

By: Gonzalez Toureilles

H.B. No. 454

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the deduction of points or the removal of certain  
3 surcharges under the driver responsibility program.

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

5 SECTION 1. Section 708.103(a), Transportation Code, is  
6 amended to read as follows:

7 (a) Except as provided by Section 708.202, each ~~Each~~ year  
8 the department shall assess a surcharge on the license of each  
9 person who during the preceding 36-month period has been convicted  
10 of an offense under Section 521.457, 601.191, or 601.371.

11 SECTION 2. Chapter 708, Transportation Code, is amended by  
12 adding Subchapter E to read as follows:

13 SUBCHAPTER E. DEDUCTION OF POINTS OR ELIMINATION OF SURCHARGE

14 Sec. 708.201. ELIGIBILITY. A person who is paying a  
15 surcharge under this chapter is eligible for a deduction of points  
16 or elimination of a surcharge as provided by this subchapter if:

17 (1) the person has paid a surcharge for at least the  
18 preceding 12-month period because of:

19 (A) an accumulation of points under Subchapter B;

20 or

21 (B) a conviction of an offense under Section  
22 601.191 or 601.371; and

23 (2) the person has not:

24 (A) received a deduction of points or the

1 elimination of a surcharge under this subchapter in the previous 24  
2 months; and

3 (B) successfully completed a driving safety  
4 course approved by the Texas Education Agency or a course under the  
5 motorcycle operator training and safety program approved by the  
6 designated state agency under Chapter 662 in the previous 12  
7 months.

8 Sec. 708.202. DRIVING SAFETY COURSE REQUIRED. (a) A person  
9 who successfully completes a driving safety course approved by the  
10 Texas Education Agency or a course under the motorcycle operator  
11 training and safety program approved by the designated state agency  
12 under Chapter 662 is entitled to:

13 (1) a deduction of two points on the person's driver's  
14 license under Subchapter B; or

15 (2) elimination of a surcharge based on a conviction  
16 of an offense under Section 601.191 or 601.371.

17 (b) If the deduction of points under this section causes a  
18 person to have fewer than six points accumulated on the person's  
19 driver's license, the person is no longer required to pay a  
20 surcharge.

21 SECTION 3. This Act takes effect September 1, 2009.