

1-1 By: Seliger S.B. No. 858
1-2 (In the Senate - Filed February 16, 2009; March 9, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 20, 2009, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; April 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to offering the classroom portion of a driver education
1-9 course through an alternative method of instruction.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter H, Chapter 1001, Education Code, is
1-12 amended by adding Section 1001.3541 to read as follows:

1-13 Sec. 1001.3541. ALTERNATIVE METHOD OF INSTRUCTION FOR
1-14 DRIVER EDUCATION COURSE. (a) A driver education school may teach
1-15 all or part of the classroom portion of an approved driver education
1-16 course by an alternative method of instruction that does not
1-17 require students to be present in a classroom if the commissioner
1-18 approves the alternative method.

1-19 (b) The commissioner may approve the alternative method
1-20 only if:

1-21 (1) the alternative method includes testing and
1-22 security measures that the commissioner determines are at least as
1-23 secure as the measures available in the usual classroom setting;
1-24 and

1-25 (2) the course, with the use of the alternative
1-26 method, satisfies any other requirement applicable to a course in
1-27 which the classroom portion is taught to students in the usual
1-28 classroom setting.

1-29 SECTION 2. Section 1001.151, Education Code, is amended by
1-30 adding Subsection (m) to read as follows:

1-31 (m) The commissioner may establish a fee for an application
1-32 for approval to offer a driver education course by an alternative
1-33 method of instruction under Section 1001.3541 in an amount the
1-34 commissioner considers appropriate, not to exceed the amount
1-35 sufficient to cover the costs of considering the application.

1-36 SECTION 3. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2009.

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