

AN ACT

relating to education and examination requirements for the issuance of a driver's license to certain persons.

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

SECTION 1. Subsection (d), Section 521.142, Transportation Code, is amended to read as follows:

(d) If the applicant is under 25 years of age, the application must state whether the applicant has completed a driver education course required by Section 521.1601 [~~approved by the department~~].

SECTION 2. The heading to Subchapter H, Chapter 521, Transportation Code, is amended to read as follows:

SUBCHAPTER H. EDUCATION AND EXAMINATION REQUIREMENTS

SECTION 3. Subchapter H, Chapter 521, Transportation Code, is amended by adding Sections 521.1601 and 521.167 to read as follows:

Sec. 521.1601. DRIVER EDUCATION REQUIRED. The department may not issue a driver's license to a person who is younger than 25 years of age unless the person submits to the department a driver education certificate issued under Chapter 1001, Education Code, that states that the person has completed and passed:

(1) a driver education and traffic safety course approved by the Texas Education Agency under Section 29.902, Education Code, or a driver education course approved by that

1 agency under Section 1001.101(a)(1) of that code or approved by the
2 department under Section 521.205; or

3 (2) if the person is 18 years of age or older, a driver
4 education course approved by the Texas Education Agency under
5 Section 1001.101(a)(1) or (2), Education Code.

6 Sec. 521.167. WAIVER OF CERTAIN EDUCATION AND EXAMINATION
7 REQUIREMENTS. A person who has completed and passed a driver
8 education course approved by the Texas Education Agency under
9 Section 1001.101(a)(2), Education Code, is not required to take the
10 highway sign and traffic law parts of the examination required
11 under Section 521.161 if those parts have been successfully
12 completed as determined by a licensed driver education instructor.

13 SECTION 4. Section 1001.004, Education Code, is amended to
14 read as follows:

15 Sec. 1001.004. COST OF ADMINISTERING CHAPTER. (a) Except
16 as provided by Subsection (b), the [The] cost of administering this
17 chapter shall be included in the state budget allowance for the
18 agency.

19 (b) The commissioner may charge a fee to each driver
20 education school in an amount not to exceed the actual expense
21 incurred in the regulation of driver education courses established
22 under Section 1001.101(a)(2).

23 SECTION 5. Subsection (a), Section 1001.055, Education
24 Code, is amended to read as follows:

25 (a) The agency shall print and supply to each licensed or
26 exempt driver education school driver education certificates to be
27 used for certifying completion of an approved driver education

1 course to satisfy the requirements of Sections [~~Section~~]
2 521.204(a)(2) and 521.1601, Transportation Code. The certificates
3 must be numbered serially.

4 SECTION 6. Section 1001.101, Education Code, is amended to
5 read as follows:

6 Sec. 1001.101. DRIVER EDUCATION COURSE CURRICULUM AND
7 EDUCATIONAL MATERIALS [~~TEXTBOOKS~~]. (a) The commissioner by rule
8 shall establish the curriculum and designate the educational
9 materials [~~textbooks~~] to be used in:

10 (1) a driver education course for minors and adults;
11 and

12 (2) a driver education course exclusively for adults.

13 (b) A driver education course under Subsection (a)(2) must:

14 (1) be a six-hour course; and

15 (2) include instruction in:

16 (A) alcohol and drug awareness;

17 (B) the traffic laws of this state;

18 (C) highway signs, signals, and markings that
19 regulate, warn, or direct traffic; and

20 (D) the issues commonly associated with motor
21 vehicle accidents, including poor decision-making, risk taking,
22 impaired driving, distraction, speed, failure to use a safety belt,
23 driving at night, failure to yield the right-of-way, and using a
24 wireless communication device while operating a vehicle.

25 (c) A course approved under Subsection (a)(2) may be offered
26 as an online course.

27 (d) A driving safety course or a drug and alcohol driving

1 awareness program may not be approved as a driver education course
2 under Subsection (a)(2).

3 SECTION 7. The changes in law made by this Act apply to an
4 application for the issuance of a driver's license filed on or after
5 the effective date of this Act. An application for the issuance of
6 a driver's license filed before the effective date of this Act is
7 governed by the law in effect on the date of the filing, and that law
8 is continued in effect for that purpose.

9 SECTION 8. This Act takes effect March 1, 2010.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1317 passed the Senate on May 13, 2009, by the following vote: Yeas 23, Nays 8; and that the Senate concurred in House amendment on May 30, 2009, by the following vote: Yeas 23, Nays 8.

Secretary of the Senate

I hereby certify that S.B. No. 1317 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 145, Nays 3, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor