

BILL ANALYSIS

H.B. 1322
By: Kolkhorst
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current Texas law, a person may receive a driver's license without having to complete a driving test administered by the Texas Department of Public Safety. Texas allows a person to train and test for the ability to operate certain vehicles and then may issue that person a driver's license even if a driving test administered by the department was waived, provided an applicant had successfully completed a defined set of training and testing.

House Bill 1322 eliminates the option to waive a driving test. The bill requires that all driving students seeking to obtain a driver's license pay a fee and pass a driving test administered by the Department of Public Safety.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 1322 amends Section 521.165(c), Transportation Code, to provide that completion of training and testing under this section does not exempt a driver's license applicant from the examination required by Section 521.161(b)(2). The bill also amends this section to remove the provision authorizing the public safety director of the Department of Public Safety, in issuing a driver's license for certain types of vehicles, to waive a driving test for an applicant who has successfully completed and passed the training and testing conducted by a certified person.

The bill amends Section 521.421, Transportation Code, to require an applicant for original issuance of a provisional driver's license to pay a \$10 fee for the examination required by Section 521.161(b)(2), in addition to the fee in Subsection (c). The bill provides that the fee must be deposited to the credit of a special account in the general revenue fund and may be used only by the department for the administration of this chapter.

The bill provides that the Act only applies to an application for a driver's license submitted on or after the effective date of this Act.

EFFECTIVE DATE

September 1, 2005