

## **Driver Education Bills**

The following summary reflects statutory changes that directly affect the Texas Department of Public Safety.

- The overall number of required hours of driver education instruction increases from 14 to 34 hours. The amendment is effective September 1, 2009. TEA has until January 1, 2010 to implement rules reflecting the change in education requirements. Driver education programs have until May 1, 2010 to adopt the changes in education requirements. Those certificates issued under the current rules will continue to be accepted after May 1, 2010. [See HB 2730 and HB 339]
- After March 1, 2010, the Department may not issue a license to an individual under the age of 25 unless the person has completed a driver education course as approved by TEA. The driver license application will be modified to ask applicants if they have completed the required course. This applies to applications made after March 1, 2010. [See SB 1317]
- The Texas Education Agency (TEA) will develop a driver education course exclusively for adults. This will be a six hour course. The statute is effective September 1, 2009. The TEA rules are forthcoming. The Department anticipates that TEA will have rules and a program in place which will allow enough time for adult applicants to take an adult driver education course prior to the March 1, 2010 deadline established by Transportation Code §521.1601. [See SB 1317 and HB 339]
- The Department's authority to waive driving tests for applicants under the age of 18 has been withdrawn. All original applicants under the age of 18 will be required to take a driving skills test administered by the Department. This change applies to original applications made after September 1, 2009. This provision applies to applicants who have not begun the licensing process (i.e. applied for an instruction permit) before September 1, 2009. [HB 2730 and HB 339]
- The Department may waive the highway signs and traffic law test for an adult applicant "if those parts have been successfully completed as determined by a licensed driver instructor." This applies to applications made after March 1, 2010. [SB 1317 and HB 339]
- DPS may not issue a driver license to an applicant under 18 years of age unless the applicant submits to the Department written permission from from a parent or guardian to access the applicant's TEA school enrollment records. The amendment is effective September 1, 2009. TEA rules are forthcoming. [HB 2730 and HB 339]
- Foster parents have been added to the list of individuals who may conduct a parent taught driver education program. The same provision also restricts an individual from conducting a parent taught driver education program if that individual's driver license has been suspended or revoked in the preceding three

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- years “for an offense that involves a motor vehicle” or has 6 points or more on his or her driver license record. The amendments are effective September 1, 2009. These provisions apply to a driver education course that begins after September 1, 2009. [HB 2730 and HB 339]
- The Department is required compile collision rate statistical information regarding license holders who completed driver education courses. By October 1<sup>st</sup> of each year the Department must issue a publication listing the collision rate for students taught by each driver education entity and the collision rate for students educated through the Parent Taught Driver Education program. The first report is required to be published by October 1, 2011. [HB 2730 and HB 339]
  - Provisional licenses are currently issued for up to one year and expire on the next birthday of the license holder. Transportation Code §521.271 has been amended, and the expiration date for provisional licenses and instruction permits will now be the license holder’s 18<sup>th</sup> birthday. The same provision also allows the Department and TEA to enter into a MOU to allow Department access to school enrollment records. This change applies to licenses issued after September 1, 2009. Additional computer programming is necessary before the Department will be able to implement this change. [HB 2730 and HB 339]
  - The fees for provisional licenses and instruction permits have been changed from \$5.00 to \$15.00. This change applies to licenses issued after September 1, 2009. Additional computer programming is necessary before the Department will be able to implement this change. [HB 2730 and HB 339]
  - License holders under the age of 18 are restricted from using a wireless communication device while operating a motor vehicle. The statute contains an exception for emergency situations. This becomes effective September 1, 2009. [HB 2730 and HB 339]
  - Beginning September 1, 2009, license holders under the age of 18 are restricted from operating a motor vehicle between midnight and 5 a.m. or with more than one passenger under 21 who is not a family member for twelve (12) months following the issuance of a license. The statute was amended to extend this restriction from six (6) months to twelve (12) months following issuance. This restriction applies to licenses issued after September 1, 2009. [HB 2730 and HB 339]