test, a road test, and complete an eight-hour National Safety Council Defensive Driving Program.

Status of Funding

At the Federal level, the National Highway Traffic Safety Administration promulgated Highway Safety Program Standard 4 (Driver Education) on June 27, 1967. The Standard was a program guideline which defined minimum standards which each state should meet. As a result of Standard 4, Federal Highway monies were available to help subsidize local Driver Education Programs.

However, in 1982, Standard 4 was among others dropped by the National Highway Traffic Safety Administration as a priority area and, as a result, Federal funding for Driver Education Programs was no longer available. This placed the responsibility for funding Driver Education Programs with the individual states.

Historically, New Jersey, at the State level, has never funded Driver Education Programs. Rather, it has been the responsibility of the local boards of education to budget for the implementation and/or continuance of the programs.

Despite lack of funding, the New Jersey Department of Education is responsible for teacher certification and the New Jersey Motor Vehicle Services regulates the issuance and use of Special Learner's Permits for students receiving behind-the-wheel training and also is responsible for regulating private school instructors and curriculum.

At present, neither agency monitors the teachers/instructors or the curriculum resulting in inconsistencies in the areas of instructor certification and curriculum content.

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