

BILL ANALYSIS

Senate Research Center
84R2210 AAF-F

H.B. 2708
By: Coleman (Kolkhorst)
Transportation
5/11/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that the Department of Public Safety of the State of Texas' (DPS) requirement to provide for approval of a driver education course taught by a person's relative is confusing. Currently, a person disabled because of mental illness is ineligible to teach the driver education course, but additional guidance on or definition of the term "disabled because of mental illness" is lacking. Interested parties contend that the lack of clarity on the meaning of the term is confusing, particularly for a parent or otherwise eligible individual who has a mental illness but who is not rendered incapable of driving by the illness. The parties assert that, given that a person with a mental or physical disability or disease that prevents the person from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle on a highway is ineligible for a license, it seems the restriction against a person disabled by mental illness from teaching the driver education course may be unnecessary. H.B. 2708 seeks to remedy this situation.

H.B. 2708 amends current law relating to the qualifications for teaching a driver education course.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is modified in SECTION 1 (Section 521.205, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.205(a), Transportation Code, as follows:

- (a) Requires the Department of Public Safety of the State of Texas (DPS) by rule to provide for approval of a driver education course conducted by the parent, stepparent, foster parent, legal guardian, step-grandparent, or grandparent of a person who is required to complete a driver education course to obtain a Class C license. Deletes existing text requiring that the rules provide that the person conducting the course not be disabled because of mental illness. Deletes existing designation of Subdivision (5).

SECTION 2. Effective date: upon passage or September 1, 2015.