

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 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 department may collaborate with another state agency or contract with a licensed driver education school or instructor to create the course.

(c) 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) not more than an amount necessary to cover the cost of creating and administering the course; and

(B) not more than the average cost of an online

1 driver education course provided in this state, as determined by  
2 the commission.

3 SECTION 2. Subchapter C, Chapter 1001, Education Code, is  
4 amended by adding Section 1001.1016 to read as follows:

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

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

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

11 (A) relies on residual hearing; and

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

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

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

21 (2) provide to the department the school's plan for  
22 complying with the rules adopted under this section as a condition  
23 of obtaining a license under Section 1001.211 or renewing a license  
24 under Section 1001.303.

25 (c) The rules adopted under Subsection (b) must allow a  
26 driver education school to comply with the requirements of this  
27 section by playing a video that presents the classroom portion of

1 the driver education course in a manner that complies with the  
2 requirements of this section.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1051 passed the Senate on April 5, 2017, by the following vote: Yeas 28, Nays 2; and that the Senate concurred in House amendment on May 25, 2017, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1051 passed the House, with amendment, on May 19, 2017, by the following vote: Yeas 143, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor