

By: LaMantia
(Hernandez)

S.B. No. 2304

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of driver education courses and driving safety courses and the provision of information regarding the Texas Driving with Disability Program to certain public school students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0113 to read as follows:

Sec. 29.0113. DRIVING WITH DISABILITY PROGRAM INFORMATION.

(a) Each school district and open-enrollment charter school shall provide information regarding the Texas Driving with Disability Program to:

(1) students who have a health condition or disability that may impede effective communication with a peace officer and:

(A) who receive special education services under Subchapter A; or

(B) who are covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); and

(2) the parents of students described by Subdivision (1).

(b) The information described under Subsection (a) shall be provided to each student who is 16 years of age or older and annually until the earlier of the student's:

(1) graduation from high school; or

(2) 21st birthday.

1 (c) The agency shall collaborate with the Department of
2 Public Safety, the Texas Department of Motor Vehicles, and the
3 Governor's Committee on People with Disabilities to develop the
4 information materials to be provided under Subsection (a). The
5 materials:

6 (1) must include information regarding a person's
7 option to voluntarily list any health condition or disability that
8 may impede the person's communication with a peace officer on a
9 person's vehicle registration information in accordance with
10 Section 502.061, Transportation Code, or application for an
11 original license under Section 521.142, Transportation Code; and

12 (2) may be provided with any transition planning
13 materials provided under this subchapter.

14 SECTION 2. Section 1001.001, Education Code, is amended by
15 amending Subdivisions (2) and (14) to read as follows:

16 (2) "Classroom instruction" includes instruction
17 provided:

18 (A) in a traditional classroom setting or through
19 other physical means or remotely through the Internet; and

20 (B) by an in-person driver education provider in
21 the manner described by Paragraph (A).

22 (14) "In-person driver education provider" means a
23 business that provides driver education courses in person,
24 including behind-the-wheel instruction, classroom instruction,
25 observation instruction, or driver's license examinations.

26 SECTION 3. Subchapter C, Chapter 1001, Education Code, is
27 amended by adding Section 1001.10161 to read as follows:

1 Sec. 1001.10161. DRIVING WITH DISABILITY PROGRAM
2 INFORMATION. The commission by rule shall require that information
3 relating to the Texas Driving with Disability Program be included
4 in the curriculum of each driver education and driving safety
5 course.

6 SECTION 4. (a) Not later than May 1, 2024, the Texas
7 Commission of Licensing and Regulation shall adopt the rules
8 required by Section 1001.10161, Education Code, as added by this
9 Act.

10 (b) Not later than September 1, 2024, each provider of a
11 driver education course or a driving safety course shall certify to
12 the Texas Commission of Licensing and Regulation that the course
13 curriculum has been updated to include the information required by
14 Section 1001.10161, Education Code, as added by this Act.

15 SECTION 5. This Act applies beginning with the 2023-2024
16 school year.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.