

1                   **CHAPTER 808. YOUTH DRIVER EDUCATION FUNDING PROGRAM**

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3                   **SUBCHAPTER A. YOUTH DRIVER EDUCATION FUNDING PROGRAM ELIGIBILITY**

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5                   **§808.1. Eligible Population.**

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7                   Unless prohibited under Texas Transportation Code, §521.4265(c), the Agency shall,  
8                   upon request from an individual who meets the eligibility criteria in this section, pay the  
9                   fees associated with obtaining a driver's license imposed under Texas Transportation  
10                  Code, Chapter 521, Subchapter H, or Texas Education Code, Chapter 1001. Eligible  
11                  individuals for the Youth Driver Education Funding Program include individuals:

- 12  
13                  (1)   eligible for a driver's license fee exemption under Texas Transportation Code,  
14                  §521.1811; or  
15  
16                  (2)   younger than 26 years of age who were or are:  
17  
18                          (A)   in the managing conservatorship of the Texas Department of Family and  
19                          Protective Services on the day before the individual's 18th birthday; or  
20  
21                          (B)   a homeless child or youth as defined by 42 United States Code §11434a.

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23                  *The provisions of this §808.1 adopted to be effective July 18, 2022, 47TexReg 4139*

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28                  **SUBCHAPTER B. USE OF YOUTH DRIVER EDUCATION FUNDS**

29                  **§808.21. Verification Process.**

- 30  
31                  (a) To receive a driver education fee waiver, an eligible individual must identify a driver  
32                  education provider with whom he or she intends to enroll that:  
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34                          (1)   is registered with the Texas Department of Licensing and Registration as a  
35                          certified Texas driver education provider;  
36  
37                          (2)   is a registered vendor in accordance with rules established by the Agency and  
38                          the Texas Comptroller of Public Accounts; and  
39  
40                          (3)   charges a rate that does not exceed twice the average rate of all other certified  
41                          Texas driver education providers within a 30-mile radius of the selected  
42                          certified Texas driver education provider's physical location. For driver  
43                          education providers providing online instruction, their rate will be compared to  
44                          the average rate for online driver education instruction available in Texas.  
45  
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- 1 (b) Once a driver education provider is selected, the eligible individual must visit a  
2 website designated by the Agency to complete and submit the Driver Education  
3 Waiver Request Form, which includes:  
4  
5 (1) individual eligibility verification; and  
6  
7 (2) Youth Driver Education Funding Program eligibility verification.  
8  
9 (c) Agency staff shall review the form within five business days of submission and  
10 notify the requestor of the individual's eligibility status. If staff is unable to  
11 determine eligibility, staff may contact the individual for further information.  
12  
13 (d) Once participant and Youth Driver Education Funding Program eligibility are  
14 determined, Agency staff shall:  
15  
16 (1) for an eligible individual, submit a payment request on the individual's behalf to  
17 the Agency's Finance Division; or  
18  
19 (2) for an ineligible individual, send a response to the individual alerting them of  
20 their ineligibility.  
21  
22 (e) After an eligible participant has completed enrollment with the selected provider, the  
23 Agency's Finance Division shall review and process the payment request in keeping  
24 with Agency policies and procedures regarding fee payment, and if sufficient funds  
25 have been transferred from the Texas Department of Public Safety (DPS) to the  
26 Agency.  
27  
28 (f) An eligible participant who fails to attend or complete driver education or a test paid  
29 for under this chapter must wait for a period of three months before they enroll in a  
30 new course or test to be paid for by this chapter. An eligible participant may have the  
31 required waiting period waived by providing a written attestation describing the  
32 circumstances that prevented them from attending or completing the driver education  
33 or test and explaining why they assert the circumstances were outside their control.  
34  
35 (g) The Agency shall pay driver education providers for services provided to an eligible  
36 individual from the fund after the individual's application receives approval from the  
37 Agency, the driver's education provider submits required payment documentation  
38 that is accurate and complete, and the individual submits a completed driver  
39 education enrollment agreement.  
40  
41 (h) All Youth Driver Education Funding Program uses described in this chapter shall be  
42 monitored and reported on as required by the Texas Comptroller of Public Accounts,  
43 the Agency, and DPS.  
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- (i) Driver education providers shall repay to the Agency improper payments received or refunds due for driver education funded under this chapter in instances:
  - (1) involving fraud committed by the driver education provider;
  - (2) in which the provider was paid for driver education from another source;
  - (3) in which the provider did not deliver driver education; or
  - (4) in which a refund is due under Texas Education Code, Chapter 1001, Subchapter I.

*The provisions of this §808.21 adopted to be effective July 18, 2022, 47TexReg 4139*

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