

1-1 By: LaMantia S.B. No. 2304  
 1-2 (In the Senate - Filed March 10, 2023; March 22, 2023, read  
 1-3 first time and referred to Committee on Education; April 27, 2023,  
 1-4 reported adversely, with favorable Committee Substitute by the  
 1-5 following vote: Yeas 13, Nays 0; April 27, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			

1-21 COMMITTEE SUBSTITUTE FOR S.B. No. 2304 By: Menéndez

1-22 A BILL TO BE ENTITLED  
 1-23 AN ACT

1-24 relating to the regulation of driver education courses and driving  
 1-25 safety courses and the provision of information regarding the Texas  
 1-26 Driving with Disability Program to certain public school students.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter A, Chapter 29, Education Code, is  
 1-29 amended by adding Section 29.0113 to read as follows:

1-30 Sec. 29.0113. DRIVING WITH DISABILITY PROGRAM INFORMATION.

1-31 (a) Each school district and open-enrollment charter school shall  
 1-32 provide information regarding the Texas Driving with Disability  
 1-33 Program to:

1-34 (1) students who have a health condition or disability  
 1-35 that may impede effective communication with a peace officer and:

1-36 (A) who receive special education services under  
 1-37 Subchapter A; or

1-38 (B) who are covered by Section 504,  
 1-39 Rehabilitation Act of 1973 (29 U.S.C. Section 794); and

1-40 (2) the parents of students described by Subdivision  
 1-41 (1).

1-42 (b) The information described under Subsection (a) shall be  
 1-43 provided to each student who is 16 years of age or older and  
 1-44 annually until the earlier of the student's:

1-45 (1) graduation from high school; or

1-46 (2) 21st birthday.

1-47 (c) The agency shall collaborate with the Department of  
 1-48 Public Safety, the Texas Department of Motor Vehicles, and the  
 1-49 Governor's Committee on People with Disabilities to develop the  
 1-50 information materials to be provided under Subsection (a). The  
 1-51 materials:

1-52 (1) must include information regarding a person's  
 1-53 option to voluntarily list any health condition or disability that  
 1-54 may impede the person's communication with a peace officer on a  
 1-55 person's vehicle registration information in accordance with  
 1-56 Section 502.061, Transportation Code, or application for an  
 1-57 original license under Section 521.142, Transportation Code; and

1-58 (2) may be provided with any transition planning  
 1-59 materials provided under this subchapter.

1-60 SECTION 2. Section 1001.001, Education Code, is amended by

2-1 amending Subdivisions (2) and (14) to read as follows:  
2-2 (2) "Classroom instruction" includes instruction  
2-3 provided:

2-4 (A) in a traditional classroom setting or through  
2-5 other physical means or remotely through the Internet; and

2-6 (B) by an in-person driver education provider in  
2-7 the manner described by Paragraph (A).

2-8 (14) "In-person driver education provider" means a  
2-9 business that provides driver education courses in person,  
2-10 including behind-the-wheel instruction, classroom instruction,  
2-11 observation instruction, or driver's license examinations.

2-12 SECTION 3. Subchapter C, Chapter 1001, Education Code, is  
2-13 amended by adding Section 1001.10161 to read as follows:

2-14 Sec. 1001.10161. DRIVING WITH DISABILITY PROGRAM  
2-15 INFORMATION. The commission by rule shall require that information  
2-16 relating to the Texas Driving with Disability Program be included  
2-17 in the curriculum of each driver education and driving safety  
2-18 course.

2-19 SECTION 4. (a) Not later than May 1, 2024, the Texas  
2-20 Commission of Licensing and Regulation shall adopt the rules  
2-21 required by Section 1001.10161, Education Code, as added by this  
2-22 Act.

2-23 (b) Not later than September 1, 2024, each provider of a  
2-24 driver education course or a driving safety course shall certify to  
2-25 the Texas Commission of Licensing and Regulation that the course  
2-26 curriculum has been updated to include the information required by  
2-27 Section 1001.10161, Education Code, as added by this Act.

2-28 SECTION 5. This Act applies beginning with the 2023-2024  
2-29 school year.

2-30 SECTION 6. This Act takes effect immediately if it receives  
2-31 a vote of two-thirds of all the members elected to each house, as  
2-32 provided by Section 39, Article III, Texas Constitution. If this  
2-33 Act does not receive the vote necessary for immediate effect, this  
2-34 Act takes effect September 1, 2023.

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