

AN ACT

relating to driver and traffic safety education courses.

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

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

(b) The agency shall provide [~~print and supply to~~] each licensed course provider with course completion certificate numbers to enable the provider to print and issue agency-approved uniform certificates of course completion.

(b-1) Certificate numbering under Subsection (b) [~~The certificates~~] must be serial [~~numbered serially~~].

(c) The agency by rule shall provide for the design [~~and distribution~~] 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.

(c-1) A course provider shall 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 the misuse of the certificates.

(e) The agency may charge a fee of not more than \$4 for each course completion certificate number. A course provider that supplies a certificate to an operator shall collect from the

1 ~~[charge an]~~ operator a fee equal to the amount of the fee paid to the  
2 agency for the [a] certificate number.

3 (f) A course provider license entitles a course provider to  
4 purchase certificate numbers ~~[certificates]~~ for only one approved  
5 driving safety course.

6 (g) A course provider ~~[The agency]~~ shall issue a duplicate  
7 certificate by mail or commercial delivery ~~[certificates]~~. The  
8 commissioner by rule shall determine the amount of the fee for  
9 issuance of a duplicate certificate under this subsection.

10 SECTION 2. Section 1001.151(e), Education Code, is amended  
11 to read as follows:

12 (e) The annual renewal fee for a course provider, driving  
13 safety school, driver education school, or branch location is an  
14 appropriate amount established by the commissioner not to exceed  
15 \$200, except that the agency may waive the fee if revenue generated  
16 by the issuance of ~~[uniform certificates of]~~ course completion  
17 certificate numbers and driver education certificates is  
18 sufficient to cover the cost of administering this chapter and  
19 Article 45.0511, Code of Criminal Procedure.

20 SECTION 3. Section 1001.209(b), Education Code, is amended  
21 to read as follows:

22 (b) A bond issued under Subsection (a) must be:  
23 (1) issued by a company authorized to do business in  
24 this state;  
25 (2) payable to the state to be used:  
26 (A) for payment of a refund due a student of the  
27 course provider's approved course;

1 (B) to cover the payment of unpaid fees or  
2 penalties assessed by the agency; or

3 (C) to recover any ~~[the]~~ cost associated with  
4 providing ~~[of uniform certificates of]~~ course completion  
5 certificate numbers, including the cancellation of certificate  
6 numbers ~~[the agency demands be returned or any cost associated with~~  
7 ~~the certificates]~~;

8 (3) conditioned on the compliance of the course  
9 provider and its officers, agents, and employees with this chapter  
10 and rules adopted under this chapter; and

11 (4) issued for a period corresponding to the term of  
12 the license.

13 SECTION 4. Sections 1001.351(a) and (b), Education Code,  
14 are amended to read as follows:

15 (a) Not later than the 15th working day after the course  
16 completion date, a course provider or a person at the course  
17 provider's facilities shall issue ~~[mail]~~ a uniform certificate of  
18 course completion by mail or commercial delivery to a person who  
19 successfully completes an approved driving safety course.

20 (b) A course provider shall electronically submit to the  
21 agency in the manner established by the agency data identified by  
22 the agency relating to uniform certificates of course completion  
23 issued by the course provider.

24 SECTION 5. Section 1001.456(b), Education Code, is amended  
25 to read as follows:

26 (b) If the agency believes that a course provider, driving  
27 safety school, or driving safety instructor has violated this

1 chapter or a rule adopted under this chapter, the agency may,  
2 without notice:

3 (1) order a peer review of the course provider,  
4 driving safety school, or driving safety instructor;

5 (2) suspend the enrollment of students in the school  
6 or the offering of instruction by the instructor; or

7 (3) suspend the right to purchase [~~uniform~~  
8 ~~certificates of~~] course completion certificate numbers.

9 SECTION 6. Sections 1001.555(a) and (c), Education Code,  
10 are amended to read as follows:

11 (a) A person commits an offense if the person knowingly  
12 sells, trades, issues, or otherwise transfers, or possesses with  
13 intent to sell, trade, issue, or otherwise transfer, a uniform  
14 certificate of course completion, a course completion certificate  
15 number, or a driver education certificate to an individual, firm,  
16 or corporation not authorized to possess the certificate or number.

17 (c) A person commits an offense if the person knowingly  
18 possesses a uniform certificate of course completion, a course  
19 completion certificate number, or a driver education certificate  
20 and is not authorized to possess the certificate or number.

21 SECTION 7. This Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 468 was passed by the House on April 22, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 468 on May 23, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 468 on May 29, 2005, by a non-record vote.

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Chief Clerk of the House

H.B. No. 468

I certify that H.B. No. 468 was passed by the Senate, with amendments, on May 19, 2005, by the following vote: Yeas 29, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 468 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor