

By: Capriglione, Landgraf, Canales, et al.

H.B. No. 3426

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of digital driver's licenses, commercial driver's licenses, and personal identification certificates; authorizing a fee.

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

SECTION 1. Subtitle B, Title 7, Transportation Code, is amended by adding Chapter 526 to read as follows:

CHAPTER 526. DIGITAL DRIVER'S LICENSES, COMMERCIAL DRIVER'S LICENSES, AND PERSONAL IDENTIFICATION CERTIFICATES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 526.001. DEFINITIONS. In this chapter:

(1) "Commercial driver's license" includes:

(A) a commercial driver's license as defined by Section 522.003; and

(B) a commercial learner's permit as defined by Section 522.003.

(2) "Department" means the Department of Public Safety.

(3) "Driver's license" has the meaning assigned by Section 521.001.

(4) "Personal identification certificate" means a certificate issued by the department under Subchapter E, Chapter 521.

(5) "Wireless communication device" means a device

that uses commercial mobile service, as defined by 47 U.S.C. Section 332.

SUBCHAPTER B. ISSUANCE OF DIGITAL DRIVER'S LICENSES, COMMERCIAL DRIVER'S LICENSES, AND PERSONAL IDENTIFICATION CERTIFICATES

Sec. 526.051. ISSUANCE REQUIRED. (a) The department shall issue a digital version of a driver's license, a commercial driver's license, and a personal identification certificate.

(b) The department may adopt rules necessary to administer this chapter.

Sec. 526.052. APPLICABILITY OF OTHER LAW. (a) Except as otherwise provided by this chapter or other law, a digital driver's license, commercial driver's license, or personal identification certificate issued under this chapter is subject to the laws of this state applicable to a physical license or certificate.

(b) For purposes of Chapter 730, a motor vehicle record includes a record that pertains to a digital driver's license or commercial driver's license.

Sec. 526.053. FORMAT OF DIGITAL DRIVER'S LICENSES, COMMERCIAL DRIVER'S LICENSES, AND PERSONAL IDENTIFICATION CERTIFICATES. (a) A digital driver's license, commercial driver's license, or personal identification certificate must be a data file available on any wireless communication device through an application that is capable of being downloaded onto the wireless communication device. A digital driver's license, commercial driver's license, or personal identification certificate must:

(1) include the information required to be included on a physical license or certificate;

1 (2) include an authentication and verification
2 process for a wireless communication device that satisfies the
3 requirements of the International Organization for Standardization
4 ISO/IEC 18013-5 or a comparable or successor standard designated by
5 department rule;

6 (3) for a digital driver's license or commercial
7 driver's license, include an indication of the current status of
8 the license; and

9 (4) after the appropriate application is downloaded on
10 a wireless communication device, be accessible regardless of the
11 availability of an Internet network or commercial mobile service on
12 the device.

13 (b) The department by rule may prescribe:

14 (1) the appearance, format, and orientation of a
15 digital driver's license, commercial driver's license, or personal
16 identification certificate;

17 (2) the data included in a digital driver's license,
18 commercial driver's license, or personal identification
19 certificate; and

20 (3) methods of authentication for a digital driver's
21 license, commercial driver's license, or personal identification
22 certificate.

23 Sec. 526.054. FEE. The department may charge a fee for the
24 issuance of digital identification under Section 526.053 in an
25 amount necessary to cover the costs of administering this chapter.

26 Sec. 526.055. DATA PRIVACY. Subject to the requirements of
27 Chapter 730, the department by rule shall adopt measures to ensure

1 data privacy for data associated with digital driver's licenses,
2 commercial driver's licenses, and personal identification
3 certificates issued under this chapter.

4 SUBCHAPTER C. DISPLAY OF DIGITAL DRIVER'S LICENSES, COMMERCIAL
5 DRIVER'S LICENSES, AND PERSONAL IDENTIFICATION CERTIFICATES

6 Sec. 526.101. AUTHORITY TO REQUIRE PHYSICAL LICENSE OR
7 CERTIFICATE. This chapter does not affect the authority of a peace
8 officer or any other person to require an individual to provide a
9 physical driver's license, commercial driver's license, or personal
10 identification certificate.

11 Sec. 526.102. DISPLAY NOT CONSENT TO ACCESS DEVICE
12 CONTENTS. Presentation by a person on a wireless communication
13 device of digital identification issued under this chapter does not
14 constitute effective consent for a peace officer or any other
15 person to access the contents of the person's wireless
16 communication device, except to view the digital identification.

17 Sec. 526.103. EVIDENCE OF IDENTITY; NOT VALID FOR VOTING
18 PURPOSES. (a) Unless otherwise provided by this section or state
19 or federal law, a person may accept digital identification issued
20 under this chapter as evidence of another person's identity in the
21 same manner as a physical driver's license, commercial driver's
22 license, or personal identification certificate.

23 (b) Digital identification issued under this chapter may
24 not be used for voting purposes.

25 Sec. 526.104. CHAPTER NOT APPLICABLE. A digital copy,
26 photograph, or image of a driver's license that is not downloaded
27 and displayed through the application described by Section 526.053

1 is not a valid digital driver's license under this chapter.

2 SECTION 2. If before implementing any provision of this Act
3 the Department of Public Safety determines that a waiver or
4 authorization from a federal agency is necessary for the
5 implementation of that provision, the Department of Public Safety
6 shall request the waiver or authorization and may delay
7 implementing that provision until the waiver or authorization is
8 granted.

9 SECTION 3. This Act takes effect September 1, 2025.