

BILL ANALYSIS

C.S.S.B. 946
By: Ogden
Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, children may receive driver education instruction from certain family members, rather than attending a certified public or commercial driver education program. C.S.S.B. 946 requires a student who receives driver education instruction from a family member to pass a driving test administered by the Department of Public Safety before being issued a Class C license, and to pay a fee to cover the costs of administering the test.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. C.S.S.B. 946 amends Section 521.165(c) of the Transportation Code by providing that the completion of training and testing offered under this section does not exempt a driver's license applicant from the examination required by Section 521.161(b)(2) (Behind the Wheel Driving Examination).

SECTION 2. C.S.S.B. 946 amends Section 521.421, Transportation Code, by adding Subsections (i) and (j), as follows:

(i) Requires an applicant applying for original issuance of a provisional license to pay a \$10 examination fee for the examination required under Section 521.161(b)(2).

(j) Requires the fee collected under Subsection (i) to be deposited to the credit of a special account in the general revenue fund and requires that the fee only be used by DPS for the administration of this chapter.

EFFECTIVE DATE

This Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B. 946 provides that the completion of testing and training under Section 521.165 (Testing by Other Entities), Transportation Code, does not exempt a person from the examination required by Section 521.161(b)(2) (Behind the Wheel Driving Examination). The original prohibits DPS from waiving a driving test for an applicant who has completed a driver education course under Section 521.205, which allows courses to be taught by certain family members or a guardian.

The substitute modifies the original by requiring all applicants to pay a fee upon completion of a driver education course for the examination required by Section 521.161(b)(2). The original restricted the

application fee to those who completed a parent or guardian-taught driver education course under Section 521.205. The substitute also requires payment of a \$10 application fee for the drivers license examination, whereas the original bill required payment of a \$5 fee.