

## **BILL ANALYSIS**

C.S.H.B. 2337

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Defense Affairs & State-Federal Relations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently Driver licenses are the preferred form of personal identification for an overwhelming majority of citizens nationwide. Partly because of this, driver licenses have become a prized possession of fraudulent actors wanting to establish a false identity, or steal someone else's identity. In order to receive a driver license in Texas, a person must fulfill the various requirements in Code, and present a "proof of identity" that is satisfactory to the Department of Public Safety. People often are able to get counterfeit documents, or valid documents that are not theirs, and are able to have a driver license issued to them. This new driver license can be used by that individual to establish a false identity for fraudulent purposes. In fact, it was found that many of the 9-11 terrorists used false identities to aid them in their missions.

As proposed, CSHB 2337 gives the Department of Public Safety the ability to use image comparison technology as part of an image verification system to ensure that the individual requesting a driver license is in fact the person that they say they are. It would allow the DPS to compare an applicant's image against a database of images to verify the person's identity and to ensure that they are not attempting to fraudulently obtain a license, permit or certificate. The bill would also allow the DPS to use these images for purposes of criminal investigation.

### **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**

SECTION 1 of the bill would strike the "Motor Vehicle Financial Responsibility Verification Program" from the Title of Section 502.1715, Transportation Code.

SECTION 2 extends the \$1 fee on registration of motor vehicles to apply to the reengineering of the driver's license system to include image comparison technology.

SECTION 4 requires the DPS to establish an image verification system based on facial images, and thumbprints or fingerprints. It also requires the DPS to authenticate these images and prints for personal and commercial driver licenses and identification certificates to ensure that the applicant is issued only one original document, is not trying to obtain the document fraudulently, and does not commit other fraud in connection with the application process. SECTION 4 also allows the DPS to use the image verification system to conduct investigations of criminal conduct and to assist other law enforcement agencies in establishing the identity of a victim of a disaster or a crime when a local agency is unable to establish the identity.

SECTION 5 requires that an applicant for a driver license must also include a photograph and a signature of the applicant.

SECTION 6 allows DPS to use thumb or fingerprints to verify the identity of an individual as provided by Section 521.059, Transportation Code.

### **EFFECTIVE DATE**

This Act takes effect on September 1, 2005.

C.S.H.B. 2337 79(R)

## **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The Substitute version of the bill narrows the purposes for which the DPS can use the image verification system in SECTION 4, Section 521.059 (c) (1) to assisting other law enforcement agencies in establishing the identity of a victim of a disaster or crime when the local agency is unable to identify the victim.