

BILL ANALYSIS

Senate Research Center
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H.B. 468
By: Hegar (Jackson)
Transportation & Homeland Security
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, the Texas Education Agency (TEA) must print and issue certificates of completion for driver training courses. The system is logistically inefficient for both TEA and course providers.

H.B. 468 requires that the TEA supply the course provider with a series of course completion certificate numbers that the course provider will use to print agency-approved certificates of course completion.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Education Agency and to the commissioner of education is modified in SECTION 1 (Section 1001.056, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1001.056, Education Code, by amending Subsections (b), (c), (e), (f), and (g) and adding Subsections (b-1), (c-1), and (h), as follows:

(b) Requires the Texas Education Agency (TEA) to provide each licensed driving safety course provider with course completion certificate numbers to enable the provider to print and issue agency-approved uniform certificates of course completion, rather than to print and supply each licensed course provider uniform certificates of course completion.

(b-1) Requires the certificate numbering under Subsection (b) to be serial, rather than requiring the certificates to be numbered serially.

(c) Requires TEA, by rule, to provide for the design of the certificates and the distribution of certificate numbers in a manner that, to the greatest extent possible, prevents the unauthorized production or the misuse of the certificates or certificate numbers. Deletes existing text relating to the distribution of the certificates.

(c-1) Requires a course provider to provide for the printing and issuance of original and duplicate certificates in a manner that, to the greatest extent possible, prevents the unauthorized production or misuse of the certificates.

(e) Authorizes TEA to charge a fee of not more than \$4 for each course completion certificate number. Requires a course provider that supplies a certificate for an operator to collect from the operator a fee equal to the amount of the fee paid to the agency for the certificate number. Makes conforming changes.

(f) Provides that a course provider license entitles a course provider to purchase certificate numbers, rather than certificates, for only one approved driving safety course.

(g) Requires a course provider, rather than TEA, to issue a duplicate certificate by United States mail or through a commercial delivery service, rather than issue duplicate certificates. Requires the commissioner of education (commissioner), by rule, to determine the amount of the fee collected by the course provider for issuance of a duplicate certificate under this subsection.

(h) Requires the course provider, if a duplicate certificate issued by a course provider contains information that is different from the original certificate, to include on the duplicate certificate, in addition to the new information, the applicable information from the original certificate with the notation "changed to" indicating how the original certificate was changed.

SECTION 2. Amends Section 1001.151(e), Education Code, to make conforming changes.

SECTION 3. Amends Section 1001.209(b), Education Code, to require a bond issued under Subsection (a) to be payable to the state to be used to recover any cost associated with providing course completion certificate numbers, including the cancellation of certificate numbers, rather than to recover the cost of uniform certificates of course completion TEA demands be returned or any cost associated with the certificates.

SECTION 4. Amends Sections 1001.351(a) and (b), Education Code, as follows:

(a) Requires, not later than the 15th working day after the course completion date, a course provider or a person at the course provider's facilities to issue and send, rather than mail, a uniform certificate of course completion by United States mail or through a commercial delivery service to a person who successfully completes an approved driving safety course.

(b) Requires a course provider to electronically submit to TEA in the manner established by TEA data identified by TEA relating to uniform certificates of course completion issued by the course provider.

SECTION 5. Amends Section 1001.456(b), Education Code, by making a conforming change.

SECTION 6. Amends Sections 1001.555(a) and (c), Education Code, as follows:

(a) Provides that a person commits an offense if the person knowingly sells, trades, issues, or otherwise transfers, or possesses with intent to sell, trade, issue, or otherwise transfer, a uniform certificate of course completion, including a duplicate certificate, a course completion certificate number, including duplicate number, or a driver education certificate to an individual, firm, or corporation not authorized to possess the certificate or number.

(c) Makes conforming changes.

SECTION 7. Effective date: September 1, 2005.