

By: Flynn

H.B. No. 1190

A BILL TO BE ENTITLED

AN ACT

relating to statutory minimum fees for driving safety courses.

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

SECTION 1. Section 1001.205, Education Code, is amended to read as follows:

Sec. 1001.205. REQUIREMENTS FOR DRIVING SAFETY SCHOOL LICENSE. The commissioner shall approve an application for a driving safety school license if on investigation the agency determines that the school:

(1) has driving safety courses, curricula, and instruction of a quality, content, and length that reasonably and adequately achieve the stated objective for which the course, curricula, and instruction are developed by the course provider;

(2) has adequate space, equipment, instructional material, and instructors to provide training of good quality;

(3) has instructors and administrators who have adequate educational qualifications and experience;

(4) maintains adequate records as prescribed by the commissioner to show attendance and progress or grades and enforces satisfactory standards relating to attendance, progress, and conduct;

(5) complies with all county, municipal, state, and federal laws, including fire, building, and sanitation codes and assumed name registration;

1 (6) has administrators, owners, and instructors who
2 are of good reputation and character;

3 (7) does not use erroneous or misleading advertising,
4 either by actual statement, omission, or intimation, as determined
5 by the commissioner;

6 (8) does not use a name similar to the name of another
7 existing school or tax-supported educational establishment in this
8 state, unless specifically approved in writing by the commissioner;

9 (9) maintains and uses the approved contract and
10 policies developed by the course provider;

11 (10) does not owe an administrative penalty under this
12 chapter;

13 ~~[(11) will not provide a driving safety course to a~~
14 ~~person for less than \$25,] and~~

15 (11) ~~[(12)]~~ meets additional criteria required by the
16 commissioner.

17 SECTION 2. Section 1001.352, Education Code, is amended to
18 read as follows:

19 Sec. 1001.352. FEES FOR DRIVING SAFETY COURSE. A course
20 provider shall charge each student [+

21 ~~[(1) at least \$25 for a driving safety course, and~~
22 ~~[(2)]~~ a fee of at least \$3 for driving safety course
23 materials and for supervising and administering the course.

24 SECTION 3. The change in law made by this Act to Section
25 1001.205, Education Code, applies only to an application for a
26 driving safety school license submitted on or after the effective
27 date of this Act. An application for a driving safety school

1 license submitted before the effective date of this Act is governed
2 by the law in effect immediately before the effective date of this
3 Act, and that law is continued in effect for that purpose.

4 SECTION 4. The change in law made by this Act to Section
5 1001.352, Education Code, applies only to a driving safety course
6 provided on or after the effective date of this Act. A course
7 provided before the effective date of this Act is governed by the
8 law in effect immediately before the effective date of this Act, and
9 the former law is continued in effect for that purpose.

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