

# Accommodating Students with Disabilities in Driver Education

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*The Americans with Disabilities Act (ADA) applies to traffic education programs in Montana even if the courses are not offered during the normal school day. The guidelines below are distributed by the Montana Office of Public Instruction. Visit <http://opi.mt.gov/DriverEd> for more information.*

## Guiding Principles

1. All driver candidates, regardless of mental or physical attributes, must prove their ability to safely operate a vehicle in complex highway situations.
2. Many individuals with disabilities can learn to drive safely with appropriate accommodations, but not all.
3. Some individuals with severe and profound physical disabilities may be accommodated to drive safely using high tech solutions in specially equipped vehicles, but not all. An advanced rehabilitation center providing driver services may be necessary.
4. All drivers must pass a vision test and meet a minimum threshold of knowledge for a learner license and driver license to be issued.
  - Reasonable learning accommodations are allowed to master the cognitive material.
  - The only accommodation allowed for the knowledge test is for the test to be read aloud by the examiner or approved proctor.
  - Medication may be a consideration.
5. All drivers must meet a minimum threshold of ability to participate in Behind-the-Wheel (BTW) instruction and a minimum level of skill to be issued a driver license.
  - Reasonable accommodations can be made for individuals to safely operate a vehicle, which may, among other things, include hand controls, spinner knobs, and seat and pedal modifications.
  - Higher tech and more sophisticated accommodations may require the expertise and training from a rehabilitation center.
  - Medication may be a safety consideration.

## Decision Authority

1. Parents/guardians decide whether their teen is ready to pursue licensing, assume liability for driving, and provide guided practice.
2. Special Education experts facilitate decisions for learning and vehicle accommodations in consultation with parents, Traffic Education (TE) teachers and other involved professionals, including, but not limited to physical and occupational therapists and medical experts when appropriate.
3. Traffic Education teachers determine if the teen can operate a vehicle safely enough to participate in Behind-the-Wheel (BTW) training and successfully complete Driver Education. If the safety of vehicle occupants is in doubt for BTW learning, prior to BTW and subsequent to making appropriate accommodations, the instructor should make an in-vehicle assessment in a vacant parking lot with no passengers and evaluate driver's ability to:
  - Manipulate controls.
  - See and collect important information.
  - Stay on task and refrain from distractions.
  - Respond correctly and timely to instructor directions.
  - Operate vehicle safely so that other occupants and roadway users are not at risk.
4. Medical professionals make decisions rooted in medical, psychiatric and medication issues.
5. Motor Vehicle Division (MVD) examiners ultimately decide whether a teen will be issued a license based on favorable medical evaluation(s), successful completion of state vision, knowledge and skill tests, and other state-established mechanisms.