

BILL ANALYSIS

C.S.H.B. 2234

By: Orr

Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that teenagers who take a driver education course at a driver education school are permitted to take the highway sign and traffic law knowledge part of the examination for a learner's permit on-site at the school's facility. In addition, adults between the ages of 18 and 24 years old who take online driver education courses are permitted to take the driver's license knowledge examination online, through the approved online driver education program provider. Interested parties note that these opportunities minimize the burden placed on the Department of Public Safety (DPS) driver's license offices, both in terms of administering exams and overcrowding. Students who elect to complete driver education training through a parent-taught driver education program, either with a parent or a DPS-approved online provider, are required to take the knowledge part of the exam at a DPS office instead of under the supervision of the parent or online course provider's program. C.S.H.B. 2234 seeks to address this issue by authorizing a parent-taught driver education course provider to administer the highway sign and traffic law part of the examination for a driver's license.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTIONS 3 and 4 of this bill.

ANALYSIS

C.S.H.B. 2234 amends the Transportation Code to authorize the provider of an approved driver education course conducted by a parent, legal guardian, grandparent, or person of similar relation to administer to a student of such course the highway sign and traffic law parts of the examination for a driver's license. The bill requires the Department of Public Safety (DPS) rules for approval of a driver education course that is conducted by such a course provider to provide a method by which the provider may administer to an applicant for a driver's license the highway sign and traffic law parts of the examination required for such license through electronic means and a method by which an applicant submits proof of passage of the examination. The bill requires DPS to adopt the rules not later than January 1, 2014.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2234 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. The heading to Section 521.1655, Transportation Code, is amended.

SECTION 2. Section 521.1655, Transportation Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A driver education course provider approved under Section 521.205 or a person who conducts a course under that section may administer to a student of that course the highway sign and traffic law parts of the examination required by Section 521.161.

SECTION 3. Section 521.205(c), Transportation Code, is amended to read as follows:

(c) The rules must provide a method by which:

- (1) approval of a course is obtained;
- (2) an applicant submits proof of completion of the course; ~~and~~
- (3) approval for delivering course materials by an alternative method, including electronic means, is obtained;
- (4) a provider of a course approved under this section or a person conducting a course under this section may administer to an applicant the highway sign and traffic law parts of the examination as provided by Section 521.1655(a-1) through electronic means; and
- (5) an applicant submits proof of passage of an examination administered under Subdivision (4).

SECTION 4. The Department of Public Safety shall adopt the rules required by Section 521.205, Transportation Code, as amended by this Act, not later than January 1, 2014.

SECTION 5. This Act takes effect September 1, 2013.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Section 521.1655, Transportation Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A driver education course provider approved under Section 521.205 may administer to a student of that course the highway sign and traffic law parts of the examination required by Section 521.161.

SECTION 3. Section 521.205(c), Transportation Code, is amended to read as follows:

(c) The rules must provide a method by which:

- (1) approval of a course is obtained;
- (2) an applicant submits proof of completion of the course; ~~and~~
- (3) approval for delivering course materials by an alternative method, including electronic means, is obtained;
- (4) a provider of a course approved under this section may administer to an applicant the highway sign and traffic law parts of the examination as provided by Section 521.1655(a-1) through electronic means; and
- (5) an applicant submits proof of passage of an examination administered under Subdivision (4).

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.