

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5339
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: FEBRUARY 11, 2021

SUMMARY

Synopsis: Requires driver education programs to be inclusive of all students.

Type of Impact: Increased local school district costs and State General Fund costs.

Agencies Affected: Department of Law and Public Safety, Division of Highway Traffic Safety. New Jersey Motor Vehicle Commission. Local school districts.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase	Indeterminate	None	None
Local Cost Increase	Indeterminate	Indeterminate	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will result in an indeterminate increase in State costs in the first year for the Division of Highway Traffic Safety (DHTS) and the New Jersey Motor Vehicle Commission (MVC) to revise driver education curriculums to be fully inclusive of drivers with disabilities, and indeterminate annual costs to local school districts to offer classroom and behind the wheel driver education programs that are fully inclusive of students with disabilities, including those with autism.
- The indeterminacy for State costs is based on a lack of information about the existing staff resources dedicated to regular maintenance of the driver curriculum and the amount of work that would be necessary to make the curriculum fully inclusive of persons with disabilities. The indeterminacy for local costs is based on a lack of available information about existing driver education programs at schools across the State and the cost of developing what will be deemed compliant driver education programs.
- The language of the bill states that schools shall offer driver education programs with behind the wheel and classroom training that is inclusive of all students. Not all schools currently offer driver education programs with classroom and behind the wheel components. The cost of staff and equipment to establish driver education programs that did not previously exist could be significant compared to requiring that if a driver education program is offered, that the program must be inclusive.

BILL DESCRIPTION

This bill requires that classroom and behind-the-wheel driver education programs be inclusive of all students, including students diagnosed with autism spectrum disorder. The bill requires school districts to establish classroom and behind-the-wheel driver education programs that are inclusive of all students. The bill also requires that the curriculum for classroom driver education courses and the behind-the-wheel driver education be developed by the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety in a manner that allows all students to be included in the program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will result in an indeterminate increase in State costs in the first year for the DHTS and the MVC to revise driver education curriculums to be fully inclusive of drivers with disabilities. The indeterminacy for State costs is based on a lack of information about the existing staff resources dedicated to regular maintenance of the driver curriculum and the amount of work that would be necessary to make the curriculum fully inclusive of persons with disabilities. The DHTS and the MVC need to regularly update the curriculum to reflect changes in State and federal law, to adopt changes in best practices or update relevant safety data, and to rotate the questions offered on tests to prevent cheating. It is unclear whether the staff and resources already dedicated to maintaining the curriculum would be sufficient to ensure that the curriculum is fully inclusive of those with disabilities. If additional resources are needed to meet bill requirements, they would likely be a one-time expense in the first year. Curriculum maintenance is already an existing cost for the MVC and the DHTS.

It is not clear what it will cost local school districts to offer classroom and behind the wheel driver education programs that is fully inclusive of students with disabilities, including those with autism. Aggregate school district level information is not available about existing driver education programs at schools across the State, including whether a school offers classroom and behind the wheel training, classroom only, or no driver education training, nor whether the education program is inclusive for those with disabilities. As a result, the cost for each school will be different. It is also not clear what will be deemed compliant driver education programs. If each school needs to procure accessible vans and other equipment the cost could be significant. If a school only needs to rent vehicles to accommodate students with disabilities when that student is enrolled, costs could be reduced. If there are private schools across the State that offer specialized driver training for those with disabilities, and a school can meet the obligation by outsourcing education for those individuals to the private school, that may also represent a reduced cost of compliance.

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driver education programs with classroom and behind the wheel components. The cost of staff and equipment to establish driver education programs that did not previously exist could be significant compared to requiring that if a driver education program is offered, that the program must be inclusive.

Section: Authorities, Utilities, Transportation and Communications

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).