

Agency: UTAH STATE BOARD OF EDUCATION

Request Title: Driver Education Funding Code Amendment

Purpose Statement:

This request seeks to amend Utah Code § 53F-7-201 to dedicate all revenue from the Automobile Driver Education Tax Account exclusively to the administration and support of driver education programs.

What is the nature of your request?

POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.

Rationale:

The Automobile Driver Education Tax is a dedicated tax paid by citizens with the explicit purpose of funding driver education for teens—a critical public safety program.

However, the current statute allows these dedicated funds to be diverted to unrelated expenses, specifically for pupil transportation (subsection 2) or any other purpose the Legislature designates (subsection 3).

Beginning in FY2025, the Legislature redirected \$2 million from the Automobile Driver Education Tax Account to the To & From School Pupil Transportation Program.

This practice undermines the integrity of the dedicated funding stream and can lead to a chronic underfunding of the driver education programs the tax was created to support.

Expected outcomes:

Option 1:

The amendment will require the Legislature to remove the \$2 million currently appropriated from the Automobile Driver Education Tax Account to the To & From School Pupil Transportation Program, redirecting those funds back to funding for driver education.

Unless the Legislature appropriates an additional \$2 million from the Uniform School Fund or another state funding source, this amendment will result in a \$2 million cut to the To & From School Pupil Transportation Program.

Option 2:

The amendment will require the Legislature to remove the \$2 million currently appropriated from the Automobile Driver Education Tax Account to the To & From School Pupil Transportation Program, redirecting those funds back to funding for driver education.

To avoid a \$2 million reduction to the To & From School Pupil Transportation Program, this request includes a request for an additional \$2 million from the Uniform School Fund to the To & From School Pupil Transportation Program.

(Note: If Option 2 is the intended outcome of the policy request, this request should be included as a funding request item with a policy request attached to it.)

This amendment will remove the inaccurate "per-pupil" reference and replace it with text that clearly describes the mileage-based funding formula that is currently in use. This corrective action will:

Provide Statutory Clarity: Eliminate ambiguity, ensuring the law is a transparent and accurate guide for LEAs.

Ensure Legal Consistency: Align the letter of the law with long-standing state practice, resolving the statutory conflict without disrupting the current distribution of funds.

Support Stable Operations: Codify the existing funding mechanism, providing LEAs with a clear and reliable statute for budgeting and planning purposes.

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USBE Section: Career and Technical Education

POLICY REQUEST

- 1. Section(s) of State Code to be addressed (if none, insert "N/A"):**
53F-7-201

- 2. What are the suggested legislative solutions? Include code references and suggested language where possible:**

53F-7-201. Appropriations from Automobile Driver Education Tax Account.

There is appropriated to the state board from the Automobile Driver Education Tax Account, annually, all money in the account, in excess of the expense of administering the collection of the tax, for use and distribution:

- (1) in the administration and maintenance of driver education classes and programs with respect to classes offered in the school district and the establishment of experimental programs, including the purchasing of equipment, by the state board[;]

~~(2) — for pupil transportation; and~~

~~(3) — for other expenditures related to public education as the Legislature designates].~~