

1 **Policy Concept**
2 **New Ch. 808, Youth Driver Education Funding Program**
3 **Rule Project #2021-02-808 – SB 2054 - Youth Driver Ed Funding Program**
4

5 **Introduction and Background**

6 Senate Bill (SB) 2054 enacted by the 87th Texas Legislature, Regular Session (2021) requires the Texas
7 Workforce Commission (TWC) to establish a Youth Driver Education Funding Program. SB 2054
8 amended Texas Transportation Code, Chapter 521, Subchapter H, to add §521.168, Payment of Fees for
9 Certain Foster and Homeless Children and Youths, which states that unless prohibited by Texas
10 Transportation Code, §521.4265(c), TWC shall, upon request from an individual who meets the
11 eligibility criteria outlined in Texas Transportation Code, §521.168, pay the driver education fees
12 imposed under Texas Transportation Code, Chapter 521, Subchapter H, or Texas Education Code,
13 Chapter 1001.

14
15 Texas Transportation Code, §521.168(a) lists the criteria for eligible individuals, which include
16 individuals:

- 17 • eligible for a driver's license fee exemption under Texas Transportation Code, §521.1811; or
- 18 • younger than 26 years of age who were or are:
 - 19 ➤ in the managing conservatorship of the Texas Department of Family and Protective Services on
 - 20 the day before the individual's 18th birthday; or
 - 21 ➤ a homeless child or youth as defined by 42 United States Code §11434a.

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23 Texas Transportation Code, §521.168(b) stipulates that TWC shall, by rule, establish a process by which
24 an eligible individual may apply to TWC for the payment of driver education, and that TWC pays the
25 eligible individual's driver education fees imposed under Texas Transportation Code, Chapter 521,
26 Subchapter H, or Texas Education Code, Chapter 1001.

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28 SB 2054 also amended Texas Transportation Code, §521.4265(b) and (c) and added §521.4265(d).
29 Texas Transportation Code, §521.4265(b) and (c) state that these fees shall be paid for through the
30 Texas Department of Public Safety's (DPS) identification fee exemption account. Texas Transportation
31 Code, §521.4265(b) stipulates that DPS shall request that the Comptroller of Public Accounts transfer to
32 TWC amounts sufficient to cover the cost of implementing the Youth Driver Education Funding
33 Program under Texas Transportation Code, §521.168, including amounts sufficient for TWC to pay fees
34 to entities other than DPS and program implementation costs.

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36 Texas Transportation Code, §521.4265(c)(1) states that fund transfers for the Youth Driver Education
37 Funding Program may not be requested if the balance of the account for the fiscal year is less than three
38 times the amount expended in the previous fiscal year for fee waivers provided by Texas Transportation
39 Code, §521.1015(e) and §521.1811.

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41 Texas Transportation Code, §521.4265(d) requires DPS, in consultation with TWC, to establish rules for
42 a process governing these fund transfers.

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44 **Purpose for the Proposed Rule**

45 The purpose for the proposed rule is to implement SB 2054 to establish how TWC shall, upon request
46 from an individual who meets the eligibility criteria outlined in Texas Transportation Code, §521.168(a),

1 pay the driver education fees imposed under Texas Transportation Code, Chapter 521, Subchapter H, or
2 Texas Education Code, Chapter 1001.

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4 **New Rules Required by Federal Regulation or State Statute**

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6 **Issue #1: Legislative Implementation of SB 2054**

7 TWC will create new Chapter 808 to implement SB 2054, which amended Texas Transportation Code,
8 Chapter 521, Subchapter H. TWC will, in accordance with the amended statute, create a Youth Driver
9 Education Funding Program applicant approval process and a process for TWC to make payments to
10 driver education providers.

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12 **Issue #2: Creation of a Youth Driver Education Funding Program Applicant Approval Process**

13 As required by Texas Transportation Code, §521.168, TWC will create a program approval process for
14 the eligible population to be served by the Youth Driver Education Funding Program. TWC will also
15 create a process through which driver education providers will be verified as eligible to receive this
16 funding. This process will also include rules for how often and/or how many times an eligible youth may
17 apply for driver education fee coverage through the Youth Driver Education Funding Program.

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19 **Issue #3: Payment from TWC to Driver Education Providers**

20 TWC will develop a process and schedule through which driver education providers serving eligible
21 youth will receive funding for fees associated with providing driver education to eligible youth.

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23 **Other Rules Needed**

24 None.

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26 **PC Decision Point**

27 Staff seeks direction on implementation of SB 2054, specifically regarding the creation of the Youth
28 Driver Education Funding Program applicant approval process and a process for TWC to make
29 payments to driver education providers for providing driver education to eligible youths.