

By: White

H.B. No. 2286

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the waiver of fees and costs associated with driver
3 education and safety courses and driver's license examinations for
4 foster children or youth, former foster children or youth, and
5 youth experiencing homelessness.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter D, Chapter 1001, Education Code, is
8 amended by adding Section 1001.152 to read as follows:

9 Sec. 1001.152. WAIVER OF FEES FOR CERTAIN STUDENTS. (a) A
10 course provider may not charge a student who is eligible for a fee
11 exemption under Section 521.168, Transportation Code, fees and
12 costs associated with a course approved under this chapter unless
13 reimbursement of the fee or cost is prohibited under Section
14 521.4265(c), Transportation Code. Fees and costs subject to this
15 section include:

16 (1) fees for a driver education certificate or
17 certificate number;

18 (2) classroom or behind-the-wheel tuition;

19 (3) fees for instructional supplies or books; and

20 (4) laboratory fees, service charges, rental fees, and
21 deposits.

22 (b) The department may not charge a fee for a driver
23 education certificate or certificate number for a parent-taught
24 driver education course for a student who is eligible for a fee

1 exemption under Section 521.168, Transportation Code, unless
2 reimbursement of the fee is prohibited under Section 521.4265(c),
3 Transportation Code.

4 SECTION 2. Section 1001.355, Education Code, is amended to
5 read as follows:

6 Sec. 1001.355. WITHHOLDING CERTAIN RECORDS. (a) A driver
7 training school may withhold a student's diploma or certificate of
8 completion until the student fulfills the student's financial
9 obligation to the school.

10 (b) This section does not apply to a student entitled to a
11 fee exemption under Section 1001.152, regardless of whether the
12 driver training school is reimbursed for the student's financial
13 obligation under Section 521.4265, Transportation Code.

14 SECTION 3. Subchapter H, Chapter 521, Transportation Code,
15 is amended by adding Section 521.168 to read as follows:

16 Sec. 521.168. WAIVER OF FEES FOR CERTAIN FOSTER AND
17 HOMELESS CHILDREN AND YOUTHS. Unless reimbursement or payment of
18 the fee is prohibited under Section 521.4265(c), fees associated
19 with meeting a requirement imposed under this subchapter shall be
20 waived for a person who is:

21 (1) eligible for a driver's license fee exemption
22 under Section 521.1811; or

23 (2) younger than 26 years of age and:

24 (A) was in the managing conservatorship of the
25 Department of Family and Protective Services on the day before the
26 person's 18th birthday;

27 (B) resided in a foster care placement, the cost

1 of which was paid by the Department of Family and Protective
2 Services; or

3 (C) is a homeless child or youth as defined by 42
4 U.S.C. Section 11434a.

5 SECTION 4. Section 521.4265, Transportation Code, is
6 amended by amending Subsections (b) and (c) and adding Subsection
7 (d) to read as follows:

8 (b) From the money in the identification fee exemption
9 account the department shall:

10 (1) make reimbursements for:

11 (A) fees waived by course providers and the Texas
12 Department of Licensing and Regulation under Section 1001.152,
13 Education Code; and

14 (B) fees waived under Section 521.168 of this
15 code by entities other than the department;

16 (2) pay the department's costs associated with
17 providing waivers under Section 521.168 of this code; and

18 (3) for [~~For~~] each exemption granted under Section
19 521.1015 or 521.1811, [~~the department shall~~] deposit to the credit
20 of the Texas mobility fund an amount [~~from the identification fee~~
21 ~~exemption account under Subsection (a)] that is equal to the amount
22 of the waived fee that would otherwise be deposited to the mobility
23 fund.~~

24 (c) The department may not:

25 (1) make a reimbursement under Subsection (b)(1) or
26 pay a cost under Subsection (b)(2) if the balance of the account for
27 the fiscal year is less than three times the amount expended in the

1 previous fiscal year for the waivers provided by Sections
2 521.1015(e) and 521.1811; or

3 (2) grant an exemption under Section 521.1015 or
4 521.1811 if money is not available in the identification fee
5 exemption account to meet the requirements of Subsection (b)(3)
6 [~~(b)~~].

7 (d) The department by rule shall establish a process by
8 which reimbursement is made under Subsection (b).

9 SECTION 5. This Act takes effect September 1, 2021.