

BILL ANALYSIS

Senate Research Center
87R6228 JAM-D

S.B. 2054
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Transportation
4/13/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Driver's licenses and IDs are integral to securing a job, enrolling in school, obtaining voter registration, and reliably accessing safe housing and healthcare. The inability of youth in foster care to obtain a Texas driver's license is an issue that severely impacts their ability to successfully transition from foster care into adulthood. A study conducted by Casey Family Programs found that youth previously in foster care "had better outcomes if they had a driver's license upon leaving care." Unfortunately, many foster youth face significant barriers to obtaining a driver's license in Texas, including lack of access to driver education and driver tests.

Last session, the legislature passed H.B. 123 which created a fund to pay for costs associated with obtaining driver's licenses and state identification for youth in foster care and youth and young adults experiencing homelessness. The people of Texas have been incredibly generous and have donated a significant amount of money to support these populations in securing an ID and driver's license.

S.B. 2054 would build off of the success last session and would have the Comptroller of Public Accounts of the State of Texas (comptroller) maintain three times the amount spent in the previous fiscal year in the fund to continue to waive the fees for IDs and driver's licenses for current or former youth or youth who have experienced homelessness. It would also have the comptroller allocate the rest of the funds to cover the fees and costs associated with complying with the requirements for obtaining a driver's license, which includes driving classes, practice time, and testing fees. Lastly, the bill would have the Texas Workforce Commission, which has a long history of working with youth in foster care or youth experiencing homelessness, evaluate youth eligibility and oversee the administration of the fee and cost waivers for these requirements.

As proposed, S.B. 2054 amends current law relating to the waiver of fees and costs associated with driver education and safety courses and driver's license examinations for foster children or youth, former foster children or youth, and youth experiencing homelessness.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 4 (Section 521.4265, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 1001, Education Code, by adding Section 1001.152, as follows:

Sec. 1001.152. WAIVER OF FEES FOR CERTAIN STUDENTS. (a) Prohibits a course provider from charging a student who is eligible for a fee exemption under Section 521.168, Transportation Code, fees and costs associated with a course approved under Chapter 1001 (Driver and Traffic Safety Education) unless reimbursement of the fee or cost is prohibited under Section 521.4265(c) (relating to prohibiting a fee exemption when money is not available in the identification fee exemption account), Transportation Code. Provides that fees and costs subject to this section include fees for a driver education certificate or certificate number, classroom or behind-the-wheel

tuition, fees for instructional supplies or books, and laboratory fees, service charges, rental fees, and deposits.

(b) Prohibits the Texas Department of Licensing and Regulation (TDLR) from charging a fee for a driver education certificate or certificate number for a parent-taught driver education course for a student who is eligible for a fee exemption under Section 521.168, Transportation Code, unless reimbursement of the fee is prohibited under Section 521.4265(c), Transportation Code.

SECTION 2. Amends Section 1001.355, Education Code, as follows:

Sec. 1001.355. WITHHOLDING CERTAIN RECORDS. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that this section does not apply to a student entitled to a fee exemption under Section 1001.152, regardless of whether the driver training school is reimbursed for the student's financial obligation under Section 521.4265 (Identification Fee Exemption Account), Transportation Code.

SECTION 3. Amends Subchapter H, Chapter 521, Transportation Code, by adding Section 521.168, as follows:

Sec. 521.168. WAIVER OF FEES FOR CERTAIN FOSTER AND HOMELESS CHILDREN AND YOUTHS. Requires that fees associated with meeting a requirement imposed under Subchapter H (Education and Examination Requirements), unless reimbursement or payment of the fee is prohibited under Section 521.4265(c), be waived for a person who is:

(1) eligible for a driver's license fee exemption under Section 521.1811 (Waiver of Fees for Foster Child or Youth or Homeless Child or Youth); or

(2) younger than 26 years of age and was in the managing conservatorship of the Department of Family and Protective Services (DFPS) on the day before the person's 18th birthday; resided in a foster care placement, the cost of which was paid by DFPS; or is a homeless child or youth as defined by 42 U.S.C. Section 11434a.

SECTION 4. Amends Section 521.4265, Transportation Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Requires the Texas Department of Public Safety (DPS), from the money in the identification fee exemption account, to:

(1) make reimbursements for fees waived by course providers and TDLR under Section 1001.152, Education Code, and for fees waived under Section 521.168 of this code by entities other than DPS;

(2) pay DPS's costs associated with providing waivers under Section 521.168 of this code; and

(3) creates this subdivision from existing text and makes nonsubstantive changes.

(c) Prohibits DPS from:

(1) making a reimbursement under Subsection (b)(1) or paying a cost under Subsection (b)(2) if the balance of the account for the fiscal year is less than three times the amount expended in the previous fiscal year for the waivers provided by Sections 521.1015(e) (relating to exemptions from certain fees for the issuance of a personal identification certificate) and 521.1811; or

(2) creates this subdivision from existing text and makes a conforming change.

(d) Requires DPS by rule to establish a process by which reimbursement is made under Subsection (b).

SECTION 5. Effective date: September 1, 2021.