

- SUBJECT:** Establishing a pilot program for driver examinations
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 9 ayes — Pickett, Fletcher, Cortez, Dale, Flynn, Kleinschmidt, Lavender, Sheets, Simmons  
0 nays
- WITNESSES:** For — Samuel Shotts  
Against — Patrick Barrett, Driver Ed in a Box; Tom Pennington, Green Light Drivers Ed, Inc.  
On — *(Registered, but did not testify:* Margaret Spinks, Texas Department of Public Safety)
- BACKGROUND:** Texas averages more than 225,000 new drivers each year. Each driver's license applicant under the age of 18 must take a comprehensive driver education course. For those age 18 and over, a driver education course is not required, but drivers must pass the standard written test given by the Department of Public Safety (DPS) as well as an on-road test.
- DIGEST:** CSHB 2320 would amend Transportation Code, ch. 521 and require the Department of Public Safety to establish a pilot program in which the department would designate commercial driver education schools to give the driving portion of the state's driver's license test.  
DPS would create eligibility requirements a commercial driver education school would have to meet to participate in the program and would monitor schools that were part of the program to ensure that driving tests were conducted properly.  
CSHB 2320 would require the department to record annually how many students used the program. The annual reports also would record the number of traffic incidents and citations involving drivers who obtained their licenses through the program and would weigh that data against the state's overall incident and citation rates. This reporting would be used by

the department to assess the program's effectiveness.

The bill would allow the department to charge driver education schools a fee to participate in the pilot program and would require fees from participating schools to cover the program's costs.

The program would run through September 1, 2017, at which time the Public Safety Commission, on the basis of a recommendation from DPS, could authorize the department to implement a permanent program.

The bill would take effect September 1, 2013, and the Department of Public Safety would adopt rules for the program by January 1, 2014.

**SUPPORTERS  
SAY:**

CSHB 2320 would help address the long lines and grueling wait times that are commonplace at many of the Department of Public Safety (DPS) offices that administer the state-required road test for applicants for a new driver's license.

By turning to qualified driver education schools to help administer this important behind-the-wheel exam, the department would provide the convenience that driver's license applicants deserve. Some people have waited several hours at DPS offices before being given the exam, while others have had to wait weeks for an appointment to take the test, according to recent news reports and public testimony. Creating a pilot program would bring relief to these offices so they could focus their attention on other services, such as driver's license renewals.

The state already allows driver education schools to administer the written exam that a person must pass to obtain a driver's license. This simply would be an extension of that kind of public-private cooperation. DPS would maintain oversight of the program and would monitor each participating school's progress. This information would be used to see if the program was successful and worth keeping. In addition, the pilot program would not have a significant fiscal implication to the state, according to the Legislative Budget Board. In fact, fees paid by participating schools would pay for the program's administration.

**OPPONENTS  
SAY:**

Although it is a good idea to call on the private sector to help administer the state-required road test for a driver's license, CSHB 2320 would not address a conflict of interest inherent in allowing a driver education school to measure the progress of an applicant who was also that school's

student. Also, the bill is unclear about how much it would cost a driver education school to participate in the program. The price for participation in the program should be set by the free market and not a government entity that could possibly set too high a fee and lock many schools out from helping administer the test.