

116TH CONGRESS
1ST SESSION

H. R. 169

To amend title 23, United States Code, to establish a grant program for States that establish specific standards for education and training programs concerning civilian and law enforcement encounters during traffic stops and other in-person encounters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. GREEN of Texas (for himself, Mr. HASTINGS, Ms. CLARKE of New York, Ms. MOORE, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to establish a grant program for States that establish specific standards for education and training programs concerning civilian and law enforcement encounters during traffic stops and other in-person encounters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Driver and Officer
5 Safety Education Act”.

1 **SEC. 2. GRANT PROGRAM FOR STATES MEETING MINIMUM**
2 **STANDARDS FOR EDUCATIONAL AND TRAIN-**
3 **ING PROGRAMS CONCERNING LAW ENFORCE-**
4 **MENT PRACTICES DURING TRAFFIC STOPS**
5 **AND OTHER IN-PERSON ENCOUNTERS.**

6 (a) INCREASE IN AUTHORIZATION LEVELS.—Section
7 4001(a)(3) of the FAST Act is amended by—

- 8 (1) striking paragraphs (D) and (E); and
9 (2) inserting after paragraph (C) the following:
10 “(D) \$288,660,000 for fiscal year 2019; and
11 “(E) \$291,618,000 for fiscal year 2020.”.

12 (b) GRANT PROGRAM.—Section 405 of title 23,
13 United States Code is amended—

- 14 (1) in subsection (a)(1), by striking “13” and
15 inserting “12.74”;
16 (2) in subsection (a)(2), by striking “14.5” and
17 inserting “14.21”;
18 (3) in subsection (a)(3), by striking “52.5” and
19 inserting “51.45”;
20 (4) in subsection (a)(4), by striking “8.5” and
21 inserting “8.33”;
22 (5) in subsection (a)(5), by striking “1.5” and
23 inserting “1.47”;
24 (6) in subsection (a)(6), by striking “5” and in-
25 serting “4.9”;

1 (7) in subsection (a)(7), by striking “5” and in-
2 serting “4.9”;

3 (8) by redesignating paragraphs (8) through
4 (10) of subsection (a) as paragraphs (9) through
5 (11);

6 (9) by inserting after subsection (a)(7) the fol-
7 lowing:

8 “(8) COMMUTER SAFETY EDUCATION.—In each
9 fiscal year, 2 percent of the funds provided under
10 this section shall be allocated among States that im-
11 plement commuter safety education programs (as
12 described in subsection (i)).”;

13 (10) in subsection (a)(9), as so redesignated,
14 by—

15 (A) striking “through (7)” and inserting
16 “through (8)”; and

17 (B) striking “through (h)” and inserting
18 “through (i)”; and

19 (11) by inserting at the end the following:

20 “(i) COMMUTER SAFETY EDUCATION.—

21 “(1) GENERAL AUTHORITY.—Subject to the re-
22 quirements under this subsection, the Secretary of
23 Transportation shall award grants to States that
24 enact a commuter safety education program.

1 “(2) FEDERAL SHARE.—The Federal share of
2 the costs of activities funded using amounts from
3 grants awarded under this subsection may not ex-
4 ceed 80 percent for each fiscal year for which a
5 State receives a grant.

6 “(3) ELIGIBILITY.—To be eligible for a grant
7 under this subsection, a State shall enact a law or
8 adopt a program that requires the following:

9 “(A) DRIVER EDUCATION AND DRIVING
10 SAFETY COURSES.—Inclusion, in driver edu-
11 cation and driving safety courses provided to in-
12 dividuals by educational and motor vehicle
13 agencies of the State, of instruction and testing
14 concerning law enforcement practices during
15 traffic stops and other in-person encounters, in-
16 cluding information on—

17 “(i) the role of law enforcement and
18 the duties and responsibilities of peace offi-
19 cers;

20 “(ii) an individual’s legal rights con-
21 cerning interactions with peace officers;

22 “(iii) best practices for civilians and
23 peace officers during such interactions;

24 “(iv) laws regarding questioning and
25 detention by peace officers, including any

1 law requiring an individual to present
2 proof of identity to a peace officer;

3 “(v) the consequences for an individ-
4 ual’s or officer’s failure to comply with
5 those laws; and

6 “(vi) how and where to file a com-
7 plaint against or a compliment on behalf of
8 a peace officer.

9 “(B) PEACE OFFICER TRAINING PRO-
10 GRAMS.—Development and implementation of a
11 training program, including instruction and
12 testing materials, for peace officers and reserve
13 law enforcement officers (other than officers
14 who have received training in a civilian course
15 described in subparagraph (A)) pertaining to
16 proper interaction with civilians during traffic
17 stops and other in-person encounters.

18 “(4) ALLOCATION OF GRANT FUNDS.—For each
19 fiscal year, funds made available to carry out this
20 subsection for such fiscal year shall be apportioned
21 to a covered State in an amount determined by mul-
22 tiplying—

23 “(A) the amount made available to carry
24 out this subsection for the fiscal year; by

1 “(B) the ratio that the amount of funds
2 apportioned to each such State under section
3 402 for such fiscal year bears to the total
4 amount of funds apportioned to all such States
5 under section 402 for such fiscal year.

6 “(5) COVERED STATE.—In this subsection, a
7 ‘covered State’ means—

8 “(A) a State that the Secretary determines
9 is enforcing and carrying out the law or pro-
10 gram described in paragraph (3); and

11 “(B) a State that qualifies pursuant to
12 paragraph (6)(A).

13 “(6) SPECIAL RULE FOR CERTAIN STATES.—

14 “(A) QUALIFYING STATE.—A State quali-
15 fies pursuant to this subparagraph if—

16 “(i) the Secretary determines such
17 State has taken meaningful steps toward
18 the full implementation of a law or pro-
19 gram described in paragraph (3);

20 “(ii) the Secretary determines such
21 State has established a timetable for the
22 implementation of such law or program;
23 and

24 “(iii) subject to subparagraph (C),
25 such State has received a grant pursuant

1 to this subsection for a period of no more
2 than 2 years.

3 “(B) WITHHOLDING.—With respect to a
4 State that qualifies pursuant to subparagraph
5 (A), the Secretary shall—

6 “(i) withhold 50 percent of the
7 amount that such State would otherwise
8 receive if such State were a State described
9 in paragraph (5)(A); and

10 “(ii) direct any such amounts for dis-
11 tribution among the States described in
12 paragraph (5)(A).

13 “(C) WAIVER.—Upon the request of a
14 State, the Secretary may waive or modify the 2-
15 year period described in subparagraph (A)(iii) if
16 the Secretary determines that such a waiver
17 would be equitable due to exceptional or uncon-
18 trollable circumstances.

19 “(7) USE OF GRANT AMOUNTS.—Grant funds
20 received pursuant to this subsection may be used—

21 “(A) for the production of educational ma-
22 terials and training of staff for driver education
23 and driving safety courses and peace officer
24 training described in paragraph (3); and

1 “(B) for the implementation of the law de-
2 scribed in paragraph (3).”.

3 **SEC. 3. EFFECTIVE DATE.**

4 The amendments made by section 2(b) shall take ef-
5 fect on the first day of the fiscal year that begins after
6 the date of enactment of this Act.

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