

SENATE AMENDMENTS

2nd Printing

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.

ADOPTED

APR 19 2007

Atty Gen
Secretary of the Senate

By: Branch

H.B. No. 84

Substitute the following for H.B. No. 84:

By: Carona

C.S.H.B. No. 84

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

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

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

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

14 (2) a provisional license expires on the earlier of:

15 (A) the 18th birthday of the license holder; or

16 (B) the first birthday of the license holder
17 occurring after the date of the application;

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

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

23 (b) Except as provided by Section 521.2711, a [~~A~~] driver's
24 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 85 YEARS
5 OF AGE. (a) Each original driver's license of a person 85 years of
6 age or older expires on the license holder's second birthday after
7 the date of the license application.

8 (b) A driver's license of a person 85 years of age or older
9 that is renewed expires on the second anniversary of the expiration
10 date before renewal.

11 SECTION 4. Section 521.274(b), Transportation Code, is
12 amended to read as follows:

13 (b) A rule adopted under this section:

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

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

19 (3) may not permit renewal by mail or electronic means
20 of a driver's license of a person who is 79 years of age or older.

21 SECTION 5. Section 521.421, Transportation Code, is amended
22 by adding Subsection (i) to read as follows:

23 (i) The fee for issuance or renewal of a driver's license is
24 \$8 for a license with an expiration date established under Section
25 521.2711.

26 SECTION 6. Section 522.029, Transportation Code, is amended
27 by amending Subsection (a) and adding Subsection (j) to read as

1 follows:

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

5 (j) The fee for issuance or renewal of a commercial driver's
6 license or commercial driver learner's permit is \$25 for a license
7 with an expiration date established under Section 522.054.

8 SECTION 7. Sections 522.051(a), (b), (c), and (d),
9 Transportation Code, are amended to read as follows:

10 (a) Except as provided by Sections ~~[Section]~~ 522.033 and
11 522.054, an original commercial driver's license or commercial
12 driver learner's permit expires five years after the applicant's
13 next birthday.

14 (b) 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 one year or more after the date of issuance of the commercial
18 driver's license or commercial driver learner's permit expires five
19 years after the applicant's next birthday.

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

27 (d) Except as provided by Section 522.054, a [A] commercial

1 driver's license or commercial driver learner's permit issued to a
2 person holding a Texas Class A, B, C, or M license that has been
3 expired for at least one year but not more than two years expires
4 five years after the applicant's last birthday.

5 SECTION 8. Sections 522.052(b), (c), and (g),
6 Transportation Code, are amended to read as follows:

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

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

15 (g) A commercial driver's license issued under Section
16 522.033 or to which Section 522.054 applies may not be renewed
17 before the 60th day preceding the expiration date.

18 SECTION 9. Subchapter E, Chapter 522, Transportation Code,
19 is amended by adding Section 522.054 to read as follows:

20 Sec. 522.054. LICENSE EXPIRATION: PERSON AT LEAST 85 YEARS
21 OF AGE. (a) Each original commercial driver's license and
22 commercial driver learner's permit of a person 85 years of age or
23 older expires on the license holder's second birthday after the
24 date of the license application.

25 (b) A commercial driver's license of a person 85 years of
26 age or older that is renewed expires on the second anniversary of
27 the expiration date before renewal.

1 SECTION 10. The change in law made by this Act applies only
2 to a driver's license, commercial driver's license, or commercial
3 driver learner's permit issued or renewed on or after the effective
4 date of this Act.

5 SECTION 11. This Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 5, 2007

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB84 by Branch (Relating to issuance and renewal of a driver's license of an elderly person.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

This bill would amend the Transportation Code as it relates to issuance and renewal of a driver's license of an elderly person.

Section 1 of the bill states this Act may be cited as "Katie's Law".

Section 2 of the bill would amend Transportation Code, Section 521.271 which would require a driver's license to expire on the first birthday after the sixth anniversary of the license holder and a driver license that is renewed expires on the sixth anniversary of the expiration date before the renewal except as provided by Transportation Code, Section 521.2711.

Section 3 of the bill adds Transportation Code, Section 521.2711, License Expiration: Person at Least 85 Years of Age, which states a) each original driver license of a person 85 years of age or older expires on the license holder's second birthday after the date of the license application and b) a driver license of a person 85 years of age or older that is renewed expires on the second anniversary of the expiration date before the renewal.

Section 4 of the bill amends Transportation Code, Section 521.274(b), which states the driver's license of a person who is 79 years of age or older is not permitted to renew their driver license by mail or electronic means.

Section 5 of the bill adds Transportation Code, Section 521.421(i), which states that fee for a driver's license issuance or renewal of a person 85 years of age or older is \$8 per license every two years.

Section 6 of the bill amends Transportation Code, Section 522.029(a) and adds Transportation Code, Section 522.029(j), which states that the fee for issuance or renewal of a commercial driver's license or commercial driver learner's permit is \$25.

Section 7 of the bill amends Transportation Code, Sections 522.051 (a), (b), (c), and (d) to add an exception to expiration rules for an original commercial driver's license, commercial driver learner's permit, and a commercial driver's license or commercial driver learner's permit issued to a person holding a Texas Class A, B, C, or M license as determined by Transportation Code, Section 522.054.

Section 8 of the bill amends Transportation Code, Sections 522.052 (b), (c), and (g), to add an exception to expiration rules for the renewal of a commercial driver's license determined by Transportation Code, Section 522.054.

Section 9 of the bill amends the Transportation Code, Chapter 552, Subchapter E, by adding Section 522.054, License Expiration: Person at least 85 Years of Age, which states each original commercial driver's license and commercial driver learner's permit of a person 85 years of age or older expires on the license holder's second birthday after the date of the license application and a commercial driver's

license of a person 85 years of age or older that is renewed expires on the second anniversary of the expiration date before renewal.

Section 10 of the bill states this proposed change in law applies only to a driver's license, commercial driver's license, or commercial driver learner's permit issued or renewed on or after the effective date of the Act.

The bill would take effect on September 1, 2007.

The Department of Public Safety (DPS) determined that the cost of implementing the provisions of the bill would not be significant. DPS estimated a need for \$79,600 in professional service fees in additional programming changes in fiscal year 2008 in order to implement the required changes in sections 7 through 11 of the bill. It is assumed that these costs can be absorbed within the agency's current appropriations. In its analysis of the previous version of the bill, DPS assumed losses in revenue due to a decline in fees collected from persons aged 85 to 90. The current version of the bill assumes consistent revenue collections and therefore would not result in a significant fiscal impact to the State.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, KJG, GG, LG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 3, 2007

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB84 by Branch (Relating to issuance and renewal of a driver's license of an elderly person.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB84, As Engrossed: a negative impact of (\$179,520) through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$89,760)
2009	(\$89,760)
2010	(\$89,760)
2011	(\$89,760)
2012	(\$89,760)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1	Probable Savings/(Cost) from <i>STATE HIGHWAY FUND</i> 6
2008	(\$89,760)	(\$189,000)
2009	(\$89,760)	\$0
2010	(\$89,760)	\$0
2011	(\$89,760)	\$0
2012	(\$89,760)	\$0

Fiscal Analysis

This bill would amend the Transportation Code as it relates to issuance and renewal of a driver's license of an elderly person.

Section 1 of the bill states this Act may be cited as "Katie's Law".

Section 2 of the bill would require a driver's license to expire on the first birthday after the sixth anniversary of the license holder and a driver license that is renewed expires on the sixth anniversary of the expiration date before the renewal except as provided by Transportation Code, Section 521.2711.

Section 3 of the bill adds Transportation Code, Section 521.2711, License Expiration: Person at Least 90 Years of Age, which states a) a driver license expires on the 90th birthday of a license holder, b) the original license of a person older than 90 years of age expires on the second anniversary of the issuance date, and c) a driver license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before the renewal.

Section 4 of the bill adds Transportation Code, Section 521.2712, Offices, which states that a person required to renew a driver's license under Transportation Code, Section 521.2711 must be given priority in line at a Department of Public Safety (DPS) office when renewing the license.

Section 5 of the bill adds Transportation Code, Section 521.273(c), which states DPS may not renew a driver's license of a person who is at least 90 years of age unless the person passes a examination for the renewal that must include a vision screening.

Section 6 of the bill amends Transportation Code, Section 521.274(b), which states the driver's license of a person who is at least 90 years of age on the license's expiration date is not permitted to renew their driver license by mail or electronic means.

Section 7 of the bill adds Transportation Code, Section 521.421(i), which states that DPS shall prorate the fee for driver's license issuance or renewal of a person who is at least 85 years of age to account for the expiration of the license on the person's 90th birthday. This section states that the fee for a driver's license issuance or renewal of a person who is at least 90 years of age on the date of the issuance or the expiration date before the renewal is \$8 per license every two years.

Section 8 of the bill amends Transportation Code, Section 522.029(a) and adds Transportation Code, Section 522.029(j), which states that the fee for issuance or renewal of a commercial driver's license or commercial driver learner's permit is \$25.

Section 9 of the bill amends Transportation Code, Sections 522.051 (a), (b), (c), and (d) to add an exception to expiration rules for an original commercial driver's license, commercial driver learner's permit, and a commercial driver's license or commercial driver learner's permit issued to a person holding a Texas Class A, B, C, or M license as determined by Transportation Code, Section 522.054.

Section 10 of the bill amends Transportation Code, Sections 522.052 (b), (c), and (g), to add an exception to expiration rules for the renewal of a commercial driver's license determined by Transportation Code, Section 522.054.

Section 11 of the bill amends the Transportation Code, Chapter 552, Subchapter E, by adding Section 522.054, License Expiration: Person at least 90 Years of Age, which states each original commercial driver's license and commercial driver learner's permit of a person 90 years of age or older expires on the license holder's second birthday after the date of the license application and a commercial driver's license of a person 90 years of age or older that is renewed expires on the second anniversary of the expiration date before renewal.

Section 12 of the bill states this proposed change in law applies only to a driver's license, commercial driver's license, or commercial driver learner's permit issued or renewed on or after the effective date of the Act.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2007.

Methodology

Section 3 of the bill states a) a driver license expires on the 90th birthday of a license holder, b) the original license of a person older than 90 years of age expires on the second anniversary of the issuance date, and c) a driver license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before the renewal. The Federal Highway Report from November 2006 estimates the number of licensed drivers age 85 and older in Texas is 134,643 (lower than earlier estimate of 157,921 because of revised agency statistics).

DPS states there will be a General Revenue loss because of the fee reduction from a 6-year license renewal to a 5 to 1 year range of license renewals on the 90th birthday. However, Section 7 of the bill would still require the licensee to pay a \$4 fee per year.

The number of drivers aged 85 and over that would be required to pass a vision exam each year is 22,440 drivers. This estimate is based on 134,643 (number of licensed drivers age 85 and older) / 6 (the current number of years before a license renewal is required) = 22,440 drivers

The amount of fees currently collected from this population under the 6 year renewal policy is \$538,560 per year. This estimate is based on 22,440 (number of drivers aged 85 and over) x \$24 (the current driver license renewal fee) = \$538,560

The amount of fees potentially collected from this population under the proposed yearly renewal is \$448,800 per year. This estimate is based on 22,440 (number of drivers aged 85 and over) x \$20 (the proposed driver license renewal fee for 5 years between 85-90 at \$4 per year) = \$448,800.

The difference between the fees currently collected for this population (\$538,560) minus the proposed fees collected for this population (\$448,800) equals a General Revenue loss of \$89,760 per year.

Technology

The technology costs estimated to comply with the issuance and renewal of a driver's license of an elderly person over 85 years of age includes a one-time cost of \$189,000 in State Highway Funds in fiscal year 2008 for program changes to the Driver License system.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 304 Comptroller of Public Accounts

LBB Staff: JOB, ES, KJG, GG, VDS, LG

5

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 15, 2007

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB84 by Branch (Relating to issuance and renewal of a driver's license of an elderly person.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB84, As Introduced: a negative impact of (\$210,560) through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$105,280)
2009	(\$105,280)
2010	(\$105,280)
2011	(\$105,280)
2012	(\$105,280)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1	Probable Savings/(Cost) from <i>STATE HIGHWAY FUND</i> 6
2008	(\$105,280)	(\$189,000)
2009	(\$105,280)	\$0
2010	(\$105,280)	\$0
2011	(\$105,280)	\$0
2012	(\$105,280)	\$0

Fiscal Analysis

This bill would amend the Transportation Code as it relates to issuance and renewal of a driver's license of an elderly person.

Section 1 of the bill would require a driver's license to expire on the first birthday after the sixth anniversary of the license holder and a driver license that is renewed expires on the sixth anniversary of the expiration date before the renewal except as provided by Transportation Code, Section 521.2711.

Section 2 of the bill adds Transportation Code, Section 521.2711, License Expiration: Person at Least 90 Years of Age, which states a) a driver license expires on the 90th birthday of a license holder, b) the original license of a person older than 90 years of age expires on the second anniversary of the issuance date, and c) a driver license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before the renewal.

Section 3 of the bill adds Transportation Code, Section 521.273(c), which states the Department of Public Safety (DPS) may not renew a driver's license of a person who is at least 90 years of age unless the person 1) passes a vision examination and 2) shows the ordinary ability and reasonable control of the motor vehicle type that the license authorizes the person to operate for the license renewal.

Section 4 of the bill amends Transportation Code, Section 521.274(b), which states the driver's license of a person who is at least 90 years of age on the license's expiration date is not permitted to renew their driver license by mail or electronic means.

Section 5 of the bill adds Transportation Code, Section 521.421(i), which states that DPS shall prorate the fee for driver's license issuance or renewal of a person who is at least 85 years of age to account for the expiration of the license on the person's 90th birthday. This section states that the fee for a driver's license issuance or renewal of a person who is at least 90 years of age on the date of the issuance or the expiration date before the renewal is \$8 per license every two years.

The bill would take effect on September 1, 2007.

Methodology

Section 2 of the bill states a) a driver license expires on the 90th birthday of a license holder, b) the original license of a person older than 90 years of age expires on the second anniversary of the issuance date, and c) a driver license of a person older than 90 years of age that is renewed expires on the second anniversary of the expiration date before the renewal. The Federal Highway Report from November 2006 estimates the number of licensed drivers age 85 and older in Texas is 157,921.

DPS states there will be a General Revenue loss because of the fee reduction from a 6-year license renewal to a 5 to 1 year range of license renewals on the 90th birthday. However, Section 5 of the bill would still require the licensee to pay a \$4 fee per year.

The number of drivers aged 85 and over that would be required to pass a driving and vision exam each year is 26,320 drivers. This estimate is based on 157,921 (number of licensed drivers age 85 and older) / 6 (the current number of years before a license renewal is required) = 26,320 drivers

The amount of fees currently collected from this population under the 6 year renewal policy is \$631,680 per year. This estimate is based on 26,320 (number of drivers aged 85 and over) x \$24 (the current driver license renewal fee) = \$631,680

The amount of fees potentially collected from this population under the proposed yearly renewal is \$526,400 per year. This estimate is based on 26,320 (number of drivers aged 85 and over) x \$20 (the proposed driver license renewal fee for 5 years between 85-90 at \$4 per year) = \$526,400.

The difference between the fees currently collected for this population (\$631,680) minus the proposed fees collected for this population (\$526,400) equals a General Revenue loss of \$105,280 per year.

Technology

The technology costs estimated to comply with the issuance and renewal of a driver's license of an elderly person over 85 years of age includes a one-time cost of \$189,000 in State Highway Funds in fiscal year 2008 for program changes to the Driver License system.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety

LBB Staff: JOB, ES, KJG, GG, VDS, LG

