

By: Corte

H.B. No. 2337

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of information provided by an applicant for a
3 driver's license or personal identification certificate in an image
4 verification system.

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

6 SECTION 1. The heading to Section 502.1715, Transportation
7 Code, is amended to read as follows:

8 Sec. 502.1715. ADDITIONAL FEE FOR CERTAIN DEPARTMENT
9 PROGRAMS [~~MOTOR VEHICLE FINANCIAL RESPONSIBILITY VERIFICATION~~
10 ~~PROGRAM~~].

11 SECTION 2. Sections 502.1715(b) and (c), Transportation
12 Code, are amended to read as follows:

13 (b) Before August 31, 2007 [~~2005~~], fees collected under this
14 section shall be deposited to the credit of the state highway fund.
15 The money shall be used by the Department of Public Safety to:

16 (1) support the Department of Public Safety's
17 reengineering of the driver's license system to provide for the
18 issuance by the Department of Public Safety of a driver's license or
19 personal identification certificate, [~~not~~] to include use of image
20 comparison technology [~~biometric information~~];

21 (2) establish and maintain a system to support the
22 driver responsibility program under Chapter 708; and

23 (3) [~~conduct the feasibility study authorized by~~
24 ~~Section 601.450, and~~

1 ~~[(4)]~~ make lease payments to the master lease purchase
2 program for the financing of [+

3 ~~[(A)]~~ the driver's license reengineering project
4 [~~+~~ and

5 ~~[(B) the liability insurance feasibility study]~~.

6 (c) On or after August 31, 2007 [~~2005~~], fees collected under
7 this section shall be deposited to the credit of the state highway
8 fund. Subject to appropriation, the money may be used by the
9 Department of Public Safety, the Texas Department of Insurance, and
10 the department to carry out Subchapter N, Chapter 601.

11 SECTION 3. Section 521.001(a), Transportation Code, is
12 amended by adding Subdivision (9) to read as follows:

13 (9) "Image comparison technology" means any
14 technology that is used to compare facial images, thumbprints, or
15 fingerprints.

16 SECTION 4. Subchapter C, Chapter 521, Transportation Code,
17 is amended by adding Section 521.059 to read as follows:

18 Sec. 521.059. IMAGE VERIFICATION SYSTEM. (a) The
19 department shall establish an image verification system based on
20 the following identifiers collected by the department:

21 (1) an applicant's facial image; and

22 (2) an applicant's thumbprints or fingerprints.

23 (b) The department shall authenticate the facial image and
24 thumbprints or fingerprints provided by an applicant for a personal
25 identification certificate, driver's license, or commercial
26 driver's license or permit using image comparison technology to
27 ensure that the applicant:

1 (1) is issued only one original license, permit, or
2 certificate;

3 (2) does not fraudulently obtain a duplicate license,
4 permit, or certificate; and

5 (3) does not commit other fraud in connection with the
6 application for a license, permit, or certificate.

7 (c) The department shall use the image verification system
8 established under this section to aid other law enforcement
9 agencies in:

10 (1) establishing a person's identity; or

11 (2) conducting an investigation of criminal conduct.

12 SECTION 5. Section 521.142(b), Transportation Code, is
13 amended to read as follows:

14 (b) The application must include:

15 (1) the thumbprints of the applicant or, if
16 thumbprints cannot be taken, the index fingerprints of the
17 applicant; ~~and~~

18 (2) a photograph of the applicant;

19 (3) the signature of the applicant; and

20 (4) a brief description of the applicant.

21 SECTION 6. Section 730.010, Transportation Code, is amended
22 to read as follows:

23 Sec. 730.010. DISCLOSURE OF THUMB OR FINGER IMAGES
24 PROHIBITED. Notwithstanding any other provision of this chapter,
25 if an agency obtains an image of an individual's thumb or finger in
26 connection with the issuance of a license, permit, or certificate
27 to the individual, the agency may:

- 1 (1) use the image only:
- 2 (A) in connection with the issuance of the
- 3 license, permit, or certificate; or
- 4 (B) to verify the identity of an individual as
- 5 provided by Section 521.059; and
- 6 (2) disclose the image only if disclosure is expressly
- 7 authorized by law.

8 SECTION 7. The changes in law made by this Act apply only to

9 a driver's license or permit, or personal identification

10 certificate, or the renewal of a driver's license or permit, or

11 certificate, applied for on or after the effective date of this Act.

12 A driver's license or permit, or personal identification

13 certificate, or the renewal of a driver's license or permit, or

14 certificate, applied for before the effective date of this Act is

15 covered by the law in effect on the date the application was made,

16 and the former law is continued in effect for that purpose.

17 SECTION 8. This Act takes effect September 1, 2005.