

By: Shapleigh

S.B. No. 896

A BILL TO BE ENTITLED

AN ACT

relating to the repeal of the driver responsibility program.

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

SECTION 1. Section 780.002, Health and Safety Code, is amended to read as follows:

Sec. 780.002. DEPOSITS TO ACCOUNT. The comptroller shall deposit any gifts, grants, donations, and legislative appropriations made for that purpose to the credit of the designated trauma facility and emergency medical services account established under Section 780.003. ~~[(a) On the first Monday of each month, the Department of Public Safety shall remit the surcharges collected during the previous month under the driver responsibility program operated by that department under Chapter 708, Transportation Code, to the comptroller.]~~

~~[(b) The comptroller shall deposit 49.5 percent of the money received under Subsection (a) to the credit of the account established under this chapter and 49.5 percent of the money to the general revenue fund. The remaining one percent of the amount of the surcharges shall be deposited to the general revenue fund and may be appropriated only to the Department of Public Safety for administration of the driver responsibility program operated by that department under Chapter 708, Transportation Code.]~~

~~[(c) Notwithstanding Subsection (b), in any state fiscal year the comptroller shall deposit 49.5 percent of the surcharges~~

1 ~~collected under Chapter 708, Transportation Code, to the credit of~~  
2 ~~the general revenue fund only until the total amount of the~~  
3 ~~surcharges deposited to the credit of the general revenue fund~~  
4 ~~under Subsection (b), and the state traffic fines deposited to the~~  
5 ~~credit of that fund under Section 542.4031(g)(1), Transportation~~  
6 ~~Code, equals \$250 million for that year. If in any state fiscal~~  
7 ~~year the amount received by the comptroller under those laws for~~  
8 ~~deposit to the credit of the general revenue fund exceeds \$250~~  
9 ~~million, the comptroller shall deposit the additional amount to the~~  
10 ~~credit of the Texas mobility fund.]~~

11 SECTION 2. Section 502.1715(b), Transportation Code, is  
12 amended to read as follows:

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

16 (1) support the Department of Public Safety's  
17 reengineering of the driver's license system to provide for the  
18 issuance by the Department of Public Safety of a driver's license or  
19 personal identification certificate, to include use of image  
20 comparison technology; and

21 (2) ~~[establish and maintain a system to support the~~  
22 ~~driver responsibility program under Chapter 708, and~~

23 ~~[(3)]~~ make lease payments to the master lease purchase  
24 program for the financing of the driver's license reengineering  
25 project.

26 SECTION 3. Section 542.4031(h), Transportation Code, is  
27 amended to read as follows:

1           (h) Notwithstanding Subsection (g)(1), in any state fiscal  
2 year the comptroller shall deposit 67 percent of the money received  
3 under Subsection (e)(2) to the credit of the general revenue fund  
4 only until the total amount of the money deposited to the credit of  
5 the general revenue fund under Subsection (g)(1) [~~and Section~~  
6 ~~780.002(b), Health and Safety Code,~~] equals \$250 million for that  
7 year. If in any state fiscal year the amount received by the  
8 comptroller under Subsection (g)(1) [~~those laws~~] for deposit to the  
9 credit of the general revenue fund exceeds \$250 million, the  
10 comptroller shall deposit the additional amount to the credit of  
11 the Texas mobility fund.

12           SECTION 4. Section 601.233(a), Transportation Code, is  
13 amended to read as follows:

14           (a) A citation for an offense under Section 601.191 issued  
15 as a result of Section 601.053 must include, in type larger than  
16 other type on the citation, [~~except for the type of the statement~~  
17 ~~required by Section 708.105,~~] the following statement:

18 "A second or subsequent conviction of an offense under the Texas  
19 Motor Vehicle Safety Responsibility Act will result in the  
20 suspension of your driver's license and motor vehicle registration  
21 unless you file and maintain evidence of financial responsibility  
22 with the Department of Public Safety for two years from the date of  
23 conviction. The department may waive the requirement to file  
24 evidence of financial responsibility if you file satisfactory  
25 evidence with the department showing that at the time this citation  
26 was issued, the vehicle was covered by a motor vehicle liability  
27 insurance policy or that you were otherwise exempt from the

1 requirements to provide evidence of financial responsibility."

2 SECTION 5. Chapter 708, Transportation Code, is repealed.

3 SECTION 6. Notwithstanding the repeal by this Act of  
4 Chapter 708, Transportation Code, a surcharge imposed under former  
5 Chapter 708 of that code before the effective date of this Act is  
6 governed by the applicable law in effect before the effective date  
7 of this Act, and the former law is continued in effect for that  
8 purpose.

9 SECTION 7. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2009.