

**DRUG OFFENDER EDUCATION PROGRAM**

**TRANSPORTATION CODE**

**TITLE 7. VEHICLES AND TRAFFIC**

**SUBTITLE B. DRIVER'S LICENSES AND PERSONAL IDENTIFICATION CARDS**

**CHAPTER 521. DRIVER'S LICENSES AND CERTIFICATES**

**SECTIONS 521.374-521.376**

*(Effective September 1, 2017)*

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**SUBCHAPTER P. AUTOMATIC SUSPENSION FOR CERTAIN DRUG OFFENSES**

**Sec. 521.374. EDUCATIONAL PROGRAM OR EQUIVALENT EDUCATION.**

Text of subsection as amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, and Ch. 1004 (H.B. [642](#)), Sec. 7

- (a) A person whose license is suspended under Section 521.372 may:
  - (1) attend an educational program, approved by the Department of State Health Services under rules adopted by the executive commissioner of the Health and Human Services Commission and the department, that is designed to educate persons on the dangers of drug abuse; or
  - (2) successfully complete education on the dangers of drug abuse approved by the Department of State Health Services as equivalent to the educational program described by Subdivision (1), while the person is a resident of a facility for the treatment of drug abuse or chemical dependency, including:
    - (A) a substance abuse treatment facility or substance abuse felony punishment facility operated by the Texas Department of Criminal Justice under Section 493.009, Government Code;
    - (B) a community corrections facility, as defined by Section 509.001, Government Code; or
    - (C) a chemical dependency treatment facility licensed under Chapter 464, Health and Safety Code.

Text of subsection as amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.294

- (a) A person whose license is suspended under Section 521.372 may attend an educational program, approved by the Texas Department of Licensing and Regulation under rules adopted by the Texas Commission of Licensing and Regulation and the department, that is designed to educate persons on the dangers of drug abuse.
- (b) The period of suspension or prohibition under Section 521.372(c) continues for an indefinite period until the individual successfully completes the educational program or is released from the residential treatment facility at which the individual successfully completed equivalent education, as applicable.

*Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.*  
*Amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.294, eff. September 1, 2017.*  
*Amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, eff. September 1, 2015.*  
*Amended by Acts 2015, 84th Leg., R.S., Ch. 1004 (H.B. [642](#)), Sec. 7, eff. September 1, 2015.*

Text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.295  
For text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, see other Sec. 521.375.

**Sec. 521.375. JOINT ADOPTION OF RULES.**

- (a) The Texas Commission of Licensing and Regulation and the department shall jointly adopt rules for the qualification and approval of providers of educational programs under Section 521.374.
- (b) The Texas Department of Licensing and Regulation shall publish the jointly adopted rules.

*Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.*  
*Amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.295, eff. September 1, 2017.*

Text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2  
For text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.295, see other Sec. 521.375.

**Sec. 521.375. JOINT ADOPTION OF RULES.**

- (a) The executive commissioner of the Health and Human Services Commission and the department shall jointly adopt rules for the qualification and approval of:
  - (1) providers of educational programs under Section 521.374(a)(1); and
  - (2) equivalent education provided in a residential treatment facility described by Section 521.374(a)(2).
- (b) The Department of State Health Services shall publish the jointly adopted rules.

*Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.*  
*Amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, eff. September 1, 2015.*

Text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.296  
For text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, see other Sec. 521.376.

**Sec. 521.376. DUTIES OF TEXAS DEPARTMENT OF LICENSING AND REGULATION; APPLICATION AND RENEWAL FEES.**

The Texas Department of Licensing and Regulation:

- (1) shall monitor, coordinate, and provide training to persons who provide educational programs under Section 521.374;
- (2) shall administer the approval of those educational programs; and
- (3) may charge a nonrefundable application fee for:
  - (A) initial certification of approval; and
  - (B) renewal of the certification.

*Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.  
 Amended by Acts 1997, 75th Leg., ch. 577, Sec. 19, eff. Sept. 1, 1997.  
 Amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.296, eff. September 1, 2017.*

Text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2  
 For text of section as amended by Acts 2015, 84th Leg., R.S., Ch. 838 (S.B. [202](#)), Sec. 1.296, see other Sec. 521.376.

**Sec. 521.376. DUTIES OF DEPARTMENT OF STATE HEALTH SERVICES; APPLICATION AND RENEWAL FEES.**

The Department of State Health Services:

- (1) shall monitor, coordinate, and provide training to:
  - (A) persons who provide educational programs under Section 521.374(a)(1); and
  - (B) residential treatment facilities described by Section 521.374(a)(2) providing equivalent education;
- (2) shall administer the approval of the educational programs and the equivalent education provided in a residential treatment facility; and
- (3) may charge a nonrefundable application fee to the provider of an educational program under Section 521.374(a)(1) for:
  - (A) initial certification of approval; and
  - (B) renewal of the certification.

*Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.  
 Amended by Acts 1997, 75th Leg., ch. 577, Sec. 19, eff. Sept. 1, 1997.  
 Amended by Acts 2015, 84th Leg., R.S., Ch. 851 (S.B. [1070](#)), Sec. 2, eff. September 1, 2015.*