

1 AN ACT

2 relating to requirements for a driver education course, the
3 eligibility of persons under 18 years of age to operate a motor
4 vehicle, and the administration of certain driver's license
5 examinations by home-taught driver education course providers.

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

7 SECTION 1. Section 1001.101, Education Code, as amended by
8 Chapters 1253 (H.B. 339) and 1413 (S.B. 1317), Acts of the 81st
9 Legislature, Regular Session, 2009, is reenacted and amended to
10 read as follows:

11 Sec. 1001.101. ADULT AND MINOR DRIVER EDUCATION COURSE
12 CURRICULUM AND TEXTBOOKS. (a) The commissioner by rule shall
13 establish or approve the curriculum and designate the textbooks to
14 be used in a driver education course for minors and adults,
15 including a driver education course conducted by a school district,
16 driver education school, or parent or other individual under
17 Section 521.205, Transportation Code.

18 (b) A driver education course must require the student to
19 complete:

20 (1) 7 hours of behind-the-wheel instruction in the
21 presence of a person who holds a driver education instructor
22 license or who meets the requirements imposed under Section
23 521.205, Transportation Code;

24 (2) 7 hours of observation instruction in the presence

1 of a person who holds a driver education instructor license or who
2 meets the requirements imposed under Section 521.205,
3 Transportation Code; and

4 (3) 30 [~~20~~] hours of behind-the-wheel instruction,
5 including at least 10 hours of instruction that takes place at
6 night, in the presence of an adult who meets the requirements of
7 Section 521.222(d)(2), Transportation Code.

8 SECTION 2. The heading to Section 521.1655, Transportation
9 Code, is amended to read as follows:

10 Sec. 521.1655. TESTING BY DRIVER EDUCATION SCHOOL AND
11 CERTAIN DRIVER EDUCATION COURSE PROVIDERS.

12 SECTION 3. Section 521.1655, Transportation Code, is
13 amended by adding Subsection (a-1) to read as follows:

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

18 SECTION 4. Section 521.205(c), Transportation Code, is
19 amended to read as follows:

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

21 (1) approval of a course is obtained;

22 (2) an applicant submits proof of completion of the
23 course; [~~and~~]

24 (3) approval for delivering course materials by an
25 alternative method, including electronic means, is obtained;

26 (4) a provider of a course approved under this section
27 may administer to an applicant the highway sign and traffic law

1 parts of the examination as provided by Section 521.1655(a-1)
2 through electronic means; and

3 (5) an applicant submits proof of passage of an
4 examination administered under Subdivision (4).

5 SECTION 5. Section 545.424(a-1), Transportation Code, is
6 amended to read as follows:

7 (a-1) A person under 18 years of age may not operate a motor
8 vehicle [~~during the 12-month period following issuance of an~~
9 ~~original Class A, B, or C driver's license to the person~~]:

10 (1) after midnight and before 5 a.m. unless the
11 operation of the vehicle is necessary for the operator to attend or
12 participate in employment or a school-related activity or because
13 of a medical emergency; or

14 (2) with more than one passenger in the vehicle under
15 21 years of age who is not a family member.

16 SECTION 6. The change in law made by Section 1001.101(b),
17 Education Code, as amended by this Act, applies only to a driver
18 education course that begins on or after the effective date of this
19 Act. A course that begins before the effective date of this Act is
20 governed by the law in effect on the date the course began, and that
21 law is continued in effect for that purpose.

22 SECTION 7. The Department of Public Safety shall adopt the
23 rules required by Section 521.205, Transportation Code, as amended
24 by this Act, not later than January 1, 2014.

25 SECTION 8. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 3483 was passed by the House on May 2, 2013, by the following vote: Yeas 145, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3483 on May 23, 2013, by the following vote: Yeas 137, Nays 8, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3483 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor