

1-1 By: Perry S.B. No. 296  
1-2 (In the Senate - Filed November 12, 2024; February 3, 2025,  
1-3 read first time and referred to Committee on Transportation;  
1-4 March 13, 2025, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 13, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Nichols	X		
1-9	West	X		
1-10	Bettencourt	X		
1-11	Hagenbuch	X		
1-12	Hinojosa of Hidalgo	X		
1-13	Johnson	X		
1-14	King	X		
1-15	Miles	X		
1-16	Perry	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to driving safety or motorcycle operator training course  
1-20 dismissal.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Articles 45A.352(a) and (b), Code of Criminal  
1-23 Procedure, are amended to read as follows:

1-24 (a) The judge shall require a defendant to successfully  
1-25 complete a driving safety course approved by the Texas Department  
1-26 of Licensing and Regulation or a course under the motorcycle  
1-27 operator training and safety program approved by the designated  
1-28 state agency under Chapter 662, Transportation Code, if:

1-29 (1) the defendant elects driving safety course or  
1-30 motorcycle operator training course dismissal under this  
1-31 subchapter;

1-32 (2) the defendant:

1-33 (A) has a Texas driver's license or permit; or

1-34 (B) is a member, or the spouse or dependent child  
1-35 of a member, of the United States military forces serving on active  
1-36 duty;

1-37 (3) either:

1-38 (A) the defendant has not completed an approved  
1-39 driving safety course or motorcycle operator training course, as  
1-40 appropriate, within the 12-month period preceding the date of the  
1-41 offense; or

1-42 (B) the defendant:

1-43 (i) does not have a Texas driver's license  
1-44 or permit;

1-45 (ii) is a member, or the spouse or dependent  
1-46 child of a member, of the United States military forces serving on  
1-47 active duty; and

1-48 (iii) has not completed a driving safety  
1-49 course or motorcycle operator training course, as appropriate, in  
1-50 another state within the 12-month period preceding the date of the  
1-51 offense;

1-52 (4) on or before the answer date on the notice to  
1-53 appear, the defendant enters, under Article 45A.151(a), a plea of  
1-54 nolo contendere or guilty in person or in writing and:

1-55 (A) presents in person or by counsel to the court  
1-56 a request to take a course; or

1-57 (B) sends a written request to take a course to  
1-58 the court;

1-59 (i) by certified mail, return receipt  
1-60 requested, postmarked on or before the answer date on the notice to  
1-61 appear [~~, a written request to take a course~~]; or

2-1 (ii) if authorized by the court, through a  
2-2 court-designated e-mail address or Internet portal, on or before  
2-3 the answer date on the notice to appear;

2-4 (5) the defendant is charged with an offense to which  
2-5 this subchapter applies, other than speeding at a speed of:

2-6 (A) 95 miles per hour or more; or

2-7 (B) 25 miles per hour or more over the posted  
2-8 speed limit; and

2-9 (6) the defendant provides evidence of financial  
2-10 responsibility as required by Chapter 601, Transportation Code.

2-11 (b) If a defendant described by Subsection (a) is charged  
2-12 with more than one offense to which this subchapter applies arising  
2-13 out of the same criminal transaction, each charge for an offense  
2-14 described by this subsection is eligible for dismissal under this  
2-15 subchapter following the successful [The court may dismiss only one  
2-16 charge for each] completion of one [a] course described by  
2-17 Subsection (a) for all of the charges, provided that:

2-18 (1) each charge on its own would be eligible for  
2-19 dismissal under this subchapter; and

2-20 (2) the defendant otherwise satisfies the  
2-21 requirements of this subchapter.

2-22 SECTION 2. Article 45A.356(c), Code of Criminal Procedure,  
2-23 is amended to read as follows:

2-24 (c) If a defendant satisfies the requirements of Subsection  
2-25 (a), the court shall:

2-26 (1) remove the judgment and dismiss each eligible  
2-27 [the] charge;

2-28 (2) report the fact that the defendant successfully  
2-29 completed a driving safety course or a motorcycle operator training  
2-30 course and the date of completion to the Department of Public Safety  
2-31 for inclusion in the defendant's driving record; and

2-32 (3) state in the report under Subdivision (2) whether  
2-33 the course was taken under this subchapter to provide information  
2-34 necessary to determine eligibility to take a subsequent course  
2-35 under Article 45A.352(a).

2-36 SECTION 3. Article 45A.358, Code of Criminal Procedure, is  
2-37 amended by amending Subsection (a) and adding Subsection (a-1) to  
2-38 read as follows:

2-39 (a) In addition to court costs and fees authorized or  
2-40 imposed by a law of this state and applicable to the offense, the  
2-41 court may:

2-42 (1) subject to Subsection (a-1), require a defendant  
2-43 requesting a driving safety course or motorcycle operator training  
2-44 course under Article 45A.352(a) to pay a reimbursement fee in an  
2-45 amount of not more than \$10 to cover the cost of administering this  
2-46 subchapter; or

2-47 (2) require a defendant requesting a driving safety  
2-48 course or motorcycle operator training course under Article  
2-49 45A.352(c) to pay a fine set by the court in an amount not to exceed  
2-50 the maximum amount of the fine for the offense committed by the  
2-51 defendant.

2-52 (a-1) If a defendant is requesting a driving safety course  
2-53 or motorcycle operator training course for more than one offense  
2-54 arising out of the same criminal transaction, as described by  
2-55 Article 45A.352(b), the court may require the defendant to pay a  
2-56 separate reimbursement fee under Subsection (a)(1) for each offense  
2-57 committed by the defendant that is eligible for dismissal under  
2-58 Article 45A.352(b).

2-59 SECTION 4. The changes in law made by this Act to Articles  
2-60 45A.352(b) and 45A.358, Code of Criminal Procedure, apply to a  
2-61 defendant requesting a driving safety course or motorcycle operator  
2-62 training course on or after the effective date of this Act,  
2-63 regardless of whether the offenses for which the course is  
2-64 requested were committed before, on, or after the effective date of  
2-65 this Act.

2-66 SECTION 5. This Act takes effect September 1, 2025.

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