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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 22.1-205 of the Code of Virginia, relating to driver education; dangers of reckless driving, including driving at excessive speeds.

[H 1352]

Approved

Be it enacted by the General Assembly of Virginia:
1. That § 22.1-205 of the Code of Virginia is amended and reenacted as follows:
§ 22.1-205. Driver education programs.

A. The Board of Education shall establish for the public school system a standardized program of driver education in the safe operation of motor vehicles. Such program shall consist of classroom training and behind-the-wheel driver training. However, any student who participates in such a program of driver education shall meet the academic requirements established by the Board, and no student in a course shall be permitted to operate a motor vehicle without a license or other document issued by the Department of Motor Vehicles under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2, or the comparable law of another jurisdiction, authorizing the operation of a motor vehicle upon the highways.

1. The driver education program shall include (i) instruction concerning (a) alcohol and drug abuse; (b) aggressive driving; (c) the dangers of distracted driving ~~and~~, speeding, *and reckless driving, including driving at excessive speeds*; (d) motorcycle awareness; (e) organ and tissue donor awareness; (f) fuel-efficient driving practices; and (g) traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops, and (ii) an additional minimum 90-minute parent/student driver education component as part of the classroom portion of the driver education curriculum. However, no student who is (1) at least 18 years of age, (2) an emancipated minor, or (3) an unaccompanied minor who is not in the physical custody of his parent or guardian shall be required to participate in the parent/student driver education component.

2. The parent/student driver education component shall be administered as part of the classroom portion of the driver education curriculum. In Planning District 8, the parent/student driver education component shall be administered in-person. Outside Planning District 8, the parent/student driver education component may be administered either in-person or online by a public school or a driver training school that is licensed as a computer-based driver education provider. The participation of the student's parent or guardian in the parent/student driver education component shall be required in Planning District 8 unless the student is otherwise exempted from participation in the parent/student driver education component pursuant to the provisions of subdivision 1. Outside Planning District 8, the participation of the student's parent or guardian in the parent/student driver education component shall be encouraged, but shall not be required. The program shall emphasize (i) parental responsibilities regarding juvenile driver behavior, (ii) juvenile driving restrictions pursuant to this Code, (iii) the dangers of driving while intoxicated and underage consumption of alcohol, and (iv) the dangers of distracted driving, *speeding, and reckless driving, including driving at excessive speeds*. Such instruction shall be developed by the Department in cooperation with the Virginia Alcohol Safety Action Program, the Department of Health, and the Department of Behavioral Health and Developmental Services, as appropriate. Nothing in this subdivision precludes any school division from including a program of parental involvement as part of a driver education program in addition to the minimum 90-minute parent/student driver education component.

3. Any driver education program shall require a minimum number of miles driven during the behind-the-wheel driver training.

B. The Board shall assist school divisions by preparation, publication and distribution of competent driver education instructional materials to ensure a more complete understanding of the responsibilities and duties of motor vehicle operators.

C. Each school board shall determine whether to offer the program of driver education in the safe operation of motor vehicles and, if offered, whether such program shall be an elective or a required course. However, in recognition of the fact that behind-the-wheel training is an essential school-to-work skill and a vital step in the pathway to obtaining a driver's license and cultivating well-educated teen drivers, each school board is strongly encouraged to offer as part of its program of driver education behind-the-wheel training either during school hours or before or after school hours, including on weekends. In addition to the fee approved by the Board of Education pursuant to the appropriation act that allows local school boards to charge a per pupil fee for behind-the-wheel driver education, the Board of Education may authorize a local school board's request to assess a surcharge in order to further recover program costs that exceed state funds distributed through basic aid to school divisions offering driver education programs. Each school board may

57 waive the fee or the surcharge in total or in part for those students it determines cannot pay the fee or
58 surcharge. Only school divisions complying with the standardized program and regulations established by the
59 Board of Education and the provisions of § 46.2-335 shall be entitled to participate in the distribution of state
60 funds appropriated for driver education.

61 Each school board shall make the 90-minute parent/student driver education component available to all
62 students and their parents or guardians who are in compliance with § 22.1-254.

63 D. The actual initial driving instruction shall be conducted, with motor vehicles equipped as may be
64 required by regulation of the Board of Education, on private or public property removed from public
65 highways if practicable; if impracticable, then, at the request of the school board, the Commissioner of
66 Highways shall designate a suitable section of road near the school to be used for such instruction. Such
67 section of road shall be marked with signs, which the Commissioner of Highways shall supply, giving notice
68 of its use for driving instruction. Such signs shall be removed at the close of the instruction period. No
69 vehicle other than those used for driver training shall be operated between such signs at a speed in excess of
70 25 miles per hour. Violation of this limit shall be a Class 4 misdemeanor.

71 E. The Board of Education may, in its discretion, promulgate regulations for the use and certification of
72 paraprofessionals as teaching assistants in the driver education programs of school divisions.

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

84 **2. That no later than the start of the 2026–2027 school year, the Department of Education shall review**
85 **and update the Curriculum and Administrative Guide for Driver Education in Virginia and any other**
86 **instructional resources for the Driver Education Standards of Learning to place greater emphasis on**
87 **the dangers of reckless driving, including driving at excessive speeds, in the behind-the-wheel training**
88 **component, the classroom training component, and the parent/student component by including**
89 **updated interviews with individuals who have lost family members due to speeding by teen drivers and**
90 **encouraging partnerships with local police departments or sheriff's offices to provide students with**
91 **real world examples of the dangers of driving at excessive speeds.**