

By: Branch, Harless, Goolsby

H.B. No. 84

A BILL TO BE ENTITLED

AN ACT

relating to issuance and renewal of a driver's license of an elderly person.

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

SECTION 1. This Act may be cited as "Katie's Law."

SECTION 2. Section 521.271, Transportation Code, is amended to read as follows:

Sec. 521.271. LICENSE EXPIRATION. (a) Each original driver's license and provisional license expires as follows:

(1) except as provided by Section 521.2711, a driver's license expires on the first birthday of the license holder occurring after the sixth anniversary of the date of the application;

(2) a provisional license expires on the earlier of:
(A) the 18th birthday of the license holder; or
(B) the first birthday of the license holder occurring after the date of the application;

(3) an instruction permit expires on the second birthday of the license holder occurring after the date of the application; and

(4) an occupational license expires on the first anniversary of the court order granting the license.

(b) Except as provided by Section 521.2711, a ~~[A]~~ driver's license that is renewed expires on the sixth anniversary of the

1 expiration date before renewal.

2 SECTION 3. Subchapter M, Chapter 521, Transportation Code,
3 is amended by adding Section 521.2711 to read as follows:

4 Sec. 521.2711. LICENSE EXPIRATION: PERSON AT LEAST 90 YEARS
5 OF AGE. (a) A driver's license expires on the license holder's 90th
6 birthday.

7 (b) An original driver's license of a person older than 90
8 years of age expires on the second anniversary of the date of
9 issuance.

10 (c) A driver's license of a person older than 90 years of age
11 that is renewed expires on the second anniversary of the expiration
12 date before renewal.

13 SECTION 4. Subchapter M, Chapter 521, Transportation Code,
14 is amended by adding Section 521.2712 to read as follows:

15 Sec. 521.2712. OFFICES. A person required to renew a
16 driver's license under Section 521.2711 must be given priority in
17 line at a department office when renewing the license.

18 SECTION 5. Section 521.273, Transportation Code, is amended
19 by adding Subsection (c) to read as follows:

20 (c) The department may not renew a driver's license of a
21 person who on the license's expiration date before renewal is at
22 least 90 years of age unless the person passes an examination for
23 the renewal. The examination must include a screening of the
24 person's vision.

25 SECTION 6. Section 521.274(b), Transportation Code, is
26 amended to read as follows:

27 (b) A rule adopted under this section:

1 (1) may prescribe eligibility standards for renewal
2 under this section; ~~and~~

3 (2) may not permit a person subject to the
4 registration requirements under Chapter 62, Code of Criminal
5 Procedure, to register by mail or electronic means; and

6 (3) may not permit renewal by mail or electronic means
7 of a driver's license of a person who on the license's expiration
8 date before renewal is at least 90 years of age.

9 SECTION 7. Section 521.421, Transportation Code, is amended
10 by adding Subsection (i) to read as follows:

11 (i) The department shall prorate the fee for the issuance or
12 renewal of a driver's license of a person who on the license's
13 expiration date before renewal is at least 85 years of age to
14 account for the expiration of the license on the person's 90th
15 birthday. The fee for issuance or renewal of a driver's license of
16 a person who is at least 90 years of age on the date of issuance or
17 the expiration date before renewal, as applicable, is \$8 for a
18 license with an expiration date established under Section
19 521.2711(b) or (c).

20 SECTION 8. Section 522.029, Transportation Code, is amended
21 by amending Subsection (a) and adding Subsection (j) to read as
22 follows:

23 (a) The fee for a commercial driver's license or commercial
24 driver learner's permit issued by the department is \$60, except as
25 provided by Subsections (f), ~~and~~ (h), and (j).

26 (j) The fee for issuance or renewal of a commercial driver's
27 license or commercial driver learner's permit is \$25 for a license

1 with an expiration date established under Section 522.054.

2 SECTION 9. Sections 522.051(a), (b), (c), and (d),
3 Transportation Code, are amended to read as follows:

4 (a) Except as provided by Sections [~~Section~~] 522.033 and
5 522.054, an original commercial driver's license or commercial
6 driver learner's permit expires five years after the applicant's
7 next birthday.

8 (b) Except as provided by Section 522.054, a [A] commercial
9 driver's license or commercial driver learner's permit issued to a
10 person holding a Texas Class A, B, C, or M license that would expire
11 one year or more after the date of issuance of the commercial
12 driver's license or commercial driver learner's permit expires five
13 years after the applicant's next birthday.

14 (c) Except as provided by Section 522.054, a [A] commercial
15 driver's license or commercial driver learner's permit issued to a
16 person holding a Texas Class A, B, C, or M license that would expire
17 less than one year after the date of issuance of the commercial
18 driver's license or commercial driver learner's permit or that has
19 been expired for less than one year expires five years after the
20 expiration date shown on the Class A, B, C, or M license.

21 (d) Except as provided by Section 522.054, a [A] commercial
22 driver's license or commercial driver learner's permit issued to a
23 person holding a Texas Class A, B, C, or M license that has been
24 expired for at least one year but not more than two years expires
25 five years after the applicant's last birthday.

26 SECTION 10. Sections 522.052(b), (c), and (g),
27 Transportation Code, are amended to read as follows:

1 (b) Except as provided by Section 522.054, a [A] renewal of
2 a commercial driver's license that has been expired for less than
3 one year expires five years after the expiration date shown on the
4 commercial driver's license.

5 (c) Except as provided by Section 522.054, a [A] renewal of
6 a commercial driver's license that has been expired for at least one
7 year but not more than two years expires six years after the
8 applicant's last birthday.

9 (g) A commercial driver's license issued under Section
10 522.033 or to which Section 522.054 applies may not be renewed
11 before the 60th day preceding the expiration date.

12 SECTION 11. Subchapter E, Chapter 522, Transportation Code,
13 is amended by adding Section 522.054 to read as follows:

14 Sec. 522.054. LICENSE EXPIRATION: PERSON AT LEAST 90 YEARS
15 OF AGE. (a) Each original commercial driver's license and
16 commercial driver learner's permit of a person 90 years of age or
17 older expires on the license holder's second birthday after the
18 date of the license application.

19 (b) A commercial driver's license of a person 90 years of
20 age or older that is renewed expires on the second anniversary of
21 the expiration date before renewal.

22 SECTION 12. The change in law made by this Act applies only
23 to a driver's license, commercial driver's license, or commercial
24 driver learner's permit issued or renewed on or after the effective
25 date of this Act.

26 SECTION 13. (a) As soon as possible after the effective
27 date of this section, the Department of Public Safety shall conduct

1 a study to determine the most efficient method of implementing the
2 requirements of this Act.

3 (b) This section takes effect immediately if this Act
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this section takes effect September 1, 2007.

8 SECTION 14. Except as otherwise provided by this Act, this
9 Act takes effect January 1, 2008.