

By: Smith of Tarrant

H.B. No. 1845

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the expiration and appearance of a driver's license,
3 identification certificate, or commercial driver's license or
4 permit issued to a person who is not a citizen of the United States.

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

6 SECTION 1. Section 521.101, Transportation Code, is amended
7 by amending Subsection (f) and adding Subsection (j) to read as
8 follows:

9 (f) A certificate expires on a date specified by the
10 department, except that:

11 (1) a certificate issued to a person 60 years of age or
12 older, other than a person described by Subdivision (2), does not
13 expire; and

14 (2) a certificate issued to a person who is not a
15 citizen of the United States expires on a date corresponding to the
16 end of the period of legal stay as indicated by documentation issued
17 by the federal agency responsible for citizenship and immigration.

18 (j) The department shall indicate "NONCITIZEN" on the face
19 of a personal identification certificate issued to a person who is
20 not a citizen of the United States.

21 SECTION 2. Subchapter F, Chapter 521, Transportation Code,
22 is amended by adding Section 521.127 to read as follows:

23 Sec. 521.127. DESIGNATOR ON LICENSE ISSUED TO A NONCITIZEN.

24 The department shall indicate "NONCITIZEN" on the face of a license

1 held by a person who is not a citizen of the United States.

2 SECTION 3. Section 521.142, Transportation Code, is amended
3 by adding Subsection (h) to read as follows:

4 (h) An applicant who is not a citizen of the United States
5 must present to the department documentation issued by the federal
6 agency responsible for citizenship and immigration authorizing the
7 applicant to be in the United States.

8 SECTION 4. Section 521.1425(b), Transportation Code, is
9 amended to read as follows:

10 (b) The department shall require each applicant for an
11 original, renewal, or duplicate driver's license to furnish to the
12 department the information required by Sections 521.142(c)(7) and
13 (8) and (h).

14 SECTION 5. Section 521.271(a), Transportation Code, is
15 amended to read as follows:

16 (a) Except as provided by Section 521.2715, each ~~Each~~
17 original driver's license and provisional license expires as
18 follows:

19 (1) a driver's license expires on the first birthday of
20 the license holder occurring after the sixth anniversary of the
21 date of the application;

22 (2) a provisional license expires on the earlier of:
23 (A) the 18th birthday of the license holder; or
24 (B) the first birthday of the license holder
25 occurring after the date of the application;

26 (3) an instruction permit expires on the first
27 birthday of the license holder occurring after the date of the

1 application; and

2 (4) an occupational license expires on the first
3 anniversary of the court order granting the license.

4 SECTION 6. Subchapter M, Chapter 521, Transportation Code,
5 is amended by adding Section 521.2715 to read as follows:

6 Sec. 521.2715. LICENSE EXPIRATION: NONCITIZENS. A
7 driver's license held by a person who is not a citizen of the United
8 States, including a renewal, duplicate, or corrected license,
9 expires on the earlier of:

10 (1) the date specified in Section 521.271; or
11 (2) the date corresponding to the end of the period of
12 legal stay as indicated by documentation issued by the federal
13 agency responsible for citizenship and immigration.

14 SECTION 7. Section 521.421, Transportation Code, is amended
15 by adding Subsection (k) to read as follows:

16 (k) If a driver's license issued to a person who is not a
17 citizen of the United States expires before the date specified in
18 Section 521.271, the department shall prorate the fee according to
19 the number of years the license is to be in effect.

20 SECTION 8. Section 521.422(a), Transportation Code, is
21 amended to read as follows:

22 (a) The fee for a personal identification certificate is:
23 (1) \$15 for a person under 60 years of age;
24 (2) \$5 for a person 60 years of age or older; ~~and~~
25 (3) \$20 for a person subject to the registration
26 requirements under Chapter 62, Code of Criminal Procedure; and
27 (4) for a certificate issued to a person under Section

1 521.101(f)(2), the lesser of:

2 (A) \$3 for each year the certificate is valid; or

3 (B) \$15.

4 SECTION 9. Section 522.021, Transportation Code, is amended
5 by amending Subsection (a) and adding Subsection (e) to read as
6 follows:

7 (a) An application for a commercial driver's license or
8 commercial driver learner's permit must include:

9 (1) the full name and current residence and mailing
10 address of the applicant;

11 (2) a physical description of the applicant, including
12 sex, height, and eye color;

13 (3) the applicant's date of birth;

14 (4) the applicant's social security number, unless the
15 application is for a nonresident commercial driver's license and
16 the applicant is a resident of a foreign jurisdiction;

17 (5) certifications, including those required by 49
18 C.F.R. Section 383.71(a); ~~and~~

19 (6) a statement as to whether the applicant is a
20 citizen of the United States; and

21 (7) any other information required by the department.

22 (e) An applicant who is not a citizen of the United States
23 must present to the department documentation issued by the federal
24 agency responsible for citizenship and immigration authorizing the
25 applicant to be in the United States.

26 SECTION 10. Section 522.029, Transportation Code, is
27 amended by amending Subsection (a) and adding Subsection (i) to

1 read as follows:

2 (a) The fee for a commercial driver's license or commercial
3 driver learner's permit issued by the department is \$60, except as
4 provided by Subsections (f), (h), and (i) [~~(h)~~].

5 (i) If a commercial driver's license or commercial driver
6 learner's permit issued to a person who is not a citizen of the
7 United States expires before the date specified in Section 522.051,
8 the department shall prorate the fee according to the number of
9 years the license or permit is to be in effect.

10 SECTION 11. Section 522.030, Transportation Code, is
11 amended to read as follows:

12 Sec. 522.030. CONTENT OF LICENSE. A commercial driver's
13 license must:

- 14 (1) be marked "Commercial Driver License" or "CDL";
- 15 (2) be, to the extent practicable, tamper-proof; [~~and~~]
- 16 (3) include:
- 17 (A) the name and mailing address of the person to
18 whom it is issued;
- 19 (B) the person's color photograph;
- 20 (C) a physical description of the person,
21 including sex, height, and eye color;
- 22 (D) the person's date of birth;
- 23 (E) a number or identifier the department
24 considers appropriate;
- 25 (F) the person's signature;
- 26 (G) each class of commercial motor vehicle that
27 the person is authorized to drive, with any endorsements or

1 restrictions;

2 (H) the name of this state; and

3 (I) the dates between which the license is valid;

4 and

5 (4) if the person is not a citizen of the United
6 States, be marked "NONCITIZEN" on the face of the license.

7 SECTION 12. Section 522.051(a), Transportation Code, is
8 amended to read as follows:

9 (a) Except as provided by Sections [~~Section~~] 522.033 and
10 522.0515, an original commercial driver's license or commercial
11 driver learner's permit expires six years after the applicant's
12 next birthday.

13 SECTION 13. Subchapter E, Chapter 522, Transportation Code,
14 is amended by adding Section 522.0515 to read as follows:

15 Sec. 522.0515. EXPIRATION OF LICENSE OR PERMIT:
16 NONCITIZENS. A commercial driver's license or commercial driver
17 learner's permit held by a person who is not a citizen of the United
18 States, including a renewal, duplicate, or corrected license,
19 expires on the earlier of:

20 (1) the date specified in Section 522.051 or 522.052;

21 or

22 (2) the date corresponding to the end of the period of
23 legal stay as indicated by documentation issued by the federal
24 agency responsible for citizenship and immigration.

25 SECTION 14. Section 522.052, Transportation Code, is
26 amended by adding Subsection (h) to read as follows:

27 (h) The department shall require each applicant to furnish

1 to the department the information required by Sections
2 522.021(a)(6) and (e) for a:

3 (1) renewal, duplicate, or corrected commercial
4 driver's license; or

5 (2) duplicate or corrected commercial driver learner's
6 permit.

7 SECTION 15. The change in law made by this Act applies only
8 to an original or renewal application for a driver's license,
9 personal identification certificate, commercial driver's license,
10 or commercial driver learner's permit submitted on or after the
11 effective date of this Act.

12 SECTION 16. This Act takes effect September 1, 2003.