

From: [Sunset Advisory Commission](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, December 4, 2020 9:19:48 AM

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Thursday, December 3, 2020 8:30 PM
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: Brandon

Last Name: Herndon

Title: Owner or Driving Safe Texas

Organization you are affiliated with: Fast and Easy Online Driving School

Email:

City: Houston

State: Texas

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

I am Brandon Herndon and below, I have listed the page number along with the item number of that review that I feel would be detrimental to the integrity of this industry.

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

This issue concerning our minimum price (\$25) for a driving safety course has been addressed in previous legislative sessions where it failed. The industry has overwhelmingly supported keeping this fee in place for several reasons.

There are two options for taking a defensive driving 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. Simply put, offering classroom-based courses cost more to administer. For example, there are fixed, and variable costs associated with classroom-based courses, such as, instructor cost and room rentals to name a few.

In addition, there are many consumers and not just the elderly, who are unable to take an online course for various reasons, such as, limited or no access to a computer, slow internet speeds, technophobia, low reading and comprehension skills, etc. Their only option is a classroom-based course.

This fee helps keep the playing field level for online and classroom providers. It is a nominal 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 brings about a flooding of courses by "fly by night" opportunist. 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 curricula needs improvement.

It can take months for a course to be approved. However, this recommendation undermines the integrity of our

courses. Simply certifying that all curriculum meets the minimum requirements without an audit is not 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 an equitable comparison. Most individuals 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. The 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, watered down, and trivialized for convenience sake. Many of us in this industry have invested thousands and thousands of dollars to be a part of making Texas a safer place to drive.

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

In conclusion, through the years the driving safety industry has demonstrated a passion for making Texas drivers safer and more responsible in their driving habits. The issues that I have addressed undermine our commitment. Many of us have dedicated not only our monetary resources but our time in making Texas a safer place to drive. I am requesting that the afore mentioned items be dropped from consideration in this report. Thank you for your time and consideration on these important issues. Please contact me at brandonjherndon@gmail.com for more clarity if needed

Any Alternative or New Recommendations on This Agency: Please truly take the comments in the recommendation section. This decision could cause tremendous issues that would effect my clients and my ability to feed my family. Thanks for your time and consideration in this matter.

My Comment Will Be Made Public: I agree