

BILL ANALYSIS

C.S.H.B. 1779
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Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2007, Texas issued about 170,000 driver's licenses to first time applicants 18-24 years of age. While applicants under 18 years of age are statutorily mandated to complete a comprehensive driver education training of nearly 50 hours, applicants over 18 years of age have no driver education requirement except passing a Department of Public Safety (DPS) administered written test on traffic rules and signs and a basic 10 to 15 minute behind-the-wheel skills test prior to a license being issued. Data shows that in each year from 2000 to 2005, the rate of deaths by motor vehicle accident for Texans 15-24 years of age was about 50 percent higher than that of Texans 25-34 years of age and 60 percent higher than the overall Texas average. This bill seeks to establish basic driver training instruction for driver's license applicants 18-24 years of age that is based on research that has identified issues most commonly associated with motor vehicle accidents involving new drivers, such as risk taking, impaired driving, speed, driving at night, and using a wireless communication device while operating a vehicle.

C.S.H.B. 1779 creates a six-hour driver education course required for applicants 18 years of age or older. The bill authorizes the course to be provided online and requires DPS to waive the requirement for the written knowledge exam on highway signs and traffic laws for any applicant who successfully completes the six-hour course and passes the required exit exam.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 6 of this bill.

ANALYSIS

C.S.H.B. 1779 amends the Transportation Code to prohibit the Department of Public Safety (DPS) from issuing a driver's license to a person who is younger than 25 years of age unless the person submits an appropriate driver education certificate to DPS that states that the person has completed and passed a driver education and traffic safety course approved by the Texas Education Agency (TEA) for public school students or for minors and adults, a driver education course approved by DPS conducted by the parent or other designated relative or legal guardian, or, if the person is 18 years of age or older, a driver education course for minors and adults or exclusively for adults approved by TEA. The bill exempts a person who has completed and passed an agency approved adult driver education course from taking the highway sign and traffic law parts of the examination required by state law for driver's license applicants if those parts have been successfully completed as determined by a licensed instructor.

C.S.H.B. 1779 amends the Education Code to create an exception to the provision requiring the cost of administering driver and traffic safety education to be included in the state budget allowance for TEA by authorizing the commissioner of education to charge a fee to each driver education school in an amount not to exceed the actual expense incurred in the regulation of the driver education courses established exclusively for adults.

C.S.H.B. 1779 requires TEA to print and supply to each licensed or exempt driver education school driver education certificates to be used for certifying completion of an approved driver education course to satisfy the requirements of the bill's provisions.

C.S.H.B. 1779 requires the commissioner by rule to designate the educational materials, rather than the textbooks, to be used in a driver education course and requires a course for minors and adults and a course exclusively for adults. The bill requires the adult course to be a six-hour course and to include instruction in alcohol and drug awareness, in the traffic laws of Texas, in highway signs, signals, and markings that regulate, warn, or direct traffic, and in the issues commonly associated with motor vehicle accidents, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, and using a wireless communication device while operating a vehicle. The bill authorizes the approved adult course to be offered online. The bill prohibits a driving safety course or a drug and alcohol driving awareness program from being approved as an adult driver education course.

EFFECTIVE DATE

March 1, 2010.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1779 removes a provision included in the original waiving the driver education course and examination requirements for a person who has completed and passed certain driver education courses approved under state law. The substitute omits provisions included in the original relating to public schools conducting a driver education and traffic safety program licensed by the Texas Education Agency (TEA) and requiring the Department of Public Safety (DPS) to accept the passing results of an examination administered by a licensed driver education school. The substitute omits provisions included in the original authorizing DPS to issue a Class C driver's license to an applicant under 18 years of age if certain conditions are met and changing school attendance criteria under such conditions for license eligibility. The substitute removes a provision included in the original requiring a licensed or exempt driver education school to electronically submit to TEA data identified by TEA relating to driver education certificates issued by the school. The substitute differs from the original by making its provisions effective March 1, 2010, rather than September 1, 2009, as in the original.