

BILL ANALYSIS

Senate Research Center
83R10308 AJZ-F

S.B. 1705
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prior to 2009, Texas driver's license applicants under 18 years of age who had successfully completed an approved driver education course were permitted to waive the driving examination required by Section 521.162(2), Transportation Code, prior to obtaining a license. The 81st Texas Legislature enacted H.B. 339, which required all applicants to take the driving test.

Currently, the Department of Public Safety of the State of Texas (DPS) is the only entity authorized to administer driving tests for driver's license applicants. S.B. 1705 clarifies existing statute to ensure that the DPS director has the authority to permit other qualified organizations or businesses to administer driving tests. This will give DPS the flexibility to authorize other entities, such as the military, educational institutions, or driver education and training service providers to administer driving tests. DPS will by rule, establish testing standards to ensure tests are administered according to DPS specifications. Adding Section 521.165(e) to the Transportation Code will provide explicit authority to delegate all driving tests (even for those under age 18) but does not remove the requirement to test new drivers.

The ability to delegate testing authority to other entities is expected to contribute to reduced wait times and increased efficiency in DPS driver's license offices by augmenting DPS staff resources that are constrained by the length of time required to administer driving tests. Maintaining the high standards currently employed by DPS in driver testing will ensure that driver license applicants are qualified to safely operate a motor vehicle on Texas roadways.

As proposed, S.B. 1705 amends current law relating to the administration of certain examinations required to obtain a driver's license.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.165, Transportation Code, by adding Subsection (e), as follows:

(e) Authorizes the Department of Public Safety of the State of Texas to authorize an entity described by Subsection (a) (relating to authorizing the director to certify and get standards for the certification of certain employers, government agencies, and other appropriate organizations to allow those persons to train and test for the ability to operate certain types of vehicles), including a driver education school described by Section 521.1655 (Testing by Driver Education School), to administer the examination required by Section 521.161(b)(2) (relating to requiring that the examination include a demonstration of the applicants ability to exercise ordinary and reasonable control of certain motor vehicles).

SECTION 2. Effective date: September 1, 2013.