

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

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

4
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:
33
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
46

- 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.
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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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