

By: Gutierrez

S.B. No. 2389

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for issuance of a driver's license or learner license to a person younger than 18 years of age.

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

SECTION 1. Section 521.204(a), Transportation Code, is amended to read as follows:

(a) The department may issue a Class C driver's license to an applicant under 18 years of age only if the applicant:

(1) is 16 years of age or older;

(2) has submitted to the department a driver education certificate issued under Section 1001.055, Education Code, that states that the person has completed and passed a driver education course approved by the Texas Department of Licensing and Regulation; and

~~(3) [has obtained a high school diploma or its equivalent or is a student:~~

~~[(A) enrolled in a public school, home school, or private school who attended school for at least 80 days in the fall or spring semester preceding the date of the driver's license application; or~~

~~[(B) who has been enrolled for at least 45 days, and is enrolled as of the date of the application, in a program to prepare persons to pass the high school equivalency exam;~~

~~[(4) has submitted to the department written parental~~

1 ~~or guardian permission:~~

2 ~~[(A) for the department to access the applicant's~~
3 ~~school enrollment records maintained by the Texas Education Agency,~~
4 ~~and~~

5 ~~[(B) for a school administrator or law~~
6 ~~enforcement officer to notify the department in the event that the~~
7 ~~person has been absent from school for at least 20 consecutive~~
8 ~~instructional days; and~~

9 ~~[(5)]~~ has passed the examination required by Section
10 521.161.

11 SECTION 2. Section 521.222(a), Transportation Code, is
12 amended to read as follows:

13 (a) The department may issue a learner license, including a
14 Class A or Class B driver's learner license, to a person who:

15 (1) is 15 years of age or older but under 18 years of
16 age;

17 (2) has satisfactorily completed and passed the
18 classroom phase of an approved driver education course, which may
19 be a course taught under Section 1001.112, Education Code; and

20 (3) ~~[meets the requirements imposed under Section~~
21 ~~521.204(a)(3), and~~

22 ~~[(4)]~~ has passed each examination required under
23 Section 521.161 other than the driving test.

24 SECTION 3. Section 521.003, Transportation Code, is
25 repealed.

26 SECTION 4. This Act takes effect September 1, 2023.