

By: Merritt

H.B. No. 4036

A BILL TO BE ENTITLED

AN ACT

relating to public safety and the issuance of driver's licenses and identification cards.

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

ARTICLE 1. FEDERAL DRIVER'S LICENSE AND IDENTIFICATION CARD

SECURITY REQUIREMENTS

SECTION 1.01. The heading to Chapter 521, Transportation Code, is amended to read as follows:

CHAPTER 521. DRIVER'S LICENSES AND IDENTIFICATION CARDS

~~[CERTIFICATES]~~

SECTION 1.02. Section 521.001(a), Transportation Code, is amended by amending Subdivision (3) and adding Subdivisions (5-a) and (10) to read as follows:

(3) "Driver's license" means an authorization issued by the department for the operation of a motor vehicle. The term includes:

(A) a learner's license ~~[temporary license or instruction permit]~~; and

(B) an occupational license.

(5-a) "Identification card" means a document issued by the department verifying a person's identity.

(10) "Temporary driver's license" or "temporary identification card" means a driver's license or identification card issued to a person who is not a citizen or legal permanent

1 resident of the United States but has been granted lawful temporary  
2 status in the United States by the United States agency responsible  
3 for citizenship and immigration. A temporary driver's license  
4 includes a learner's license, provisional license, and  
5 occupational license.

6 SECTION 1.03. Subchapter A, Chapter 521, Transportation  
7 Code, is amended by adding Section 521.007 to read as follows:

8 Sec. 521.007. RESTRICTIONS ON ISSUANCE. The department may  
9 not issue both a driver's license and an identification card to the  
10 same individual.

11 SECTION 1.04. Sections 521.044(a) and (b), Transportation  
12 Code, are amended to read as follows:

13 (a) Information provided on a driver's license or  
14 identification card application that relates to the applicant's  
15 social security number may be used only by the department or  
16 disclosed only to:

17 (1) the child support enforcement division of the  
18 attorney general's office;

19 (2) another state entity responsible for enforcing the  
20 payment of child support; ~~or~~

21 (3) the United States Selective Service System as  
22 provided by Section 521.147; or

23 (4) another state's driver's licensing agency or  
24 central record system as required by federal law.

25 (b) The department shall enter an applicant's social  
26 security number in the department's electronic database but may not  
27 print the number on the applicant's driver's license or

1 identification card.

2 SECTION 1.05. Section 521.101, Transportation Code, is  
3 amended to read as follows:

4 Sec. 521.101. [~~PERSONAL~~] IDENTIFICATION CARD  
5 [~~CERTIFICATE~~]. (a) The department shall issue [~~personal~~]  
6 identification cards [~~certificates~~].

7 (b) An [~~A personal~~] identification card [~~certificate~~] must  
8 be similar in form to, but distinguishable in color from, a driver's  
9 license.

10 (c) The department shall indicate "UNDER 21" on the face of  
11 an [~~a personal~~] identification card [~~certificate~~] issued to a  
12 person under 21 years of age.

13 (d) The department may require each applicant for an  
14 original, renewal, or duplicate [~~personal~~] identification card  
15 [~~certificate~~] to furnish to the department the information required  
16 by Section 521.142.

17 (e) The department may cancel and require surrender of an [~~a~~  
18 ~~personal~~] identification card [~~certificate~~] after determining that  
19 the holder [~~was~~] is not entitled to the identification card  
20 [~~certificate~~] or gave incorrect or incomplete information in the  
21 application for the identification card [~~certificate~~].

22 (f) An identification card [~~A certificate~~] expires:

23 (1) on a date specified by the department if the  
24 applicant is a citizen or legal permanent resident of the United  
25 States; or

26 (2) if the applicant is not a citizen or legal  
27 permanent resident of the United States:

1                    (A) the expiration of the applicant's authorized  
2 stay in the United States; or

3                    (B) one year from the issuance date if there is no  
4 definite expiration date for the authorized stay in the United  
5 States. [~~, except that a certificate issued to a person 60 years of~~  
6 age or older does not expire].

7            (f-1) A person who is not a citizen of the United States must  
8 present to the department documentation issued by the United States  
9 agency responsible for citizenship and immigration authorizing the  
10 person to be in the United States before the person may be issued an  
11 identification card.

12            (g) An individual, corporation, or association may not deny  
13 the holder of an [~~a personal~~] identification card [~~certificate~~]  
14 access to goods, services, or facilities, except as provided by  
15 Section 521.460 or in regard to the operation of a motor vehicle,  
16 because the holder has an [~~a personal~~] identification card  
17 [~~certificate~~] rather than a driver's license.

18            (h) The department shall automatically revoke each  
19 [~~personal~~] identification card [~~certificate~~] issued by the  
20 department to a person who:

21                    (1) is subject to the registration requirements of  
22 Chapter 62, Code of Criminal Procedure; and

23                    (2) fails to apply to the department for renewal of the  
24 [~~personal~~] identification card [~~certificate~~] as required by  
25 Article 62.060, Code of Criminal Procedure.

26            (i) The department may issue an [~~a personal~~] identification  
27 card [~~certificate~~] to a person whose identification card

1 ~~[certificate]~~ is revoked under Subsection (h) only if the person  
2 applies for an original or renewal identification card  
3 ~~[certificate]~~ under Section 521.103.

4 SECTION 1.06. Section 521.103, Transportation Code, is  
5 amended to read as follows:

6 Sec. 521.103. EXPIRATION AND RENEWAL REQUIREMENTS FOR  
7 CERTAIN SEX OFFENDERS. (a) The department may issue an original  
8 or renewal ~~[personal]~~ identification card ~~[certificate]~~ to a person  
9 whose driver's license or ~~[personal]~~ identification card  
10 ~~[certificate]~~ record indicates that the person is subject to the  
11 registration requirements of Chapter 62, Code of Criminal  
12 Procedure, only if the person:

13 (1) applies in person for the issuance of an  
14 identification card ~~[a certificate]~~ under this section; and

15 (2) pays a fee of \$20.

16 (b) An ~~[A personal]~~ identification card ~~[certificate]~~  
17 issued under this section, including a renewal, duplicate, or  
18 corrected identification card ~~[certificate]~~, expires:

19 (1) if the identification card holder is a citizen or  
20 legal permanent resident of the United States, on the first  
21 birthday of the identification card ~~[certificate]~~ holder occurring  
22 after the date of application, except that the initial  
23 identification card ~~[certificate]~~ issued under this section  
24 expires on the second birthday of the identification card  
25 ~~[certificate]~~ holder occurring after the date of application; or

26 (2) if the applicant is not a citizen or legal  
27 permanent resident of the United States:

1 (A) the expiration of the applicant's authorized stay in the  
2 United States; or

3 (B) one year from the issuance date if there is no  
4 definite expiration date for the authorized stay in the United  
5 States.

6 SECTION 1.07. Section 521.104, Transportation Code, is  
7 amended to read as follows:

8 Sec. 521.104. RENEWAL BY MAIL OR ELECTRONIC MEANS. The  
9 department by rule may provide that the holder of an [~~a personal~~]  
10 identification card [~~certificate~~] may renew the card [~~certificate~~]  
11 by mail, by telephone, over the Internet, or by other electronic  
12 means. A rule adopted under this section may prescribe eligibility  
13 standards for renewal under this section.

14 SECTION 1.08. Section 521.121(a), Transportation Code, is  
15 amended to read as follows:

16 (a) The driver's license must include:

17 (1) a distinguishing number assigned by the department  
18 to the license holder;

19 (2) a digital [~~color~~] photograph of the entire face of  
20 the holder;

21 (3) the full legal name, date of birth, gender, and  
22 residence address of the holder; and

23 (4) a brief description of the holder.

24 SECTION 1.09. Section 521.124, Transportation Code, is  
25 amended to read as follows:

26 Sec. 521.124. TEMPORARY LICENSE OR TEMPORARY  
27 IDENTIFICATION CARD [~~, ISSUED WITHOUT PHOTOGRAPH~~]. (a) The

1 department shall [~~may~~] issue a temporary driver's license or  
2 temporary identification card [~~without a photograph of the license~~  
3 ~~holder.~~

4 [~~(1)~~] to an applicant who is not a citizen or legal  
5 permanent resident [~~out of state or a member of the armed forces~~] of  
6 the United States and has temporary lawful status in the United  
7 States [~~, or~~

8 [~~(2) if the department otherwise determines that a~~  
9 ~~temporary license is necessary~~].

10 (b) A temporary driver's license or temporary  
11 identification card expires:

12 (1) the expiration of the applicant's authorized period of  
13 stay in the United States as determined by the United States agency  
14 responsible for citizenship and immigration in compliance with  
15 federal law; or

16 (2) one year from the issuance date if there is no definite  
17 end to the period of authorized stay as determined by the United  
18 States agency responsible for citizenship and immigration in  
19 compliance with federal law. [~~A temporary license is valid only~~  
20 ~~until the applicant has time to appear and be photographed and a~~  
21 ~~license with a photograph is issued~~].

22 (c) The department may require each applicant for an  
23 original, renewal, or duplicate temporary driver's license or  
24 temporary identification card to furnish to the department the  
25 information required by Section 521.142.

26 (d) A temporary driver's license or temporary  
27 identification card must be distinctively marked on the face of the

1 license or card.

2 (e) A temporary driver's license or temporary  
3 identification card cannot be issued for a term longer than maximum  
4 term of a driver's license or identification card issued under this  
5 chapter.

6 SECTION 1.10. Section 521.142, Transportation Code, is  
7 amended by amending Subsections (a), (b), (c), (e), and (g) and  
8 adding Subsection (i) to read as follows:

9 (a) An application for an original license must state the  
10 applicant's full legal name and place and date of birth. This  
11 information must be verified by presentation of proof of identity  
12 satisfactory to the department and in compliance with applicable  
13 federal law. A person who is not a citizen of the United States must  
14 present to the department documentation issued by the United States  
15 agency responsible for citizenship and immigration authorizing the  
16 person to be in the United States before the person may be issued a  
17 driver's license or identification card. [~~The department must~~  
18 ~~accept as satisfactory proof of identity under this subsection an~~  
19 ~~offender identification card or similar form of identification~~  
20 ~~issued to an inmate by the Texas Department of Criminal Justice.~~]

21 (b) The application must include:

22 (1) the thumbprints of the applicant or, if  
23 thumbprints cannot be taken, the index fingerprints of the  
24 applicant;

25 (2) a digital photograph of the applicant;

26 (3) the signature of the applicant; and

27 (4) a brief description of the applicant.



1 (c) The application must state:

2 (1) the gender [~~sex~~] of the applicant;

3 (2) the principal residence address of the applicant;

4 (3) whether the applicant has been licensed to drive a  
5 motor vehicle or issued an identification card before;

6 (4) if previously licensed or issued an identification  
7 card, when and by what state or country;

8 (5) whether that license or driving privilege has been  
9 suspended or revoked or a license application denied;

10 (6) the date and reason for the suspension,  
11 revocation, or denial;

12 (7) whether the applicant is a citizen of the United  
13 States; and

14 (8) the county of residence of the applicant.

15 (e) The application must include any other information the  
16 department requires to determine the applicant's identity,  
17 residency, competency, and eligibility as required by the  
18 department or state or federal law.

19 (g) The department shall [~~may~~] require an applicant to  
20 provide the applicant's social security number or proof of  
21 ineligibility for a social security number as required by state or  
22 federal law [~~only for a purpose permitted by Section 521.044~~].

23 (i) The application must be accompanied by a sworn statement  
24 certifying that the information provided on the application is true  
25 and correct.

26 SECTION 1.11. Section 521.182, Transportation Code, is  
27 amended to read as follows:

1           Sec. 521.182. SURRENDER OF LICENSE OR IDENTIFICATION CARD  
2 ISSUED BY OTHER JURISDICTION. (a) A person is not entitled to  
3 receive a driver's license or identification card until the person  
4 terminates by surrendering [~~surrenders~~] to the department each  
5 driver's license or identification card in the person's possession  
6 that was issued by this state or another state or Canadian province.

7           (a-1) The department may invalidate the surrendered license  
8 or identification card and return it to the applicant.

9           (b) The department shall send to the state or province that  
10 issued the license or identification card:

11           (1) the surrendered license or identification card or  
12 a notification that the license or identification card has been  
13 surrendered; and

14           (2) a statement that the person holds a driver's  
15 license or identification card issued by this state.

16           SECTION 1.12. Section 521.222, Transportation Code, is  
17 amended to read as follows:

18           Sec. 521.222. LEARNER'S LICENSE [~~INSTRUCTION PERMIT~~].

19 (a) The department or a driver education school licensed under  
20 Chapter 1001, Education Code, [~~the Texas Driver and Traffic Safety~~  
21 ~~Education Act (Article 4413(29c), Vernon's Texas Civil Statutes)~~]  
22 may issue a learner's license [~~an instruction permit~~], including a  
23 Class A or Class B driver's license learner's license [~~instruction~~  
24 ~~permit~~], to a person who:

25           (1) is 15 years of age or older but under 18 years of  
26 age;

27           (2) has satisfactorily completed and passed the

1 classroom phase of an approved driver education course, which may  
2 be a course approved under Section 521.205;

3 (3) meets the requirements imposed under Section  
4 521.204(a)(3) [~~521.204(3)~~]; and

5 (4) has passed each examination required under Section  
6 521.161 other than the driving test.

7 (b) The department may issue a learner's license [~~an~~  
8 ~~instruction permit~~] to a person 18 years of age or older who has  
9 successfully passed all parts of the driver's examination required  
10 under Section 521.161 other than the driving test.

11 (c) A driver education school may issue a learner's license  
12 [~~an instruction permit~~] to a person 18 years of age or older who has  
13 successfully passed:

14 (1) a six-hour adult classroom driver education course  
15 approved by the Texas Education Agency; and

16 (2) each part of the driver's examination required by  
17 Section 521.161 other than the driving test.

18 (d) A learner's license [~~An instruction permit~~] entitles  
19 the holder to operate a type of motor vehicle on a highway while:

20 (1) the learner's license [~~permit~~] is in the holder's  
21 possession; and

22 (2) the holder is accompanied by a person occupying  
23 the seat by the operator who:

24 (A) holds a license that qualifies the operator  
25 to operate that type of vehicle;

26 (B) is 21 years of age or older; and

27 (C) has at least one year of driving experience.

1 (e) [~~Except as provided by Subsection (f), an instruction~~  
2 ~~permit is not required to include a photograph.~~

3 [~~(f)~~] The department may issue a learner's license [~~an~~  
4 ~~instruction permit~~] under this section to a person who is subject to  
5 the registration requirements under Chapter 62, Code of Criminal  
6 Procedure, and is otherwise eligible for the learner's license  
7 [~~permit~~].

8 (f) A learner's license [~~An instruction permit issued under~~  
9 ~~this subsection~~] must include a photograph of the license holder  
10 [~~person~~].

11 (g) A person who occupies the seat in a vehicle by a holder  
12 of a learner's license [~~an instruction permit~~] commits an offense  
13 if, while the holder is operating the vehicle, the person:

14 (1) sleeps;

15 (2) is intoxicated, as defined by Section 49.01, Penal  
16 Code; or

17 (3) is engaged in an activity that prevents the person  
18 from observing and responding to the actions of the operator.

19 (h) It is a defense to prosecution [~~of a violation~~] under  
20 Subsection (g) that at the time of the violation another person in  
21 addition to the defendant:

22 (1) occupied the seat by the operator;

23 (2) complied with the requirements of Subsections  
24 (d)(2)(A)-(C); and

25 (3) was not in violation of Subsection (g).

26 SECTION 1.13. Section 521.271, Transportation Code, is  
27 amended to read as follows:

1           Sec. 521.271. LICENSE EXPIRATION.       (a) Each original  
2 driver's license, ~~and~~ provisional license, learner's license, or  
3 occupational license issued to a person who is a citizen or legal  
4 permanent resident of the United States expires as follows:

5           (1) except as provided by Section 521.2711, a driver's  
6 license expires on the first birthday of the license holder  
7 occurring after the sixth anniversary of the date of the  
8 application;

9           (2) a provisional license expires on the earlier of:  
10           (A) the 18th birthday of the license holder; or  
11           (B) the first birthday of the license holder  
12 occurring after the date of the application;

13           (3) a learner's license ~~[an instruction permit]~~  
14 expires on the second birthday of the license holder occurring  
15 after the date of the application; and

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

18           (a-1) Each original driver's license, provisional license,  
19 or learner's license issued to a person who is not a citizen or  
20 legal permanent resident of the United States expires on the  
21 earlier of the first anniversary of the date of issuance or the  
22 expiration of the license holder's lawful presence in the United  
23 States as determined by the United States agency responsible for  
24 citizenship and immigration in compliance with federal law.

25           (b) Except as provided by Section 521.2711, a driver's  
26 license that is renewed expires on:

27           (1) the sixth anniversary of the expiration date

1 before renewal if the license holder is a citizen or legal permanent  
2 resident of the United States; or

3 (2) if the applicant is not a citizen or legal  
4 permanent resident of the United States:

5 (A) the expiration of the applicant's authorized stay in the  
6 United States; or

7 (B) one year from the issuance date if there is no  
8 definite expiration date for the authorized stay in the United  
9 States.

10 (c) The department may require the renewal of a license or  
11 identification card before its expiration if the renewal is  
12 necessary to ensure compliance with federal law in the systematic  
13 conversion of driver's licenses and identification cards.

14 SECTION 1.14. Section 521.272, Transportation Code, is  
15 amended by amending Subsections (a) and (c) and adding Subsection  
16 (d) to read as follows:

17 (a) The department may issue an original or renewal driver's  
18 license or temporary driver's license to a person whose driver's  
19 license or ~~[personal]~~ identification card ~~[certificate]~~ record  
20 indicates that the person is subject to the registration  
21 requirements of Chapter 62, Code of Criminal Procedure, only if the  
22 person:

23 (1) applies in person for the issuance of a license  
24 under this section; and

25 (2) pays the fee required by Section 521.421(h).

26 (c) Notwithstanding Section 521.271, a driver's license or  
27 temporary driver's license issued under this section, including a

1 renewal, duplicate, or corrected license, expires:

2 (1) if the license holder is a citizen or legal  
3 permanent resident of the United States, on the first birthday of  
4 the license holder occurring after the date of application, except  
5 that the initial license issued under this section expires on the  
6 second birthday of the license holder occurring after the date of  
7 application; or

8 (2) if the applicant is not a citizen or legal  
9 permanent resident of the United States:

10 (A) the expiration of the applicant's authorized stay in the  
11 United States; or

12 (B) one year from the issuance date if there is no  
13 definite expiration date for the authorized stay in the United  
14 States.

15 (d) Subsection (c) [~~This subsection~~] does not apply to:

16 (1) a provisional license;

17 (2) a learner's license [~~an instruction permit~~] issued  
18 under Section 521.222; or

19 (3) a hardship license issued under Section 521.223.

20 SECTION 1.15. Section 521.314, Transportation Code, is  
21 amended to read as follows:

22 Sec. 521.314. CANCELLATION AUTHORITY. The department may  
23 cancel a license or identification card [~~certificate~~] if it  
24 determines that the holder:

25 (1) is [~~was~~] not entitled to the license or  
26 identification card [~~certificate~~]; or

27 (2) failed to give required information in the

1 application for the license or identification card [~~certificate~~].

2 SECTION 1.16. Section 521.421, Transportation Code, is  
3 amended by adding Subsections (a-1) and (a-2) and amending  
4 Subsection (c) to read as follows:

5 (a-1) The fee for a driver's license or identification card  
6 issued in compliance with federal law to a person who is not a  
7 citizen or legal permanent resident of the United States and that is  
8 not valid for more than one year is \$25.

9 (a-2) The fee for a temporary driver's license or temporary  
10 identification card that is valid for more than one year is \$25 for  
11 the first year and \$10 for each additional year or portion of a  
12 year.

13 (c) The fee for issuance or renewal of a provisional license  
14 or learner's license [~~instruction permit~~] is \$10 [~~\$5~~].

15 SECTION 1.17. Section 521.451(a), Transportation Code, is  
16 amended to read as follows:

17 (a) Except as provided by Section 521.452, a person may not:

18 (1) display, cause or permit to be displayed, or have  
19 in the person's possession a driver's license or identification  
20 card [~~certificate~~] that the person knows is fictitious or has been  
21 altered;

22 (2) lend the person's driver's license or  
23 identification card [~~certificate~~] to another person or knowingly  
24 permit another person to use the person's driver's license or  
25 identification card [~~certificate~~];

26 (3) display or represent as the person's own a driver's  
27 license or identification card [~~certificate~~] not issued to the



1 person;

2 (4) possess more than one currently valid driver's  
3 license or identification card [~~more than one currently valid~~  
4 ~~certificate~~]; or

5 (5) in an application for an original, renewal, or  
6 duplicate driver's license or identification card [~~certificate~~]:

7 (A) provide a false name, false address, or a  
8 counterfeit document; or

9 (B) knowingly make a false statement, conceal a  
10 material fact, or otherwise commit fraud.

11 SECTION 1.18. Section 522.003, Transportation Code, is  
12 amended by adding Subdivision (27) to read as follows:

13 (27) "Temporary commercial driver's license" means a  
14 commercial driver's license issued to a person who is not a citizen  
15 or legal permanent resident of the United States but has been  
16 granted lawful temporary status in the United States by the United  
17 States agency responsible for citizenship and immigration. A  
18 temporary commercial driver's license includes a commercial  
19 learner's license and a nonresident commercial driver's license.

20 SECTION 1.19. Section 522.013, Transportation Code, is  
21 amended by amending Subsections (a), (b), (c), (d), and (e) and  
22 adding Subsection (g) to read as follows:

23 (a) The department may issue a temporary commercial  
24 driver's license or temporary nonresident commercial driver's  
25 license to a resident of a foreign jurisdiction if the secretary has  
26 determined that the commercial motor vehicle testing and licensing  
27 standards in the foreign jurisdiction do not meet the testing

1 standards established by 49 C.F.R. Part 383.

2 (b) The department shall issue a temporary commercial  
3 driver's license to an applicant who is not a citizen or legal  
4 permanent resident of the United States and has temporary lawful  
5 status in the United States. [~~An applicant must surrender any~~  
6 ~~nonresident commercial driver's license issued by another state.~~]

7 (c) The department may require each applicant for an  
8 original, renewal, or duplicate license issued under this section  
9 to furnish to the department the information required by Section  
10 521.142. [~~Before issuing a nonresident commercial driver's~~  
11 ~~license, the department must establish the practical capability of~~  
12 ~~disqualifying the person under the conditions applicable to a~~  
13 ~~commercial driver's license issued to a resident of this state.~~]

14 (d) A license issued under this section must be  
15 distinctively marked [~~"Nonresident" must appear~~] on the face of the  
16 [a] license [~~issued under this section~~].

17 (e) The department may issue a temporary nonresident  
18 commercial driver's license to a person who does not present a  
19 social security card as required by Section 522.021(a-1)(1) but who  
20 otherwise meets the requirements for a temporary [~~nonresident~~]  
21 commercial driver's license, including the requirement that the  
22 commercial motor vehicle testing and licensing standards of the  
23 country of which the applicant is a resident not meet the testing  
24 and licensing standards established by 49 C.F.R. Part 383. A  
25 license issued under this subsection:

26 (1) expires on the earlier of:

27 (A) the 60th day after the date the license is

1 issued;

2 (B) the expiration date of the visa presented  
3 under Section 522.021(a-1)(2)(B); or

4 (C) the expiration date of the Form I-94  
5 Arrival/Departure record, or a successor document, presented under  
6 Section 522.021(a-1)(2)(C); and

7 (2) may not be renewed.

8 (g) A temporary commercial driver's license expires:

9 (1) the expiration of the applicant's authorized period of stay in  
10 the United States as determined by the United States agency  
11 responsible for citizenship and immigration in compliance with  
12 federal law; or

13 (2) one year from the issuance date if there is no definite  
14 end to the period of authorized stay as determined by the United  
15 States agency responsible for citizenship and immigration in  
16 compliance with federal law.

17 (h) A temporary commercial driver's license cannot be  
18 issued for a term longer than maximum term of a commercial driver's  
19 license issued under this chapter.

20 SECTION 1.20. Sections 522.021(a), (c), and (d),  
21 Transportation Code, are amended to read as follows:

22 (a) An application for a commercial driver's license or  
23 commercial driver learner's license [~~permit~~] must include:

24 (1) the full legal name and current principal  
25 residence and mailing address of the applicant;

26 (2) a physical description of the applicant, including  
27 gender [~~sex~~], height, and eye color;

1 (3) the applicant's date of birth;

2 (4) the applicant's social security number, unless the  
3 application is for a temporary nonresident commercial driver's  
4 license and the applicant is a resident of a foreign jurisdiction;

5 (5) certifications, including those required by 49  
6 C.F.R. Section 383.71(a); and

7 (6) any other information required by the department.

8 (c) The application must meet the requirements of an  
9 application under Sections [~~Section~~] 521.141 and 521.142 and must  
10 be accompanied by the fee required under Section 522.029. The  
11 department may require documentary evidence to verify the  
12 information required by Subsection (a).

13 (d) A person who knowingly falsifies information or a  
14 certification required by Subsection (a) commits an offense and is  
15 subject to a 60-day cancellation of the person's commercial  
16 driver's license, commercial driver learner's license [~~permit~~], or  
17 application. An offense under this subsection is a Class C  
18 misdemeanor.

19 SECTION 1.21. Section 522.022, Transportation Code, is  
20 amended to read as follows:

21 Sec. 522.022. LICENSE REQUIREMENTS. The department may not  
22 issue a commercial driver's license other than a temporary  
23 nonresident license to a person unless the person:

24 (1) has a domicile in this state;

25 (2) has passed knowledge and skills tests for driving  
26 a commercial motor vehicle that comply with minimal federal  
27 standards established by 49 C.F.R. Part 383, Subparts G and H; and

1           (3) has satisfied the requirements imposed by the  
2 federal act, federal regulation, or state law.

3           SECTION 1.22. Section 522.029, Transportation Code, is  
4 amended to read as follows:

5           Sec. 522.029. FEES. (a) The fee for a commercial driver's  
6 license or commercial driver learner's license [~~permit~~] issued by  
7 the department is \$60, except as provided by Subsections (f), (h),  
8 [~~and~~] (j), (k), (l), and (m).

9           (b) The fee for a commercial driver's license or commercial  
10 driver learner's license [~~permit~~] shall be reduced by \$4 for each  
11 remaining year of validity of a driver's license, other than a  
12 commercial driver's license or commercial driver learner's license  
13 [~~permit~~] issued by the department to the applicant.

14           (c) The fee for a duplicate commercial driver's license or  
15 commercial driver learner's license [~~permit~~] is \$10.

16           (d) An applicant who is changing a class of license,  
17 endorsement, or restriction or who is adding a class of vehicle  
18 other than a motorcycle to the license must pay a fee of \$10 for the  
19 examination, except for a renewal or original issuance of a  
20 commercial driver's license.

21           (e) The fees required by this chapter and collected by an  
22 officer or agent of the department shall be remitted without  
23 deduction to the department.

24           (f) The fee for renewal of a commercial driver's license or  
25 a commercial driver learner's license [~~permit~~] that includes  
26 authorization to operate a motorcycle is \$45.

27           (f-1) [~~(f)~~] If a commercial driver's license or commercial

1 driver learner's license [~~permit~~] includes an authorization to  
2 operate a motorcycle or moped, the fee for the driver's license or  
3 learner's license [~~permit~~] is increased by \$8.

4 (g) An applicant who is applying for additional  
5 authorization to operate a motorcycle shall pay a fee of \$15 for the  
6 examination.

7 (h) The fee for a commercial driver's license or commercial  
8 driver learner's license [~~permit~~] issued under Section 522.033 is  
9 \$20.

10 (i) Except as provided by Section 662.011, each fee  
11 collected under this section shall be deposited to the credit of the  
12 Texas mobility fund.

13 (j) The fee for issuance or renewal of a commercial driver's  
14 license or commercial driver learner's license [~~permit~~] is \$25 for  
15 a license with an expiration date established under Section  
16 522.054.

17 (k) The fee for a commercial driver's license issued in  
18 compliance with federal law to a person who is not a citizen or  
19 legal permanent resident of the United States and that is not valid  
20 for more than one year is \$50.

21 (l) The fee for a temporary commercial driver's license that  
22 is valid for more than one year is \$50 for the first year and \$25 for  
23 each additional year or portion of a year.

24 (m) The fee for a temporary nonresident commercial driver's  
25 license is \$50.

26 [~~(j) The fee for a nonresident commercial driver's license~~  
27 ~~is \$120. The fee for a temporary nonresident commercial driver's~~

1 ~~license is \$20.]~~

2 SECTION 1.23. Section 522.030, Transportation Code, is  
3 amended to read as follows:

4 Sec. 522.030. CONTENT OF LICENSE. A commercial driver's  
5 license must:

- 6 (1) be marked "Commercial Driver License" or "CDL";
- 7 (2) be, to the extent practicable, tamper-proof; and
- 8 (3) include:
  - 9 (A) the full legal name and mailing address of  
10 the person to whom it is issued;
  - 11 (B) the person's digital [~~color~~] photograph;
  - 12 (C) a physical description of the person,  
13 including gender [~~sex~~], height, and eye color;
  - 14 (D) the person's date of birth;
  - 15 (E) a number or identifier the department  
16 considers appropriate;
  - 17 (F) the person's signature;
  - 18 (G) each class of commercial motor vehicle that  
19 the person is authorized to drive, with any endorsements or  
20 restrictions;
  - 21 (H) the name of this state; and
  - 22 (I) the dates between which the license is valid.

23 SECTION 1.24. Section 522.033, Transportation Code, is  
24 amended to read as follows:

25 Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN  
26 SEX OFFENDERS. (a) The department may issue an original or  
27 renewal commercial driver's license or commercial driver learner's

1 license, including a temporary commercial driver's license or  
2 temporary commercial driver learner's license, [permit] to a person  
3 whose driver's license or [~~personal~~] identification card  
4 [~~certificate~~] record indicates that the person is subject to the  
5 registration requirements of Chapter 62, Code of Criminal  
6 Procedure, only if the person is otherwise eligible for the  
7 commercial driver's license or commercial driver learner's license  
8 [~~permit~~] and:

9 (1) applies in person for the issuance of a license or  
10 learner's license [permit] under this section; and

11 (2) pays a fee of \$50.

12 (b) Notwithstanding Section 522.051, a commercial driver's  
13 license or commercial driver learner's license [permit] issued  
14 under this section, including a renewal, duplicate, or corrected  
15 license, expires:

16 (1) if the license holder is a citizen or legal  
17 permanent resident of the United States, on the first birthday of  
18 the license holder occurring after the date of application, except  
19 that the initial license issued under this section expires on the  
20 second birthday of the license holder occurring after the date of  
21 application; or

22 (2) if the applicant is not a citizen or legal  
23 permanent resident of the United States:

24 (A) the expiration of the applicant's authorized  
25 stay in the United States; or

26 (B) one year from the issuance date if there is no  
27 definite expiration date for the authorized stay in the United



1 States.

2 SECTION 1.25. The heading to Section 522.051,  
3 Transportation Code, is amended to read as follows:

4 Sec. 522.051. EXPIRATION OF LICENSE OR LEARNER'S LICENSE  
5 [~~PERMIT~~].

6 SECTION 1.26. Section 522.051(a), Transportation Code, as  
7 amended by Chapters 37 (H.B. 84) and 1319 (S.B. 1260), Acts of the  
8 80th Legislature, Regular Session, 2007, is reenacted and amended  
9 to read as follows:

10 (a) Except as provided by Subsection (f) and Sections  
11 522.013(e), ~~and~~ 522.033, and 522.054, an original commercial  
12 driver's license or commercial driver learner's license [~~permit~~]  
13 expires:

14 (1) on the fifth anniversary of [~~five years after~~] the  
15 applicant's next birthday if the license holder is a citizen or  
16 legal permanent resident of the United States; or

17 (2) if the applicant is not a citizen or legal  
18 permanent resident of the United States:

19 (A) the expiration of the applicant's authorized  
20 stay in the United States; or

21 (B) one year from the issuance date if there is no  
22 definite expiration date for the authorized stay in the United  
23 States.

24 SECTION 1.27. Section 522.051, Transportation Code, is  
25 amended by amending Subsections (b), (c), and (d) and adding  
26 Subsection (g) to read as follows:

27 (b) Except as provided by Section 522.054, a commercial

1 driver's license or commercial driver learner's license [~~permit~~]  
2 issued to a person holding a Texas Class A, B, C, or M license that  
3 would expire one year or more after the date of issuance of the  
4 commercial driver's license or commercial driver learner's license  
5 [~~permit~~] expires:

6 (1) on the fifth anniversary of [~~five years after~~] the  
7 applicant's next birthday if the license holder is a citizen or a  
8 legal permanent resident of the United States; or

9 (2) if the applicant is not a citizen or legal  
10 permanent resident of the United States:

11 (A) the expiration of the applicant's authorized  
12 stay in the United States; or

13 (B) one year from the issuance date if there is no  
14 definite expiration date for the authorized stay in the United  
15 States.

16 (c) Except as provided by Section 522.054, a commercial  
17 driver's license or commercial driver learner's license [~~permit~~]  
18 issued to a person holding a Texas Class A, B, C, or M license that  
19 would expire less than one year after the date of issuance of the  
20 commercial driver's license or commercial driver learner's license  
21 [~~permit~~] or that has been expired for less than one year expires:

22 (1) on the fifth anniversary of [~~five years after~~] the  
23 expiration date shown on the Class A, B, C, or M license if the  
24 license holder is a citizen or legal permanent resident of the  
25 United States; or

26 (2) if the applicant is not a citizen or legal  
27 permanent resident of the United States:

1           (A) the expiration of the applicant's authorized  
2 stay in the United States; or

3           (B) one year from the issuance date if there is no  
4 definite expiration date for the authorized stay in the United  
5 States.

6           (d) Except as provided by Section 522.054, a commercial  
7 driver's license or commercial driver learner's license [~~permit~~]  
8 issued to a person holding a Texas Class A, B, C, or M license that  
9 has been expired for at least one year but not more than two years  
10 expires:

11           (1) on the fifth anniversary of [~~five years after~~] the  
12 applicant's last birthday if the license holder is a citizen or  
13 legal permanent resident of the United States; or

14           (2) if the applicant is not a citizen or legal  
15 permanent resident of the United States:

16           (A) the expiration of the applicant's authorized  
17 stay in the United States; or

18           (B) one year from the issuance date if there is no  
19 definite expiration date for the authorized stay in the United  
20 States.

21           (g) The department may require the renewal of a license  
22 before its expiration if the renewal is necessary to ensure  
23 compliance with federal law in the systematic conversion of  
24 driver's licenses.

25           SECTION 1.28 Sections 522.052(b), (c), and (e),  
26 Transportation Code, are amended to read as follows:

27           (b) Except as provided by Section 522.054, a renewal of a

1 commercial driver's license that has been expired for less than one  
2 year expires:

3 (1) on the fifth anniversary of [~~five years after~~] the  
4 expiration date shown on the commercial driver's license if the  
5 license holder is a citizen or legal permanent resident of the  
6 United States; or

7 (2) if the applicant is not a citizen or legal  
8 permanent resident of the United States:

9 (A) the expiration of the applicant's authorized  
10 stay in the United States; or

11 (B) one year from the issuance date if there is no  
12 definite expiration date for the authorized stay in the United  
13 States.

14 (c) Except as provided by Section 522.054, a renewal of a  
15 commercial driver's license that has been expired for at least one  
16 year but not more than two years expires:

17 (1) on the sixth anniversary of [~~six years after~~] the  
18 applicant's last birthday if the license holder is a citizen or  
19 legal permanent resident of the United States; or

20 (2) if the applicant is not a citizen or legal  
21 permanent resident of the United States:

22 (A) the expiration of the applicant's authorized  
23 stay in the United States; or

24 (B) one year from the issuance date if there is no  
25 definite expiration date for the authorized stay in the United  
26 States.

27 (e) A commercial driver learner's license [~~permit~~] may not

1 be renewed.

2 ARTICLE 2. CONFORMING AMENDMENTS

3 SECTION 2.01. Article 62.005(c), Code of Criminal  
4 Procedure, is amended to read as follows:

5 (c) Notwithstanding Chapter 730, Transportation Code, the  
6 department shall maintain in the database, and shall post on any  
7 department website related to the database, any photograph of the  
8 person that is available through the process for obtaining or  
9 renewing an [~~a personal~~] identification card [~~certificate~~] or  
10 driver's license under Section 521.103 or 521.272, Transportation  
11 Code. The department shall update the photograph in the database  
12 and on the website annually or as the photograph otherwise becomes  
13 available through the renewal process for the card [~~certificate~~] or  
14 license.

15 SECTION 2.02. Article 62.006, Code of Criminal Procedure,  
16 is amended to read as follows:

17 Art. 62.006. INFORMATION PROVIDED TO PEACE OFFICER ON  
18 REQUEST. The department shall establish a procedure by which a  
19 peace officer or employee of a law enforcement agency who provides  
20 the department with a driver's license number, [~~personal~~]  
21 identification card [~~certificate~~] number, or license plate number  
22 is automatically provided information as to whether the person to  
23 whom the driver's license or [~~personal~~] identification card  
24 [~~certificate~~] is issued is required to register under this chapter  
25 or whether the license plate number is entered in the computerized  
26 central database under Article 62.005 as assigned to a vehicle  
27 owned or driven by a person required to register under this chapter.

1 SECTION 2.03. Article 42.016, Code of Criminal Procedure,  
2 is amended to read as follows:

3 Art. 42.016. SPECIAL DRIVER'S LICENSE OR IDENTIFICATION  
4 REQUIREMENTS FOR CERTAIN SEX OFFENDERS. If a person is convicted  
5 of, receives a grant of deferred adjudication for, or is  
6 adjudicated as having engaged in delinquent conduct based on a  
7 violation of an offense for which a conviction or adjudication  
8 requires registration as a sex offender under Chapter 62, the court  
9 shall:

10 (1) issue an order requiring the Texas Department of  
11 Public Safety to include in any driver's license record or  
12 ~~[personal]~~ identification card ~~[certificate]~~ record maintained by  
13 the department for the person an indication that the person is  
14 subject to the registration requirements of Chapter 62;

15 (2) require the person to apply to the Texas  
16 Department of Public Safety in person for an original or renewal  
17 driver's license or ~~[personal]~~ identification card ~~[certificate]~~  
18 not later than the 30th day after the date the person is released or  
19 the date the department sends written notice to the person of the  
20 requirements of Article 62.060, as applicable, and to annually  
21 renew the license or identification card ~~[certificate]~~;

22 (3) notify the person of the consequence of the  
23 conviction or order of deferred adjudication as it relates to the  
24 order issued under this article; and

25 (4) send to the Texas Department of Public Safety a  
26 copy of the record of conviction, a copy of the order granting  
27 deferred adjudication, or a copy of the juvenile adjudication, as

1 applicable, and a copy of the order issued under this article.

2 SECTION 2.04. Article 62.053(a), Code of Criminal  
3 Procedure, is amended to read as follows:

4 (a) Before a person who will be subject to registration  
5 under this chapter is due to be released from a penal institution,  
6 the Texas Department of Criminal Justice or the Texas Youth  
7 Commission shall determine the person's level of risk to the  
8 community using the sex offender screening tool developed or  
9 selected under Article 62.007 and assign to the person a numeric  
10 risk level of one, two, or three. Before releasing the person, an  
11 official of the penal institution shall:

12 (1) inform the person that:

13 (A) not later than the later of the seventh day  
14 after the date on which the person is released or after the date on  
15 which the person moves from a previous residence to a new residence  
16 in this state or not later than the later of the first date the  
17 applicable local law enforcement authority by policy allows the  
18 person to register or verify registration, the person  
19 must register or verify registration with the local law  
20 enforcement authority in the municipality or county in which the  
21 person intends to reside;

22 (B) not later than the seventh day after the date  
23 on which the person is released or the date on which the person  
24 moves from a previous residence to a new residence in this state,  
25 the person must, if the person has not moved to an intended  
26 residence, report to the juvenile probation officer, community  
27 supervision and corrections department officer, or parole officer

1 supervising the person;

2 (C) not later than the seventh day before the  
3 date on which the person moves to a new residence in this state or  
4 another state, the person must report in person to the local law  
5 enforcement authority designated as the person's primary  
6 registration authority by the department and to the juvenile  
7 probation officer, community supervision and corrections  
8 department officer, or parole officer supervising the person;

9 (D) not later than the 10th day after the date on  
10 which the person arrives in another state in which the person  
11 intends to reside, the person must register with the law  
12 enforcement agency that is identified by the department as the  
13 agency designated by that state to receive registration  
14 information, if the other state has a registration requirement for  
15 sex offenders;

16 (E) not later than the 30th day after the date on  
17 which the person is released, the person must apply to the  
18 department in person for the issuance of an original or renewal  
19 driver's license or [~~personal~~] identification card [~~certificate~~]  
20 and a failure to apply to the department as required by this  
21 paragraph results in the automatic revocation of any driver's  
22 license or [~~personal~~] identification card [~~certificate~~] issued by  
23 the department to the person; and

24 (F) the person must notify appropriate entities  
25 of any change in status as described by Article 62.057;

26 (2) require the person to sign a written statement  
27 that the person was informed of the person's duties as described by



1 Subdivision (1) or Subsection (g) or, if the person refuses to sign  
2 the statement, certify that the person was so informed;

3 (3) obtain the address where the person expects to  
4 reside on the person's release and other registration information,  
5 including a photograph and complete set of fingerprints; and

6 (4) complete the registration form for the person.

7 SECTION 2.05. Article 62.060, Code of Criminal Procedure,  
8 is amended to read as follows:

9 Art. 62.060. REQUIREMENTS RELATING TO DRIVER'S LICENSE OR  
10 [~~PERSONAL~~] IDENTIFICATION CARD [~~CERTIFICATE~~]. (a) A person  
11 subject to registration under this chapter shall apply to the  
12 department in person for the issuance of, as applicable, an  
13 original or renewal driver's license under Section 521.272,  
14 Transportation Code, an original or renewal [~~personal~~]  
15 identification card [~~certificate~~] under Section 521.103,  
16 Transportation Code, or an original or renewal commercial driver's  
17 license or commercial driver learner's license [~~permit~~] under  
18 Section 522.033, Transportation Code, not later than the 30th day  
19 after the date:

20 (1) the person is released from a penal institution or  
21 is released by a court on community supervision or juvenile  
22 probation; or

23 (2) the department sends written notice to the person  
24 of the requirements of this article.

25 (b) The person shall annually renew in person each driver's  
26 license or [~~personal~~] identification card [~~certificate~~] issued by  
27 the department to the person, including each renewal, duplicate, or

1 corrected license or card [~~certificate~~], until the person's duty to  
2 register under this chapter expires.

3 SECTION 2.06. Section 1956.062(c), Occupations Code, is  
4 amended to read as follows:

5 (c) The dealer shall record the proposed seller's driver's  
6 license number or department [~~personal~~] identification card  
7 [~~certificate~~] number on physical presentation of the license or  
8 [~~personal~~] identification card [~~certificate~~] by the seller. The  
9 record must accompany the list.

10 SECTION 2.07. Section 12.114, Parks and Wildlife Code, is  
11 amended to read as follows:

12 Sec. 12.114. DRIVER'S LICENSE OR [~~PERSONAL~~] IDENTIFICATION  
13 CARD [~~CERTIFICATE~~] REQUIRED. (a) A person who is 17 years of age or  
14 older and who has a license or permit issued under this code or who  
15 is engaging in an activity that requires a license or permit shall  
16 have a driver's license or [~~personal~~] identification card  
17 [~~certificate~~] in the person's immediate possession.

18 (b) If the person is a resident as defined by Subdivision  
19 (1) of Section 42.001 of this code, "driver's license" and  
20 "[~~personal~~] identification card [~~certificate~~]" have the meanings  
21 assigned by Chapter 521, Transportation Code.

22 (c) If the person is a nonresident as defined by Section  
23 42.001, "driver's license" and "[~~personal~~] identification card  
24 [~~certificate~~]" mean those documents that are similar to those  
25 defined in Subsection (b) and that are issued by the agency in the  
26 state or country of which the person is a resident that is  
27 authorized to issue driver's licenses or [~~personal~~] identification

1 cards [~~certificates~~].

2 SECTION 2.08. Section 12.115(a), Parks and Wildlife Code,  
3 is amended to read as follows:

4 (a) A person who is arrested for an alleged violation of  
5 this code or a proclamation or regulation adopted under this code  
6 commits an offense if the person:

7 (1) does not have in his immediate possession a  
8 driver's license or [~~personal~~] identification card [~~certificate~~]  
9 required by Section 12.114 of this code; or

10 (2) fails or refuses to display the driver's license or  
11 [~~personal~~] identification card [~~certificate~~] required by Section  
12 12.114 of this code when requested to do so by any peace officer,  
13 game warden, magistrate, or officer of a court of competent  
14 jurisdiction.

15 SECTION 2.09. Section 12.116(a), Parks and Wildlife Code,  
16 is amended to read as follows:

17 (a) If a person is convicted in justice court for violating  
18 a provision of this code or a proclamation or regulation adopted  
19 under this code that provides enhanced penalties for subsequent  
20 convictions, the court on request shall submit to the department an  
21 affidavit certifying the conviction. The affidavit must include  
22 the driver's license number or [~~personal~~] identification card  
23 [~~certificate~~] number obtained from the violator.

24 SECTION 2.10. The heading to Subtitle B, Title 7,  
25 Transportation Code, is amended to read as follows:

26 SUBTITLE B. DRIVER'S LICENSES AND [~~PERSONAL~~] IDENTIFICATION CARDS

27 SECTION 2.11. Section 502.1715(b), Transportation Code, is

1 amended to read as follows:

2 (b) Fees collected under this section shall be deposited to  
3 the credit of the state highway fund. Subject to appropriations,  
4 the money shall be used by the Department of Public Safety to:

5 (1) support the Department of Public Safety's  
6 reengineering of the driver's license system to provide for the  
7 issuance by the Department of Public Safety of a driver's license or  
8 ~~[personal]~~ identification card ~~[certificate]~~, to include use of  
9 image comparison technology;

10 (2) establish and maintain a system to support the  
11 driver responsibility program under Chapter 708; and

12 (3) make lease payments to the master lease purchase  
13 program for the financing of the driver's license reengineering  
14 project.

15 SECTION 2.12. Sections 521.054(a), (b), and (c),  
16 Transportation Code, are amended to read as follows:

17 (a) This section applies to a person who:

18 (1) after applying for the driver's license or  
19 identification card ~~[certificate]~~ moves from the address stated in  
20 the person's application for a license or identification card  
21 ~~[certificate]~~;

22 (2) moves from the address shown on the license or  
23 identification card ~~[certificate]~~ held by the person; or

24 (3) changes the person's name by marriage or  
25 otherwise.

26 (b) A person subject to this section shall notify the  
27 department of the change not later than the 30th day after the date

1 on which the change takes effect and apply for a duplicate license  
2 or identification card [~~certificate~~] as provided by Section  
3 521.146.

4 (c) A person changing the person's address shall notify the  
5 department of the old and new addresses and the number of the  
6 license or identification card [~~certificate~~] held by the person. A  
7 person changing the person's name shall notify the department of  
8 the former and new names and the number of the license or  
9 identification card [~~certificate~~] held by the person.

10 SECTION 2.13. Section 521.057, Transportation Code, is  
11 amended to read as follows:

12 Sec. 521.057. INFORMATION REGARDING CERTAIN SEX OFFENDERS.

13 (a) On receipt of a court order issued under Article 42.016, Code  
14 of Criminal Procedure, the department shall ensure that any  
15 driver's license record or [~~personal~~] identification card  
16 [~~certificate~~] record maintained by the department for the person  
17 includes an indication that the person is subject to the  
18 registration requirements of Chapter 62, Code of Criminal  
19 Procedure[~~, as added by Chapter 668, Acts of the 75th Legislature,~~  
20 ~~Regular Session, 1997~~].

21 (b) The department shall include the indication required by  
22 Subsection (a) in any driver's license record or [~~personal~~]  
23 identification card [~~certificate~~] record maintained by the  
24 department for the person until the expiration of the person's duty  
25 to register under Chapter 62, Code of Criminal Procedure[~~, as added~~  
26 ~~by Chapter 668, Acts of the 75th Legislature, Regular Session,~~  
27 ~~1997~~].

1 SECTION 2.14. Section 521.059(b), Transportation Code, is  
2 amended to read as follows:

3 (b) The department shall authenticate the facial image and  
4 thumbprints or fingerprints provided by an applicant for an [~~a~~  
5 ~~personal~~] identification card [~~certificate~~], driver's license, or  
6 commercial driver's license or learner's license [~~permit~~] using  
7 image comparison technology to ensure that the applicant:

8 (1) is issued only one original license[~~, permit,~~] or  
9 identification card [~~certificate~~];

10 (2) does not fraudulently obtain a duplicate license[~~,~~  
11 ~~permit,~~] or identification card [~~certificate~~]; and

12 (3) does not commit other fraud in connection with the  
13 application for a license[~~, permit,~~] or identification card  
14 [~~certificate~~].

15 SECTION 2.15. Sections 521.126(a), (b), and (e) through  
16 (i), Transportation Code, are amended to read as follows:

17 (a) The department may not include any information on a  
18 driver's license, commercial driver's license, or [~~personal~~]  
19 identification card [~~certificate~~] in an electronically readable  
20 form other than the information printed on the license and a  
21 physical description of the license holder [~~licensee~~].

22 (b) Except as provided by Subsections (d), (e), (g), (i),  
23 and (j), a person commits an offense if the person:

24 (1) accesses or uses electronically readable  
25 information derived from a driver's license, commercial driver's  
26 license, or [~~personal~~] identification card [~~certificate~~]; or

27 (2) compiles or maintains a database of electronically

1 readable information derived from driver's licenses, commercial  
2 driver's licenses, or [~~personal~~] identification card  
3 [~~certificates~~].

4 (e) The prohibition provided by Subsection (b)(1) does not  
5 apply to a financial institution or a business if the information is  
6 accessed and used only for purposes of identification verification  
7 of an individual or check verification at the point of sale for a  
8 purchase of a good or service by check. The prohibition provided  
9 by Subsection (b)(2) does not apply to a financial institution if  
10 each license or identification card [~~certificate~~] holder whose  
11 information is included in the compilation or database consents to  
12 the inclusion of the person's information in the compilation or  
13 database. Consent under this subsection must be on a separate  
14 document, signed by the license or identification card  
15 [~~certificate~~] holder, that explains in at least 14-point bold type  
16 the information that will be included in the compilation or  
17 database. For the purposes of this subsection, "financial  
18 institution" has the meaning assigned by 31 U.S.C. Section  
19 5312(a)(2), as amended.

20 (f) A person may not use information derived from  
21 electronically readable information from a driver's license,  
22 commercial driver's license, or [~~personal~~] identification card  
23 [~~certificate~~] to engage in telephone solicitation to encourage the  
24 purchase or rental of, or investment in, goods, other property, or  
25 services.

26 (g) If authorized by the executive or administrative head of  
27 a maritime facility as defined in the Maritime Transportation

1 Security Act of 2002 (46 U.S.C. Section 70101 et seq.), or of a  
2 port, port authority, or navigation district created or operating  
3 under Section 52, Article III, or Section 59, Article XVI, Texas  
4 Constitution, a person may access, use, compile, or maintain in a  
5 database electronically readable information derived from a  
6 driver's license, commercial driver's license, or [~~personal~~]  
7 identification card [~~certificate~~] to secure the facility or port.

8 The information may be used only to:

- 9 (1) identify an individual;
- 10 (2) provide official credentials for an individual;
- 11 (3) track or limit the movement of an individual on  
12 facility property;
- 13 (4) establish a secure database of visitors to the  
14 facility;
- 15 (5) access the information at terminal and gate  
16 operations of the facility; or
- 17 (6) conduct other security or operational activities  
18 as determined by the executive or administrative head.

19 (h) Except as provided by Section 418.183, Government Code,  
20 the electronically readable information derived from a driver's  
21 license, commercial driver's license, or [~~personal~~] identification  
22 card [~~certificate~~] for the purposes of Subsection (g) is  
23 confidential and not subject to disclosure, inspection, or copying  
24 under Chapter 552, Government Code.

25 (i) The prohibition provided by Subsection (b) does not  
26 apply to a hospital that accesses, uses, compiles, or maintains a  
27 database of the information to provide health care services to the



1 individual who holds the driver's license, commercial driver's  
2 license, or [~~personal~~] identification card [~~certificate~~].

3 SECTION 2.16. Section 521.146, Transportation Code, is  
4 amended to read as follows:

5 Sec. 521.146. APPLICATION FOR DUPLICATE LICENSE OR  
6 IDENTIFICATION CARD [~~CERTIFICATE~~]. (a) If a driver's license or  
7 identification card [~~certificate~~] issued under this chapter is lost  
8 or destroyed, or there is a change in pertinent information, the  
9 person to whom the license or identification card [~~certificate~~] was  
10 issued may obtain a duplicate or corrected version.

11 (b) An applicant for a corrected driver's license or  
12 identification card [~~certificate~~] must submit to the department the  
13 required fee, accompanied by the required information that has  
14 changed with proof satisfactory to the department that supports the  
15 change.

16 (c) The department by rule may provide that the holder of a  
17 driver's license or identification card [~~certificate~~] issued by the  
18 department may apply for the issuance of a duplicate license or  
19 identification card [~~certificate~~] by mail, by telephone, over the  
20 Internet, or by other electronic means.

21 (d) A rule adopted under Subsection (c) may prescribe  
22 eligibility standards for issuance of a duplicate driver's license  
23 or identification card [~~certificate~~] under this section.

24 SECTION 2.17. Section 521.147(a), Transportation Code, is  
25 amended to read as follows:

26 (a) The department shall develop by rule a selective service  
27 consent statement as a part of the application for an original,

1 renewal, or duplicate driver's license or [~~personal~~]  
2 identification card [~~certificate~~]. The consent statement must  
3 include a place to indicate consent or declination to register with  
4 the United States Selective Service System and must state the  
5 benefits and penalties associated with consent or declination to  
6 register. The department shall present the statement to each  
7 applicant who is subject to registration with the Selective Service  
8 System and record the applicant's response. A response is required  
9 to complete the application for a license or identification card  
10 [~~certificate~~] for such an applicant. The department shall forward  
11 to the Selective Service System, in an electronic format, only the  
12 information necessary for registration of an applicant consenting  
13 to registration.

14 SECTION 2.18. Section 521.223(d), Transportation Code, is  
15 amended to read as follows:

16 (d) If the department determines that an applicant must  
17 assist in the responsibilities imposed by a family illness,  
18 disability, death-related emergency, or economic emergency, it may  
19 waive the driver training course requirement [~~and may issue a~~  
20 ~~temporary license~~]. [~~A temporary license issued under this~~  
21 ~~subsection is valid for 60 days after the date of issuance and may~~  
22 ~~be renewed for additional 60-day periods as long as the condition~~  
23 ~~continues.~~]

24 SECTION 2.19. The heading to Section 521.275,  
25 Transportation Code, is amended to read as follows:

26 Sec. 521.275. CHANGE OF DRIVER'S LICENSE OR [~~PERSONAL~~]  
27 IDENTIFICATION CARD [~~CERTIFICATE~~] NUMBER.

1 SECTION 2.20. Sections 521.275(a) and (c), Transportation  
2 Code, are amended to read as follows:

3 (a) The department shall issue to a person a new driver's  
4 license number or [~~personal~~] identification card [~~certificate~~]  
5 number on the person's showing a court order stating that the person  
6 has been the victim of domestic violence.

7 (c) Except as provided by Sections 521.049(c), 730.005, and  
8 730.006, the department may not disclose:

9 (1) the changed license or identification card  
10 [~~certificate~~] number; or

11 (2) the person's name or any former name.

12 SECTION 2.21. Sections 521.401(b) and (d), Transportation  
13 Code, are amended to read as follows:

14 (b) The statement of gift may be shown on a donor's driver's  
15 license or [~~personal~~] identification card [~~certificate~~] or by a  
16 card designed to be carried by the donor to evidence the donor's  
17 intentions with respect to organ, tissue, and eye donation. A  
18 donor card signed by the donor shall be given effect as if executed  
19 pursuant to Section 692.003(d), Health and Safety Code.

20 (d) An affirmative statement of gift on a person's driver's  
21 license or [~~personal~~] identification card [~~certificate~~] executed  
22 after August 31, 2005, shall be conclusive evidence of a decedent's  
23 status as a donor and serve as consent for organ, tissue, and eye  
24 removal.

25 SECTION 2.22. Section 521.402(a), Transportation Code, is  
26 amended to read as follows:

27 (a) To revoke an affirmative statement of gift on a person's

1 driver's license or [~~personal~~] identification card [~~certificate~~],  
2 a person must apply to the department for an amendment to the  
3 license or identification card [~~certificate~~].

4 SECTION 2.23. Section 521.403, Transportation Code, is  
5 amended to read as follows:

6 Sec. 521.403. INFORMATION PROVIDED TO HOSPITAL. The donor  
7 card of a person who is involved in an accident or other trauma  
8 shall accompany the person to the hospital or other health care  
9 facility. The driver's license or [~~personal~~] identification card  
10 [~~certificate~~] indicating an affirmative statement of gift of a  
11 person who is involved in an accident or other trauma shall  
12 accompany the person to the hospital or health care facility if the  
13 person does not have a donor card.

14 SECTION 2.24. Section 521.422, Transportation Code, is  
15 amended to read as follows:

16 Sec. 521.422. [~~PERSONAL~~] IDENTIFICATION CARD [~~CERTIFICATE~~]  
17 FEE. (a) The fee for an [~~a personal~~] identification card  
18 [~~certificate~~] is:

- 19 (1) \$15 for a person under 60 years of age;  
20 (2) \$5 for a person 60 years of age or older; and  
21 (3) \$20 for a person subject to the registration  
22 requirements under Chapter 62, Code of Criminal Procedure.

23 (b) The department shall collect an additional fee of \$1 for  
24 the issuance or renewal of an [~~a personal~~] identification card to  
25 fund the Blindness Education, Screening, and Treatment Program  
26 established under Section 91.027, Human Resources Code, if the  
27 person applying for or renewing an [~~a personal~~] identification card

1 opts to pay the additional fee.

2 (c) The department shall collect an additional fee of \$1 for  
3 the issuance or renewal of an [~~a personal~~] identification card,  
4 including a duplicate [~~personal~~] identification card or an [~~a~~  
5 ~~personal~~] identification card issued or renewed over the Internet  
6 or by other electronic means, to pay the costs of the Donor  
7 Education, Awareness, and Registry Program of Texas, established  
8 under Chapter 49, Health and Safety Code, and, subject to Section  
9 113.104, Health and Safety Code, of the Texas Organ, Tissue, and Eye  
10 Donor Council, established under Chapter 113, Health and Safety  
11 Code, if the person applying for or renewing an [~~a personal~~]  
12 identification card opts to pay the additional fee. The department  
13 shall remit fees collected under this subsection to the  
14 comptroller, who shall maintain the identity of the source of the  
15 fees. Subject to appropriation, the department may retain three  
16 percent of the money collected under this subsection to cover the  
17 costs in administering this subsection.

18 SECTION 2.25. Section 521.424, Transportation Code, is  
19 amended to read as follows:

20 Sec. 521.424. DUPLICATE LICENSE OR IDENTIFICATION CARD  
21 [~~CERTIFICATE~~] FEE. The fee for a duplicate driver's license or  
22 duplicate [~~personal~~] identification card [~~certificate~~] is \$10.

23 SECTION 2.26. Sections 521.453(a), (b), (c), (f), and (g),  
24 Transportation Code, are amended to read as follows:

25 (a) Except as provided by Subsection (f), a person under the  
26 age of 21 years commits an offense if the person possesses, with the  
27 intent to represent that the person is 21 years of age or older, a

1 document that is deceptively similar to a driver's license or an [~~a~~  
2 ~~personal~~] identification card [~~certificate~~] unless the document  
3 displays the statement "NOT A GOVERNMENT DOCUMENT" diagonally  
4 printed clearly and indelibly on both the front and back of the  
5 document in solid red capital letters at least one-fourth inch in  
6 height.

7 (b) For purposes of this section, a document is deceptively  
8 similar to a driver's license or [~~personal~~] identification card  
9 [~~certificate~~] if a reasonable person would assume that it was  
10 issued by the department, another agency of this state, another  
11 state, or the United States.

12 (c) A peace officer listed in Article 2.12, Code of Criminal  
13 Procedure, may confiscate a document that:

14 (1) is deceptively similar to a driver's license or  
15 [~~personal~~] identification card [~~certificate~~]; and

16 (2) does not display the statement required under  
17 Subsection (a).

18 (f) Subsection (a) does not apply to:

19 (1) a government agency, office, or political  
20 subdivision that is authorized to produce or sell [~~personal~~]  
21 identification card [~~certificates~~]; or

22 (2) a person that provides a document similar to an [~~a~~  
23 ~~personal~~] identification card [~~certificate~~] to an employee of the  
24 person for a business purpose.

25 (g) In this section:

26 (1) "Driver's license" includes a driver's license  
27 issued by another state or by the United States.

1           (2) "Identification card [~~Personal identification~~  
2 ~~certificate~~]" means an [~~a personal~~] identification card  
3 [~~certificate~~] issued by the department, by another agency of this  
4 state, by another state, or by the United States.

5           SECTION 2.27. Section 521.454(a), Transportation Code, is  
6 amended to read as follows:

7           (a) A person commits an offense if the person knowingly  
8 swears to or affirms falsely before a person authorized to take  
9 statements under oath any matter, information, or statement  
10 required by the department in an application for an original,  
11 renewal, or duplicate driver's license or identification card  
12 [~~certificate~~] issued under this chapter.

13           SECTION 2.28. Section 521.456(d), Transportation Code, is  
14 amended to read as follows:

15           (d) For purposes of this section, "instrument" means a  
16 driver's license, driver's license form, [~~personal~~] identification  
17 card [~~certificate~~], stamp, permit, license, official signature,  
18 certificate, evidence of fee payment, or any other instrument.

19           SECTION 2.29. Section 522.003(4), Transportation Code, is  
20 amended to read as follows:

21           (4) "Commercial driver learner's license [~~permit~~]  
22 "means a commercial driver's license that restricts the holder to  
23 driving a commercial motor vehicle as provided by Section  
24 522.011(a)(2)(B).

25           SECTION 2.30. The heading to Section 522.011,  
26 Transportation Code, is amended to read as follows:

27           Sec. 522.011. LICENSE [~~OR PERMIT~~] REQUIRED; OFFENSE.

1 SECTION 2.31. Section 522.011(a), Transportation Code, is  
2 amended to read as follows:

3 (a) A person may not drive a commercial motor vehicle  
4 unless:

5 (1) the person:

6 (A) has in the person's immediate possession a  
7 commercial driver's license issued by the department appropriate  
8 for the class of vehicle being driven; and

9 (B) is not disqualified or subject to an  
10 out-of-service order;

11 (2) the person:

12 (A) has in the person's immediate possession a  
13 commercial driver learner's license [~~permit~~] issued by the  
14 department; and

15 (B) is accompanied by the holder of a commercial  
16 driver's license issued by the department appropriate for the class  
17 of vehicle being driven, and the license holder:

18 (i) occupies a seat beside the learner's  
19 license [~~permit~~] holder for the purpose of giving instruction in  
20 driving the vehicle; and

21 (ii) is not disqualified or subject to an  
22 out-of-service order; or

23 (3) the person is authorized to drive the vehicle  
24 under Section 522.015.

25 SECTION 2.32. Section 522.014, Transportation Code, is  
26 amended to read as follows:

27 Sec. 522.014. LEARNER'S LICENSE [~~PERMIT~~]. The department



1 may issue a commercial driver learner's license [~~permit~~] to an  
2 individual who has passed the vision and written tests required for  
3 a Texas driver's license appropriate for the class of vehicle to be  
4 driven.

5 SECTION 2.33. Section 522.015, Transportation Code, is  
6 amended to read as follows:

7 Sec. 522.015. LICENSE [~~OR PERMIT~~] ISSUED BY OTHER  
8 JURISDICTION. A person may drive a commercial motor vehicle in this  
9 state if:

10 (1) the person has a commercial driver's license or  
11 commercial driver learner's license [~~permit~~] issued by:

12 (A) another state in accordance with the minimum  
13 federal standards for the issuance of a commercial motor vehicle  
14 driver's license; or

15 (B) a foreign jurisdiction the testing and  
16 licensing standards of which the United States Department of  
17 Transportation has determined meet the requirements of the federal  
18 act;

19 (2) the person's license or learner's license [~~permit~~]  
20 is appropriate for the class of vehicle being driven;

21 (3) the person is not disqualified from driving a  
22 commercial motor vehicle and is not subject to an out-of-service  
23 order; and

24 (4) the person has not had a domicile in this state for  
25 more than 30 days.

26 SECTION 2.34. Section 522.025, Transportation Code, is  
27 amended to read as follows:

1           Sec. 522.025. LIMITATIONS ON ISSUANCE OF LICENSE [~~OR~~  
2 ~~PERMIT~~]. (a) The department may not issue a commercial driver's  
3 license or commercial driver learner's license [~~permit~~] to a person  
4 who is disqualified from driving a commercial motor vehicle or  
5 while the person's driver's license or driving privilege is  
6 suspended, revoked, or canceled in any state.

7           (b) The department may not issue a commercial driver's  
8 license to a person who has a driver's license, commercial driver's  
9 license, or commercial driver learner's license [~~permit~~] issued by  
10 another state unless the person surrenders the license [~~or permit~~].  
11 The department shall return a surrendered license [~~or permit~~] to  
12 the issuing state for cancellation.

13           SECTION 2.35. Section 522.027, Transportation Code, is  
14 amended to read as follows:

15           Sec. 522.027. MINIMUM AGE. The department may not issue a  
16 commercial driver's license or a commercial driver learner's  
17 license [~~permit~~] to a person who is younger than 18 years of age.

18           SECTION 2.36. The heading to Section 522.032,  
19 Transportation Code, is amended to read as follows:

20           Sec. 522.032. CHANGE OF NAME OR ADDRESS OF LICENSE [~~OR~~  
21 ~~PERMIT~~] HOLDER; OFFENSE.

22           SECTION 2.37. Sections 522.032(a) and (b), Transportation  
23 Code, are amended to read as follows:

24           (a) The holder of a commercial driver's license or  
25 commercial driver learner's license [~~permit~~] who changes the  
26 holder's name or mailing address must apply for a duplicate license  
27 [~~or permit~~] not later than the 30th day after the date of the change

1 in the manner provided by Section 521.054.

2 (b) The holder of a commercial driver's license or  
3 commercial driver learner's license [~~permit~~] who changes the  
4 holder's residence address shall notify the department not later  
5 than the 30th day after the date of the change.

6 SECTION 2.38. Section 522.084, Transportation Code, is  
7 amended to read as follows:

8 Sec. 522.084. NOTIFICATION TO OTHER JURISDICTION. After  
9 disqualifying a person who has a domicile in another state or in a  
10 foreign jurisdiction, the department shall give notice of that fact  
11 to the licensing authority of the state that issued the person's  
12 commercial driver's license or commercial driver learner's license  
13 [~~permit~~].

14 SECTION 2.39. Section 524.001(10), Transportation Code, is  
15 amended to read as follows:

16 (10) "Driver's license" has the meaning assigned by  
17 Section 521.001. The term includes a commercial driver's license  
18 or a commercial driver learner's license [~~permit~~] issued under  
19 Chapter 522.

20 SECTION 2.40. Section 543.007, Transportation Code, is  
21 amended to read as follows:

22 Sec. 543.007. NOTICE TO APPEAR: COMMERCIAL VEHICLE OR  
23 LICENSE. A notice to appear issued to the operator of a commercial  
24 motor vehicle or holder of a commercial driver's license or  
25 commercial driver learner's license [~~permit~~], for the violation of  
26 a law regulating the operation of vehicles on highways, must  
27 contain the information required by department rule, to comply with

1 Chapter 522 and the federal Commercial Motor Vehicle Safety Act of  
2 1986 (Title 49, U.S.C. Section 2701 et seq.).

3 SECTION 2.41. Section 543.202(b), Transportation Code, is  
4 amended to read as follows:

5 (b) The record must be made on a form or by a data processing  
6 method acceptable to the department and must include:

7 (1) the name, address, physical description,  
8 including race or ethnicity, date of birth, and driver's license  
9 number of the person charged;

10 (2) the registration number of the vehicle involved;

11 (3) whether the vehicle was a commercial motor vehicle  
12 as defined by Chapter 522 or was involved in transporting hazardous  
13 materials;

14 (4) the person's social security number, if the person  
15 was operating a commercial motor vehicle or was the holder of a  
16 commercial driver's license or commercial driver learner's license  
17 [~~permit~~];

18 (5) the date and nature of the offense, including  
19 whether the offense was a serious traffic violation as defined by  
20 Chapter 522;

21 (6) whether a search of the vehicle was conducted and  
22 whether consent for the search was obtained;

23 (7) the plea, the judgment, whether the individual was  
24 adjudicated under Article 45.0511, Code of Criminal Procedure, and  
25 whether bail was forfeited;

26 (8) the date of conviction; and

27 (9) the amount of the fine or forfeiture.

ARTICLE 3. REPEALER

SECTION 3.01. Section 522.021(c-1), Transportation Code, is repealed.

ARTICLE 4. TRANSITION; EFFECTIVE DATE

SECTION 4.01. (a) Subject to Subsection (b) of this section, the changes in law made by this Act apply to a driver's license, commercial driver's license, commercial driver learner's license, or identification card issued or renewed on or after the effective date of this Act. A driver's license, commercial driver's license, commercial driver learner's permit, or personal identification certificate issued or renewed before the effective date of this Act is governed by the law in effect when the license, permit, or certificate was issued or renewed, and the former law is continued in effect for that purpose.

(b) The Department of Public Safety, as authorized by Sections 521.271(c) and 522.051(g), Transportation Code, as added by this Act, may require the renewal of a driver's license, commercial driver's license, commercial driver learner's permit, or personal identification certificate issued or renewed before the effective date of this Act.

SECTION 4.02. To the extent of any conflict, this Act prevails over another Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 4.03. This Act takes effect September 1, 2009.