

By: Corte

H.B. No. 2869

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of driver's licenses and identification cards.

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

ARTICLE 1. FEDERAL DRIVER'S LICENSE AND IDENTIFICATION

CARD REQUIREMENTS

SECTION 1.01. Section 521.001(a), Transportation Code, is amended by amending Subdivision (3) and adding Subdivision (5-a) 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 learner's license [~~temporary license or instruction permit~~]; and

(B) an occupational license.

(5-a) "Identification card" means a document issued by the department verifying a person's identity.

SECTION 1.02. Sections 521.044(a) and (b), Transportation Code, are amended to read as follows:

(a) Information provided on a driver's license or identification card application that relates to the applicant's social security number may be used only by the department or disclosed only to:

(1) the child support enforcement division of the

1 attorney general's office;

2 (2) another state entity responsible for enforcing the
3 payment of child support; ~~[or]~~

4 (3) the United States Selective Service System as
5 provided by Section 521.147; or

6 (4) another state's driver's licensing agency or
7 central record system as required by federal law.

8 (b) The department shall enter an applicant's social
9 security number in the department's electronic database but may not
10 print the number on the applicant's driver's license or
11 identification card.

12 SECTION 1.03. Section 521.101, Transportation Code, is
13 amended to read as follows:

14 Sec. 521.101. ~~[PERSONAL]~~ IDENTIFICATION CARD
15 ~~[CERTIFICATE]~~. (a) The department shall issue ~~[personal]~~
16 identification cards ~~[certificates]~~.

17 (b) An ~~[A personal]~~ identification card ~~[certificate]~~ must
18 be similar in form to, but distinguishable in color from, a driver's
19 license.

20 (c) The department shall indicate "UNDER 21" on the face of
21 an ~~[a personal]~~ identification card ~~[certificate]~~ issued to a
22 person under 21 years of age.

23 (d) The department may require each applicant for an
24 original, renewal, or duplicate ~~[personal]~~ identification card
25 ~~[certificate]~~ to furnish to the department the information required
26 by Section 521.142.

27 (e) The department may cancel and require surrender of an ~~[a~~

1 ~~personal~~] identification card [~~certificate~~] after determining that
2 the holder was not entitled to the identification card
3 [~~certificate~~] or gave incorrect or incomplete information in the
4 application for the identification card [~~certificate~~].

5 (f) An identification card [~~A certificate~~] expires:

6 (1) on a date specified by the department if the
7 applicant is a citizen of the United States; or

8 (2) one year from the date of issuance or on the
9 expiration of the identification card holder's lawful presence in
10 the United States as determined by the United States agency
11 responsible for citizenship and immigration in compliance with
12 federal law [~~, except that a certificate issued to a person 60 years~~
13 ~~of age or older does not expire~~].

14 (f-1) A person who is not a citizen of the United States
15 must present to the department documentation issued by the United
16 States agency responsible for citizenship and immigration
17 authorizing the person to be in the United States before the person
18 may be issued an identification card under this section.

19 (g) An individual, corporation, or association may not deny
20 the holder of an [~~a personal~~] identification card [~~certificate~~]
21 access to goods, services, or facilities, except as provided by
22 Section 521.460 or in regard to the operation of a motor vehicle,
23 because the holder has an [~~a personal~~] identification card
24 [~~certificate~~] rather than a driver's license.

25 (h) The department shall automatically revoke each
26 [~~personal~~] identification card [~~certificate~~] issued by the
27 department to a person who:

1 (1) is subject to the registration requirements of
2 Chapter 62, Code of Criminal Procedure; and

3 (2) fails to apply to the department for renewal of the
4 [~~personal~~] identification card [~~certificate~~] as required by
5 Article 62.060, Code of Criminal Procedure.

6 (i) The department may issue an [~~a personal~~] identification
7 card [~~certificate~~] to a person whose identification card
8 [~~certificate~~] is revoked under Subsection (h) only if the person
9 applies for an original or renewal identification card
10 [~~certificate~~] under Section 521.103.

11 SECTION 1.04. Section 521.103, Transportation Code, is
12 amended to read as follows:

13 Sec. 521.103. EXPIRATION AND RENEWAL REQUIREMENTS FOR
14 CERTAIN SEX OFFENDERS. (a) The department may issue an original or
15 renewal [~~personal~~] identification card [~~certificate~~] to a person
16 whose driver's license or [~~personal~~] identification card
17 [~~certificate~~] record indicates that the person is subject to the
18 registration requirements of Chapter 62, Code of Criminal
19 Procedure, only if the person:

20 (1) applies in person for the issuance of an
21 identification card [~~a certificate~~] under this section; and

22 (2) pays a fee of \$20.

23 (b) An [~~A personal~~] identification card [~~certificate~~]
24 issued under this section, including a renewal, duplicate, or
25 corrected certificate, expires:

26 (1) if the identification card holder is a citizen of
27 the United States, on the first birthday of the identification card

1 ~~[certificate]~~ holder occurring after the date of application,
2 except that the initial identification card ~~[certificate]~~ issued
3 under this section expires on the second birthday of the
4 identification card ~~[certificate]~~ holder occurring after the date
5 of application; or

6 (2) one year from the date of issuance or on the
7 expiration of the identification card holder's lawful presence in
8 the United States as determined by the United States agency
9 responsible for citizenship and immigration in compliance with
10 federal law.

11 SECTION 1.05. Section 521.104, Transportation Code, is
12 amended to read as follows:

13 Sec. 521.104. RENEWAL BY MAIL OR ELECTRONIC MEANS. The
14 department by rule may provide that the holder of an ~~[a personal]~~
15 identification card ~~[certificate]~~ may renew the card ~~[certificate]~~
16 by mail, by telephone, over the Internet, or by other electronic
17 means. A rule adopted under this section may prescribe eligibility
18 standards for renewal under this section.

19 SECTION 1.06. Section 521.121(a), Transportation Code, is
20 amended to read as follows:

21 (a) The driver's license must include:

22 (1) a distinguishing number assigned by the department
23 to the license holder;

24 (2) a digital ~~[color]~~ photograph of the entire face of
25 the holder;

26 (3) the full legal name, date of birth, gender, and
27 residence address of the holder; and

1 (4) a brief description of the holder.

2 SECTION 1.07. Sections 521.142(a), (b), (c), (e), and (g),
3 Transportation Code, are amended to read as follows:

4 (a) An application for an original license must state the
5 applicant's full legal name and place and date of birth. This
6 information must be verified by presentation of proof of identity
7 satisfactory to the department and in compliance with applicable
8 federal law. A person who is not a citizen of the United States must
9 present to the department documentation issued by the United States
10 agency responsible for citizenship and immigration authorizing the
11 person to be in the United States before the person may be issued a
12 driver's license or identification card. [~~The department must~~
13 ~~accept as satisfactory proof of identity under this subsection an~~
14 ~~offender identification card or similar form of identification~~
15 ~~issued to an inmate by the Texas Department of Criminal Justice.~~]

16 (b) The application must include:

17 (1) the thumbprints of the applicant or, if
18 thumbprints cannot be taken, the index fingerprints of the
19 applicant;

20 (2) a digital photograph of the applicant;

21 (3) the signature of the applicant; and

22 (4) a brief description of the applicant.

23 (c) The application must state:

24 (1) the gender [~~sex~~] of the applicant;

25 (2) the principal residence address of the applicant;

26 (3) whether the applicant has been licensed to drive a
27 motor vehicle or issued an identification card before;

1 (4) if previously licensed or issued an identification
2 card, when and by what state or country;

3 (5) whether that license or driving privilege has been
4 suspended or revoked or a license application denied;

5 (6) the date and reason for the suspension,
6 revocation, or denial;

7 (7) whether the applicant is a citizen of the United
8 States; and

9 (8) the county of residence of the applicant.

10 (e) The application must include any other information the
11 department requires to determine the applicant's identity,
12 residency, competency, and eligibility as required by the
13 department or state or federal law.

14 (g) The department shall [~~may~~] require an applicant to
15 provide the applicant's social security number as required by state
16 or federal law [~~only for a purpose permitted by Section 521.044~~].

17 SECTION 1.08. Section 521.182, Transportation Code, is
18 amended to read as follows:

19 Sec. 521.182. SURRENDER OF LICENSE ISSUED BY OTHER
20 JURISDICTION. (a) A person is not entitled to receive a driver's
21 license or identification card until the person terminates by
22 surrendering [~~surrenders~~] to the department each driver's license
23 or identification card in the person's possession that was issued
24 by this state or another state or Canadian province.

25 (a-1) The department may invalidate the surrendered license
26 or identification card and return it to the applicant.

27 (b) The department shall send to the state or province that

1 issued the license or identification card:

2 (1) the surrendered license or identification card or
3 a notification that the license or identification card has been
4 surrendered; and

5 (2) a statement that the person holds a driver's
6 license or identification card issued by this state.

7 SECTION 1.09. Section 521.222, Transportation Code, is
8 amended to read as follows:

9 Sec. 521.222. LEARNER'S LICENSE [~~INSTRUCTION PERMIT~~]. (a)
10 The department or a driver education school licensed under Chapter
11 1001, Education Code, [~~the Texas Driver and Traffic Safety~~
12 ~~Education Act (Article 4413(29c), Vernon's Texas Civil Statutes)~~]
13 may issue a learner's license [~~an instruction permit~~], including a
14 Class A or Class B driver's license learner's license [~~instruction~~
15 ~~permit~~], to a person who:

16 (1) is 15 years of age or older but under 18 years of
17 age;

18 (2) has satisfactorily completed and passed the
19 classroom phase of an approved driver education course, which may
20 be a course approved under Section 521.205;

21 (3) meets the requirements imposed under Section
22 521.204(a)(3) [~~521.204(3)~~]; and

23 (4) has passed each examination required under Section
24 521.161 other than the driving test.

25 (b) The department may issue a learner's license [~~an~~
26 ~~instruction permit~~] to a person 18 years of age or older who has
27 successfully passed all parts of the driver's examination required

1 under Section 521.161 other than the driving test.

2 (c) A driver education school may issue a learner's license
3 [~~an instruction permit~~] to a person 18 years of age or older who has
4 successfully passed:

5 (1) a six-hour adult classroom driver education course
6 approved by the Texas Education Agency; and

7 (2) each part of the driver's examination required by
8 Section 521.161 other than the driving test.

9 (d) A learner's license [~~An instruction permit~~] entitles
10 the holder to operate a type of motor vehicle on a highway while:

11 (1) the learner's license [~~permit~~] is in the holder's
12 possession; and

13 (2) the holder is accompanied by a person occupying
14 the seat by the operator who:

15 (A) holds a license that qualifies the operator
16 to operate that type of vehicle;

17 (B) is 21 years of age or older; and

18 (C) has at least one year of driving experience.

19 (e) [~~Except as provided by Subsection (f), an instruction~~
20 ~~permit is not required to include a photograph.~~

21 [~~(f)~~] The department may issue a learner's license [~~an~~
22 ~~instruction permit~~] under this section to a person who is subject to
23 the registration requirements under Chapter 62, Code of Criminal
24 Procedure, and is otherwise eligible for the learner's license
25 [~~permit~~].

26 (f) A learner's license [~~An instruction permit issued under~~
27 ~~this subsection~~] must include a photograph of the license holder

1 ~~[person]~~.

2 SECTION 1.10. Section 521.271, Transportation Code, is
3 amended to read as follows:

4 Sec. 521.271. LICENSE EXPIRATION. (a) Each original
5 driver's license, ~~[and]~~ provisional license, learner's license,
6 and occupational license issued to a person who is a citizen of the
7 United States expires as follows:

8 (1) a driver's license expires on the first birthday of
9 the license holder occurring after the sixth anniversary of the
10 date of the application;

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

15 (3) a learner's license ~~[an instruction permit]~~
16 expires on the second birthday of the license holder occurring
17 after the date of the application; and

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

20 (a-1) Each original driver's license, provisional license,
21 or learner's license issued to a person who is not a citizen of the
22 United States expires one year from the date of issuance or on the
23 expiration of the license holder's lawful presence in the United
24 States as determined by the United States agency responsible for
25 citizenship and immigration in compliance with federal law.

26 (b) A driver's license that is renewed expires on:

27 (1) the sixth anniversary of the expiration date

1 before renewal if the license holder is a citizen of the United
2 States; or

3 (2) one year from the date of issuance or on the
4 expiration of the license holder's lawful presence in the United
5 States as determined by the United States agency responsible for
6 citizenship and immigration in compliance with federal law.

7 (c) The department may require the renewal of a license or
8 identification card before its expiration if the renewal is
9 necessary to ensure compliance with federal law in the systematic
10 conversion of driver's licenses and identification cards.

11 SECTION 1.11. Section 521.272, Transportation Code, is
12 amended by amending Subsections (a) and (c) and adding Subsection
13 (d) to read as follows:

14 (a) The department may issue an original or renewal driver's
15 license to a person whose driver's license or [~~personal~~]
16 identification card [~~certificate~~] record indicates that the person
17 is subject to the registration requirements of Chapter 62, Code of
18 Criminal Procedure, only if the person:

19 (1) applies in person for the issuance of a license
20 under this section; and

21 (2) pays the fee required by Section 521.421(h).

22 (c) Notwithstanding Section 521.271, a driver's license
23 issued under this section, including a renewal, duplicate, or
24 corrected license, expires:

25 (1) if the license holder is a citizen of the United
26 States, on the first birthday of the license holder occurring after
27 the date of application, except that the initial license issued

1 under this section expires on the second birthday of the license
2 holder occurring after the date of application; or

3 (2) one year from the date of issuance or on the
4 expiration of the license holder's lawful presence in the United
5 States as determined by the United States agency responsible for
6 citizenship and immigration in compliance with federal law.

7 (d) Subsection (c) [This subsection] does not apply to:

8 (1) a provisional license;

9 (2) a learner's license [~~an instruction permit~~] issued
10 under Section 521.222; or

11 (3) a hardship license issued under Section 521.223.

12 SECTION 1.12. Section 521.421, Transportation Code, is
13 amended by adding Subsection (a-1) and amending Subsection (c) to
14 read as follows:

15 (a-1) The fee for a driver's license or identification card
16 issued in compliance with federal law to a person who is not a
17 citizen of the United States and that is not valid for more than one
18 year is \$15.

19 (c) The fee for issuance or renewal of a provisional license
20 or learner's license [~~instruction permit~~] is \$10 [~~\$5~~].

21 SECTION 1.13. Sections 522.021(a), (c), and (d),
22 Transportation Code, are amended to read as follows:

23 (a) An application for a commercial driver's license or
24 commercial driver learner's license [~~permit~~] must include:

25 (1) the full legal name and current principal
26 residence and mailing address of the applicant;

27 (2) a physical description of the applicant, including

1 gender [~~sex~~], height, and eye color;

2 (3) the applicant's date of birth;

3 (4) the applicant's social security number [~~, unless~~
4 ~~the application is for a nonresident commercial driver's license~~
5 ~~and the applicant is a resident of a foreign jurisdiction~~];

6 (5) certifications, including those required by 49
7 C.F.R. Section 383.71(a); and

8 (6) any other information required by the department.

9 (c) The application must meet the requirements of an
10 application under Sections [~~Section~~] 521.141 and 521.142 and must
11 be accompanied by the fee required under Section 522.029. The
12 department may require documentary evidence to verify the
13 information required by Subsection (a).

14 (d) A person who knowingly falsifies information or a
15 certification required by Subsection (a) commits an offense and is
16 subject to a 60-day cancellation of the person's commercial
17 driver's license, commercial driver learner's license [~~permit~~], or
18 application. An offense under this subsection is a Class C
19 misdemeanor.

20 SECTION 1.14. Section 522.022, Transportation Code, is
21 amended to read as follows:

22 Sec. 522.022. LICENSE REQUIREMENTS. The department may
23 not issue a commercial driver's license [~~other than a nonresident~~
24 ~~license~~] to a person unless the person:

25 (1) has a domicile in this state;

26 (2) has passed knowledge and skills tests for driving
27 a commercial motor vehicle that comply with minimal federal

1 standards established by 49 C.F.R. Part 383, Subparts G and H; and

2 (3) has satisfied the requirements imposed by the
3 federal act, federal regulation, or state law.

4 SECTION 1.15. Section 522.030, Transportation Code, is
5 amended to read as follows:

6 Sec. 522.030. CONTENT OF LICENSE. A commercial driver's
7 license must:

8 (1) be marked "Commercial Driver License" or "CDL";

9 (2) be, to the extent practicable, tamper-proof; and

10 (3) include:

11 (A) the full legal name and mailing address of
12 the person to whom it is issued;

13 (B) the person's digital [~~color~~] photograph;

14 (C) a physical description of the person,
15 including gender [~~sex~~], height, and eye color;

16 (D) the person's date of birth;

17 (E) a number or identifier the department
18 considers appropriate;

19 (F) the person's signature;

20 (G) each class of commercial motor vehicle that
21 the person is authorized to drive, with any endorsements or
22 restrictions;

23 (H) the name of this state; and

24 (I) the dates between which the license is valid.

25 SECTION 1.16. Section 522.033, Transportation Code, is
26 amended to read as follows:

27 Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN

1 SEX OFFENDERS. (a) The department may issue an original or renewal
2 commercial driver's license or commercial driver learner's license
3 [~~permit~~] to a person whose driver's license or [~~personal~~]
4 identification card [~~certificate~~] record indicates that the person
5 is subject to the registration requirements of Chapter 62, Code of
6 Criminal Procedure, only if the person is otherwise eligible for
7 the commercial driver's license or commercial driver learner's
8 license [~~permit~~] and:

9 (1) applies in person for the issuance of a license or
10 learner's license [~~permit~~] under this section; and

11 (2) pays a fee of \$20.

12 (b) Notwithstanding Section 522.051, a commercial driver's
13 license or commercial driver learner's license [~~permit~~] issued
14 under this section, including a renewal, duplicate, or corrected
15 license, expires:

16 (1) if the license holder is a citizen of the United
17 States, on the first birthday of the license holder occurring after
18 the date of application, except that the initial license issued
19 under this section expires on the second birthday of the license
20 holder occurring after the date of application; or

21 (2) one year from the date of issuance or on the
22 expiration of the license holder's lawful presence in the United
23 States as determined by the United States agency responsible for
24 citizenship and immigration in compliance with federal law.

25 SECTION 1.17. The heading to Section 522.051,
26 Transportation Code, is amended to read as follows:

27 Sec. 522.051. EXPIRATION OF LICENSE OR LEARNER'S LICENSE

1 ~~[PERMIT]~~.

2 SECTION 1.18. Section 522.051, Transportation Code, is
3 amended by amending Subsections (a) through (d) and adding
4 Subsection (f) to read as follows:

5 (a) Except as provided by Section 522.033, an original
6 commercial driver's license or commercial driver learner's license
7 ~~[permit]~~ expires:

8 (1) five years after the applicant's next birthday if
9 the license holder is a citizen of the United States; or

10 (2) one year from the date of issuance or on the
11 expiration of the license holder's lawful presence in the United
12 States as determined by the United States agency responsible for
13 citizenship and immigration in compliance with federal law.

14 (b) A commercial driver's license or commercial driver
15 learner's license ~~[permit]~~ issued to a person holding a Texas Class
16 A, B, C, or M license that would expire one year or more after the
17 date of issuance of the commercial driver's license or commercial
18 driver learner's license ~~[permit]~~ expires:

19 (1) five years after the applicant's next birthday if
20 the license holder is a citizen of the United States; or

21 (2) one year from the date of issuance or upon the
22 expiration of the license holder's lawful presence in the United
23 States as determined by the United States agency responsible for
24 citizenship and immigration in compliance with federal law.

25 (c) A commercial driver's license or commercial driver
26 learner's license ~~[permit]~~ issued to a person holding a Texas Class
27 A, B, C, or M license that would expire less than one year after the

1 date of issuance of the commercial driver's license or commercial
2 driver learner's license [~~permit~~] or that has been expired for less
3 than one year expires:

4 (1) five years after the expiration date shown on the
5 Class A, B, C, or M license if the license holder is a citizen of the
6 United States; or

7 (2) one year from the date of issuance or on the
8 expiration of the license holder's lawful presence in the United
9 States as determined by the United States agency responsible for
10 citizenship and immigration in compliance with federal law.

11 (d) A commercial driver's license or commercial driver
12 learner's license [~~permit~~] issued to a person holding a Texas Class
13 A, B, C, or M license that has been expired for at least one year but
14 not more than two years expires:

15 (1) five years after the applicant's last birthday if
16 the license holder is a citizen of the United States; or

17 (2) one year from the date of issuance or on the
18 expiration of the license holder's lawful presence in the United
19 States as determined by the United States agency responsible for
20 citizenship and immigration in compliance with federal law.

21 (f) The department may require the renewal of a license
22 before its expiration if the renewal is necessary to ensure
23 compliance with federal law in the systematic conversion of
24 driver's licenses.

25 SECTION 1.19. Sections 522.052(b), (c), and (e),
26 Transportation Code, are amended to read as follows:

27 (b) A renewal of a commercial driver's license that has been

1 expired for less than one year expires:

2 (1) five years after the expiration date shown on the
3 commercial driver's license if the license holder is a citizen of
4 the United States; or

5 (2) one year from the date of issuance or on the
6 expiration of the license holder's lawful presence in the United
7 States as determined by the United States agency responsible for
8 citizenship and immigration in compliance with federal law.

9 (c) A renewal of a commercial driver's license that has been
10 expired for at least one year but not more than two years expires:

11 (1) six years after the applicant's last birthday if
12 the license holder is a citizen of the United States; or

13 (2) one year from the date of issuance or on the
14 expiration of the license holder's lawful presence in the United
15 States as determined by the United States agency responsible for
16 citizenship and immigration in compliance with federal law.

17 (e) A commercial driver learner's license [~~permit~~] may not
18 be renewed.

19 ARTICLE 2. CONFORMING AMENDMENTS

20 SECTION 2.01. Article 62.005(c), Code of Criminal
21 Procedure, is amended to read as follows:

22 (c) Notwithstanding Chapter 730, Transportation Code, the
23 department shall maintain in the database, and shall post on any
24 department website related to the database, any photograph of the
25 person that is available through the process for obtaining or
26 renewing an [~~a personal~~] identification card [~~certificate~~] or
27 driver's license under Section 521.103 or 521.272, Transportation

1 Code. The department shall update the photograph in the database
2 and on the website annually or as the photograph otherwise becomes
3 available through the renewal process for the card [~~certificate~~] or
4 license.

5 SECTION 2.02. Article 62.006, Code of Criminal Procedure,
6 is amended to read as follows:

7 Art. 62.006. INFORMATION PROVIDED TO PEACE OFFICER ON
8 REQUEST. The department shall establish a procedure by which a
9 peace officer or employee of a law enforcement agency who provides
10 the department with a driver's license number, [~~personal~~]
11 identification card [~~certificate~~] number, or license plate number
12 is automatically provided information as to whether the person to
13 whom the driver's license or [~~personal~~] identification card
14 [~~certificate~~] is issued is required to register under this chapter
15 or whether the license plate number is entered in the computerized
16 central database under Article 62.005 as assigned to a vehicle
17 owned or driven by a person required to register under this chapter.

18 SECTION 2.03. Article 42.016, Code of Criminal Procedure,
19 is amended to read as follows:

20 Art. 42.016. SPECIAL DRIVER'S LICENSE OR IDENTIFICATION
21 REQUIREMENTS FOR CERTAIN SEX OFFENDERS. If a person is convicted
22 of, receives a grant of deferred adjudication for, or is
23 adjudicated as having engaged in delinquent conduct based on a
24 violation of an offense for which a conviction or adjudication
25 requires registration as a sex offender under Chapter 62, the court
26 shall:

27 (1) issue an order requiring the Texas Department of

1 Public Safety to include in any driver's license record or
2 [~~personal~~] identification card [~~certificate~~] record maintained by
3 the department for the person an indication that the person is
4 subject to the registration requirements of Chapter 62;

5 (2) require the person to apply to the Texas
6 Department of Public Safety in person for an original or renewal
7 driver's license or [~~personal~~] identification card [~~certificate~~]
8 not later than the 30th day after the date the person is released or
9 the date the department sends written notice to the person of the
10 requirements of Article 62.060, as applicable, and to annually
11 renew the license or identification card [~~certificate~~];

12 (3) notify the person of the consequence of the
13 conviction or order of deferred adjudication as it relates to the
14 order issued under this article; and

15 (4) send to the Texas Department of Public Safety a
16 copy of the record of conviction, a copy of the order granting
17 deferred adjudication, or a copy of the juvenile adjudication, as
18 applicable, and a copy of the order issued under this article.

19 SECTION 2.04. Article 62.053(a), Code of Criminal
20 Procedure, is amended to read as follows:

21 (a) Before a person who will be subject to registration
22 under this chapter is due to be released from a penal institution,
23 the Texas Department of Criminal Justice or the Texas Youth
24 Commission shall determine the person's level of risk to the
25 community using the sex offender screening tool developed or
26 selected under Article 62.007 and assign to the person a numeric
27 risk level of one, two, or three. Before releasing the person, an

1 official of the penal institution shall:

2 (1) inform the person that:

3 (A) not later than the later of the seventh day
4 after the date on which the person is released or after the date on
5 which the person moves from a previous residence to a new residence
6 in this state or not later than the later of the first date the
7 applicable local law enforcement authority by policy allows the
8 person to register or verify registration, the person must register
9 or verify registration with the local law enforcement authority in
10 the municipality or county in which the person intends to reside;

11 (B) not later than the seventh day after the date
12 on which the person is released or the date on which the person
13 moves from a previous residence to a new residence in this state,
14 the person must, if the person has not moved to an intended
15 residence, report to the juvenile probation officer, community
16 supervision and corrections department officer, or parole officer
17 supervising the person;

18 (C) not later than the seventh day before the
19 date on which the person moves to a new residence in this state or
20 another state, the person must report in person to the local law
21 enforcement authority designated as the person's primary
22 registration authority by the department and to the juvenile
23 probation officer, community supervision and corrections
24 department officer, or parole officer supervising the person;

25 (D) not later than the 10th day after the date on
26 which the person arrives in another state in which the person
27 intends to reside, the person must register with the law

1 enforcement agency that is identified by the department as the
2 agency designated by that state to receive registration
3 information, if the other state has a registration requirement for
4 sex offenders;

5 (E) not later than the 30th day after the date on
6 which the person is released, the person must apply to the
7 department in person for the issuance of an original or renewal
8 driver's license or [~~personal~~] identification card [~~certificate~~]
9 and a failure to apply to the department as required by this
10 paragraph results in the automatic revocation of any driver's
11 license or [~~personal~~] identification card [~~certificate~~] issued by
12 the department to the person; and

13 (F) the person must notify appropriate entities
14 of any change in status as described by Article 62.057;

15 (2) require the person to sign a written statement
16 that the person was informed of the person's duties as described by
17 Subdivision (1) or Subsection (g) or, if the person refuses to sign
18 the statement, certify that the person was so informed;

19 (3) obtain the address where the person expects to
20 reside on the person's release and other registration information,
21 including a photograph and complete set of fingerprints; and

22 (4) complete the registration form for the person.

23 SECTION 2.05. Article 62.060, Code of Criminal Procedure,
24 is amended to read as follows:

25 Art. 62.060. REQUIREMENTS RELATING TO DRIVER'S LICENSE OR
26 [~~PERSONAL~~] IDENTIFICATION CARD [~~CERTIFICATE~~]. (a) A person
27 subject to registration under this chapter shall apply to the

1 department in person for the issuance of, as applicable, an
2 original or renewal driver's license under Section 521.272,
3 Transportation Code, an original or renewal [~~personal~~
4 identification card [~~certificate~~] under Section 521.103,
5 Transportation Code, or an original or renewal commercial driver's
6 license or commercial driver learner's license [~~permit~~] under
7 Section 522.033, Transportation Code, not later than the 30th day
8 after the date:

9 (1) the person is released from a penal institution or
10 is released by a court on community supervision or juvenile
11 probation; or

12 (2) the department sends written notice to the person
13 of the requirements of this article.

14 (b) The person shall annually renew in person each driver's
15 license or [~~personal~~] identification card [~~certificate~~] issued by
16 the department to the person, including each renewal, duplicate, or
17 corrected license or certificate, until the person's duty to
18 register under this chapter expires.

19 SECTION 2.06. Section 1956.062(c), Occupations Code, is
20 amended to read as follows:

21 (c) The dealer shall record the proposed seller's driver's
22 license number or department [~~personal~~] identification card
23 [~~certificate~~] number on physical presentation of the license or
24 personal identification certificate by the seller. The record must
25 accompany the list.

26 SECTION 2.07. Section 12.114, Parks and Wildlife Code, is
27 amended to read as follows:

1 Sec. 12.114. DRIVER'S LICENSE OR [~~PERSONAL~~] IDENTIFICATION
2 CARD [~~CERTIFICATE~~] REQUIRED. (a) A person who is 17 years of age or
3 older and who has a license or permit issued under this code or who
4 is engaging in an activity that requires a license or permit shall
5 have a driver's license or [~~personal~~] identification card
6 [~~certificate~~] in the person's immediate possession.

7 (b) If the person is a resident as defined by Subdivision
8 (1) of Section 42.001 of this code, "driver's license" and
9 "[~~personal~~] identification card [~~certificate~~]" have the meanings
10 assigned by Chapter 521, Transportation Code.

11 (c) If the person is a nonresident as defined by Section
12 42.001, "driver's license" and "[~~personal~~] identification card
13 [~~certificate~~]" mean those documents that are similar to those
14 defined in Subsection (b) and that are issued by the agency in the
15 state or country of which the person is a resident that is
16 authorized to issue driver's licenses or [~~personal~~] identification
17 cards [~~certificates~~].

18 SECTION 2.08. Section 12.115(a), Parks and Wildlife Code,
19 is amended to read as follows:

20 (a) A person who is arrested for an alleged violation of
21 this code or a proclamation or regulation adopted under this code
22 commits an offense if the person:

23 (1) does not have in his immediate possession a
24 driver's license or [~~personal~~] identification card [~~certificate~~]
25 required by Section 12.114 of this code; or

26 (2) fails or refuses to display the driver's license or
27 [~~personal~~] identification card [~~certificate~~] required by Section

1 12.114 of this code when requested to do so by any peace officer,
2 game warden, magistrate, or officer of a court of competent
3 jurisdiction.

4 SECTION 2.09. Section 12.116(a), Parks and Wildlife Code,
5 is amended to read as follows:

6 (a) If a person is convicted in justice court for violating
7 a provision of this code or a proclamation or regulation adopted
8 under this code that provides enhanced penalties for subsequent
9 convictions, the court on request shall submit to the department an
10 affidavit certifying the conviction. The affidavit must include
11 the driver's license number or [~~personal~~] identification card
12 [~~certificate~~] number obtained from the violator.

13 SECTION 2.10. The heading to Subtitle B, Title 7,
14 Transportation Code, is amended to read as follows:

15 SUBTITLE B. DRIVER'S LICENSES AND [~~PERSONAL~~] IDENTIFICATION CARDS

16 SECTION 2.11. The heading to Chapter 521, Transportation
17 Code, is amended to read as follows:

18 CHAPTER 521. DRIVER'S LICENSES AND IDENTIFICATION CARDS

19 [~~CERTIFICATES~~]

20 SECTION 2.12. Section 502.1715(b), Transportation Code, is
21 amended to read as follows:

22 (b) Fees collected under this section shall be deposited to
23 the credit of the state highway fund. Subject to appropriations,
24 the money shall be used by the Department of Public Safety to:

25 (1) support the Department of Public Safety's
26 reengineering of the driver's license system to provide for the
27 issuance by the Department of Public Safety of a driver's license or

1 ~~[personal]~~ identification card ~~[certificate]~~, to include use of
2 image comparison technology;

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

5 (3) make lease payments to the master lease purchase
6 program for the financing of the driver's license reengineering
7 project.

8 SECTION 2.13. Section 521.054, Transportation Code, is
9 amended to read as follows:

10 Sec. 521.054. NOTICE OF CHANGE OF ADDRESS OR NAME. (a)
11 This section applies to a person who:

12 (1) after applying for the license or identification
13 card ~~[certificate]~~ moves from the address stated in the person's
14 application for a license or identification card ~~[certificate]~~;

15 (2) moves from the address shown on the license or
16 identification card ~~[certificate]~~ held by the person; or

17 (3) changes the person's name by marriage or
18 otherwise.

19 (b) A person subject to this section shall notify the
20 department of the change not later than the 30th day after the date
21 on which the change takes effect and apply for a duplicate license
22 or identification card ~~[certificate]~~ as provided by Section
23 521.146.

24 (c) A person changing the person's address shall notify the
25 department of the old and new addresses and the number of the
26 license or identification card ~~[certificate]~~ held by the person. A
27 person changing the person's name shall notify the department of

1 the former and new names and the number of the license or
2 identification card [~~certificate~~] held by the person.

3 SECTION 2.14. Section 521.057, Transportation Code, is
4 amended to read as follows:

5 Sec. 521.057. INFORMATION REGARDING CERTAIN SEX OFFENDERS.

6 (a) On receipt of a court order issued under Article 42.016, Code
7 of Criminal Procedure, the department shall ensure that any
8 driver's license record or [~~personal~~] identification card
9 [~~certificate~~] record maintained by the department for the person
10 includes an indication that the person is subject to the
11 registration requirements of Chapter 62, Code of Criminal
12 Procedure[, ~~as added by Chapter 668, Acts of the 75th Legislature,~~
13 ~~Regular Session, 1997~~].

14 (b) The department shall include the indication required by
15 Subsection (a) in any driver's license record or [~~personal~~]
16 identification card [~~certificate~~] record maintained by the
17 department for the person until the expiration of the person's duty
18 to register under Chapter 62, Code of Criminal Procedure[, ~~as added~~
19 ~~by Chapter 668, Acts of the 75th Legislature, Regular Session,~~
20 ~~1997~~].

21 SECTION 2.15. Section 521.059(b), Transportation Code, is
22 amended to read as follows:

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

1 (1) is issued only one original license[~~, permit,~~] or
2 identification card [~~certificate~~];

3 (2) does not fraudulently obtain a duplicate license[~~,~~
4 ~~permit,~~] or identification card [~~certificate~~]; and

5 (3) does not commit other fraud in connection with the
6 application for a license[~~, permit,~~] or identification card
7 [~~certificate~~].

8 SECTION 2.16. Sections 521.126(a), (b), and (e) through
9 (h), Transportation Code, are amended to read as follows:

10 (a) The department may not include any information on a
11 driver's license, commercial driver's license, or [~~personal~~]
12 identification card [~~certificate~~] in an electronically readable
13 form other than the information printed on the license and a
14 physical description of the license holder [~~licensee~~].

15 (b) Except as provided by Subsections (d), (e), and (g), a
16 person commits an offense if the person:

17 (1) accesses or uses electronically readable
18 information derived from a driver's license, commercial driver's
19 license, or [~~personal~~] identification card [~~certificate~~]; or

20 (2) compiles or maintains a database of electronically
21 readable information derived from driver's licenses, commercial
22 driver's licenses, or [~~personal~~] identification cards
23 [~~certificates~~].

24 (e) The prohibition provided by Subsection (b)(1) does not
25 apply to a financial institution if the information is accessed and
26 used only for purposes of identification of an individual. The
27 prohibition provided by Subsection (b)(2) does not apply to a

1 financial institution if each license or identification card
2 [~~certificate~~] holder whose information is included in the
3 compilation or database consents to the inclusion of the person's
4 information in the compilation or database. Consent under this
5 subsection must be on a separate document, signed by the license or
6 identification card [~~certificate~~] holder, that explains in at least
7 14-point bold type the information that will be included in the
8 compilation or database. For the purposes of this subsection,
9 "financial institution" has the meaning assigned by 31 U.S.C.
10 Section 5312(a)(2), as amended.

11 (f) A person may not use information derived from
12 electronically readable information from a driver's license,
13 commercial driver's license, or [~~personal~~] identification card
14 [~~certificate~~] to engage in telephone solicitation to encourage the
15 purchase or rental of, or investment in, goods, other property, or
16 services.

17 (g) If authorized by the executive or administrative head of
18 a maritime facility as defined in the Maritime Transportation
19 Security Act of 2002 (46 U.S.C. Section 70101 et seq.), or of a
20 port, port authority, or navigation district created or operating
21 under Section 52, Article III, or Section 59, Article XVI, Texas
22 Constitution, a person may access, use, compile, or maintain in a
23 database electronically readable information derived from a
24 driver's license, commercial driver's license, or [~~personal~~]
25 identification card [~~certificate~~] to secure the facility or port.
26 The information may be used only to:

27 (1) identify an individual;

- 1 (2) provide official credentials for an individual;
- 2 (3) track or limit the movement of an individual on
3 facility property;
- 4 (4) establish a secure database of visitors to the
5 facility;
- 6 (5) access the information at terminal and gate
7 operations of the facility; or
- 8 (6) conduct other security or operational activities
9 as determined by the executive or administrative head.

10 (h) Except as provided by Section 418.183, Government Code,
11 the electronically readable information derived from a driver's
12 license, commercial driver's license, or [~~personal~~ identification
13 card [~~certificate~~] for the purposes of Subsection (g) is
14 confidential and not subject to disclosure, inspection, or copying
15 under Chapter 552, Government Code.

16 SECTION 2.17. Section 521.146, Transportation Code, is
17 amended to read as follows:

18 Sec. 521.146. APPLICATION FOR DUPLICATE LICENSE OR
19 IDENTIFICATION CARD [~~CERTIFICATE~~]. (a) If a driver's license or
20 identification card [~~certificate~~] issued under this chapter is lost
21 or destroyed, or there is a change in pertinent information, the
22 person to whom the license or identification card [~~certificate~~] was
23 issued may obtain a duplicate or corrected version.

24 (b) An applicant for a corrected driver's license or
25 identification card [~~certificate~~] must submit to the department the
26 required fee, accompanied by the required information that has
27 changed with proof satisfactory to the department that supports the

1 change.

2 (c) The department by rule may provide that the holder of a
3 driver's license or identification card [~~certificate~~] issued by the
4 department may apply for the issuance of a duplicate license or
5 identification card [~~certificate~~] by mail, by telephone, over the
6 Internet, or by other electronic means.

7 (d) A rule adopted under Subsection (c) may prescribe
8 eligibility standards for issuance of a duplicate driver's license
9 or identification card [~~certificate~~] under this section.

10 SECTION 2.18. Section 521.147(a), Transportation Code, is
11 amended to read as follows:

12 (a) The department shall develop by rule a selective service
13 consent statement as a part of the application for an original,
14 renewal, or duplicate driver's license or [~~personal~~]
15 identification card [~~certificate~~]. The consent statement must
16 include a place to indicate consent or declination to register with
17 the United States Selective Service System and must state the
18 benefits and penalties associated with consent or declination to
19 register. The department shall present the statement to each
20 applicant who is subject to registration with the Selective Service
21 System and record the applicant's response. A response is required
22 to complete the application for a license or identification card
23 [~~certificate~~] for such an applicant. The department shall forward
24 to the Selective Service System, in an electronic format, only the
25 information necessary for registration of an applicant consenting
26 to registration.

27 SECTION 2.19. Section 521.223(d), Transportation Code, is

1 amended to read as follows:

2 (d) If the department determines that an applicant must
3 assist in the responsibilities imposed by a family illness,
4 disability, death-related emergency, or economic emergency, it may
5 waive the driver training course requirement [~~and may issue a~~
6 ~~temporary license~~]. [~~A temporary license issued under this~~
7 ~~subsection is valid for 60 days after the date of issuance and may~~
8 ~~be renewed for additional 60-day periods as long as the condition~~
9 ~~continues.~~]

10 SECTION 2.20. The heading to Section 521.275,
11 Transportation Code, is amended to read as follows:

12 Sec. 521.275. CHANGE OF DRIVER'S LICENSE OR [~~PERSONAL~~]
13 IDENTIFICATION CARD [~~CERTIFICATE~~] NUMBER.

14 SECTION 2.21. Sections 521.275(a) and (c), Transportation
15 Code, are amended to read as follows:

16 (a) The department shall issue to a person a new driver's
17 license number or [~~personal~~] identification card [~~certificate~~]
18 number on the person's showing a court order stating that the person
19 has been the victim of domestic violence.

20 (c) Except as provided by Sections 521.049(c), 730.005, and
21 730.006, the department may not disclose:

22 (1) the changed license or identification card
23 [~~certificate~~] number; or

24 (2) the person's name or any former name.

25 SECTION 2.22. Sections 521.401(b) and (d), Transportation
26 Code, are amended to read as follows:

27 (b) The statement of gift may be shown on a donor's driver's

1 license or [~~personal~~] identification card [~~certificate~~] or by a
2 card designed to be carried by the donor to evidence the donor's
3 intentions with respect to organ, tissue, and eye donation. A donor
4 card signed by the donor shall be given effect as if executed
5 pursuant to Section 692.003(d), Health and Safety Code.

6 (d) An affirmative statement of gift on a person's driver's
7 license or [~~personal~~] identification card [~~certificate~~] executed
8 after August 31, 2005, shall be conclusive evidence of a decedent's
9 status as a donor and serve as consent for organ, tissue, and eye
10 removal.

11 SECTION 2.23. Section 521.402(a), Transportation Code, is
12 amended to read as follows:

13 (a) To revoke an affirmative statement of gift on a person's
14 driver's license or [~~personal~~] identification card [~~certificate~~],
15 a person must apply to the department for an amendment to the
16 license or identification card [~~certificate~~].

17 SECTION 2.24. Section 521.403, Transportation Code, is
18 amended to read as follows:

19 Sec. 521.403. INFORMATION PROVIDED TO HOSPITAL. The donor
20 card of a person who is involved in an accident or other trauma
21 shall accompany the person to the hospital or other health care
22 facility. The driver's license or [~~personal~~] identification card
23 [~~certificate~~] indicating an affirmative statement of gift of a
24 person who is involved in an accident or other trauma shall
25 accompany the person to the hospital or health care facility if the
26 person does not have a donor card.

27 SECTION 2.25. Section 521.422, Transportation Code, is

1 amended to read as follows:

2 Sec. 521.422. [~~PERSONAL~~] IDENTIFICATION CARD [~~CERTIFICATE~~]
3 FEE. (a) The fee for an [~~a personal~~] identification card
4 [~~certificate~~] is:

- 5 (1) \$15 for a person under 60 years of age;
6 (2) \$5 for a person 60 years of age or older; and
7 (3) \$20 for a person subject to the registration
8 requirements under Chapter 62, Code of Criminal Procedure.

9 (b) The department shall collect an additional fee of \$1 for
10 the issuance or renewal of an [~~a personal~~] identification card to
11 fund the Blindness Education, Screening, and Treatment Program
12 established under Section 91.027, Human Resources Code, if the
13 person applying for or renewing an [~~a personal~~] identification card
14 opts to pay the additional fee.

15 (c) The department shall collect an additional fee of \$1 for
16 the issuance or renewal of an [~~a personal~~] identification card,
17 including a duplicate [~~personal~~] identification card or an [~~a~~
18 ~~personal~~] identification card issued or renewed over the Internet
19 or by other electronic means, to pay the costs of the Donor
20 Education, Awareness, and Registry Program of Texas, established
21 under Chapter 49, Health and Safety Code, and, subject to Section
22 113.104, Health and Safety Code, of the Texas Organ, Tissue, and Eye
23 Donor Council, established under Chapter 113, Health and Safety
24 Code, if the person applying for or renewing an [~~a personal~~]
25 identification card opts to pay the additional fee. The department
26 shall remit fees collected under this subsection to the
27 comptroller, who shall maintain the identity of the source of the

1 fees. Subject to appropriation, the department may retain three
2 percent of the money collected under this subsection to cover the
3 costs in administering this subsection.

4 SECTION 2.26. Section 521.424, Transportation Code, is
5 amended to read as follows:

6 Sec. 521.424. DUPLICATE LICENSE OR IDENTIFICATION CARD
7 [~~CERTIFICATE~~] FEE. The fee for a duplicate driver's license or
8 duplicate [~~personal~~] identification card [~~certificate~~] is \$10.

9 SECTION 2.27. Sections 521.453(a), (b), (c), (f), and (g),
10 Transportation Code, are amended to read as follows:

11 (a) Except as provided by Subsection (f), a person under the
12 age of 21 years commits an offense if the person possesses, with the
13 intent to represent that the person is 21 years of age or older, a
14 document that is deceptively similar to a driver's license or an [~~a~~
15 ~~personal~~] identification card [~~certificate~~] unless the document
16 displays the statement "NOT A GOVERNMENT DOCUMENT" diagonally
17 printed clearly and indelibly on both the front and back of the
18 document in solid red capital letters at least one-fourth inch in
19 height.

20 (b) For purposes of this section, a document is deceptively
21 similar to a driver's license or [~~personal~~] identification card
22 [~~certificate~~] if a reasonable person would assume that it was
23 issued by the department, another agency of this state, another
24 state, or the United States.

25 (c) A peace officer listed in Article 2.12, Code of Criminal
26 Procedure, may confiscate a document that:

27 (1) is deceptively similar to a driver's license or

1 ~~[personal]~~ identification card ~~[certificate]~~; and

2 (2) does not display the statement required under
3 Subsection (a).

4 (f) Subsection (a) does not apply to:

5 (1) a government agency, office, or political
6 subdivision that is authorized to produce or sell ~~[personal]~~
7 identification cards ~~[certificates]~~; or

8 (2) a person that provides a document similar to an [~~a~~
9 ~~personal~~] identification card ~~[certificate]~~ to an employee of the
10 person for a business purpose.

11 (g) In this section:

12 (1) "Driver's license" includes a driver's license
13 issued by another state or by the United States.

14 (2) "Identification card [~~Personal identification~~
15 ~~certificate]~~" means an [~~a personal~~] identification card
16 ~~[certificate]~~ issued by the department, by another agency of this
17 state, by another state, or by the United States.

18 SECTION 2.28. Section 521.454(a), Transportation Code, is
19 amended to read as follows:

20 (a) A person commits an offense if the person knowingly
21 swears to or affirms falsely before a person authorized to take
22 statements under oath any matter, information, or statement
23 required by the department in an application for an original,
24 renewal, or duplicate driver's license or identification card
25 ~~[certificate]~~ issued under this chapter.

26 SECTION 2.29. Section 521.456(d), Transportation Code, is
27 amended to read as follows:

1 (d) For purposes of this section, "instrument" means a
2 driver's license, driver's license form, [~~personal~~] identification
3 card [~~certificate~~], stamp, permit, license, official signature,
4 certificate, evidence of fee payment, or any other instrument.

5 SECTION 2.30. Section 522.003(4), Transportation Code, is
6 amended to read as follows:

7 (4) "Commercial driver learner's license [~~permit~~]"
8 means a commercial driver's license that restricts the holder to
9 driving a commercial motor vehicle as provided by Section
10 522.011(a)(2)(B).

11 SECTION 2.31. The heading to Section 522.011,
12 Transportation Code, is amended to read as follows:

13 Sec. 522.011. LICENSE [~~OR PERMIT~~] REQUIRED; OFFENSE.

14 SECTION 2.32. Section 522.011(a), Transportation Code, is
15 amended to read as follows:

16 (a) A person may not drive a commercial motor vehicle
17 unless:

18 (1) the person:

19 (A) has in the person's immediate possession a
20 commercial driver's license issued by the department appropriate
21 for the class of vehicle being driven; and

22 (B) is not disqualified or subject to an
23 out-of-service order;

24 (2) the person:

25 (A) has in the person's immediate possession a
26 commercial driver learner's license [~~permit~~] issued by the
27 department; and

1 (B) is accompanied by the holder of a commercial
2 driver's license issued by the department appropriate for the class
3 of vehicle being driven, and the license holder:

4 (i) occupies a seat beside the learner's
5 license [~~permit~~] holder for the purpose of giving instruction in
6 driving the vehicle; and

7 (ii) is not disqualified or subject to an
8 out-of-service order; or

9 (3) the person is authorized to drive the vehicle
10 under Section 522.015.

11 SECTION 2.33. Section 522.014, Transportation Code, is
12 amended to read as follows:

13 Sec. 522.014. LEARNER'S LICENSE [~~PERMIT~~]. The department
14 may issue a commercial driver learner's license [~~permit~~] to an
15 individual who has passed the vision and written tests required for
16 a Texas driver's license appropriate for the class of vehicle to be
17 driven.

18 SECTION 2.34. Section 522.015, Transportation Code, is
19 amended to read as follows:

20 Sec. 522.015. LICENSE [~~OR PERMIT~~] ISSUED BY OTHER
21 JURISDICTION. A person may drive a commercial motor vehicle in this
22 state if:

23 (1) the person has a commercial driver's license or
24 commercial driver learner's license [~~permit~~] issued by:

25 (A) another state in accordance with the minimum
26 federal standards for the issuance of a commercial motor vehicle
27 driver's license; or

1 (B) a foreign jurisdiction the testing and
2 licensing standards of which the United States Department of
3 Transportation has determined meet the requirements of the federal
4 act;

5 (2) the person's license or learner's license [~~permit~~]
6 is appropriate for the class of vehicle being driven;

7 (3) the person is not disqualified from driving a
8 commercial motor vehicle and is not subject to an out-of-service
9 order; and

10 (4) the person has not had a domicile in this state for
11 more than 30 days.

12 SECTION 2.35. Section 522.025, Transportation Code, is
13 amended to read as follows:

14 Sec. 522.025. LIMITATIONS ON ISSUANCE OF LICENSE [~~OR~~
15 ~~PERMIT~~]. (a) The department may not issue a commercial driver's
16 license or commercial driver learner's license [~~permit~~] to a person
17 who is disqualified from driving a commercial motor vehicle or
18 while the person's driver's license or driving privilege is
19 suspended, revoked, or canceled in any state.

20 (b) The department may not issue a commercial driver's
21 license to a person who has a driver's license, commercial driver's
22 license, or commercial driver learner's license [~~permit~~] issued by
23 another state unless the person surrenders the license [~~or permit~~].
24 The department shall return a surrendered license [~~or permit~~] to
25 the issuing state for cancellation.

26 SECTION 2.36. Section 522.027, Transportation Code, is
27 amended to read as follows:

1 Sec. 522.027. MINIMUM AGE. The department may not issue a
2 commercial driver's license or a commercial driver learner's
3 license [~~permit~~] to a person who is younger than 18 years of age.

4 SECTION 2.37. Section 522.029, Transportation Code, is
5 amended by amending Subsections (a), (b), (c), Subsection (f), as
6 added by Chapter 1156, Acts of the 75th Legislature, Regular
7 Session, 1997, and Subsection (h) and amending and redesignating
8 Subsection (f), as added by Chapter 1372, Acts of the 75th
9 Legislature, Regular Session, 1997, as Subsection (f-1) to read as
10 follows:

11 (a) The fee for a commercial driver's license or commercial
12 driver learner's license [~~permit~~] issued by the department is \$60,
13 except as provided by Subsections (f) and (h).

14 (b) The fee for a commercial driver's license or commercial
15 driver learner's license [~~permit~~] shall be reduced by \$4 for each
16 remaining year of validity of a driver's license, other than a
17 commercial driver's license or commercial driver learner's license
18 [~~permit~~] issued by the department to the applicant.

19 (c) The fee for a duplicate commercial driver's license or
20 commercial driver learner's license [~~permit~~] is \$10.

21 (f) The fee for renewal of a commercial driver's license or
22 a commercial driver learner's license [~~permit~~] that includes
23 authorization to operate a motorcycle is \$45.

24 (f-1) [~~(f)~~] If a commercial driver's license or commercial
25 driver learner's license [~~permit~~] includes an authorization to
26 operate a motorcycle or moped, the fee for the driver's license or
27 learner's license [~~permit~~] is increased by \$8.

1 (h) The fee for a commercial driver's license or commercial
2 driver learner's license [~~permit~~] issued under Section 522.033 is
3 \$20.

4 SECTION 2.38. The heading to Section 522.032,
5 Transportation Code, is amended to read as follows:

6 Sec. 522.032. CHANGE OF NAME OR ADDRESS OF LICENSE [~~OR~~
7 ~~PERMIT~~] HOLDER; OFFENSE.

8 SECTION 2.39. Sections 522.032(a) and (b), Transportation
9 Code, are amended to read as follows:

10 (a) The holder of a commercial driver's license or
11 commercial driver learner's license [~~permit~~] who changes the
12 holder's name or mailing address must apply for a duplicate license
13 [~~or permit~~] not later than the 30th day after the date of the change
14 in the manner provided by Section 521.054.

15 (b) The holder of a commercial driver's license or
16 commercial driver learner's license [~~permit~~] who changes the
17 holder's residence address shall notify the department not later
18 than the 30th day after the date of the change.

19 SECTION 2.40. Section 522.084, Transportation Code, is
20 amended to read as follows:

21 Sec. 522.084. NOTIFICATION TO OTHER JURISDICTION. After
22 disqualifying a person who has a domicile in another state or in a
23 foreign jurisdiction, the department shall give notice of that fact
24 to the licensing authority of the state that issued the person's
25 commercial driver's license or commercial driver learner's license
26 [~~permit~~].

27 SECTION 2.41. Section 524.001(10), Transportation Code, is

1 amended to read as follows:

2 (10) "Driver's license" has the meaning assigned by
3 Section 521.001. The term includes a commercial driver's license
4 or a commercial driver learner's license [~~permit~~] issued under
5 Chapter 522.

6 SECTION 2.42. Section 543.007, Transportation Code, is
7 amended to read as follows:

8 Sec. 543.007. NOTICE TO APPEAR: COMMERCIAL VEHICLE OR
9 LICENSE. A notice to appear issued to the operator of a commercial
10 motor vehicle or holder of a commercial driver's license or
11 commercial driver learner's license [~~permit~~], for the violation of
12 a law regulating the operation of vehicles on highways, must
13 contain the information required by department rule, to comply with
14 Chapter 522 and the federal Commercial Motor Vehicle Safety Act of
15 1986 (Title 49, U.S.C. Section 2701 et seq.).

16 SECTION 2.43. Section 543.202(b), Transportation Code, is
17 amended to read as follows:

18 (b) The record must be made on a form or by a data processing
19 method acceptable to the department and must include:

20 (1) the name, address, physical description,
21 including race or ethnicity, date of birth, and driver's license
22 number of the person charged;

23 (2) the registration number of the vehicle involved;

24 (3) whether the vehicle was a commercial motor vehicle
25 as defined by Chapter 522 or was involved in transporting hazardous
26 materials;

27 (4) the person's social security number, if the person

1 was operating a commercial motor vehicle or was the holder of a
2 commercial driver's license or commercial driver learner's license
3 [~~permit~~];

4 (5) the date and nature of the offense, including
5 whether the offense was a serious traffic violation as defined by
6 Chapter 522;

7 (6) whether a search of the vehicle was conducted and
8 whether consent for the search was obtained;

9 (7) the plea, the judgment, whether the individual was
10 adjudicated under Article 45.0511, Code of Criminal Procedure, and
11 whether bail was forfeited;

12 (8) the date of conviction; and

13 (9) the amount of the fine or forfeiture.

14 ARTICLE 3. REPEALER

15 SECTION 3.01. Sections 521.124, 522.013, and 522.021(c-1),
16 Transportation Code, are repealed.

17 ARTICLE 4. TRANSITION; EFFECTIVE DATE

18 SECTION 4.01. (a) Subject to Subsection (b) of this
19 section, the changes in law made by this Act apply to a driver's
20 license, commercial driver's license, commercial driver learner's
21 license, or identification card issued or renewed on or after the
22 effective date of this Act. A driver's license, commercial driver's
23 license, commercial driver learner's permit, or personal
24 identification certificate issued or renewed before the effective
25 date of this Act is governed by the law in effect when the license,
26 permit, or certificate was issued, and the former law is continued
27 in effect for that purpose.

1 (b) The Department of Public Safety of the State of Texas,
2 as authorized by Sections 521.271(c) and 522.051(f),
3 Transportation Code, as added by this Act, may require the renewal
4 of a driver's license, commercial driver's license, commercial
5 driver learner's permit, or personal identification certificate
6 issued or renewed before the effective date of this Act.

7 SECTION 4.02. This Act takes effect September 1, 2007.