

## **BILL ANALYSIS**

Senate Research Center  
80R8229 JD-D

S.B. 876  
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Transportation & Homeland Security  
3/19/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Department of Public Safety (DPS) maintains driving records for persons licensed to drive in Texas and updates this information as violation convictions or driver's license suspensions or revocations occur. The driving record is a critical element in helping employers and insurance companies understand the driving habits of their employees and customers. In 36 other states, certain entities, such as employers and insurance companies, have the option of subscribing to services that compare their employee or policyholder databases to a state's records database. The timely access of the record is of paramount interest to public safety. Although this monitoring enhances the value of the driver data, DPS is not authorized to provide such information other than as part of a three-year driving record.

As proposed, S.B. 876 enables DPS to enhance its existing provision of driver information to certain entities by authorizing DPS to establish a driver record monitoring pilot program for the proactive monitoring of driving records.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 (Section 521.060, Transportation Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 521, Transportation Code, by adding Section 521.060, as follows:

Sec. 521.060. DRIVER RECORD MONITORING PILOT PROGRAM. (a) Authorizes the Department of Public Safety (DPS) to establish, by rule, a driver record monitoring pilot program (program), the term of which are prohibited from exceeding one year.

(b) Authorizes DPS, under the program, to enter into a contract with certain persons to provide driver record monitoring services and certain information from DPS driver's license records.

(c) Requires a contract between DPS and certain persons to require DPS to take certain actions.

(d) Requires DPS to impose a fee on each person with whom it contracts for the services provided by DPS under the contract. Requires the fee to be reasonable enough to cover the costs incurred by DPS in entering into a contract with and providing services to the person.

(e) Authorizes DPS to establish a reasonable deadline for a person to apply to contract with DPS under this section, and prohibits DPS from entering into a contract with a person who fails to apply before that deadline.

(f) Requires the services provided by DPS under this section to be provided by, through, or in conjunction with the interactive system established under Section 521.055 (Establishment of Interactive System) to the fullest extent practicable.

(g) Authorizes the Texas Transportation Commission to authorize DPS to implement the program as a permanent program at the conclusion of the term of the program.

(h) Requires DPS, before it recommends that the program become permanent, to submit a report containing and analysis of the scope, effectiveness, and cost benefits of the program to certain officials.

SECTION 2. Effective date: upon passage or September 1, 2007.