

**SUBJECT:** Repealing parent-taught driver's education courses

**COMMITTEE:** Public Safety — favorable, without amendment

**VOTE:** 7 ayes — Oakley, Driver, Carter, Keel, Keffer, McClendon, Olivo  
2 nays — Madden, E. Reyna

**WITNESSES:** For — Rep. Kevin Bailey; Carlos Reyna, Texas Driving Schools Association; Charles Green, Sears Driving School; Debra Roberts, Texas Driver and Safety Association; Gene Walker  
Against — Charles L. Taylor, Advanced Traffic Technology; Tim Lambert, Texas Home School Coalition; eight others  
On — James O. Ratliff, Department of Public Safety

**BACKGROUND :** Since 1945, Texas law has required first-time applicants for a driver's license to pass an approved driver training course using curriculum developed by the Texas Department of Public Safety (DPS) and the Texas Education Agency (TEA). In enacting SB 964 by C. Harris, the 74th Legislature revised the driver's education law and included a provision allowing parents or guardians to teach their children aged 15 to 17 to drive by following a DPS-approved curriculum.

**DIGEST:** HB 1255 would amend the Transportation Code to specify that DPS rules could not approve any driver's education course taught by a parent or legal guardian of a child required to complete such a course to obtain a driver's license.  
HB 2155 would take immediate effect if finally approved by a two-thirds record vote of the membership of each house. The bill would provide that DPS rules for parent-taught driver education would have no effect on or after the bill's effective date and that the bill would apply only to a license issued on or after that date.

SUPPORTERS  
SAY:

HB 1255 would reinstate the driver's education course requirement in effect prior to the 1995 session and eliminate the potential for serious safety hazards on Texas roads. Questions about the SB 964 provision for parent-taught driver's education being aimed only at parents of home-schooled children were resolved by an attorney general's opinion (DM-400, June 16, 1996) that broadly interpreted it to apply to *all* parents. To resolve the issue beyond doubt, HB 1235 would remove the provision.

For more than 50 years, Texas has required youngsters to take driver's ed as a prerequisite to getting a license, with good results. In June 1992, DPS discontinued the in-car portion of the driving test for students who successfully completed an approved driver's education course because their failure rate on this part of the test was less than three percent.

Under DPS rules, students must complete 32 hours of classroom instruction and 14 hours of in-car instruction before getting their license. These strict requirements ensure that they are knowledgeable about the rules of the road and possess competent driving skills when they get their licenses. Professional driving schools do not bend on these requirements; otherwise, they could lose their operating licenses. However, there is no good way to ensure that a parent, even following the required DPS curriculum, would invest the needed time into classroom and driving instruction. It is highly probable that parents will fudge the hours under pressure from their children or because of other commitments. Most objective observers agree that parents training their children in driving skills is not enough; for this reason, Texas has long required professional instruction.

HB 1255 is necessary because in spite of the safeguards in the DPS rules, there is nothing to prevent parents from simply filling out the required affidavit certifying that their child has completed all course requirements without having taught the child anything. Many parents may not have adequate knowledge of current traffic laws, alcohol awareness, or safe driving procedures. Many parents, unfortunately, also have developed bad driving habits that they would pass onto their children. Furthermore, children taught by their parents are not eligible for the 10 percent insurance discount, a compelling financial reason that outweighs the cost of a driver's education program.

HB 1255 would not impose a burden on parents who home-school their children. Most public schools are eliminating their driver's ed training in favor of outside providers. Furthermore, when schools do offer driver's ed, they usually contract with outside providers at prevailing rates.

HB 1255 does not raise issues of parental rights but rather of public safety. Insurance and mortality statistics prove that teenagers are high-risk drivers. Teenagers endanger the public by taking to Texas roads without adequate training. HB 1255 would not prohibit parents from becoming involved in training their children to be good drivers; parents still would be able to and, in fact should, spend time driving with their children.

**OPPONENTS  
SAY:**

Requiring parents to send their kids to driver's education courses would put an unnecessary financial burden and expense on families. All parents, and not just those with home-schooled children, should be able to save the expense of sending their children to driving schools, some of which cost as much as \$300 per child.

The bulk of time spent teaching kids how to drive usually falls on parents anyway because most spend many hours driving with their children after they get their learner's permit. Driving is a skill that is perfected by practice, which is why the state requires a learner's permit. Seven hours of behind-the-wheel practice is just the start for learning how to drive properly and safely in different circumstances.

Parents are motivated by their children's welfare; schools that charge several hundred dollars to teach teens how to drive are motivated by profit. Many parents have had bad experiences with schools teaching improper driving habits, such as driving with the radio blaring. Furthermore, many teens feel more comfortable being taught by a trusted parent or guardian.

HB 1255 would jump the gun by banning home-based driver's ed. DPS just last week issued the curriculum it developed in response to SB 964. The state should at least give the program a chance to show that parents who are trusted to raise their children also can be trusted to teach their children how to drive. DPS carefully crafted the curriculum to provide adequate safeguards against abuse — the curriculum is almost identical to the one used by TEA, and it will motivate students to study and learn traffic laws

because they still have to pass the written DPS driving exam. Furthermore, the rules require that the parent teaching the child be a licensed driver free of any conviction for serious driving offenses or disabled by mental illness. DPS will also run an independent search of the parent's driving record; there are criminal penalties for persons who make false statements.

OTHER  
OPPONENTS  
SAY:

HB 1255 would go too far by preventing even home-schooled children from being taught to drive by their parents. The amendments to SB 964 were clearly meant to exempt at least these students, yet HB 1255 would do away with the DPS program in its entirety when it would be relatively easy to revise the parent-taught driver's education provision to limit it to home-schoolers.

NOTES:

The companion bill, SB 284 by Whitmire, has been referred to the Senate State Affairs Committee.