

By: Blanco, et al.

S.B. No. 1980

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of a Texas conditional driver's permit,
3 provisional Texas conditional driver's permit, and Texas
4 conditional learner's permit; authorizing fees; creating an
5 offense.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Chapter 521, Transportation Code, is amended by
8 adding Subchapter K-1 to read as follows:

9 SUBCHAPTER K-1. TEXAS CONDITIONAL DRIVER'S PERMIT

10 Sec. 521.231. ELIGIBILITY. (a) The department may issue a
11 Texas conditional driver's permit, a provisional Texas conditional
12 driver's permit, or a Texas conditional learner's permit to a person
13 who:

14 (1) as of the date the permit is issued, has resided in
15 this state for at least one year;

16 (2) is unable to present to the department
17 documentation issued by the United States agency responsible for
18 citizenship and immigration authorizing the person to be in the
19 United States;

20 (3) has not been finally convicted of a felony
21 offense;

22 (4) is not ineligible for a driver's license under
23 Section 521.202;

24 (5) has not been finally convicted of an offense

1 described by Section 521.372(a); and

2 (6) regardless of the person's age, has completed a
3 driver education course required by Section 521.1601 and an
4 examination required by Section 521.161, except as provided by
5 Subsection (b).

6 (b) A person may be issued a Texas conditional learner's
7 permit without having passed the examination under Section 521.161.

8 Sec. 521.232. PERMIT REQUIREMENTS. (a) A permit issued
9 under this subchapter is valid as proof of the permit holder's
10 identity for driving purposes only. The permit is not valid as
11 proof of the permit holder's identity for any federal purpose,
12 including voting.

13 (b) The department shall:

14 (1) designate and clearly mark each permit issued
15 under this subchapter;

16 (2) designate and clearly mark each provisional Texas
17 conditional driver's permit or Texas conditional learner's permit,
18 as applicable, issued to a person who is younger than 18 years of
19 age;

20 (3) include on a permit issued under this subchapter
21 an indication that the permit is valid as proof of identity for
22 driving purposes only and is not valid as proof of identity for any
23 federal purpose, including voting; and

24 (4) design the permit to appear substantially similar
25 to the design of a driver's license.

26 (c) Except as otherwise provided by this chapter:

27 (1) a holder of a Texas conditional driver's permit is

1 subject to the laws of this state applicable to the holder of an
2 original or duplicate driver's license;

3 (2) a holder of a provisional Texas conditional
4 driver's permit is subject to the laws of this state applicable to
5 the holder of a provisional driver's license; and

6 (3) a holder of a Texas conditional learner's permit is
7 subject to the laws of this state applicable to the holder of a
8 learner license.

9 (d) The department shall adopt rules:

10 (1) regarding the design and content of permits issued
11 under this subchapter;

12 (2) establishing criteria for proof of identification
13 and residency of an applicant;

14 (3) requiring a check of state and national criminal
15 history record information to determine whether an applicant is
16 eligible for a permit under Sections 521.231(a)(3), (4), and (5);
17 and

18 (4) regarding qualifications for the issuance of
19 provisional Texas conditional driver's permits and Texas
20 conditional learner's permits.

21 Sec. 521.233. APPLICATION. (a) An application for a permit
22 under this subchapter must state the applicant's full name and
23 place and date of birth. This information must be verified by
24 presentation of one document establishing the applicant's identity
25 and age, including:

26 (1) a current passport or consular document issued to
27 the applicant by the country of which the applicant is a citizen;

1 (2) a current border crossing card;

2 (3) a current Mexican voter registration card
3 (Instituto Nacional Electoral credencial para votar);

4 (4) an individual taxpayer identification number
5 issued by the Internal Revenue Service; or

6 (5) another identification document the department
7 determines by rule is acceptable as proof of the information.

8 (b) The application must include:

9 (1) the applicant's thumbprints or, if thumbprints
10 cannot be taken, the index fingerprints of the applicant;

11 (2) a photograph of the applicant;

12 (3) the signature of the applicant;

13 (4) a brief description of the applicant;

14 (5) any information necessary to perform a criminal
15 history background check on the applicant; and

16 (6) evidence that the applicant has resided in this
17 state for at least one year.

18 (c) The application must state:

19 (1) the sex of the applicant;

20 (2) the residence address of the applicant;

21 (3) whether the applicant has been licensed to drive a
22 motor vehicle before;

23 (4) if previously licensed:

24 (A) when and by what state or country;

25 (B) whether that license has been suspended or
26 revoked or a license application denied; and

27 (C) if applicable, the date and reason for the

1 suspension, revocation, or denial; and

2 (5) the county of residence of the applicant.

3 (d) Regardless of the applicant's age, the application must
4 state whether the applicant has completed a driver education course
5 required by Section 521.1601 and each applicable examination
6 required by Section 521.161.

7 (e) The application must be accompanied by evidence of
8 financial responsibility that complies with the requirements of
9 Section 521.143.

10 (f) The application must include any other information the
11 department requires to determine the applicant's eligibility as
12 required by state law.

13 (g) Information collected by the department under this
14 section is confidential and not subject to disclosure under Chapter
15 552, Government Code.

16 (h) Information supplied to the department relating to an
17 applicant's medical history is for the confidential use of the
18 department and may not be disclosed to any person or used as
19 evidence in a legal proceeding other than a proceeding under
20 Subchapter N. This subsection does not apply to information
21 provided by an applicant under Subsection (i).

22 (i) The application must provide space for the applicant to
23 voluntarily list any health condition that may impede communication
24 with a peace officer as evidenced by a written statement from a
25 licensed physician.

26 (j) Information supplied to the department relating to the
27 applicant's criminal history is for the confidential use of the

1 department and may not be disclosed to any person or used as
2 evidence in a legal proceeding, including an immigration
3 proceeding.

4 Sec. 521.234. FEES. (a) The fee for the issuance or
5 renewal of a Texas conditional driver's permit is \$50.

6 (b) The fee for the issuance of a provisional Texas
7 conditional driver's permit or Texas conditional learner's permit
8 is \$15.

9 (c) Each fee collected under this subchapter shall be
10 deposited to the credit of the Texas mobility fund.

11 Sec. 521.235. EXPIRATION. (a) Each Texas conditional
12 driver's permit issued or renewed under this subchapter expires two
13 years after the date of issuance.

14 (b) Each provisional Texas conditional driver's permit and
15 Texas conditional learner's permit issued under this subchapter
16 expires on the 18th birthday of the permit holder.

17 Sec. 521.236. RENEWAL. The department shall allow an
18 eligible applicant to renew a Texas conditional driver's permit in
19 the same manner and locations as an applicant for the renewal of a
20 driver's license under Subchapter M.

21 Sec. 521.237. FINANCIAL RESPONSIBILITY REQUIREMENT. (a) A
22 Texas conditional driver's permit is invalid if, on request of a
23 peace officer, the permit holder is unable to provide evidence of
24 financial responsibility for a motor vehicle the permit holder is
25 operating.

26 (b) A holder of a Texas conditional driver's permit who
27 cannot provide evidence of financial responsibility commits an

1 offense punishable under Section 521.457.

2 SECTION 2. Not later than January 1, 2024, the Department of
3 Public Safety of the State of Texas shall:

4 (1) adopt the rules necessary to implement Subchapter
5 K-1, Chapter 521, Transportation Code, as added by this Act; and

6 (2) create the application form required by Section
7 521.233, Transportation Code, as added by this Act.

8 SECTION 3. This Act takes effect September 1, 2023.