AN ACT
relating to education and examination requirements for the issuance
of a driver's license to certain persons.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Subsection (d), Section 521.142, Transportation
Code, is amended to read as follows:
(d) If the applicant is under 25 years of age, the
application must state whether the applicant has completed a driver
education course required by Section 521.1601 [approved by the
department].
SECTION 2. The heading to Subchapter H, Chapter 521,
Transportation Code, is amended to read as follows:
SUBCHAPTER H. EDUCATION AND EXAMINATION REQUIREMENTS
SECTION 3. Subchapter H, Chapter 521, Transportation Code,
is amended by adding Sections 521.1601 and 521.167 to read as
follows:
Sec. 521.1601. DRIVER EDUCATION REQUIRED. The department
may not issue a driver's license to a person who is younger than 25
years of age unless the person submits to the department a driver
education certificate issued under Chapter 1001, Education Code,
that states that the person has completed and passed:
(1) a driver education and traffic safety course
approved by the Texas Education Agency under Section 29.902,
Education Code, or a driver education course approved by that
agency under Section 1001.101(a)(1) of that code or approved by the department under Section 521.205; or

(2) if the person is 18 years of age or older, a driver education course approved by the Texas Education Agency under Section 1001.101(a)(1) or (2), Education Code.

Sec. 521.167. WAIVER OF CERTAIN EDUCATION AND EXAMINATION REQUIREMENTS. A person who has completed and passed a driver education course approved by the Texas Education Agency under Section 1001.101(a)(2), Education Code, is not required to take the highway sign and traffic law parts of the examination required under Section 521.161 if those parts have been successfully completed as determined by a licensed driver education instructor.

SECTION 4. Section 1001.004, Education Code, is amended to read as follows:

Sec. 1001.004. COST OF ADMINISTERING CHAPTER. (a) Except as provided by Subsection (b), the [The] cost of administering this chapter shall be included in the state budget allowance for the agency.

(b) The commissioner may charge a fee to each driver education school in an amount not to exceed the actual expense incurred in the regulation of driver education courses established under Section 1001.101(a)(2).

SECTION 5. Subsection (a), Section 1001.055, Education Code, is amended to read as follows:

(a) The agency shall print and supply to each licensed or exempt driver education school driver education certificates to be used for certifying completion of an approved driver education
course to satisfy the requirements of Sections [Section] 521.204(a)(2) and 521.1601, Transportation Code. The certificates must be numbered serially.

SECTION 6. Section 1001.101, Education Code, is amended to read as follows:

Sec. 1001.101. DRIVER EDUCATION COURSE CURRICULUM AND EDUCATIONAL MATERIALS [TEXTBOOKS]. (a) The commissioner by rule shall establish the curriculum and designate the educational materials [textbooks] to be used in:

(1) a driver education course for minors and adults;

and

(2) a driver education course exclusively for adults.

(b) A driver education course under Subsection (a)(2) must:

(1) be a six-hour course; and

(2) include instruction in:

(A) alcohol and drug awareness;

(B) the traffic laws of this state;

(C) highway signs, signals, and markings that regulate, warn, or direct traffic; and

(D) the issues commonly associated with motor vehicle accidents, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, and using a wireless communication device while operating a vehicle.

(c) A course approved under Subsection (a)(2) may be offered as an online course.

(d) A driving safety course or a drug and alcohol driving
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awareness program may not be approved as a driver education course
under Subsection (a)(2).

SECTION 7. The changes in law made by this Act apply to an
application for the issuance of a driver's license filed on or after
the effective date of this Act. An application for the issuance of
a driver's license filed before the effective date of this Act is
governed by the law in effect on the date of the filing, and that law
is continued in effect for that purpose.

SECTION 8. This Act takes effect March 1, 2010.
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President of the Senate

I hereby certify that S.B. No. 1317 passed the Senate on May 13, 2009, by the following vote: Yeas 23, Nays 8; and that the Senate concurred in House amendment on May 30, 2009, by the following vote: Yeas 23, Nays 8.

Speaker of the House

Secretary of the Senate

I hereby certify that S.B. No. 1317 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 145, Nays 3, one present not voting.

Chief Clerk of the House

Approved: 19 Jun. 09

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE

Jun 19 2009

Colly Shuter