ATTACHMENT II
Text of Adopted Amendments to 19 TAC

Chapter 75. Curriculum

Subchapter AA. Commissioner's Rules Concerning Driver Education Standards of Operation for Public Schools, Education Service Centers, and Colleges or Universities

§75.1001. Administration and Supervision.

(a) (No change.)

(b) The superintendent, ESC director, and college or university chief school official must:

(1)-(5) (No change.)

(6) prohibit an instructor from giving instruction and prohibit a student from securing instruction in the classroom or in a motor vehicle if that instructor or student is using or exhibits any evidence or effect of an alcoholic beverage, controlled substance, drug, abusable glue, aerosol paint, or other volatile chemical as those terms are defined in the Alcohol Beverage Code [~~, §1.04(1);~~] and the Health and Safety Code [~~, §§481.002, 484.002, and 485.001~~] ;

(7)-(10) (No change.)

(c) (No change.)

§75.1002. Driver Education Teachers.

(a)-(c) (No change.)

(d) Driver education instructors and student instructors shall provide training in an ethical manner so as to promote respect for the purpose and objectives of a driver education program. A driver education instructor or student instructor shall not:

(1) make any sexual or obscene comments or gestures while performing the duties of an instructor or give instruction or allow a student to secure [~~from securing~~] instruction in the classroom or in a motor vehicle if that instructor or student is using or exhibits any evidence or effect of an alcoholic beverage, controlled substance, drug, abusable glue, aerosol paint, or other volatile chemical as those terms are defined in the Alcohol Beverage Code [~~, §1.04(1);~~] and the Health and Safety Code [~~, §§481.002, 484.002, and 485.001~~] ;

(2)-(3) (No change.)

(e) (No change.)

§75.1003. Teaching Assistants.

(a) An individual may be employed as a teaching assistant in a driver education program under the direction of a supervising driver education teacher after completing one of the following programs.

(1) Teaching assistant (full). An individual may be approved as a teaching assistant (full) to conduct behind-the-wheel, observation, multicar range, and simulator training instruction to teens or adults; to assist certified teachers in the classroom phase of driver education provided the instructor is present and in the room; and to serve as a temporary substitute instructor in the classroom phase of driver education for no more than 25% of a driver education classroom program by successfully completing:

(A)-(B) (No change.)

(C) nine semester hours of driver and traffic safety education instructor training as outlined in Texas Education Code, Chapter 1001 [~~Civil Statutes, Article 4413(29c), §15A(b)~~] .

(2) Teaching assistant (in-car only). An individual may be approved as a teaching assistant (in-car only) to conduct only behind-the-wheel and observation training instruction to teens or adults by completing one of the following requirements:

(A) (No change.)

(B) six semester hours of driver and traffic safety education instructor training as outlined in Texas Education Code, Chapter 1001 [~~Civil Statutes, Article 4413(29c), §15A(b)~~] .

(b)-(c) (No change.)

(d) A teaching assistant may be trained by an approved university as described in subsection (a)(1)(B) of this section; or by a university, college, school district, or an education service center (ESC) as described in subsection (a)(1)(A) of this section. When the training is conducted by a college, school district, or an ESC, the program must be approved by TEA. A driver education school licensed under Texas Education Code, Chapter 1001 [~~Civil Statutes, Article 4413(29c)~~] , may train teaching assistants as described in subsection (a)(1)(C) or subsection (a)(2)(B) of this section.

(e)-(f) (No change.)

(g) All teaching assistants (full or in-car only) and student instructors shall provide training in an ethical manner so as to promote respect for the purpose and objectives of a driver education program. A teaching assistant or student instructor shall not:

(1) make any sexual or obscene comments or gestures while performing the duties of an instructor or give instruction or allow a student to secure [~~from securing~~] instruction in a motor vehicle if that instructor or student is using or exhibits any evidence or effect of an alcoholic beverage, controlled substance, drug, abusable glue, aerosol paint, or other volatile chemical as those terms are defined in the Alcohol Beverage Code [~~, §1.04(1);~~] and the Health and Safety Code [~~, §§481.002, 484.002, and 485.001~~] ;

(2)-(3) (No change.)

(h) (No change.)

§75.1005. Course Requirements.

(a)-(b) (No change.)

(c) Course content, minimum instruction requirements, and administrative guidelines for each phase of driver education classroom instruction, in-car training (behind-the-wheel and observation), simulation, and multicar range shall include the instructional objectives established by the commissioner of education , as specified in this subsection, and meet the requirements of this subchapter. Sample [~~Copies of the instructional objectives and the sample~~] instructional modules may be obtained from the Texas Education Agency (TEA). Schools may use sample instructional modules developed by the TEA or develop their own instructional modules based on the approved instructional objectives. The instructional objectives are organized into the modules outlined in this subsection [~~following topics~~] and include objectives for classroom and in-car training (behind-the-wheel and observation), simulation lessons, parental involvement activities , and evaluation techniques. In addition, the instructional objectives include information relating to litter prevention , anatomical gifts, and alcohol awareness and the effect of alcohol on the effective operation of a motor vehicle that must be provided to every student enrolled in a teenage driver education course. A student may apply to the Texas Department of Public Safety (DPS) for an instruction permit after completing six hours of instruction as specified in Module One if the student is taking the course in a concurrent program. The [~~A~~] teenage driver education program instructional objectives shall include:

(1) Module One: [~~Texas Driver Responsibilities—Knowing Texas~~] Traffic Laws. The student legally and responsibly performs reduced-risk driving practices in the Highway Transportation System (HTS) by: [~~A student may apply to the Texas Department of Public Safety (DPS) for an instruction permit after completing six hours of instruction as specified by this module;~~]

(A) accepting driving as a privilege with responsibilities, obligations, and potential consequences; and

(B) applying knowledge and understanding of Texas traffic laws, including traffic control devices and right-of-way laws.

(2) Module Two: Driver Preparation. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Preparing to Operate the Vehicle;~~]

(A) employing pre-drive tasks;

(B) using and requiring passengers to use occupant protection and restraint systems;

(C) using vehicle symbols and devices;

(D) employing starting tasks;

(E) performing vehicle operation and control tasks;

(F) employing post-drive tasks;

(G) using baseline and progress assessment tools to evaluate and improve behind-the-wheel skill level; and

(H) formulating a driving plan.

(3) Module Three: Vehicle Movements. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Basic Maneuvering Tasks—Low Risk Environment;~~]

(A) sustaining visual attention and communication;

(B) using reference points;

(C) managing vehicle balance: and

(D) executing vehicle maneuvers.

(4) Module Four: Driver Readiness. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Basic Maneuvering Tasks—Moderate Risk Environment;~~]

(A) employing legal and responsible driving practices; and

(B) limiting and managing fatigue and aggressive driving.

(5) Module Five: Risk Reduction. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Information Processing—Moderate Risk Environment;~~]

(A) predicting, analyzing, and minimizing risk factors; and

(B) employing a space management system.

(6) Module Six: Environmental Factors. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Information Processing—Multiple Lane Expressways;~~]

(A) identifying and analyzing driving environments; and

(B) minimizing environmental risk.

(7) Module Seven: Distractions. The student legally and responsibly performs reduced-risk driving practices in the HTS by limiting and managing distractions and multi-task performances. [~~Driver Performance - Personal Factors;~~]

(8) Module Eight: Alcohol and Other Drugs. The student legally and responsibly performs reduced-risk driving practices in the HTS by adopting zero-tolerance practices related to the use of alcohol and other drugs by applying knowledge and understanding of alcohol and other drug laws, regulations, penalties, and consequences to licensing, driving, and lifestyles. [~~Driver Responsibilities - Adverse Conditions;~~]

(9) Module Nine: Adverse Conditions. The student legally and responsibly performs reduced-risk driving practices in the HTS by managing adverse conditions resulting from weather, reduced-visibility, traction loss, and emergencies. [~~Texas Driver Responsibilities - Vehicle Functions; and~~]

(10) Module Ten: Vehicle Requirements. The student legally and responsibly performs reduced-risk driving practices in the HTS by: [~~Texas Driver Responsibilities - The Wise Consumer & Driver Assessment.~~]

(A) assessing and managing vehicle malfunctions;

(B) performing preventative maintenance; and

(C) planning trips.

(11) Module Eleven: Consumer Responsibilities. The student legally and responsibly performs reduced-risk driving practices in the HTS by attending to the vehicle requirements by making wise consumer decisions regarding vehicle use and ownership, vehicle insurance, environmental protection and litter prevention, and anatomical gifts.

(12) Module Twelve: Personal Responsibilities. The student legally and responsibly performs reduced-risk driving practices in the HTS by:

(A) using the knowledge, skills, and experiences of the Driver Education and Traffic Safety Program;

(B) obtaining and using a driver license; and

(C) continuing the lifelong learning process of reduced-risk driving practices.

(d)-(j) (No change.)