

By: Christian

H.B. No. 2564

A BILL TO BE ENTITLED

1 AN ACT
2 relating to academic requirements for issuance of an instruction
3 permit by the Department of Public Safety or a driver education
4 school.

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

6 SECTION 1. Section 521.222(a), Transportation Code, is
7 amended to read as follows:

8 (a) The department or a driver education school licensed
9 under Chapter 1001, Education Code, [~~the Texas Driver and Traffic~~
10 ~~Safety Education Act (Article 4413(29c), Vernon's Texas Civil~~
11 ~~Statutes)~~] may issue an instruction permit, including a Class A or
12 Class B driver's license instruction permit, to a person who:

13 (1) is 15 years of age or older but under 18 years of
14 age;

15 (2) has satisfactorily completed and passed the
16 classroom phase of an approved driver education course, which may
17 be a course approved under Section 521.205;

18 (3) meets the requirements imposed under Section
19 521.204(3); [~~and~~]

20 (4) has passed each examination required under Section
21 521.161 other than the driving test; and

22 (5) meets the requirements established by the
23 department and the Texas Education Agency under Section 521.2221,
24 if applicable.

1 SECTION 2. Subchapter K, Chapter 521, Transportation Code,
2 is amended by adding Section 521.2221 to read as follows:

3 Sec. 521.2221. ACADEMIC REQUIREMENTS FOR INSTRUCTION
4 PERMIT. The department and the Texas Education Agency jointly
5 shall adopt rules to ensure that an applicant for an instruction
6 permit who is enrolled at a public school, home school, or private
7 school is in good academic standing. The rules must require:

8 (1) an applicant who is enrolled at a public school to
9 demonstrate that the applicant:

10 (A) did not receive a grade lower than the
11 equivalent of a 70 on a scale of 100 in any state-mandated class for
12 the most recent grade evaluation period, as that term is defined by
13 Section 33.081(c), Education Code; and

14 (B) has performed satisfactorily on all
15 assessment instruments required of the person under Subchapter B,
16 Chapter 39, Education Code; and

17 (2) an applicant who is enrolled at a home school or
18 private school to demonstrate that the applicant meets academic
19 standards equivalent to those required for public school students
20 under Subdivision (1).

21 SECTION 3. (a) The Department of Public Safety and the
22 Texas Education Agency shall adopt the rules required by Section
23 521.2221, Transportation Code, as added by this Act, not later than
24 January 1, 2012.

25 (b) The change in law made to Section 521.222(a),
26 Transportation Code, as amended by this Act, applies only to an
27 instruction permit issued on or after the effective date of the

1 rules adopted under Subsection (a) of this section.

2 SECTION 4. This Act takes effect September 1, 2011.