

BILL ANALYSIS

S.B. 1330
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Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recent studies suggest that teenage driving accidents account for a significant amount of all teenage deaths. The statistic becomes more alarming considering how many new teenage drivers take to the roads each year.

In addition to lack of experience with driving, teenagers face distractions such as talking and texting on cell phones and dealing with young, inexperienced passengers who sometimes behave inappropriately. The influence of drugs and alcohol is another factor in teenage driving accidents. In this environment, learning the skills of safe, defensive driving becomes that much more important.

Several programs have been developed to address the youthful driver and the issues specific to that demographic, for example, "Alive@25," which was developed by the National Safety Council. Such programs target younger drivers aged 15-24 and focus on improving safety awareness and eliminating districting behaviors common to this group. Such programs have been very successful; in fact, a number of states include a youth driver safety program in their graduated drivers license or points reduction (defensive driving) curricula.

In Texas, neither the defensive driving curriculum nor the driving safety curriculum (commonly known as "ticket dismissal classes") include instruction on the unique challenges faced by young drivers.

S.B. 1330 amends current law relating to driving safety courses for individuals younger than 25 years of age receiving deferred disposition for certain traffic offenses.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 1001.111, Education Code) of this bill.

ANALYSIS

SECTION 1. Amends Article 45.051(b-1), Code of Criminal Procedure, effective January 1, 2012, as follows:

(b-1) Provides that if the defendant is younger than 25 years of age and the offense committed by the defendant is a traffic offense classified as a moving violation:

(1) Subsection (b)(8) (relating to authorizing the judge, during deferral period to require the defendant to complete a driving safety course approved under Chapter 1001, Education Code, or another course as directed by the judge) does not apply;

(2) during the deferral period, the judge:

(A) shall require the defendant to complete a driving safety course approved under Chapter 1001 (Driver and Traffic Safety Education), Education Code; and

(B) may require the defendant to complete an additional driving safety course designed for drivers younger than 25 years of age and approved under Section 1001.111, Education Code; and

(3) Makes no changes to this subdivision.

SECTION 2. Amends Subchapter C, Chapter 1001, Education Code, by adding Section 1001.111, as follows:

Sec. 1001.111. DRIVING SAFETY COURSE FOR DRIVER YOUNGER THAN 25 YEARS OF AGE. (a) Requires the commissioner of education (commissioner) 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.

(b) Requires that a driving safety course designed for drivers younger than 25 years of age:

(1) be a four-hour live, interactive course focusing on issues specific to drivers younger than 25 years of age;

(2) include instruction in:

(A) alcohol and drug awareness;

(B) the traffic laws of this state;

(C) the high rate of motor vehicle accidents and fatalities for drivers younger than 25 years of age;

(D) the issues commonly associated with motor vehicle accidents involving drivers younger than 25 years of age, 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, and the role of peer pressure in those issues;

(E) the effect of poor driver decision-making on the family, friends, school, and community of a driver younger than 25 years of age; and

(F) the importance of taking control of potentially dangerous driving situations both as a driver and as a passenger; and

(3) require a written commitment by the student to family and friends that the student will not engage in dangerous driving habits.

(c) Requires that a course approved for use under this section before January 1, 2012, comply with the requirements of Subsection (b) and be approved for that purpose by the commissioner not later than January 1, 2012. Provides that this subsection expires September 1, 2012.

SECTION 3. (a) Requires the Texas Education Agency to adopt the rules required by Section 1001.111, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

(b) Makes application of Article 45.051, Code of Criminal Procedure, prospective to January 1, 2012.

SECTION 4. Effective date, except as otherwise provided by this Act: September 1, 2011.

EFFECTIVE DATE

Except as otherwise provided by this Act, this act takes effect September 1, 2011