

By: Dutton

H.B. No. 3140

A BILL TO BE ENTITLED

AN ACT

relating to the accommodation of a deaf or hard of hearing student in driver education; authorizing a fee.

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

SECTION 1. Subchapter B, Chapter 1001, Education Code, is amended by adding Section 1001.059 to read as follows:

Sec. 1001.059. DEPARTMENT DRIVER EDUCATION COURSE FOR DEAF OR HARD OF HEARING STUDENTS. (a) The department shall:

(1) create, in cooperation with another state agency if necessary, a driver education course for minors and adults that presents the course curriculum in American Sign Language; and

(2) make the course described by Subdivision (1) available on the department's Internet website.

(b) The commission by rule shall establish a fee for the course. The fee established under this section:

(1) is in addition to a fee charged for a certificate for the course; and

(2) must be in an amount that is:

(A) sufficient to cover the cost of creating and administering the course; and

(B) not more than the average cost of an online driver education course provided in this state, as determined by the commission.

SECTION 2. Subchapter C, Chapter 1001, Education Code, is

1 amended by adding Section 1001.1016 to read as follows:

2 Sec. 1001.1016. ACCOMMODATION FOR DEAF OR HARD OF HEARING  
3 STUDENTS. (a) In this section:

4 (1) "Deaf" means a hearing loss of such severity that  
5 an individual must depend on visual methods to communicate.

6 (2) "Hard of hearing" means a loss of hearing function  
7 to an individual such that the individual:

8 (A) relies on residual hearing; and

9 (B) may depend on visual methods to communicate.

10 (b) The commission by rule shall require a driver education  
11 school providing a driver education course to:

12 (1) in the manner described by the Americans with  
13 Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.), make  
14 reasonable modifications and provide aids and services that are  
15 necessary to ensure that a student who is deaf or hard of hearing  
16 may fully participate in the course; and

17 (2) provide to the department the school's plan for  
18 complying with the rules adopted under this section as a condition  
19 of obtaining a license under Section 1001.211 or renewing a license  
20 under Section 1001.303.

21 SECTION 3. This Act takes effect September 1, 2017.