ATTACHMENT I

Statutory Citations Relating to Revisions to 19 TAC Chapter 176, Driver Training Schools, Subchapter AA, Commissioner's Rules on Minimum Standards for Operation of Licensed Texas Driver Education Schools, and Subchapter BB, Commissioner's Rules on Minimum Standards for Operation of Licensed Texas Driving Safety Schools and Course Providers

TEC, Chapter 1001, Driver and Traffic Safety Education (excerpts).

§1001.052, Rules.

The agency shall adopt and administer comprehensive rules governing driving safety courses.

§1001.053, Powers and Duties of Commissioner.

(a) The commissioner shall:

(1) administer the policies of this chapter;

(2) enforce minimum standards for driver training schools under this chapter;

(3) adopt and enforce rules necessary to administer this chapter; and

(4) visit a driver training school or course provider and reexamine the school or course provider for compliance with this chapter.

(b) The commissioner may designate a person knowledgeable in the administration of regulating driver training schools to administer this chapter.

(c) The commissioner may adopt rules to ensure the integrity of approved driving safety courses and to enhance program quality.

§1001.101, Adult and Minor Driver Education Course Curriculum and Textbooks.

(a) The commissioner by rule shall establish or approve the curriculum and designate the textbooks to be used in a driver education course for minors and adults, including a driver education course conducted by a school district, driver education school, or parent or other individual under Section 521.205, Transportation Code.

(b) A driver education course must require the student to complete:

(1) 7 hours of behind-the-wheel instruction in the presence of a person who holds a driver education instructor license or who meets the requirements imposed under Section 521.205, Transportation Code;

(2) 7 hours of observation instruction in the presence of a person who holds a driver education instructor license or who meets the requirements imposed under Section 521.205, Transportation Code; and

(3) 20 hours of behind-the-wheel instruction, including at least 10 hours of instruction that takes place at night, in the presence of an adult who meets the requirements of Section 521.222(d)(2), Transportation Code.

Text of section as amended by Acts 2009, 81st Leg., R.S., Ch. 1413, Sec. 6

§1001.101, <u>Driver Education Course Curriculum and Educational Materials</u>.

(a) The commissioner by rule shall establish the curriculum and designate the educational materials 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 awareness program may not be approved as a driver education course under Subsection (a)(2).

Text of section as amended by Acts 2009, 81st Leg., R.S., Ch. 1253, Sec. 5

§1001.1015, <u>Adult Driver Education Course Curriculum and Educational Materials</u>.

(a) The commissioner by rule shall establish the curriculum and designate the educational materials to be used in a driver education course exclusively for adults.

(b) A driver education course under Subsection (a) 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) may be offered as an online course.

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

§1001.1025, Motorcycle Awareness Information.

(a) The agency by rule shall require that information relating to motorcycle awareness, the dangers of failing to yield the right-of-way to a motorcyclist, and the need to share the road with motorcyclists be included in the curriculum of any driver education course or driving safety course.

(b) In developing rules under this section, the agency shall consult with the department.

§1001.110, Information Relating to Driving Distractions.

(a) The commissioner by rule shall require that information relating to the effect of using a wireless communication device or engaging in other actions that may distract a driver on the safe or effective operation of a motor vehicle be included in the curriculum of each driver education course or driving safety course.

(b) In developing rules under this section, the commissioner shall consult with the department.

§1001.257, Denial of License.

The commissioner may not issue or renew a driver education instructor license, including a temporary license, to a person who has six or more points assigned to the person's driver's license under Subchapter B, Chapter 708, Transportation Code.