

By: Ogden

S.B. No. 1723

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the collection of surcharges assessed under the driver  
3 responsibility program.

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

5 SECTION 1. Section 708.153(b), Transportation Code, is  
6 amended to read as follows:

7 (b) A rule under this section:

8 (1) may not permit a person to pay a surcharge over a  
9 period of more than 36 consecutive months; and

10 (2) may provide that if the person fails to make a  
11 required installment payment, the department may establish a new  
12 installment plan on different terms or declare the amount of the  
13 unpaid surcharge immediately due and payable.

14 SECTION 2. Section 708.155, Transportation Code, is amended  
15 to read as follows:

16 Sec. 708.155. CONTRACTS FOR COLLECTION OF SURCHARGES. (a)  
17 The department may enter into a contract with a private attorney or  
18 a public or private vendor for the provision of services for the  
19 collection of surcharges receivable and related costs under this  
20 chapter.

21 (b) The department may enter into additional contracts  
22 under Subsection (a) that provide for alternative or additional  
23 collection methods for surcharges receivable that have not been  
24 collected under the original contract.

1        (c) The total amount of compensation under a contract  
2 entered into under this section may not exceed 30 percent of the  
3 amount of the surcharges and related costs collected.

4        SECTION 3. Subchapter D, Chapter 708, Transportation Code,  
5 is amended by adding Sections 708.157 and 708.158 to read as  
6 follows:

7        Sec. 708.157. AMNESTY AND INCENTIVES. (a) The department by  
8 rule may establish a periodic amnesty program for holders of a  
9 driver's license on which a surcharge has been assessed for certain  
10 offenses, as determined by the department.

11        (b) The department by rule may offer a holder of a driver's  
12 license on which a surcharge has been assessed an incentive for  
13 compliance with the law and efforts at rehabilitation, including a  
14 reduction of a surcharge or a decrease in the length of an  
15 installment plan.

16        Sec. 708.158. LIENS. The department has a lien on personal  
17 property belonging to the holder of a driver's license on which a  
18 surcharge has been assessed under Subchapter B or Section 708.102  
19 to enforce payment of the surcharge and any related costs. The lien  
20 is enforceable as provided by law.

21        SECTION 4. The changes in law made by this Act to Section  
22 708.155, Transportation Code, do not affect the entitlement of a  
23 private attorney or a public or private vendor with whom the  
24 Department of Public Safety contracts under that section  
25 immediately before September 1, 2007, to bid on the additional  
26 contract.

27        SECTION 5. This Act takes effect September 1, 2007.