

AN ACT

relating to offering the classroom portion of a driver education course through an alternative method of instruction.

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

SECTION 1. Subchapter H, Chapter 1001, Education Code, is amended by adding Section 1001.3541 to read as follows:

Sec. 1001.3541. ALTERNATIVE METHOD OF INSTRUCTION FOR DRIVER EDUCATION COURSE. (a) A driver education school may teach all or part of the classroom portion of an approved driver education course by an alternative method of instruction that does not require students to be present in a classroom if the commissioner approves the alternative method.

(b) The commissioner may approve the alternative method only if:

(1) the alternative method includes testing and security measures that the commissioner determines are at least as secure as the measures available in the usual classroom setting; and

(2) the course, with the use of the alternative method, satisfies any other requirement applicable to a course in which the classroom portion is taught to students in the usual classroom setting.

SECTION 2. Section 1001.151, Education Code, is amended by adding Subsection (m) to read as follows:

1 (m) The commissioner may establish a fee for an application
2 for approval to offer a driver education course by an alternative
3 method of instruction under Section 1001.3541 in an amount the
4 commissioner considers appropriate, not to exceed the amount
5 sufficient to cover the costs of considering the application.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.

David Dewhurst
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 858 passed the Senate on April 24, 2009, by the following vote: Yeas 29, Nays 1.

Daisy Spaul
Secretary of the Senate

I hereby certify that S.B. No. 858 passed the House on May 12, 2009, by the following vote: Yeas 145, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

23 MAY '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:12 O'CLOCK

Hope Radtke
Secretary of State