

BILL ANALYSIS

Senate Research Center

S.B. 1051
By: Watson
Transportation
7/12/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many deaf individuals find it difficult to take a driver education course as required prior to receipt of a Texas driver's license. This is because most driver education schools do not offer any kind of accommodation for these students. These individuals must often instead wait and travel, sometimes long distances, to Austin to take a driver education course in the language they speak—American Sign Language.

S.B. 1051 fixes this problem by requiring driver education programs in Texas to provide some form of accommodation to these students. This could be something as simple as referring that individual to a driver education video developed by the Texas Department of Licensing and Regulation (TDLR), playing that video for the student at the school, or another accommodation that allows the student to receive the necessary driver education. The bill allows TDLR to charge a fee for the online course in order to offset the cost of developing and maintaining that course. By making these changes, no person will be denied the ability to receive driver's education simply because of a loss of hearing. (Original Author's / Sponsor's Statement of Intent)

S.B. 1051 amends current law relating to the accommodation of a deaf or hard of hearing student in driver education and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 (Section 1001.059, Education Code) and SECTION 2 (Section 1001.1016, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 1001, Education Code, by adding Section 1001.059, as follows:

Sec. 1001.059. DEPARTMENT DRIVER EDUCATION COURSE FOR DEAF OR HARD OF HEARING STUDENTS. (a) Requires the Texas Department of Licensing and Regulation (TDLR) to create a driver education course for minors and adults that presents the course in American Sign Language and make the course available on TDLR's Internet website.

(b) Authorizes TDLR to collaborate with another state agency or contract with a licensed driver education school or instructor to create the course.

(c) Requires the Texas Commission of Licensing and Regulation (TCLR), by rule, to establish a fee for the course. Provides that the established fee is in addition to a fee charged for a certificate for the course and requires that the fee be in an amount that is not more than an amount necessary to cover the cost of creating and administering the course, and is not more than the average cost of an online driver education course provided in this state, as determined by TCLR.

SECTION 2. Amends Subchapter C, Chapter 1001, Education Code, by adding Section 1001.1016, as follows:

Sec. 1001.1016. ACCOMMODATION FOR DEAF OR HARD OF HEARING STUDENTS. (a) Defines "deaf" and "hard of hearing."

(b) Requires TCLR, by rule, to require a driver education school providing a driver education course to:

(1) in the manner described by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.), make reasonable modifications and provide aids and services when providing the classroom portion of the course that are necessary to ensure that a student who is deaf or hard of hearing may fully participate in the course; and

(2) provide to TDLR the school's plan for complying with the rules adopted under this section as a condition of obtaining a license under Section 1001.211 (Issuance and Form of License) or renewing a license under Section 1001.303 (Renewal of School or Course Provider License).

(c) Requires that the rules adopted under Subsection (b) allow a driver education school to comply with the requirements of this section by playing a video that presents the classroom portion of the driver education course in a manner that complies with the requirements of this section.

SECTION 3. Effective date: September 1, 2017.