

1-1 By: King of Parker (Senate Sponsor - Nichols) H.B. No. 3050  
 1-2 (In the Senate - Received from the House May 10, 2017;  
 1-3 May 10, 2017, read first time and referred to Committee on  
 1-4 Transportation; May 19, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
 1-6 May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3050 By: Nichols

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to driver's and learner licenses and the issuance of  
 1-22 certain driver's licenses and identification certificates;  
 1-23 authorizing a fee.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 521.001(a)(3), Transportation Code, is  
 1-26 amended to read as follows:

1-27 (3) "Driver's license" means an authorization issued  
 1-28 by the department for the operation of a motor vehicle. The term  
 1-29 includes:

1-30 (A) a temporary license or learner license  
 1-31 [~~instruction permit~~]; and

1-32 (B) an occupational license.

1-33 SECTION 2. Sections 521.009(a), (a-1), and (c),  
 1-34 Transportation Code, are amended to read as follows:

1-35 (a) The department may establish a program for the provision  
 1-36 of renewal and duplicate driver's license, election identification  
 1-37 certificate, and personal identification certificate services in  
 1-38 counties and municipalities that enter into an agreement with the  
 1-39 department under Subsection (a-1).

1-40 (a-1) Under the program, the department may enter into an  
 1-41 agreement with the commissioners court of a county or the governing  
 1-42 body of a municipality to permit county or municipal employees to  
 1-43 provide services at a county or municipal office relating to the  
 1-44 issuance of renewal and duplicate driver's licenses, election  
 1-45 identification certificates, and personal identification  
 1-46 certificates, including:

1-47 (1) taking photographs;

1-48 (2) administering vision tests;

1-49 (3) updating a driver's license, election  
 1-50 identification certificate, or personal identification certificate  
 1-51 to change a name, address, or photograph;

1-52 (4) distributing and collecting information relating  
 1-53 to donations under Section 521.401;

1-54 (5) collecting fees; and

1-55 (6) performing other basic ministerial functions and  
 1-56 tasks necessary to issue renewal and duplicate driver's licenses,  
 1-57 election identification certificates, and personal identification  
 1-58 certificates.

1-59 (c) A participating county or municipality must remit to the  
 1-60 department for deposit as required by this chapter fees collected

2-1 for the issuance of a renewal or duplicate driver's license or  
2-2 personal identification certificate.

2-3 SECTION 3. Section 521.0475(a), Transportation Code, is  
2-4 amended to read as follows:

2-5 (a) Except as provided by Subsection (b) [~~or (c)~~], the  
2-6 department shall provide a certified abstract of a complete driving  
2-7 record of a license holder, for a fee of \$20, to the license holder  
2-8 or a person eligible to receive the information under Sections  
2-9 730.007(a)(2)(A), (D), and (I).

2-10 SECTION 4. Sections 521.050(a) and (c), Transportation  
2-11 Code, are amended to read as follows:

2-12 (a) In addition to the provisions of this subchapter  
2-13 relating to the disclosure of driver's license information on an  
2-14 individual, the department may provide a purchaser, in a format  
2-15 prescribed by the department and acceptable to the purchaser, [~~with~~  
2-16 ~~a magnetic tape of~~] the names, addresses, and dates of birth of all  
2-17 license holders that are contained in the department's basic  
2-18 driver's license record file if the purchaser certifies in writing  
2-19 that the purchaser is eligible to receive the information under  
2-20 Chapter 730.

2-21 (c) The department shall impose and collect a fee of:  
2-22 (1) \$2,000 for the initial driver's license  
2-23 information provided [~~each magnetic tape provided~~] under  
2-24 Subsection (a); and

2-25 (2) if the department provides a weekly update of the  
2-26 information [~~on the tape~~], \$75 for each update.

2-27 SECTION 5. Section 521.121(a), Transportation Code, is  
2-28 amended to read as follows:

2-29 (a) The driver's license must include:

2-30 (1) a distinguishing number assigned by the department  
2-31 to the license holder;

2-32 (2) a [~~color~~] photograph of the entire face of the  
2-33 holder;

2-34 (3) the full name and date of birth of the holder;

2-35 (4) a brief description of the holder; and

2-36 (5) the license holder's residence address or, for a  
2-37 license holder using the procedure under Subsection (c), the street  
2-38 address of the courthouse in which the license holder or license  
2-39 holder's spouse serves as a federal judge or state judge.

2-40 SECTION 6. Sections 521.1211(a) and (b), Transportation  
2-41 Code, are amended to read as follows:

2-42 (a) In this section, "peace officer" has the meaning  
2-43 assigned by Article 2.12, Code of Criminal Procedure, except that  
2-44 the term includes a special investigator as defined by Article  
2-45 2.122, Code of Criminal Procedure.

2-46 (b) Notwithstanding Section 521.121(a), the department by  
2-47 rule shall adopt procedures for the issuance of a driver's license  
2-48 to a peace officer that omits the license holder's actual residence  
2-49 address and includes, as an alternative, an address that is [~~in the~~  
2-50 ~~municipality or county of the peace officer's residence and is~~]  
2-51 acceptable to the department and is in the:

2-52 (1) municipality or county of the peace officer's  
2-53 residence; or

2-54 (2) county of the peace officer's place of employment.

2-55 SECTION 7. Section 521.204(b), Transportation Code, is  
2-56 amended to read as follows:

2-57 (b) The department may not issue a Class A, B, or C driver's  
2-58 license other than a hardship license to an applicant under 18 years  
2-59 of age unless the applicant has held a learner license [~~an~~  
2-60 ~~instruction permit~~] or hardship license for at least six months  
2-61 preceding the date of the application.

2-62 SECTION 8. The heading to Section 521.222, Transportation  
2-63 Code, is amended to read as follows:

2-64 Sec. 521.222. LEARNER LICENSE [~~INSTRUCTION PERMIT~~].

2-65 SECTION 9. Sections 521.222(d), (f), and (g),  
2-66 Transportation Code, are amended to read as follows:

2-67 (d) A learner license [~~An instruction permit~~] entitles the  
2-68 holder to operate a type of motor vehicle on a highway while:

2-69 (1) the license [~~permit~~] is in the holder's

3-1 possession; and  
3-2 (2) the holder is accompanied by a person occupying  
3-3 the seat by the operator who:

3-4 (A) holds a license that qualifies the operator  
3-5 to operate that type of vehicle;

3-6 (B) is 21 years of age or older; and

3-7 (C) has at least one year of driving experience.

3-8 (f) The department may issue a learner license [~~an~~  
3-9 ~~instruction permit~~] under this section to a person who is subject to  
3-10 the registration requirements under Chapter 62, Code of Criminal  
3-11 Procedure, and is otherwise eligible for the license [~~permit~~]. A  
3-12 learner license [~~An instruction permit~~] issued under this  
3-13 subsection must include a photograph of the person.

3-14 (g) A person who occupies the seat in a vehicle by a holder  
3-15 of a learner license [~~an instruction permit~~] commits an offense if,  
3-16 while the holder is operating the vehicle, the person:

3-17 (1) sleeps;

3-18 (2) is intoxicated, as defined by Section 49.01, Penal  
3-19 Code; or

3-20 (3) is engaged in an activity that prevents the person  
3-21 from observing and responding to the actions of the operator.

3-22 SECTION 10. Sections 521.271(a) and (a-3), Transportation  
3-23 Code, are amended to read as follows:

3-24 (a) Each original driver's license, provisional license,  
3-25 learner license [~~instruction permit~~], or occupational driver's  
3-26 license issued to an applicant who is a citizen, national, or legal  
3-27 permanent resident of the United States or a refugee or asylee  
3-28 lawfully admitted into the United States expires as follows:

3-29 (1) except as provided by Section 521.2711, a driver's  
3-30 license expires on the first birthday of the license holder  
3-31 occurring after the sixth anniversary of the date of the  
3-32 application;

3-33 (2) a provisional license expires on the 18th  
3-34 birthday of the license holder;

3-35 (3) a learner license [~~an instruction permit~~] expires  
3-36 on the 18th birthday of the license holder;

3-37 (4) an occupational driver's license expires on the  
3-38 first anniversary of the court order granting the license; and

3-39 (5) unless an earlier date is otherwise provided, a  
3-40 driver's license issued to a person whose residence or domicile is a  
3-41 correctional facility or a parole facility expires on the first  
3-42 birthday of the license holder occurring after the first  
3-43 anniversary of the date of issuance.

3-44 (a-3) Each original provisional license or learner license  
3-45 [~~instruction permit~~] issued to an applicant who is not a citizen,  
3-46 national, or legal permanent resident of the United States or a  
3-47 refugee or asylee lawfully admitted into the United States expires  
3-48 on the earliest of:

3-49 (1) the 18th birthday of the license holder;

3-50 (2) the first birthday of the license holder occurring  
3-51 after the date of the application; or

3-52 (3) the expiration of the license holder's lawful  
3-53 presence in the United States as determined by the United States  
3-54 agency responsible for citizenship and immigration in compliance  
3-55 with federal law.

3-56 SECTION 11. Section 521.272(d), Transportation Code, is  
3-57 amended to read as follows:

3-58 (d) Subsection (c) does not apply to a:

3-59 (1) [a] provisional license;

3-60 (2) learner license [~~an instruction permit~~] issued  
3-61 under Section 521.222; or

3-62 (3) [a] hardship license issued under Section 521.223.

3-63 SECTION 12. Section 521.3451, Transportation Code, is  
3-64 amended to read as follows:

3-65 Sec. 521.3451. SUSPENSION OR DENIAL ON ORDER OF JUSTICE OR  
3-66 MUNICIPAL COURT FOR CONTEMPT OF COURT; REINSTATEMENT. (a) The  
3-67 department shall suspend or deny the issuance of a driver's license  
3-68 or learner license [~~instruction permit~~] on receipt of an order to  
3-69 suspend or deny the issuance of either [~~the~~] license [~~or permit~~]

4-1 from a justice or municipal court under Article 45.050, Code of  
4-2 Criminal Procedure.

4-3 (b) The department shall reinstate a license [~~or permit~~]  
4-4 suspended or reconsider a license [~~or permit~~] denied under  
4-5 Subsection (a) on receiving notice from the justice or municipal  
4-6 court that ordered the suspension or denial that the contemnor has  
4-7 fully complied with the court's order.

4-8 SECTION 13. Sections 521.421(c) and (h), Transportation  
4-9 Code, are amended to read as follows:

4-10 (c) The fee for issuance of a provisional license or learner  
4-11 license [~~instruction permit~~] is \$15.

4-12 (h) The fee for issuance or renewal of a driver's license, a  
4-13 provisional license, a learner license [~~an instruction permit~~], or  
4-14 a hardship license issued to a person subject to the registration  
4-15 requirements under Chapter 62, Code of Criminal Procedure, is \$20.

4-16 SECTION 14. Section 521.428, Transportation Code, is  
4-17 amended to read as follows:

4-18 Sec. 521.428. COUNTY OR MUNICIPAL FEE. A county or  
4-19 municipality that provides services under an agreement described by  
4-20 Section 521.009 may collect an additional fee of up to \$5 for each  
4-21 transaction provided that relates to driver's license and personal  
4-22 identification certificate services only.

4-23 SECTION 15. Section 545.424(c), Transportation Code, is  
4-24 amended to read as follows:

4-25 (c) This section does not apply to:

4-26 (1) a person operating a motor vehicle while  
4-27 accompanied in the manner required by Section 521.222(d)(2) for the  
4-28 holder of a learner license [~~an instruction permit~~]; or

4-29 (2) a person licensed by the Federal Communications  
4-30 Commission to operate a wireless communication device or a radio  
4-31 frequency device.

4-32 SECTION 16. Sections 521.0475(c) and 521.222(b), (c), and  
4-33 (e), Transportation Code, are repealed.

4-34 SECTION 17. The changes in law made by this Act to Sections  
4-35 521.121 and 521.1211, Transportation Code, apply only to a driver's  
4-36 license issued or renewed on or after the effective date of this  
4-37 Act. A driver's license issued or renewed before the effective date  
4-38 of this Act is governed by the law in effect when the license was  
4-39 issued, and the former law is continued in effect for that purpose.

4-40 SECTION 18. This Act takes effect September 1, 2017.

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