

EDUCATION CODE

TITLE 5. OTHER EDUCATION

CHAPTER 1001. DRIVER AND TRAFFIC SAFETY EDUCATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 1001.001. DEFINITIONS. In this chapter:

(1) Repealed by Acts 2015, 84th Leg., R.S., Ch. 1044 , Sec. 70(a)(1), eff. September 1, 2015.

(2) "Classroom instruction" includes instruction provided:

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

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

(3) "Commission" means the Texas Commission of Licensing and Regulation.

(4) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(2), eff. September 1, 2021.

(5) "Department" means the Texas Department of Licensing and Regulation.

(6) "Driver education" means a nonvocational course of instruction that provides the knowledge and hands-on experience to prepare persons for written and practical driving tests that lead to authorization to operate a vehicle.

(6-a) "Driver education instructor" means an individual who holds a license to teach or provide driver education issued under Section 1001.251.

(6-b) "Driver education provider" means an in-person driver education provider, an online driver education provider, or a parent-taught driver education provider.

(7) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(2), eff. September 1, 2021.

(8) "Driver training" means:

(A) driver education provided by a driver education provider; or

(B) driving safety training provided by a driving

safety provider.

(9) "Driver training provider" means a driver education provider or driving safety provider.

(10) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(2), eff. September 1, 2021.

(11) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(2), eff. September 1, 2021.

(12) "Driving safety course" means a course of instruction intended to improve a driver's knowledge, perception, and attitude about driving.

(13) "Driving safety provider" means a business that provides a driving safety course.

(13-a) "Executive director" means the executive director of the department.

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

(14-a) "National criminal history record information" has the meaning assigned by Section 22.081.

(14-b) "Online driver education provider" means a business that provides driver education courses to students remotely through the Internet.

(14-c) "Parent-taught driver education provider" means a business that provides driver education course materials through physical means or remotely through the Internet to persons who conduct parent-taught driver education under Section 1001.112.

(15) "Person" means an individual, firm, partnership, association, corporation, or other private entity or combination of persons.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. 2678), Sec. 1, eff. September 1, 2011.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 3, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 70(a)(1), eff. September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 1144 (H.B. 2847), Sec. 2.001, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.01, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(2), eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 970 (S.B. 2304), Sec. 2, eff. June 18, 2023.

Sec. 1001.002. EXEMPTIONS.

Text of subsection effective until January 01, 2025

(a) An organization is exempt from this chapter if the organization:

- (1) has 50,000 or more members;
- (2) qualifies for a tax exemption under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(4) of that code; and
- (3) conducts for its members and other individuals who are at least 50 years of age a driving safety course that is not used for purposes of Article 45.0511, Code of Criminal Procedure.

Text of subsection effective on January 01, 2025

(a) An organization is exempt from this chapter if the organization:

- (1) has 50,000 or more members;
- (2) qualifies for a tax exemption under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(4) of that code; and
- (3) conducts for its members and other individuals who are at least 50 years of age a driving safety course that is not used for purposes of Subchapter H, Chapter 45A, Code of Criminal Procedure.

(b) A driving safety course is exempt from this chapter if the course is taught without providing a uniform certificate of course completion to a person who successfully completes the

course.

(c) A driver education course is exempt from this chapter, other than Section [1001.055](#), if the course is:

(1) conducted by a vocational driver training school operated to train or prepare a person for a field of endeavor in a business, trade, technical, or industrial occupation;

(2) conducted by a school or training program that offers only instruction of purely avocational or recreational subjects as determined by the department;

(3) sponsored by an employer to train its own employees without charging tuition;

(4) sponsored by a recognized trade, business, or professional organization with a closed membership to instruct the members of the organization; or

(5) conducted by a school regulated and approved under another law of this state.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 4, eff. September 1, 2015.

Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 2.042, eff. January 1, 2025.

Sec. 1001.003. LEGISLATIVE INTENT REGARDING SMALL BUSINESSES. It is the intent of the legislature that commission rules that affect driver training providers that qualify as small businesses be adopted and administered so as to have the least possible adverse economic effect on the providers.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 5, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.02, eff. September 1, 2021.

Sec. 1001.004. COST OF ADMINISTERING CHAPTER. (a) Except as provided by Subsection (b), the cost of administering this chapter shall be included in the state budget allowance for the department.

(b) The department may charge a fee to each driver education provider in an amount not to exceed the actual expense incurred in the regulation of driver education courses established under Section 1001.1015.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1253 (H.B. 339), Sec. 3, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1413 (S.B. 1317), Sec. 4, eff. March 1, 2010.

Reenacted and amended by Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 6, eff. September 1, 2015.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.03, eff. September 1, 2021.

Sec. 1001.005. REFERENCE IN RULES AND AGENCY MATERIALS. Notwithstanding any other law, the commission or the department may refer to driver education providers and driver safety providers as schools in rules, forms, records, licenses, and other commission or department documents.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.04, eff. September 1, 2021.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 1001.051. JURISDICTION OVER PROVIDERS. The department has jurisdiction over and control of driver training providers regulated under this chapter.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 7, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.05, eff. September 1, 2021.

Sec. 1001.052. RULES. The commission shall adopt comprehensive rules governing driving safety courses.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 7, eff. September 1, 2015.

Sec. 1001.053. POWERS AND DUTIES OF DEPARTMENT, COMMISSION, AND EXECUTIVE DIRECTOR. (a) The department and executive director, as appropriate, shall:

- (1) administer this chapter;
- (2) enforce minimum standards for driver training providers under this chapter;
- (3) enforce rules adopted by the commission that are necessary to administer this chapter; and
- (4) inspect a driver training provider and reinspect the provider for compliance with this chapter.

(b) The executive director may designate a person knowledgeable in the administration of regulating driver training providers to administer this chapter.

(c) The commission shall adopt rules necessary to administer this chapter. The commission may adopt rules to ensure the integrity of approved driving safety courses and to enhance program quality.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 7, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.06, eff. September 1, 2021.

Sec. 1001.054. RULES RESTRICTING ADVERTISING. The commission by rule may restrict advertising by a branch location of an in-person driver education provider so that the location adequately identifies the main business location of the provider in a solicitation.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 9, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 70(a)(2), eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.07, eff. September 1, 2021.

Sec. 1001.055. DRIVER EDUCATION CERTIFICATES AND CERTIFICATE NUMBERS. (a) The department shall provide to each licensed driver education provider or exempt driver education school driver education certificates or certificate numbers to enable the provider or school to issue department-approved driver education certificates to certify completion of an approved driver education course and satisfy the requirements of Sections 521.204(a)(2) and 521.1601, Transportation Code.

(a-1) A certificate issued by a driver education provider licensed under this chapter must:

(1) be in a form required by the department; and
(2) include an identifying certificate number provided by the department that may be used to verify the authenticity of the certificate with the provider.

(a-2) A driver education provider licensed under this chapter that purchases driver education certificate numbers shall issue original and duplicate certificates in a manner that, to the greatest extent possible, prevents the unauthorized production or the misuse of the certificates. The provider shall electronically submit to the department in the manner established by the department data identified by the department relating to issuance

of department-approved driver education certificates with the certificate numbers.

(a-3) Certificate numbers must be in serial order so that the number on each issued certificate is unique.

(b) The commission by rule shall provide for the design and distribution of the certificates and certificate numbers in a manner that, to the greatest extent possible, prevents the unauthorized reproduction or misuse of the certificates or certificate numbers.

(c) The commission by rule shall establish a fee for each certificate or certificate number.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1253 (H.B. 339), Sec. 4, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1413 (S.B. 1317), Sec. 5, eff. March 1, 2010.

Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. 2678), Sec. 3, eff. September 1, 2011.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 10, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 1, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 1, eff. June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.08, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 270 (S.B. 478), Sec. 14, eff. September 1, 2023.

Acts 2023, 88th Leg., R.S., Ch. 608 (H.B. 3645), Sec. 4, eff. September 1, 2023.

Sec. 1001.056. UNIFORM CERTIFICATES OF COURSE COMPLETION.

(a) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(3), eff. September 1, 2021.

(b) The department shall provide each licensed driving

safety provider with course completion certificate numbers to enable the provider to issue department-approved uniform certificates of course completion.

(b-1) Certificate numbering under Subsection (b) must be serial.

(c) The commission by rule shall provide for the design of the certificates and the distribution of certificate numbers in a manner that, to the greatest extent possible, prevents the unauthorized production or the misuse of the certificates or certificate numbers.

(c-1) A driving safety provider shall provide for the issuance of original and duplicate certificates in a manner that, to the greatest extent possible, prevents the unauthorized production or the misuse of the certificates.

(d) A certificate under this section must:

- (1) be in a form required by the department; and
- (2) include an identifying number by which the department, a court, or the Department of Public Safety may verify its authenticity with the driving safety provider.

(e) The commission by rule shall establish a fee for each course completion certificate number.

(f) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(3), eff. September 1, 2021.

(g) A driving safety provider shall issue a duplicate certificate by United States mail or commercial or electronic delivery. The commission by rule shall determine the amount of the fee for issuance of a duplicate certificate under this subsection. Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 928 (H.B. 468), Sec. 1, eff. September 1, 2005.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 11, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 2, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 2, eff.

June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.09, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(3), eff. September 1, 2021.

Sec. 1001.057. ELECTRONIC TRANSMISSION OF DRIVING SAFETY COURSE INFORMATION. The department shall investigate options to develop and implement procedures to electronically transmit information relating to driving safety courses to municipal and justice courts.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 12, eff. September 1, 2015.

Sec. 1001.058. ADVISORY COMMITTEE. (a) The commission shall establish an advisory committee to advise the commission and department on rules and educational and technical matters relevant to the administration of this chapter.

(b) The advisory committee consists of nine members appointed for staggered six-year terms by the presiding officer of the commission, with the approval of the commission, as follows:

- (1) three driver education providers;
- (2) three driving safety providers;
- (3) one driver education instructor;
- (4) the division head of the Department of Public Safety driver license division or the division head's designee; and
- (5) one member of the public.

(c) The presiding officer of the commission shall appoint the presiding officer of the advisory committee. The presiding officer of the advisory committee may vote on any matter before the advisory committee.

(d) A member may not serve two consecutive full terms.

(e) If a vacancy occurs during a term, the presiding officer of the commission, with the approval of the commission, shall

appoint a replacement who meets the qualifications of the vacated position to serve for the remainder of the term.

(f) A member of the advisory committee may be removed from the advisory committee as provided by Section [51.209](#), Occupations Code.

(g) Members of the advisory committee may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the advisory committee, subject to the General Appropriations Act.

(h) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 1.25(1), eff. September 1, 2021.

(i) Chapter [2110](#), Government Code, does not apply to the advisory committee.

Added by Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 13, eff. September 1, 2015.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 1.25(1), eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.10, eff. September 1, 2021.

Sec. 1001.059. DEPARTMENT DRIVER EDUCATION COURSE FOR DEAF OR HARD OF HEARING STUDENTS. (a) The department shall:

(1) create a driver education course for minors and adults that presents the course curriculum in American Sign Language; and

(2) make the course described by Subdivision (1) available on the department's Internet website.

(b) The department may collaborate with another state agency or contract with a licensed driver education provider or a driver education instructor to create the course.

(c) The commission by rule shall establish a fee for the course. The fee established under this section:

(1) is in addition to a fee charged for a certificate for the course; and

(2) must be in an amount that is:

(A) not more than an amount necessary to cover

the cost of creating and administering the course; and

(B) not more than the average cost of an online driver education course provided in this state, as determined by the commission.

Added by Acts 2017, 85th Leg., R.S., Ch. 415 (S.B. 1051), Sec. 1, eff. September 1, 2017.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.11, eff. September 1, 2021.

Sec. 1001.060. COORDINATION WITH DEPARTMENT OF PUBLIC SAFETY. (a) The department shall enter into a memorandum of understanding with the Department of Public Safety for:

(1) the interagency development of the content of driver's license examinations and examination reference materials; and

(2) any other matter the agencies consider appropriate.

(b) The memorandum of understanding must authorize the Department of Public Safety to share with the department any relevant information, including information related to examination results.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.12, eff. September 1, 2021.

SUBCHAPTER C. DRIVER EDUCATION AND DRIVING SAFETY CURRICULUM

Sec. 1001.101. ADULT AND MINOR DRIVER EDUCATION COURSE CURRICULUM AND TEXTBOOKS. (a) The commission by rule shall establish or approve the curriculum and designate the educational materials to be used in a driver education course for minors and adults, including a driver education course conducted by a school district, driver education provider, or parent or other individual under this chapter.

(b) The commission by rule shall prescribe the minimum number of hours of classroom instruction, observation instruction, and behind-the-wheel instruction that must be completed for a

driver education course to be approved under this chapter.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1253 (H.B. 339), Sec. 5, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1413 (S.B. 1317), Sec. 6, eff. March 1, 2010.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 716 (H.B. 3483), Sec. 1, eff. September 1, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 15, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.14, eff. September 1, 2021.

Sec. 1001.1015. ADULT DRIVER EDUCATION COURSE CURRICULUM AND EDUCATIONAL MATERIALS. (a) The commission by rule shall establish the curriculum and designate the educational materials to be used in a driver education course exclusively for adults.

(b) A driver education course under Subsection (a) must:

(1) provide at least the minimum number of hours of classroom instruction required by commission rule; and

(2) include instruction in:

(A) alcohol and drug awareness;

(B) the traffic laws of this state;

(C) highway signs, signals, and markings that regulate, warn, or direct traffic; and

(D) the issues commonly associated with motor vehicle collisions, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, and using a wireless communication device while operating a vehicle.

(c) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(4), eff. September 1, 2021.

(d) A driving safety course may not be approved as a driver education course under Subsection (a).

Added by Acts 2009, 81st Leg., R.S., Ch. 1253 (H.B. 339), Sec. 6, eff. September 1, 2009.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 16, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.15, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(4), eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 709 (H.B. 2190), Sec. 126, eff. September 1, 2023.

Sec. 1001.1016. ACCOMMODATION FOR DEAF OR HARD OF HEARING STUDENTS. (a) In this section:

(1) "Deaf" means a hearing loss of such severity that an individual must depend on visual methods to communicate.

(2) "Hard of hearing" means a loss of hearing function to an individual such that the individual:

(A) relies on residual hearing; and

(B) may depend on visual methods to communicate.

(b) The commission by rule shall require an in-person driver education provider or online driver education provider 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 instruction portion of a driver education 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 the department the provider's plan for complying with the rules adopted under this section as a condition of obtaining a license under Section 1001.211 or renewing a license.

(c) The rules adopted under Subsection (b) must allow an in-person driver education provider or online driver education provider to comply with the requirements of this section by playing a video that presents the classroom instruction portion of the driver education course in a manner that complies with the

requirements of this section.

Added by Acts 2017, 85th Leg., R.S., Ch. 415 (S.B. [1051](#)), Sec. 2, eff. September 1, 2017.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.16, eff. September 1, 2021.

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

Added by Acts 2023, 88th Leg., R.S., Ch. 970 (S.B. [2304](#)), Sec. 3, eff. June 18, 2023.

Sec. 1001.1017. COURSE APPROVAL. A driver training provider shall submit to the commission for approval the course length and curriculum content for each course offered by the provider. The provider may implement a course length and curriculum content only after approval by the commission.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.17, eff. September 1, 2021.

Sec. 1001.102. ALCOHOL AWARENESS INFORMATION. (a) The commission by rule shall require that information relating to alcohol awareness and the effect of alcohol on the effective operation of a motor vehicle be included in the curriculum of any driver education course or driving safety course.

(b) In developing rules under this section, the commission shall consult with the Department of Public Safety.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 17, eff. September 1, 2015.

Sec. 1001.1021. HUMAN TRAFFICKING PREVENTION INFORMATION.

(a) The commission by rule shall require that information relating to human trafficking prevention be included in the curriculum of any driver education course or driving safety course.

(b) In developing rules under this section, the commission shall consult with the human trafficking prevention coordinating council established under Section [402.034](#), Government Code.

Added by Acts 2021, 87th Leg., R.S., Ch. 1049 (S.B. [1831](#)), Sec. 3(b), eff. September 1, 2021.

Sec. 1001.1022. INFORMATION RELATING TO STREET RACING. The commission by rule shall require that information relating to the dangers and consequences of street racing in violation of Section [545.420](#), Transportation Code, be included in the curriculum of each driver education and driving safety course.

Added by Acts 2021, 87th Leg., R.S., Ch. 924 (H.B. [3212](#)), Sec. 1, eff. September 1, 2021.

Redesignated from Education Code, Section [1001.1021](#) by Acts 2023, 88th Leg., R.S., Ch. 768 (H.B. [4595](#)), Sec. 24.001(13), eff. September 1, 2023.

Sec. 1001.1025. MOTORCYCLE AWARENESS INFORMATION. (a) The commission by rule shall require that information relating to motorcycle awareness, the dangers of failing to yield the right-of-way to a motorcyclist, and the need to share the road with motorcyclists be included in the curriculum of any driver education course or driving safety course.

(b) In developing rules under this section, the commission shall consult with the Department of Public Safety.

Added by Acts 2009, 81st Leg., R.S., Ch. 1391 (S.B. [1967](#)), Sec. 11, eff. September 1, 2009.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 18, eff. September 1, 2015.

Sec. 1001.104. HOSPITAL AND REHABILITATION FACILITIES.

(a) The department shall enter into a memorandum of understanding with the state agency responsible for administering the vocational

rehabilitation program under Subtitle C, Title 4, Labor Code, and the Department of Public Safety for the interagency development of curricula and licensing criteria for hospital and rehabilitation facilities that teach driver education.

(b) The department shall administer comprehensive rules governing driver education courses developed through interagency cooperation between the commission, the state agency responsible for administering the vocational rehabilitation program under Subtitle C, Title 4, Labor Code, and the Department of Public Safety.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 20, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1138 (S.B. 208), Sec. 2, eff. September 1, 2015.

Sec. 1001.105. TEXAS DEPARTMENT OF INSURANCE. The department shall enter into a memorandum of understanding with the Texas Department of Insurance for the development of a curriculum for driving safety courses.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 20, eff. September 1, 2015.

Sec. 1001.106. INFORMATION RELATING TO RAILROAD AND HIGHWAY GRADE CROSSING SAFETY. (a) A driving safety course must include information on railroad and highway grade crossing safety.

(b) The commission by rule shall provide minimum standards of curriculum relating to operation of vehicles at railroad and highway grade crossings.

(c) Subchapter F, Chapter 51, Occupations Code, and Section 51.353, Occupations Code, do not apply to a violation of this section or a rule adopted under this section.

(d) Section [51.352](#), Occupations Code, and Sections [1001.455\(a\)\(6\)](#) and [1001.554](#) of this code do not apply to a violation of this section.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 21, eff. September 1, 2015.

Sec. 1001.107. INFORMATION RELATING TO LITTER PREVENTION.

(a) The commission by rule shall require that information relating to litter prevention be included in the curriculum of each driver education and driving safety course.

(b) In developing rules under this section, the commission shall consult the Department of Public Safety.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 22, eff. September 1, 2015.

Sec. 1001.108. INFORMATION RELATING TO ANATOMICAL GIFTS.

(a) The commission by rule shall require that information relating to anatomical gifts be included in the curriculum of each driver education course and driving safety course.

(b) The curriculum must include information about each matter listed in Section [692A.020\(k\)](#), Health and Safety Code.

(c) In developing rules under this section, the commission shall consult with the Department of State Health Services.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 23, eff. September 1, 2015.

Acts 2023, 88th Leg., R.S., Ch. 768 (H.B. [4595](#)), Sec. 6.016, eff. September 1, 2023.

Sec. 1001.109. INFORMATION RELATING TO TRAFFIC STOPS.

(a) The commission by rule shall require that information relating to law enforcement procedures for traffic stops be included in the curriculum of each driver education course and driving safety course. The curriculum must include:

(1) a demonstration of the proper actions to be taken during a traffic stop; and

(2) information regarding:

(A) the role of law enforcement and the duties and responsibilities of peace officers;

(B) a person's rights concerning interactions with peace officers;

(C) proper behavior for civilians and peace officers during interactions;

(D) laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws; and

(E) how and where to file a complaint against or a compliment on behalf of a peace officer.

(b) In developing the curriculum under this section, the commission may consult with any interested party, including a volunteer work group convened for the purpose of making recommendations regarding the curriculum.

Added by Acts 2017, 85th Leg., R.S., Ch. 513 (S.B. 30), Sec. 4, eff. September 1, 2017.

Sec. 1001.1091. INFORMATION RELATING TO CHILD PASSENGER SAFETY SEAT SYSTEMS. The commission by rule shall require that information relating to the proper use of child passenger safety seat systems be included in the curriculum of each driver education and driving safety course.

Added by Acts 2017, 85th Leg., R.S., Ch. 820 (H.B. 1372), Sec. 1, eff. September 1, 2017.

Sec. 1001.1092. INFORMATION RELATING TO OVERSIZE AND OVERWEIGHT VEHICLES. The commission by rule shall require that

information relating to methods of safely operating a motor vehicle near an oversize or overweight vehicle, including safe following distances and safe passing methods, be included in the curriculum of each driver education course and driving safety course.

Added by Acts 2019, 86th Leg., R.S., Ch. 152 (H.B. 105), Sec. 1, eff. September 1, 2019.

Sec. 1001.110. INFORMATION RELATING TO DRIVING DISTRACTIONS. (a) The commission by rule shall require that information relating to the effect of using a wireless communication device or engaging in other actions that may distract a driver on the safe or effective operation of a motor vehicle be included in the curriculum of each driver education course or driving safety course.

(b) In developing rules under this section, the commission shall consult with the Department of Public Safety.

Added by Acts 2009, 81st Leg., R.S., Ch. 516 (S.B. 1107), Sec. 1, eff. September 1, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1253 (H.B. 339), Sec. 7, eff. September 1, 2009.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 24, eff. September 1, 2015.

Sec. 1001.1101. INFORMATION RELATING TO PASSING CERTAIN VEHICLES. (a) The commission by rule shall require that information relating to the requirements of Section 545.157, Transportation Code, concerning the passing of certain vehicles be included in the curriculum of each driver education course or driving safety course.

(b) In developing rules under this section, the commission shall consult with the Department of Public Safety.

Added by Acts 2021, 87th Leg., R.S., Ch. 898 (H.B. 3319), Sec. 1, eff. September 1, 2021.

Sec. 1001.112. PARENT-TAUGHT DRIVER EDUCATION. (a) A person who is eligible under Subsection (b) may conduct a driver

education course approved under Section [1001.1017](#) for another person who is required to complete a driver education course to obtain a Class C license. In conducting the course, the person must use course materials provided by a parent-taught driver education provider.

(b) A person is eligible to conduct a driver education course for another person as provided by Subsection (a) if the person:

(1) is either:

(A) a parent, stepparent, foster parent, legal guardian, grandparent, or step-grandparent of the other person; or

(B) an individual who:

(i) has been designated on a form prescribed by the department for purposes of this section by a parent or legal guardian of the other person or by a judge of a court with jurisdiction over the other person;

(ii) is at least 25 years of age;

(iii) does not charge a fee for conducting the course; and

(iv) has at least seven years of driving experience;

(2) has possessed a valid license for the preceding three years that has not been suspended, revoked, or forfeited in the past three years for an offense that involves the operation of a motor vehicle;

(3) has not been convicted of:

(A) criminally negligent homicide; or

(B) driving while intoxicated in the past seven years; and

(4) has not been convicted during the preceding three years of:

(A) three or more moving violations described by Section [542.304](#), Transportation Code, including violations that resulted in a collision; or

(B) two or more moving violations described by Section [542.304](#), Transportation Code, that resulted in a collision.

(c) A person conducting a driver education course under this

section may provide the classroom instruction portion, the behind-the-wheel instruction portion, or both portions.

(d) The department may not require for a course conducted under this section that:

(1) the classroom instruction be provided in a room with particular characteristics or equipment; or

(2) the vehicle used for the behind-the-wheel instruction have equipment other than the equipment otherwise required by law for operation of the vehicle on a highway while the vehicle is not being used for driver training.

(e) A parent-taught driver education provider may administer to an applicant the highway sign and traffic law parts of the examination as provided by Section [521.1655\(a-1\)](#), Transportation Code, through electronic means.

(f) The department may not charge a fee for the submission of proof of:

(1) completion of a course conducted under this section; or

(2) passage of an examination administered under Subsection (e).

Added by Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 26, eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. [848](#)), Sec. 3, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. [912](#)), Sec. 3, eff. June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1094 (H.B. [2048](#)), Sec. 2, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.18, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 709 (H.B. [2190](#)), Sec. 127, eff. September 1, 2023.

SUBCHAPTER D. FEES

Sec. 1001.151. APPLICATION, LICENSE, AND REGISTRATION FEES.

(a) The commission by rule shall establish application, license, and registration fees. The fees must be in amounts sufficient to cover administrative costs and are nonrefundable. The department shall collect the application, license, and registration fees.

Text of subsection effective until January 01, 2025

(b) The commission by rule shall establish a fee for:

(1) an initial in-person driver education provider license and for each branch location;

(2) an initial online driver education provider license;

(3) an initial parent-taught driver education provider license;

(4) an initial driving safety provider license;

(5) the annual renewal for a driving safety provider, driver education provider, or branch location of an in-person driver education provider, except that the executive director may waive the fee if revenue generated by the issuance of course completion certificate numbers and driver education certificates is sufficient to cover the cost of administering this chapter and Article [45.0511](#), Code of Criminal Procedure;

(6) a change of address of a driver education provider or driving safety provider; and

(7) a change of name of:

(A) a driver education provider or an owner of a driver education provider; or

(B) a driving safety provider or an owner of a driving safety provider.

Text of subsection effective on January 01, 2025

(b) The commission by rule shall establish a fee for:

(1) an initial in-person driver education provider license and for each branch location;

(2) an initial online driver education provider license;

(3) an initial parent-taught driver education provider license;

(4) an initial driving safety provider license;

(5) the annual renewal for a driving safety provider, driver education provider, or branch location of an in-person driver education provider, except that the executive director may waive the fee if revenue generated by the issuance of course completion certificate numbers and driver education certificates is sufficient to cover the cost of administering this chapter and Subchapter H, Chapter 45A, Code of Criminal Procedure;

(6) a change of address of a driver education provider or driving safety provider; and

(7) a change of name of:

(A) a driver education provider or an owner of a driver education provider; or

(B) a driving safety provider or an owner of a driving safety provider.

(c) An application for an initial driver education instructor license must be accompanied by a processing fee and an annual license fee, except that the department may not collect the processing fee from an applicant who is currently teaching a driver education course in a public school in this state.

(d) The commission shall establish the amount of the fee for a duplicate license.

(e) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(6), eff. September 1, 2021.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 928 (H.B. 468), Sec. 2, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 131 (S.B. 858), Sec. 2, eff. May 23, 2009.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 27, eff. September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 1144 (H.B. 2847), Sec. 2.002, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.19, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec.

5.68(6), eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 2.043, eff. January 1, 2025.

SUBCHAPTER E. LICENSING OF DRIVER TRAINING PROVIDERS

Sec. 1001.201. LICENSE REQUIRED. (a) A person may not provide:

(1) a driver education course:

(A) in person unless the person holds an in-person driver education provider license; or

(B) online unless the person holds an online driver education provider license;

(2) driver education course materials to persons conducting parent-taught driver education under Section 1001.112 unless the person holds a parent-taught driver education provider license; or

(3) driving safety courses unless the person holds a driving safety provider license.

(b) The commission by rule shall provide for the issuance of a single license to a person who meets the requirements for and seeks to provide driver education courses or driver education course materials under more than one driver education provider license.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.21, eff. September 1, 2021.

Sec. 1001.202. LOCATIONS FOR IN-PERSON DRIVER EDUCATION PROVIDERS. An in-person driver education provider that teaches a driver education course at one or more branch locations must obtain a separate in-person driver education provider license for its main business location and for each branch location. An in-person driver education provider may not operate a branch location of a branch location.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 28, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 4, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 4, eff. June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.22, eff. September 1, 2021.

Sec. 1001.204. REQUIREMENTS FOR DRIVER EDUCATION PROVIDER LICENSE. (a) The commission by rule shall establish the criteria applicable to each driver education provider license.

(b) The department shall approve an application for a driver education provider license if the application is submitted on a form approved by the department, the application is accompanied by the fee, and the department determines that the applicant:

(1) has courses, curricula, and instruction of a quality, content, and length that reasonably and adequately achieve the stated objective for which the courses, curricula, and instruction are offered;

(2) provides to each student before enrollment or each person before contracting for driver education course materials, to the extent applicable:

(A) a copy of:

(i) the refund policy;

(ii) the schedule of tuition, fees, and other charges; and

(iii) the regulations relating to absence, grading policy, and rules of operation and conduct; and

(B) the department's name, mailing address, telephone number, and Internet website address for the purpose of directing complaints to the department;

(3) to the extent applicable, maintains adequate records as prescribed by the department to show attendance and

progress or grades and enforces satisfactory standards relating to attendance, progress, and conduct;

(4) on completion of training, issues each student a certificate indicating the course name and satisfactory completion;

(5) complies with all county, municipal, state, and federal laws, including assumed name registration and other applicable requirements;

(6) is financially sound and capable of fulfilling its commitments for training;

(7) maintains and publishes as part of its student enrollment contract or materials contract, as applicable, the proper policy for the refund of the unused portion of tuition, fees, and other charges if a student fails to take the course or withdraws or is discontinued from the provider at any time before completion;

(8) does not use erroneous or misleading advertising, either by actual statement, omission, or intimation, as determined by the department;

(9) does not use a name similar to the name of another existing driver education provider or tax-supported educational institution in this state, unless specifically approved in writing by the executive director;

(10) submits to the department for approval the applicable course hour lengths and curriculum content for each course offered by the provider;

(11) does not owe an administrative penalty for a violation of this chapter;

(12) meets all requirements applicable to the license type under Section [1001.2041](#), [1001.2042](#), or [1001.2043](#); and

(13) meets any additional criteria required by the department, including any applicable inspection requirements.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 29, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. [848](#)), Sec. 5, eff.

June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. [912](#)), Sec. 5, eff.

June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1144 (H.B. [2847](#)), Sec. 2.003, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.23, eff. September 1, 2021.

Sec. 1001.2041. REQUIREMENTS FOR IN-PERSON DRIVER EDUCATION PROVIDER. Before an in-person driver education provider license may be issued, the department must determine that the applicant has adequate space, equipment, instructional material, and driver education instructors to provide training of good quality in the classroom and behind the wheel.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.24, eff. September 1, 2021.

Sec. 1001.2042. REQUIREMENTS FOR ONLINE DRIVER EDUCATION PROVIDER. Before an online driver education provider license may be issued, the department must determine that the applicant has:

(1) adequate driver education instructors to provide training of good quality; and

(2) adequate testing and security measures to validate a student's identity and active participation in a driver education course.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.24, eff. September 1, 2021.

Sec. 1001.2043. REQUIREMENTS FOR PARENT-TAUGHT DRIVER EDUCATION PROVIDER. (a) Before a parent-taught driver education provider license may be issued, the department must determine that the applicant has:

(1) an adequate method by which a person completing a parent-taught driver education course under Section [1001.112](#) using the provider's course materials may submit proof of:

(A) completion of the course; or

(B) passage of an examination administered by the

provider under Section [1001.112\(e\)](#);

(2) hired or contracted with only driver education instructors, if the provider elects to hire or contract with an instructor to assist with driver education; and

(3) adequate testing and security measures to validate a student's active participation in a driver education course conducted using course materials provided remotely through the Internet.

(b) Except as specifically provided by this chapter, a parent-taught driver education provider that provides driver education course materials remotely through the Internet is not subject to any course or curriculum requirements established by the commission or department for online driver education providers.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.24, eff. September 1, 2021.

Sec. 1001.206. REQUIREMENTS FOR DRIVING SAFETY PROVIDER LICENSE. (a) The commission by rule shall establish criteria for a driving safety provider license.

(b) The department shall approve an application for a driving safety provider license if the application is submitted on a form approved by the executive director, includes the fee, and the department determines that the applicant:

(1) has driving safety courses, curricula, and instruction of a quality, content, and length that reasonably and adequately achieve the stated objective for which the courses, curricula, and instruction are offered;

(2) provides to each student before enrollment:

(A) a copy of:

(i) the refund policy;

(ii) the schedule of tuition, fees, and other charges; and

(iii) the regulations relating to absence, grading policy, and rules of operation and conduct; and

(B) the department's name, mailing address, telephone number, and Internet website address for the purpose of directing complaints to the department;

(3) not later than the 15th working day after the date a person successfully completes the course, issues and delivers to the person by United States mail or commercial or electronic delivery a uniform certificate of course completion indicating the course name and successful completion;

(4) maintains adequate records as prescribed by the department to show attendance and progress or grades and enforces satisfactory standards relating to attendance, progress, and conduct;

(5) complies with all county, municipal, state, and federal laws, including assumed name registration and other applicable requirements;

(6) is financially sound and capable of fulfilling its commitments for training;

(7) maintains and publishes as a part of its student enrollment contract the proper policy for the refund of the unused portion of tuition, fees, and other charges if a student fails to take the course or withdraws or is discontinued from the provider at any time before completion;

(8) does not use erroneous or misleading advertising, either by actual statement, omission, or intimation, as determined by the department;

(9) does not use a name similar to the name of another existing driving safety provider or tax-supported educational institution in this state, unless specifically approved in writing by the executive director;

(10) submits to the department for approval the applicable course hour lengths and curriculum content for each course offered by the provider;

(11) does not owe an administrative penalty for a violation of this chapter;

(12) provides adequate testing and security measures for the provider's method of instruction to validate a student's identity and active participation in a driving safety course; and

(13) meets any additional criteria required by the department.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept.

1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 29, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 7, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 7, eff. June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.25, eff. September 1, 2021.

Sec. 1001.207. BOND REQUIREMENTS: DRIVER EDUCATION PROVIDER. (a) Before a driver education provider may be issued a license, the provider must file a corporate surety bond with the department in the amount of:

(1) \$10,000; and

(2) for an in-person driver education provider, \$5,000 for each branch location of the provider.

(b) A bond issued under Subsection (a) must be:

(1) issued in a form approved by the department;

(2) issued by a company authorized to do business in this state;

(3) payable to the department to be used only for payment of a refund due to a student or potential student;

(4) conditioned on the compliance of the provider and its officers, agents, and employees with this chapter and rules adopted under this chapter; and

(5) issued for a period corresponding to the term of the license.

(c) Posting of a bond in the amount required under Subsection (a) satisfies the requirements for financial stability for driver education providers under this chapter.

(d) A driver education provider who files a bond under Subsection (a)(1) or provides an alternate form of security under Section 1001.210 to obtain one type of driver education provider license may not be required to file an additional bond under Subsection (a)(1) or provide an alternate form of security under

Section 1001.210 for any other type of driver education provider license.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 30, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.26, eff. September 1, 2021.

Sec. 1001.209. BOND REQUIREMENTS: DRIVING SAFETY PROVIDER. (a) Before a license may be issued to a driving safety provider, the provider must provide a corporate surety bond in the amount of \$10,000.

(b) A bond issued under Subsection (a) must be:

(1) issued by a company authorized to do business in this state;

(2) payable to the department to be used:

(A) for payment of a refund due a student of the provider's approved driving safety courses;

(B) to cover the payment of unpaid fees or penalties assessed by the executive director or the commission; or

(C) to recover any cost associated with providing course completion certificate numbers, including the cancellation of certificate numbers;

(3) conditioned on the compliance of the provider and its officers, agents, and employees with this chapter and rules adopted under this chapter; and

(4) issued for a period corresponding to the term of the license.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 928 (H.B. 468), Sec. 3, eff. September 1, 2005.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 31, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 8, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 8, eff. June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.27, eff. September 1, 2021.

Sec. 1001.210. ALTERNATE FORM OF SECURITY. Instead of the bond required by Section 1001.207 or 1001.209, a driver education provider or driving safety provider may provide another form of security that is:

- (1) approved by the department; and
- (2) in the amount required for a comparable bond under Section 1001.207 or 1001.209.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 32, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.28, eff. September 1, 2021.

Sec. 1001.211. ISSUANCE AND FORM OF LICENSE. (a) The executive director shall issue a license to an applicant for a license under this subchapter if:

- (1) the application is submitted in accordance with this subchapter; and
- (2) the applicant meets the requirements of this chapter.

(b) A license must be in a form determined by the department and must show in a clear and conspicuous manner:

- (1) the date of issuance, effective date, and term of the license;
- (2) the name and address of the driver training provider;
- (3) the authority for and conditions of approval; and
- (4) any other fair and reasonable representation that

is consistent with this chapter and that the department considers necessary.

(c) An applicant may obtain both a driver education provider license and a driving safety provider license.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 33, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.29, eff. September 1, 2021.

Sec. 1001.213. LICENSE NOT TRANSFERABLE; CHANGE OF OWNERSHIP. (a) A license under this subchapter may not be transferred and is the property of the state.

(b) If a change in ownership of a driver training provider is proposed, a new owner shall apply for a new provider license at least 30 days before the date of the change.

(c) The commission by rule may establish fees for a new driver training provider license under Subsection (b) and, if applicable, for each branch location of an in-person driver education provider if:

(1) the new owner is substantially similar to the previous owner; and

(2) there is no significant change in the management or control of the provider.

(d) The department may inspect a driver training provider's main or branch location, as applicable, after a change of ownership.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 34, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.30, eff. September 1, 2021.

Sec. 1001.214. DUPLICATE LICENSE. A duplicate license may be issued to a driver training provider if:

- (1) the original license is lost or destroyed; and
- (2) an affidavit of that fact is filed with the department.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 35, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.31, eff. September 1, 2021.

SUBCHAPTER F. LICENSING OF INSTRUCTORS

Sec. 1001.251. LICENSE REQUIRED FOR INSTRUCTOR.

(a) Except as authorized under Section 1001.112, a person may not teach or provide driver education or conduct any phase of driver education unless the person holds a driver education instructor license issued by the executive director.

(b) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(8), eff. September 1, 2021.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 36, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.32, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(8), eff. September 1, 2021.

Sec. 1001.2511. NATIONAL CRIMINAL HISTORY RECORD INFORMATION REVIEW FOR DRIVER EDUCATION INSTRUCTORS. (a) This section applies to a person who is an applicant for or holder of:

- (1) a driver education instructor license; or
- (2) a license issued under Section 1001.255.

(b) The department shall review the national criminal history record information of a person who holds a license described by Subsection (a).

(c) The executive director shall place a license described by Subsection (a) on inactive status for the license holder's failure to comply with a deadline for submitting information required under this section.

(d) The department may allow a person who is applying for a license described by Subsection (a) and who currently resides in another state to submit the person's fingerprints and other required information in a manner that does not impose an undue hardship on the person.

(e) The commission may adopt rules to administer this section, including rules establishing:

(1) deadlines for a person to submit fingerprints and photographs in compliance with this section;

(2) sanctions for a person's failure to comply with the requirements of this section, including suspension or revocation of or refusal to issue a license described by Subsection (a); and

(3) notification to a driver education provider of relevant information obtained by the department under this section.

(f) The department is not civilly or criminally liable for an action taken in compliance with this section.

Added by Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. [2678](#)), Sec. 4, eff. September 1, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. [1786](#)), Sec. 37, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.33, eff. September 1, 2021.

Sec. 1001.2512. FEES FOR CRIMINAL HISTORY RECORD INFORMATION REVIEW. The commission by rule shall require a person submitting to a national criminal history record information review under Section [1001.2511](#) or the driver education provider employing the person, as determined by the department, to pay a fee for the review in an amount not to exceed the amount of any fee imposed on an

application for certification under Subchapter B, Chapter 21, for a national criminal history record information review under Section 22.0837.

Added by Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. 2678), Sec. 4, eff. September 1, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 38, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.34, eff. September 1, 2021.

Sec. 1001.2513. CONFIDENTIALITY OF INFORMATION. A social security number, driver's license number, other identification number, or fingerprint record collected for a person to comply with Section 1001.2511:

(1) may not be released except:

(A) to provide relevant information to driver education providers or otherwise to comply with Section 1001.2511;

(B) by court order; or

(C) with the consent of the person who is the subject of the information;

(2) is not subject to disclosure as provided by Chapter 552, Government Code; and

(3) shall be destroyed by the requestor or any subsequent holder of the information not later than the first anniversary of the date the information is received.

Added by Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. 2678), Sec. 4, eff. September 1, 2011.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1144 (H.B. 2847), Sec. 2.004, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.35, eff. September 1, 2021.

Sec. 1001.2514. LICENSE HOLDERS AND APPLICANTS CONVICTED OF CERTAIN OFFENSES. (a) A driver education provider shall discharge or refuse to hire as an instructor an employee or applicant for

employment if the department obtains information through a criminal history record information review that:

(1) the employee or applicant has been convicted of:

(A) a felony offense under Title 5, Penal Code;

(B) an offense on conviction of which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or

(C) an offense under the laws of another state or federal law that is equivalent to an offense under Paragraph (A) or (B); and

(2) at the time the offense occurred, the victim of the offense described by Subdivision (1) was under 18 years of age or was enrolled in a public school.

(b) The executive director shall suspend or revoke a license described by Section 1001.2511(a) held by a person under this subchapter and shall refuse to issue or renew a license described by Section 1001.2511(a) to a person under this subchapter if the person has been convicted of an offense described by Subsection (a) of this section.

(c) Subsections (a) and (b) do not apply to an offense under Title 5, Penal Code, if:

(1) more than 30 years have elapsed since the offense was committed; and

(2) the person convicted has satisfied all terms of the court order entered on conviction.

(d) A driver education provider may discharge an employee who serves as an instructor if the provider obtains information of the employee's conviction of a felony or of a misdemeanor involving moral turpitude that the employee did not disclose to the provider or the department. An employee discharged under this subsection is considered to have been discharged for misconduct for purposes of Section 207.044, Labor Code.

Added by Acts 2011, 82nd Leg., R.S., Ch. 820 (H.B. 2678), Sec. 4, eff. September 1, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 39, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.36, eff. September 1, 2021.

Sec. 1001.2531. DRIVER EDUCATION INSTRUCTOR REQUIREMENTS.

(a) Repealed by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(9), eff. September 1, 2021.

(b) An applicant for a driver education instructor license under this section must:

(1) apply to the department on a form prescribed by the department and under rules adopted by the commission;

(2) submit with the application a nonrefundable application fee in an amount set by commission rule; and

(3) present satisfactory evidence to the department that the applicant:

(A) is at least 21 years of age; and

(B) meets any other requirement established by commission rule.

Added by Acts 2019, 86th Leg., R.S., Ch. 1144 (H.B. 2847), Sec. 2.005, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.37, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.68(9), eff. September 1, 2021.

Sec. 1001.255. REGULATION OF CERTAIN DRIVER EDUCATION

INSTRUCTORS. (a) The department shall regulate as a driver education provider of the type determined appropriate by the department a driver education instructor who:

(1) teaches driver education courses in a county having a population of 50,000 or less; and

(2) does not teach more than 200 students annually.

(b) An instructor described by Subsection (a) must submit to the department an application for an initial or renewal driver education provider license, together with all required documentation and information.

(c) The executive director may waive initial or renewal

driver education provider license fees.

(d) An instructor described by Subsection (a) is not exempt from a licensing requirement or fee.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 42, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.38, eff. September 1, 2021.

SUBCHAPTER G. LICENSE EXPIRATION AND RENEWAL

Sec. 1001.301. EXPIRATION OF DRIVER TRAINING PROVIDER LICENSE. The term of a driver training provider license may not exceed one year.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.39, eff. September 1, 2021.

Sec. 1001.302. EXPIRATION OF DRIVER EDUCATION INSTRUCTOR LICENSE. The term of a driver education instructor license may not exceed one year.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.40, eff. September 1, 2021.

SUBCHAPTER H. PRACTICE BY LICENSE HOLDERS

Sec. 1001.351. DRIVING SAFETY PROVIDER RESPONSIBILITIES.
(a) Not later than the 15th working day after the course completion date, a driving safety provider or a person at the provider's facilities shall issue and deliver by United States mail

or commercial or electronic delivery a uniform certificate of course completion to a person who successfully completes an approved driving safety course.

(b) A driving safety provider shall electronically submit to the department in the manner established by the department data identified by the department relating to uniform certificates of course completion issued by the provider.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 928 (H.B. 468), Sec. 4, eff. September 1, 2005.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 46, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 584 (S.B. 848), Sec. 10, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 990 (H.B. 912), Sec. 10, eff. June 15, 2017.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.41, eff. September 1, 2021.

Sec. 1001.352. FEES FOR DRIVING SAFETY COURSE. A driving safety provider shall charge each student:

(1) at least \$25 for a driving safety course; and

(2) a fee of at least \$3 for course materials and for supervising and administering the course.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.42, eff. September 1, 2021.

Sec. 1001.353. DRIVER TRAINING COURSE AT PUBLIC OR PRIVATE SCHOOL. A driver training provider may conduct a driver training course at a public or private school for students of the public or private school as provided by an agreement with the public or private school. The course is subject to any law applicable to a

course conducted at the main business location of the driver training provider.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.43, eff. September 1, 2021.

Sec. 1001.355. WITHHOLDING CERTAIN RECORDS. A driver training provider may withhold a student's diploma or certificate of completion until the student fulfills the student's financial obligation to the provider.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.44, eff. September 1, 2021.

Sec. 1001.356. REQUIREMENT TO CARRY LICENSE. A driver education instructor shall carry the person's instructor license at all times while instructing a driver education course.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.45, eff. September 1, 2021.

Sec. 1001.357. CONTRACT WITH UNLICENSED DRIVER TRAINING PROVIDER. A contract entered into with a person for a course of instruction by or on behalf of a person operating an unlicensed driver training provider is unenforceable.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.46, eff. September 1, 2021.

SUBCHAPTER I. REFUND POLICIES

Sec. 1001.401. CANCELLATION AND SETTLEMENT POLICY. As a condition for obtaining a driver training provider license, the provider must maintain a cancellation and settlement policy that provides a full refund of all money paid by a student if:

(1) the student cancels the enrollment contract before midnight of the third day, other than a Saturday, Sunday, or legal holiday, after the date the enrollment contract is signed by the student, unless the student successfully completes the course or receives a failing grade on the course examination; or

(2) the enrollment of the student was procured as a result of a misrepresentation in:

(A) advertising or promotional materials of the provider; or

(B) a representation made by an owner or employee of the provider.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.47, eff. September 1, 2021.

Sec. 1001.402. TERMINATION POLICY. (a) As a condition for obtaining a driver training provider license, the provider must maintain a policy for the refund of the unused portion of tuition, fees, and other charges if a student, after expiration of the cancellation period described by Section 1001.401, does not enter the course or withdraws or is discontinued from the course at any time before completion.

(b) The policy must provide that:

(1) refunds are based on the period of enrollment computed on the basis of course time expressed in clock hours;

(2) the effective date of the termination for refund purposes is the earliest of:

(A) the last day of attendance, if the student's enrollment is terminated by the provider;

(B) the date the provider receives written notice from the student; or

(C) the 10th school day after the last day of attendance;

(3) if tuition is collected in advance of entrance and if a student does not enter the course, terminates enrollment, or withdraws, the provider:

(A) may retain not more than \$50 as an administrative expense; and

(B) shall refund that portion of the student's remaining classroom tuition and fees and behind-the-wheel tuition and fees that corresponds to services the student does not receive;

(4) the provider shall refund items of extra expense to the student, including instructional supplies, books, laboratory fees, service charges, rentals, deposits, and all other charges not later than the 30th day after the effective date of enrollment termination if:

(A) the extra expenses are separately stated and shown in the information provided to the student before enrollment; and

(B) the student returns to the provider any provider property in the student's possession; and

(5) refunds shall be completed not later than the 30th day after the effective date of enrollment termination.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. [1560](#)), Sec. 5.48, eff. September 1, 2021.

Sec. 1001.403. REFUND FOR DISCONTINUED COURSE. On the discontinuation of a course by a driver training provider that prevents a student from completing the course, all tuition and fees paid become refundable.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.49, eff. September 1, 2021.

Sec. 1001.404. INTEREST ON REFUND. (a) If a refund is not timely made, the driver training provider shall pay interest on the amount of the refund. Interest begins to accrue on the first day after the expiration of the refund period and ends on the day preceding the date the refund is made.

(b) The department shall establish annually the rate of interest for a refund at a rate sufficient to provide a deterrent to the retention of student money.

(c) The department may except a driver training provider from the payment of interest if the provider makes a good-faith effort to refund tuition, fees, and other charges but is unable to locate the student to whom the refund is owed. On request of the department, the driver training provider shall document the effort to locate a student.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 49, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.50, eff. September 1, 2021.

Sec. 1001.405. APPLICABILITY TO PARENT-TAUGHT DRIVER EDUCATION PROVIDER. The commission shall adopt rules as necessary to ensure this subchapter applies as appropriate to a parent-taught driver education provider.

Added by Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.51, eff. September 1, 2021.

SUBCHAPTER J. PROHIBITED PRACTICES AND DISCIPLINARY ACTIONS

Sec. 1001.451. PROHIBITED PRACTICES. A person may not:

(1) use advertising that is false, misleading, or deceptive;

(2) fail to notify the department of the discontinuance of the operation of a driver training provider before the 15th working day after the date of cessation of classes and make available accurate records as required by this chapter;

(3) issue, sell, trade, or transfer:

(A) a uniform certificate of course completion or driver education certificate to a person or driver training provider not authorized to possess the certificate;

(B) a uniform certificate of course completion to a person who has not successfully completed an approved driving safety course; or

(C) a driver education certificate to a person who has not successfully completed a department-approved driver education course;

(4) negotiate a promissory instrument received as payment of tuition or another charge before the student completes 75 percent of the course, except that before that time the instrument may be assigned to a purchaser who becomes subject to any defense available against the provider named as payee; or

(5) conduct any part of an approved driver education course without having an instructor adequately available to the student for the type of instruction being given.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 50, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.52, eff. September 1, 2021.

Sec. 1001.452. COURSE OF INSTRUCTION OR PROVISION OF MATERIALS. A driver training provider may not conduct a course of instruction or provide driver education course materials, as applicable, in this state before the date the provider receives the necessary driver training provider license from the department.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 50, eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.53, eff. September 1, 2021.

Sec. 1001.453. DISTRIBUTION OF WRITTEN INFORMATION ON DRIVING SAFETY PROVIDER.

Text of subsection effective until January 01, 2025

(a) A person may not distribute within 500 feet of a court with jurisdiction over an offense to which Article 45.0511, Code of Criminal Procedure, applies written information that advertises a driving safety provider.

Text of subsection effective on January 01, 2025

(a) A person may not distribute within 500 feet of a court with jurisdiction over an offense to which Subchapter H, Chapter 45A, Code of Criminal Procedure, applies written information that advertises a driving safety provider.

(b) The department may revoke the license of a driving safety provider if the provider or the provider's agent, employee, or representative violates this section.

(c) This section does not apply to distribution of information:

(1) by a court; or

(2) to a court to advise the court of the availability of the course or to obtain approval of the course.

(d) Subchapter F, Chapter 51, Occupations Code, and Section 51.353, Occupations Code, do not apply to a violation of this section or a rule adopted under this section.

(e) Section 51.352, Occupations Code, and Sections 1001.455(a)(6) and 1001.554 of this code do not apply to a violation of this section.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 51,

eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.54, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.55, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 2.044, eff. January 1, 2025.

Sec. 1001.455. DENIAL, SUSPENSION, OR REVOCATION OF DRIVER EDUCATION INSTRUCTOR LICENSE. (a) The executive director or the commission may deny an application for a driver education instructor license or suspend or revoke the license of a driver education instructor if the instructor:

(1) fails to meet a requirement for issuance of or holding a license under this chapter;

(2) permits or engages in misrepresentation, fraud, or deceit in applying for or obtaining a certificate, license, or permit;

(3) induces fraud or fraudulent practices on the part of an applicant for a driver's license or permit;

(4) permits or engages in any other fraudulent practice in an action between the applicant or license holder and the public;

(5) fails to comply with commission rules relating to driver instruction; or

(6) fails to comply with this chapter.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 52, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 70(a)(10), eff. September 1, 2015.

Acts 2021, 87th Leg., R.S., Ch. 663 (H.B. 1560), Sec. 5.56, eff. September 1, 2021.

SUBCHAPTER L. PENALTIES AND ENFORCEMENT PROVISIONS

Sec. 1001.554. GENERAL CRIMINAL PENALTY. (a) A person commits an offense if the person violates this chapter.

(b) An offense under this section is punishable by:

(1) a fine of not less than \$100 or more than \$20,000;

(2) confinement in the county jail for a term not to exceed six months; or

(3) both the fine and confinement.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Sec. 1001.555. UNAUTHORIZED TRANSFER OR POSSESSION OF CERTIFICATE; OFFENSE. (a) A person commits an offense if the person knowingly sells, trades, issues, or otherwise transfers, or possesses with intent to sell, trade, issue, or otherwise transfer, a uniform certificate of course completion, a course completion certificate number, or a driver education certificate to an individual, firm, or corporation not authorized to possess the certificate or number.

(b) The department may contract with the Department of Public Safety to provide undercover and investigative assistance in the enforcement of Subsection (a).

(c) A person commits an offense if the person knowingly possesses a uniform certificate of course completion, a course completion certificate number, or a driver education certificate and is not authorized to possess the certificate or number.

(d) An offense under this section is a felony punishable by imprisonment in the Texas Department of Criminal Justice for a term not to exceed five years.

Added by Acts 2003, 78th Leg., ch. 1276, Sec. 6.012(a), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 928 (H.B. 468), Sec. 6, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 25.055, eff. September 1, 2009.

Acts 2015, 84th Leg., R.S., Ch. 1044 (H.B. 1786), Sec. 53,

eff. September 1, 2015.