

By: Shapleigh

S.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to a border crossing initiative and issuance of an enhanced driver's license or personal identification certificate by the Department of Public Safety.

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

SECTION 1. Subchapter B, Chapter 521, Transportation Code, is amended by adding Section 521.032 to read as follows:

Sec. 521.032. ENHANCED DRIVER'S LICENSE OR PERSONAL IDENTIFICATION CERTIFICATE. (a) The department may issue an enhanced driver's license or personal identification certificate for the purposes of crossing the border between this state and Mexico to an applicant who provides the department with proof of United States citizenship, identity, and state residency. If the department issues an enhanced driver's license or personal identification certificate, the department shall continue to issue a standard driver's license and personal identification certificate and offer each applicant the option of receiving the standard or enhanced driver's license or personal identification certificate.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or personal identification certificate. An applicant for an enhanced driver's license or personal identification certificate must submit a biometric identifier as designated by the department, which,

1 notwithstanding any other law, may be used only to verify the
2 identity of the applicant for purposes relating to implementation
3 of the border crossing initiative established by this section. An
4 applicant must sign a declaration acknowledging the applicant's
5 understanding of the one-to-many biometric match.

6 (c) The enhanced driver's license or personal
7 identification certificate must include reasonable security
8 measures to protect the privacy of the license or certificate
9 holders, including reasonable safeguards to protect against the
10 unauthorized disclosure of information about the holders. If the
11 enhanced driver's license or personal identification certificate
12 includes a radio frequency identification chip or similar
13 technology, the department shall ensure that the technology is
14 encrypted or otherwise secure from unauthorized information
15 access.

16 (d) The requirements of this section are in addition to any
17 other requirements imposed on applicants for a driver's license or
18 personal identification certificate. The department shall adopt
19 rules necessary to implement this section. The department shall
20 periodically review technological innovations related to the
21 security of driver's licenses and personal identification
22 certificates and amend the rules as appropriate, consistent with
23 this section, to protect the privacy of driver's license and
24 personal identification certificate holders.

25 (e) The department may set a fee for issuance of an enhanced
26 driver's license or personal identification certificate in a
27 reasonable amount necessary to implement and administer this

1 section.

2 (f) The department may enter into a memorandum of
3 understanding with any federal agency for the purposes of
4 facilitating the crossing of the border between this state and
5 Mexico. The department may enter into an agreement with Mexico, to
6 the extent permitted by federal law, to implement a border crossing
7 initiative authorized by this section. The department shall
8 implement a statewide education campaign to educate residents of
9 this state about the border crossing initiative. The campaign must
10 include information on:

11 (1) the forms of travel for which the existing and
12 enhanced driver's license and personal identification certificate
13 can be used; and

14 (2) relevant dates for implementation of laws that
15 affect identification requirements at the border with Mexico.

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