

BILL ANALYSIS

H.B. 1869
By: Swinford
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The offense of driving while intoxicated is committed more frequently in Texas than in any other state. According to the National Highway Traffic Safety Administration (NHTSA), 1,745 people were killed in alcohol-related crashes in Texas in 2002, and 63,500 people were injured. The percentage of crashes which are alcohol-related in Texas is far above the national average.

House Bill 1869 seeks to provide law enforcement officers another tool to prevent alcohol-related accidents on Texas roads by making an alteration to the license plate of certain individuals whose license has been suspended after a conviction of a drinking and driving offense under Chapter 49 of the Penal Code.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 2 of this bill.

ANALYSIS

House Bill 1869 amends the Transportation Code by adding Section 521.2483 to require that an order granting an occupational license to a person whose license has been suspended after a conviction under Chapter 49 of the Penal Code must:

1. Require the person to submit to the court and the attorney representing the state, within 15 days after the order is signed, a written sworn statement identifying the vehicle most regularly driven by the person under the occupational license and stating whether the person owns that vehicle, and
2. If the person is the owner of that vehicle, require the person to affix DWI license plates to that vehicle until the end of the license suspension.

The bill amends the Transportation Code by adding Section 504.657 to require the Department of Public Safety (DPS) to design a distinguishable DWI license plate and establish the fee for the license plate, and to provide that the fee may not exceed the amount that, when added to the other fees collected by DPS, is sufficient to recover the actual cost to DPS of issuing license plates under this section .

The bill provides that the change in law made by this Act is prospective from the effective date.

EFFECTIVE DATE

September 1, 2005