

**From:** [Sunset Advisory Commission](#)  
**To:** [Trisha Linebarger](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
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From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Friday, December 4, 2020 9:44 AM  
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>  
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT LICENSING AND REGULATION

First Name: Barbara

Last Name: Brown

Title:

Organization you are affiliated with: Texas Driving Safety

Email: support@texasonlinedrivingsafety.com

City: Grand Saline

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

4.6 Eliminate the minimum fees driving safety course providers must charge consumers.

This is certainly a lofty goal but due to the disparity in costs between online instruction and in-person instruction - allowing a fee below the current \$25 floor will essentially eliminate in-person training. Take a look at the current COVID environment and determine how many in-person classes have been provided this year.

The free market is a great thing - so long as all players are on an even playing field. Online providers have an unfair advantage if allowed to charge whatever they wish. There will be online schools charging \$5 - essentially eliminating the walk-in schools due to their inherently more expensive setups (location, physical instructor, etc.).

4.14 Direct TDLR to list on its website only licensed instructors and providers, not the specific courses they offer.

The stated reason for this change indicates that the TDLR is being used as a promotional tool. However, simply listing an instructor or provider name would provide little or no assistance to the general public seeking a defensive driving class. This would be more burdensome on the general public that is seeking such a class or any other program for that matter from the TDLR. Presently, their website is very concise and helps the consumer make an intelligent decision on what course they need. In addition, their website is given by most courts to the traffic violators requesting a defensive driving class. This ensures that the consumer needing a class is doing business with a reputable and State Approved business.

Additionally, forcing schools to use instructor and provider names in the TDLR list will inevitably lead to course selection bias due to the name displayed. Agree or not, people make lots of decisions based on a name. If the instructor or provider has a name that has negative associations such as a similar name to someone in the public eye this change would be unfair.

People are generally given their names at birth and have no choice. There is also the question of corporate players

who have multiple owners - are all owners listed.

4.12 Eliminate costly course approval fees and streamline TDLR's process for approving driver training curricula.

Lowering fees will lead to a glut of new online schools. This happened in California and Arizona resulting in an explosion of online providers. In California, there were less than 100 providers in 2010. There are currently over 2,000 online schools. The number of schools is not representative of the actual number of owners since unsavory characters have set out to game the system and flood the DMV with multiple schools. They actually added 1,000 schools in one day a few years ago. This has created an unmanageable nightmare for the inspectors and monitors and has ended up with more and more legislation being introduced in order to fix a problem created by a reduced fee structure.

Any Alternative or New Recommendations on This Agency:

4.6 Eliminate the minimum fees driving safety course providers must charge consumers.

Maintain the current \$25 price floor.

4.14 Direct TDLR to list on its website only licensed instructors and providers, not the specific courses they offer.

A better solution would be to only allow one school/site listed per owner.

This would eliminate list flooding and would allow course providers to select a name that represents what their school does instead of a potentially negatively biased surname.

4.12 Eliminate costly course approval fees and streamline TDLR's process for approving driver training curricula.

Keep fees the same as they are right now or higher. Reducing them further "WILL" result in list flooding - creating the same nightmare that currently exists in other states.

My Comment Will Be Made Public: I agree