

BILL ANALYSIS

C.S.H.B. 2897
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recent studies suggest that teen driving accidents account for nearly 50 percent of all teen deaths and are the leading cause of teenage deaths in the United States. In addition to lack of experience driving, teenagers face distractions such as talking and texting on cell phones and dealing with other young, inexperienced passengers who sometimes behave inappropriately. Another factor in teenage driving accidents is the influence of drugs and alcohol. In this environment, learning the skills of safe, defensive driving is even more difficult.

Several programs have been developed and reported to be successful in other states to address young drivers and the issues specific to that demographic, including programs that target drivers under age 25 and focus on improving safety awareness and eliminating distracting behaviors common to this group. Unfortunately, there is concern that in Texas neither the driver education curriculum nor the driving safety curriculum include instruction on the unique challenges faced by young drivers.

Currently, a judge orders a driver who is under 25 years of age and who receives deferred disposition on a moving violation traffic citation to complete a six-hour driving safety course. C.S.H.B. 2897 seeks to give judges the option to order a driver younger than 25 years of age, in addition to that current mandatory driving safety course, to complete a live, interactive course of that focuses on the challenges faced by drivers younger than 25 years of age.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 2 of this bill and to the Texas Education Agency in SECTION 3 of this bill.

ANALYSIS

C.S.H.B. 2897 amends the Code of Criminal Procedure, effective January 1, 2012, to authorize a judge, during the deferral period for a defendant younger than 25 years of age who committed a traffic offense classified as a moving violation, to require the defendant to complete a driving safety course designed for drivers younger than 25 years of age and approved under the bill's provisions, in addition to completing the mandatory driver safety course required under law. The bill makes this authorization apply to an offense committed on or after January 1, 2012.

C.S.H.B. 2897 amends the Education Code to require the commissioner of education, by rule, to provide minimum standards of curriculum for and designate the educational materials to be used in a driving safety course designed for drivers younger than 25 years of age. The bill requires such a course to be a four-hour live, interactive course focusing on issues specific to drivers younger than 25 years of age. The bill requires such course to include instruction in the following areas: alcohol and drug awareness; Texas traffic laws; the high rate of motor vehicle accidents and fatalities for drivers younger than 25 years of age; certain specified issues commonly associated with motor vehicle accidents involving drivers younger than 25 years of

age and the role of peer pressure in those issues; the effect of poor driver decision-making on the family, friends, school, and community of a driver younger than 25 years of age; and the importance of taking control of potentially dangerous driving situations both as a driver and as a passenger. The bill requires such a course to require a written commitment by the student to family and friends that the student will not engage in dangerous driving habits.

C.S.H.B. 2897 sets forth a temporary provision, set to expire September 1, 2012, requiring such a course approved for use before January 1, 2012, to comply with the requirements of the bill's provisions and be approved for that purpose by the commissioner not later than January 1, 2012.

C.S.H.B. 2897 requires the Texas Education Agency to adopt the rules required by the bill's provisions as soon as practicable after the bill's effective date.

EFFECTIVE DATE

Except as otherwise provided, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2897 differs from the original by authorizing a judge during the deferral period for a defendant younger than 25 years of age who committed a moving violation to require the defendant to complete a driving safety course designed for drivers younger than 25 years of age in addition to the mandatory driver safety course required under law, whereas the original requires the judge during that period to require such a defendant to complete a driving education course designed for drivers younger than 25 years of age in place of that mandatory driver safety course. The substitute omits a provision included in the original making a conforming change.

C.S.H.B. 2897 differs from the original by requiring the commissioner of education by rule to provide minimum standards of curriculum for and designate the educational materials to be used in the additional driving safety course for drivers younger than 25 years of age and by setting out requirements for such a course, whereas the original sets out requirements for a driver education course for minors and adults established under law for which the commissioner is required by rule to establish the curriculum and designate materials and specifies that the requirements apply to both a course for minors and adults and a course exclusively for adults 25 years of age or older. The substitute differs from the original by requiring the additional driving safety course designed for drivers younger than 25 years of age to be a four-hour live, interactive course focusing on issues specific to such drivers, whereas the original requires the driver education course for minors and adults established under law to be a 10-hour course including at least 4 hours of instruction focusing on such issues. The substitute omits a provision included in the original including instruction in highway signs, signals, and markings that regulate, warn, or direct traffic in the areas of instruction required to be included in the course. The substitute differs from the original in nonsubstantive ways.