

By: Gonzalez Toureilles

H.B. No. 454

A BILL TO BE ENTITLED

AN ACT

relating to the deduction of points or the removal of certain surcharges under the driver responsibility program.

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

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

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

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

SUBCHAPTER E. DEDUCTION OF POINTS OR ELIMINATION OF SURCHARGE

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

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

(A) an accumulation of points under Subchapter B;

or

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

(2) the person has not:

(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.