

By: Chisum

H.B. No. 1439

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing the Texas Department of Public Safety to
3 establish a driver record monitoring pilot program and enter into
4 contracts for the periodic reporting of certain information in the
5 department's driver's license files.

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

7 SECTION 1. Subchapter C, Chapter 521, Transportation Code,
8 is amended by adding Section 521.060 to read as follows:

9 Sec. 521.060. DRIVER RECORD MONITORING PILOT PROGRAM. (a)
10 The department by rule may establish a driver record monitoring
11 pilot program. The term of the pilot program may not exceed one
12 year.

13 (b) Under the pilot program, the department may enter into a
14 contract with a person to provide driver record monitoring
15 services, as described by Subsection (c), and certain information
16 from the department's driver's license records to the person, if the
17 person:

18 (1) is an employer, an insurer, an insurance support
19 organization, an employer support organization, or an entity that
20 self-insures its motor vehicles; and

21 (2) is eligible to receive the information under
22 Chapter 730.

23 (c) A contract entered into by the department must require:

24 (1) the department, during the term of the contract,

1 to:

2 (A) monitor the driver record of each holder of a
3 driver's license issued by the department that is requested by the
4 person with whom the department has contracted;

5 (B) identify any change in the status of a
6 driver's license or any conviction for a traffic offense reported
7 to the department; and

8 (C) periodically, as specified in the contract,
9 provide reports of those changes in status and those convictions to
10 the person with whom the department has contracted; and

11 (2) the person with whom the department has contracted
12 to purchase under Section 521.046 a copy of the driver record of
13 each individual identified in a report provided under Subsection
14 (c)(1)(C).

15 (d) The department shall impose a fee on each person with
16 whom the department contracts under this section for the services
17 provided by the department under the contract. The fee must be
18 reasonable and be not less than the amount necessary to allow the
19 department to recover all reasonable costs to the department
20 associated with entering into the contract and providing services
21 to the person under the contract, including direct, indirect, and
22 administrative costs and costs related to the development and
23 deployment of the pilot program.

24 (e) The department may establish a reasonable deadline by
25 which a person must apply to enter into a contract with the
26 department under this section and may not enter into a contract with
27 a person who fails to apply before that deadline.

1 (f) To the fullest extent practicable, the services of the
2 department under a contract entered into under this section shall
3 be provided by, through, or in conjunction with the interactive
4 system established under Section 521.055.

5 (g) At the conclusion of the term of the pilot program, and
6 on the recommendation of the department, the commission may
7 authorize the department to implement the pilot program as a
8 permanent program.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2007.