

# Licensing Division

## Staff Report for Driver Training and Traffic Safety Advisory Committee Meeting October 21, 2020

### Personnel Updates

Doreen Garcia last day with the Safety Regulators Team was September 14, 2020.

### Statistics

<b>Driver Education Instructor</b>	<b>FY 20</b>	<b>FY 21</b>
New Licenses	167	13
Renewed Registrations	1,616	163
Total Licensed Population	1,733	1,758

<b>Driver Safety Instructor</b>	<b>FY 20</b>	<b>FY 21</b>
New Registrations	22	2
Renewed Registrations	500	45
Total Licensed Population	522	515

<b>Drug and Alcohol Driving Awareness Instructor</b>	<b>FY 20</b>	<b>FY 21</b>
New Registrations	2	1
Renewed Registrations	45	2
Total Licensed Population	98	98

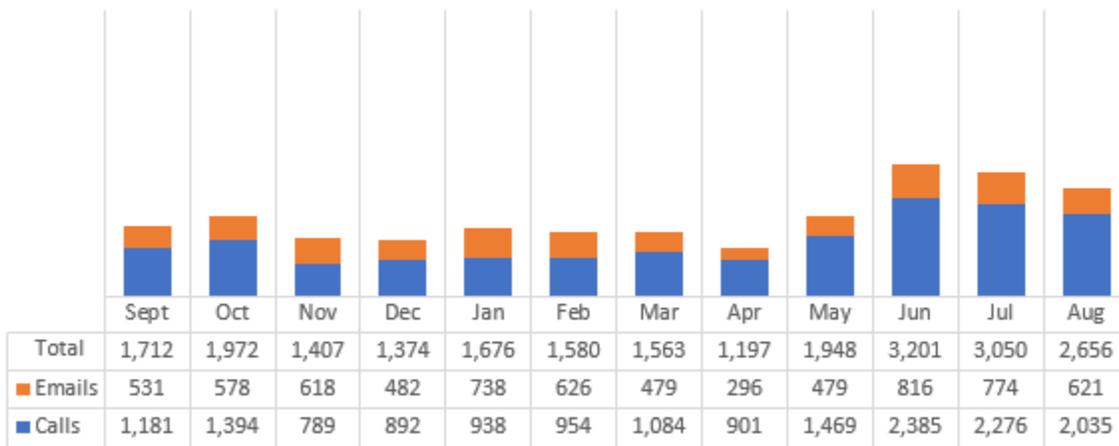
<b>Specialized Driving Safety Instructor</b>	<b>FY 20</b>	<b>FY 21</b>
New Registrations	1	0
Renewed Registrations	7	0
Total Facilities Licensed Population	8	9

# Customer Service Division

Staff Report for Driver Training and Traffic Safety Advisory Board  
 – October 21, 2020

## Statistics

**DRIVER EDUCATION AND SAFETY  
 CUSTOMER SERVICE CONTACTS  
 FISCAL YEAR 2020**



## Enforcement Division

### Staff Report October 21, 2020

#### **Personnel Updates:**

On March 1, John Medlock was promoted to Chief Prosecutor. John has worked for TDLR for 7 years, previously serving as a Prosecutor and Senior Prosecutor in the Enforcement Division.

On May 1, Trevor Theilen was promoted to Senior Prosecutor. Trevor has worked for TDLR for 9 years as a Prosecutor in the Enforcement Division.

On February 15, Jackie Revilla was promoted to Legal Assistant Supervisor. Jackie has worked for TDLR for 18 years, previously serving as a Legal Assistant and Senior Legal Assistant in the Enforcement Division.

On February 15, Debbie Hawkins was promoted to Legal Assistant Supervisor. Debbie has worked for TDLR for 8 years as a Legal Assistant in the Enforcement Division.

On August 31, Investigations Manager Gregg Dodson retired after 22 years of service with TDLR. Gregg oversaw the Investigations Section within the Enforcement Division, which includes 42 investigators. This position is currently posted on the Department's website, and we hope to conduct interviews soon.

On August 31, Prosecution Legal Assistant Manager Daryl Kunze retired after 18 years of service with TDLR. Daryl oversaw the Prosecution Legal Assistant Section within the Enforcement Division, which includes 33 legal assistants and administrative assistants. This position is currently posted on the Department's website, and we hope to conduct interviews soon.

On August 31, Senior Investigator Esmer Arguijo retired after 21 years of service with TDLR. Esmer conducted investigations of cases in the building and mechanical, water well, and property tax programs.

## Statistics:

Shown below are the Enforcement Performance Measures and key statistics for the Driver Education and Safety program (DES) and for all TDLR programs combined for **Fiscal Year 2020**:

Performance Measure	DES	TDLR
Cases opened	79	10,465
Cases closed	102	9,763
Average time to close (days)	275.15	157.58
% of cases resolved within 6 months	47.06%	68.64%
% of cases resulting in disciplinary action	10.78%	13.48%
Cases Pending	46	5,850

### Source of cases opened for Fiscal Year 2020



Case Outcomes	DES	TDLR
Commission Orders	0	28
Default Orders	8	344
Agreed Orders	12	853
Penalties Assessed	\$7,225.00	\$2,368,951.00
Penalties Collected	\$3,875.00	\$1,284,467.16
Licenses Revoked (Disciplinary)	1	62
Licenses Suspended	0	4
Licenses Denied/Revoked (Criminal History)	0	240
Cease & Desist Orders	0	46
Informally Resolved	82	8,365

## Top 10 DES Alleged Violations at Opening for Fiscal Year 2020

Alleged Violation:	Count
Advertising violation	12
Criminal Activity	10
Certificate issue	10
Fail to pay dishonored check	9
Curriculum violation	8
Unlicensed school	7
Contract violation	6
Refund violation	6
Inappropriate conduct	5
School closure/document violation	3

## DES Violations Resulting in Disciplinary Action for Fiscal Year 2020

Violation:	Count
Unlicensed school	6
Contract violation	2
Certificate issue	2
Fail to pay dishonored check	1
Unlicensed instructor	1

## Case Highlights

- An Agreed Order was entered into January 28, 2020, in which Respondent accepted an administrative penalty of \$450 for operating a Driving Safety School providing driving safety courses without a driving education school license. During the unlicensed period December 29, 2018 through July 11, 2018, Respondent issued 47 certificates. The penalty has been paid in full.
- An Agreed Order was entered into February 5, 2020, in which Respondent accepted an administrative penalty of \$300 for operating a Driving Safety School without a driving safety school license. During the unlicensed period of September 15, 2019 through October 17, 2019, Respondent issued 12 certificates. The penalty has been paid in full.

- An Agreed Order was entered into June 24, 2020, in which Respondent accepted an administrative penalty of \$375 for operating a Driving Safety School with an expired license and acting as a driving safety instructor with an expired license. During the unlicensed period Respondent issued at least three completion certificates. The penalty has been paid in full.
- An Agreed Order was entered into August 25, 2020, in which Respondent accepted an administrative penalty of \$125 for operating a Driving Safety School with an expired license. The unlicensed period was April 20, 2018 through November 13, 2018. The penalty has been paid in full.
- A Default Order was entered December 12, 2019, when Respondent failed to answer 5 Notices of Alleged Violation. The Notices of Alleged Violation included three instances of failure to issue DE964 forms and two instances of operating without a license. The penalty was \$2,300 which has not been paid. The Department has been unable to contact the Respondent.

# EDUCATION AND EXAMINATION DIVISION

## Staff Report – October 21<sup>st</sup>, 2020

### Statistics

Statistics by Program  
(As of September 24<sup>th</sup>, 2020)

<b>Driving Safety Course Provider</b>		
	<b>FY2021</b>	<b>FY2020</b>
<b>New</b>	0	17
<b>Renewal</b>	4	78
<b>Total</b>	4	95
<b>Parent Taught Course</b>		
	<b>FY2021</b>	<b>FY2020</b>
<b>New</b>	0	13
<b>Renewal</b>	Does not Renew	Does not Renew
<b>Total</b>	0	13
<b>Driving Safety School</b>		
	<b>FY2021</b>	<b>FY2020</b>
<b>New</b>	1	25
<b>Renewal</b>	38	391
<b>Total</b>	39	393
<b>Drug &amp; Alcohol Driving Awareness</b>		
	<b>FY2021</b>	<b>FY2020</b>
<b>New</b>	0	0
<b>Renewal</b>	1	18
<b>Total</b>	1	18
<b>Driving Education School</b>		
	<b>FY2021</b>	<b>FY2020</b>
<b>New</b>	0	26
<b>Renewal</b>	29	288
<b>Total</b>	29	314

DES E-mails Answered by Staff  
(As of August 31<sup>st</sup>, 2020)

Month	FY 2020	FY2019
September	168	93
October	180	197
November	125	262
<b>Q1</b>	<b>473</b>	<b>552</b>
December	118	154
January	226	349*
February	183	224*
<b>Q2</b>	<b>527</b>	<b>727</b>
March	251	167
April	189	208*
May	279	156
<b>Q3</b>	<b>619</b>	<b>531</b>
June	267	139
July	297	168
August	300	121
<b>Q4</b>	<b>864</b>	<b>428</b>
<b>Total</b>	<b>2,483</b>	<b>2,238</b>

(FY 2019 - \***January**, **February** and **April** saw an increase in emails for the DES team due to the implementation of HB 912 and SB 848 requiring the new uniform driving safety course completion certificates. This will allow schools to electronically send Driving Safety course completion certificates to students.)

## Current Projects

- The Driver Education & Safety rules have been updated as of September 1, 2020.
- Added rule highlights to the main DES page <https://www.tdlr.texas.gov/driver/driver.htm> This is a list of rules that would mostly affect the industry.
- Driver Education & Safety forms are updated, approved and added to the TDLR website.
- Fees have changed. Make sure to check the fees prior applying with the department; we want to remind everyone that fees are non-refundable.
- FAQ's were cleaned up: they are still lengthy, but we tried to remove those that can be answered through rules and forms.
- 7 Schools close due to COVID.
- **Reminder:** The Education and Examination Division ONLY handles the processes for schools and curriculum. Licensing Division processes instructors and certificate orders.

# FIELD INSPECTIONS

Staff Report – Oct. 21, 2020

## Statistics

### Driver Education & Safety Schools

	FY 2020	FY 2019
SEPT	31	31
OCT	22	20
NOV	21	9
QTR 1	74	60
DEC	9	7
JAN	40	26
FEB	38	33
QTR 2	87	66
MAR	34	20
APR	1	10
MAY	3	13
QTR 3	38	43
JUNE	4	19
JUL	1	62
AUG	47	95
QTR 4	52	176
<b>Year to Date/ Year End</b>	<b>251</b>	<b>345</b>

† TDLR suspended inspections on March 17, 2020 in response to the COVID-19 pandemic

## **Current Projects**

TDLR suspended on-site inspections on March 17, 2020 in response to the COVID-19 pandemic. After distributing personal protective equipment and providing safety training, inspectors started performing essential on-site inspections, such as pre-license inspections. While we continue to monitor the risk-level associated with locations throughout the state, we are slowly increasing the number of on-site inspections. Because of continued health and safety concerns and limitations on travel, we implemented a “virtual inspection” process for several programs. For Driver Education schools we are performing virtual pre-license inspections and finalizing the procedures for periodic virtual inspections.