

By: Martinez Fischer

H.B. No. 859

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a certificate for driving by the Department of Public Safety.

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

SECTION 1. Section 521.001(3), Transportation Code, is amended to read as follows:

(3) "Driver's license" means an authorization issued by the department for the operation of a motor vehicle. The term includes:

(A) a temporary license or instruction permit;
[and]

(B) an occupational license; and

(C) a certificate for driving.

SECTION 2. Section 521.083, Transportation Code, is amended to read as follows:

Sec. 521.083. CLASS C LICENSE; CERTIFICATE FOR DRIVING. A Class C driver's license or a certificate for driving authorizes the holder of the license or certificate to operate:

(1) a vehicle or combination of vehicles not described by Section 521.081 or 521.082; and

(2) a vehicle with a gross vehicle weight rating of less than 26,001 pounds towing a farm trailer with a gross vehicle weight rating that is not more than 20,000 pounds.

SECTION 3. Subchapter E, Chapter 521, Transportation Code,

1 is amended by adding Section 521.1031 to read as follows:

2 Sec. 521.1031. CERTIFICATE FOR DRIVING. (a) The
3 department shall issue certificates for driving.

4 (b) A certificate for driving may be issued only to an
5 applicant for an original license under Subchapter G who:

6 (1) cannot verify the person's identity by
7 presentation of identity satisfactory to the department under
8 Section 521.142(a) or a department rule adopted under that section;

9 (2) has satisfied all other requirements for an
10 original license, including examination requirements, and is
11 otherwise eligible for a license; and

12 (3) elects to apply for a certificate of driving.

13 (c) The department shall require each applicant for an
14 original, renewal, or duplicate certificate for driving to furnish
15 to the department the information otherwise required by Section
16 521.142.

17 (d) A certificate for driving must be similar to, but
18 clearly distinguishable in color from, any other type or class of
19 driver's license and shall clearly display on its face, the words
20 "FOR DRIVING PURPOSES ONLY -- NOT VALID FOR IDENTIFICATION".

21 (e) The department may cancel and require surrender of a
22 certificate for driving on a determination that the holder was not
23 entitled to the certificate or gave incorrect or incomplete
24 information in the application for the certificate.

25 (f) The fee for issuance or renewal of a certificate for
26 driving is the driver's license issuance fee prescribed by Section
27 521.421(a). The fee for a duplicate certificate for driving is the

1 duplicate driver's license fee prescribed by Section 521.424(a).

2 (g) The department by rule may establish the number of years
3 that a certificate for driving remains valid. A rule may not
4 provide that a certificate for driving expires before the second
5 anniversary or later than the sixth anniversary of the date of
6 issuance.

7 (h) Any other law that applies to a driver's license, or to
8 the holder of a driver's license, applies to a certificate for
9 driving or the holder of a certificate for driving, to the extent
10 the other law can be made applicable.

11 SECTION 4. This Act takes effect September 1, 2005.