

115TH CONGRESS
2D SESSION

H. R. 7281

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

DECEMBER 12, 2018

Mr. AL GREEN of Texas (for himself, Ms. MOORE, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. DANNY K. DAVIS of Illinois, Mr. EVANS, Ms. FUDGE, Ms. NORTON, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. McEACHIN, Mr. MEEKS, Mr. PAYNE, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WILSON of Florida, and Mr. CARSON of Indiana) 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Driver and Officer
3 Safety Education Act”.

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

9 Section 405 of title 23, United States Code is amend-
10 ed—

11 (1) in subsection (a)(2), by striking “14.5 per-
12 cent” and inserting “13 percent”;

13 (2) by redesignating paragraphs (8) through
14 (10) of subsection (a) as paragraphs (9) through
15 (11);

16 (3) in subsection (a)(9), as so redesignated,
17 by—

18 (A) striking “through (7)” and inserting
19 “through (8)”; and

20 (B) striking “through (h)” and inserting
21 “through (i)”;

22 (4) by inserting after subsection (a)(7) the fol-
23 lowing:

24 “(8) COMMUTER SAFETY EDUCATION.—In each
25 fiscal year, 1.5 percent of the funds provided under
26 this section shall be allocated among States that im-

plement commuter safety education programs (as described in subsection (i))”; and

(5) by inserting at the end the following:

“(i) COMMUTER SAFETY EDUCATION.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States that enact a commuter safety education program.

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

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

“(A) DRIVER EDUCATION AND DRIVING SAFETY COURSES.—Inclusion, in driver education and driving safety courses provided to individuals by educational and motor vehicle agencies of the State, of instruction and testing concerning law enforcement practices during traffic stops and other in-person encounters, including information on—

1 “(i) the role of law enforcement and
2 the duties and responsibilities of peace offi-
3 cers;

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

6 “(iii) best practices for civilians and
7 peace officers during such interactions;

8 “(iv) laws regarding questioning and
9 detention by peace officers, including any
10 law requiring an individual to present
11 proof of identity to a peace officer;

12 “(v) the consequences for an individ-
13 ual’s or officer’s failure to comply with
14 those laws; and

15 “(vi) how and where to file a com-
16 plaint against or a compliment on behalf of
17 a peace officer.

18 “(B) PEACE OFFICER TRAINING PRO-
19 GRAMS.—Development and implementation of a
20 training program, including instruction and
21 testing materials, for peace officers and reserve
22 law enforcement officers (other than officers
23 who have received training in a civilian course
24 described in subparagraph (A)) pertaining to

1 proper interaction with civilians during traffic
2 stops and other in-person encounters.

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

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

10 “(B) the ratio that the amount of funds
11 apportioned to each such State under section
12 402 for such fiscal year bears to the total
13 amount of funds apportioned to all such States
14 under section 402 for such fiscal year.

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

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

20 “(B) a State that qualifies pursuant to
21 paragraph (6)(A).

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

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

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

5 “(ii) the Secretary determines such
6 State has established a timetable for the
7 implementation of such law or program;
8 and

9 “(iii) subject to subparagraph (C),
10 such State has received a grant pursuant
11 to this subsection for a period of no more
12 than 2 years.

13 “(B) WITHHOLDING.—With respect to a
14 State that qualifies pursuant to subparagraph
15 (A), the Secretary shall—

16 “(i) withhold 50 percent of the
17 amount that such State would otherwise
18 receive if such State were a State described
19 in paragraph (5)(A); and

20 “(ii) direct any such amounts for dis-
21 tribution among the States described in
22 paragraph (5)(A).

23 “(C) WAIVER.—Upon the request of a
24 State, the Secretary may waive or modify the 2-
25 year period described in subparagraph (A)(iii) if

1 the Secretary determines that such a waiver
2 would be equitable due to exceptional or uncon-
3 trollable circumstances.

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

6 “(A) for the production of educational ma-
7 terials and training of staff for driver education
8 and driving safety courses and peace officer
9 training described in paragraph (3); and

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

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

13 The amendments made by section 2 shall take effect
14 on the first day of the fiscal year that begins after the
15 date of enactment of this Act.

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