

From: [Elizabeth Jones](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, December 4, 2020 4:14:16 PM

From: sunset@sunset.texas.gov On Behalf Of Texas Sunset Commission
Sent: Friday, December 4, 2020 4:12:29 PM (UTC-06:00) Central Time (US & Canada)
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT LICENSING AND REGULATION

First Name: Gary

Last Name: Hensley

Title: Owner

Organization you are affiliated with: Texas Defensive Driving School

Email: gary@texasdefensivedrivingschool.com

City: San Angelo

State: Texas

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

Sunset Advisory Commission – Driving Safety Issues I am Gary Hensley owner of Texas Defensive Driving School in San Angelo. My dad, brother and I have been teaching defensive driving for the past 35 years. I am very concerned about several of the Sunset Review-Staff Recommendations for the driving safety industry. I have listed the page number along with the item number of that review that I feel would be bad for the industry.

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

This issue concerning our minimum price (\$25) for a driving safety course has been addressed in previous legislative sessions where it was not approve.

The reason this was set up was to help the smaller driving schools to compete with the “Wal- Mart” schools of the industry. If this minimum fee is eliminated, many of the smaller schools will not be able to compete with the larger schools. It will be a race to the bottom and the smaller school will have to close their doors. The industry has overwhelmingly supported keeping this fee in place.

There are two ways to take drivers safety course- classroom or online. By eliminating this minimum fee, it all but ensures that classroom operators will be unable to continue offering classes to the public. Classroom-based courses cost more to administer. There are fixed and variable costs associated with classroom-based courses, such as, instructor cost and room rentals to name a few.

Also, are many consumers who are unable to take an online course because of poor computer skills, no access to a high speed internet connection, or just not wanting to spend 6 hours in front of a computer. Older folks would see their only way to take a course eliminated. Their only option is a classroom-based course. This fee helps keep the playing field level for online and classroom providers. It is a fair fee for a 6-hour course.

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

Course approval fees have already been substantially reduced and approved by the industry advisory board. To further lower these fees against the advisement of the advisory board undermines the role and purpose of the board. The industry has already shown that a reduction in this fee encourages courses of “fly by night” companies. Most of these people are from out of state so they would taking jobs away for hard working Texans. The industry’s public

comments during the advisory meetings, showed the TDLR examples of what has happened in other states when fees for course approvals were drastically reduced.

TDLR's process for approving driver training needs to be improved. It can take months for a course to be approved. This recommendation undermines the integrity of our courses. By simply certifying that all curriculums meets the minimum requirements without an audit is not very responsible. The sunset staff report mentioned other programs approved by the TDLR do not have to meet the same standards as the driving safety courses in order to be approved. This is not a fair comparison. Most students taking a 6-hour defensive driving class are doing so by court order. The courts are expecting the individuals providing the courses to be licensed and have a course that meets or exceeds the minimum standards. TDLR should thoroughly evaluate each course to make sure these minimums are met. Driving safety is everyone's responsibility and it should not be discounted or watered down for convenience sake. Many of us in this industry have invested thousands of dollars to be a part of making Texas roads safer.

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4.14 Direct TDLR to list on its website only licensed instructors and providers, not the specific courses they offer. Presently, TDLR 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 needing to take a drivers safety class. This ensures that the student is doing business with a state approved business. Simply listing an instructor or provider name would provide little or no assistance to the general public seeking a drivers safety class. This would be harder on the general public that is seeking such a class or any other program from the TDLR.

Any Alternative or New Recommendations on This Agency:

My father was a DPS officer for 33 years here in the state of Texas. During his service, he was on the front line in trying to make the streets and highways a safer place for all drivers. Many of us in the drivers safety industry share that same dedication as my father did trying to make the highways here in Texas highway the safest in the USA. The issues that I have addressed undermine our commitment. Therefore, I am requesting that the previously mentioned items be dropped from consideration in this report.

Thank you for your time and consideration on these important issues. I can be reached at 325-234-4820 if further information or clarity is needed.

Gary D Hensley
Texas Defensive Driving School

My Comment Will Be Made Public: I agree