

1-1 By: Shapleigh S.B. No. 896
1-2 (In the Senate - Filed February 17, 2009; March 9, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 8, 2009, reported favorably by the
1-5 following vote: Yeas 7, Nays 2; April 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the repeal of the driver responsibility program.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 780.002, Health and Safety Code, is
1-11 amended to read as follows:

1-12 Sec. 780.002. DEPOSITS TO ACCOUNT. The comptroller shall
1-13 deposit any gifts, grants, donations, and legislative
1-14 appropriations made for that purpose to the credit of the
1-15 designated trauma facility and emergency medical services account
1-16 established under Section 780.003. ~~[(a) On the first Monday of~~
1-17 ~~each month, the Department of Public Safety shall remit the~~
1-18 ~~surcharges collected during the previous month under the driver~~
1-19 ~~responsibility program operated by that department under Chapter~~
1-20 ~~708, Transportation Code, to the comptroller.~~

1-21 ~~[(b) The comptroller shall deposit 49.5 percent of the money~~
1-22 ~~received under Subsection (a) to the credit of the account~~
1-23 ~~established under this chapter and 49.5 percent of the money to the~~
1-24 ~~general revenue fund. The remaining one percent of the amount of~~
1-25 ~~the surcharges shall be deposited to the general revenue fund and~~
1-26 ~~may be appropriated only to the Department of Public Safety for~~
1-27 ~~administration of the driver responsibility program operated by~~
1-28 ~~that department under Chapter 708, Transportation Code.~~

1-29 ~~[(c) Notwithstanding Subsection (b), in any state fiscal~~
1-30 ~~year the comptroller shall deposit 49.5 percent of the surcharges~~
1-31 ~~collected under Chapter 708, Transportation Code, to the credit of~~
1-32 ~~the general revenue fund only until the total amount of the~~
1-33 ~~surcharges deposited to the credit of the general revenue fund~~
1-34 ~~under Subsection (b), and the state traffic fines deposited to the~~
1-35 ~~credit of that fund under Section 542.4031(g)(1), Transportation~~
1-36 ~~Code, equals \$250 million for that year. If in any state fiscal~~
1-37 ~~year the amount received by the comptroller under those laws for~~
1-38 ~~deposit to the credit of the general revenue fund exceeds \$250~~
1-39 ~~million, the comptroller shall deposit the additional amount to the~~
1-40 ~~credit of the Texas mobility fund.]~~

1-41 SECTION 2. Subsection (b), Section 502.1715,
1-42 Transportation Code, is amended to read as follows:

1-43 (b) Fees collected under this section shall be deposited to
1-44 the credit of the state highway fund. Subject to appropriations,
1-45 the money shall be used by the Department of Public Safety to:

1-46 (1) support the Department of Public Safety's
1-47 reengineering of the driver's license system to provide for the
1-48 issuance by the Department of Public Safety of a driver's license or
1-49 personal identification certificate, to include use of image
1-50 comparison technology; and

1-51 (2) ~~establish and maintain a system to support the~~
1-52 ~~driver responsibility program under Chapter 708, and~~

1-53 ~~[(3)] make lease payments to the master lease purchase~~
1-54 ~~program for the financing of the driver's license reengineering~~
1-55 ~~project.~~

1-56 SECTION 3. Subsection (h), Section 542.4031,
1-57 Transportation Code, is amended to read as follows:

1-58 (h) Notwithstanding Subsection (g)(1), in any state fiscal
1-59 year the comptroller shall deposit 67 percent of the money received
1-60 under Subsection (e)(2) to the credit of the general revenue fund
1-61 only until the total amount of the money deposited to the credit of
1-62 the general revenue fund under Subsection (g)(1) ~~[and Section~~
1-63 ~~780.002(b), Health and Safety Code,]~~ equals \$250 million for that
1-64 year. If in any state fiscal year the amount received by the

2-1 comptroller under Subsection (g)(1) [~~those laws~~] for deposit to the
2-2 credit of the general revenue fund exceeds \$250 million, the
2-3 comptroller shall deposit the additional amount to the credit of
2-4 the Texas mobility fund.

2-5 SECTION 4. Subsection (a), Section 601.233, Transportation
2-6 Code, is amended to read as follows:

2-7 (a) A citation for an offense under Section 601.191 issued
2-8 as a result of Section 601.053 must include, in type larger than
2-9 other type on the citation, [~~except for the type of the statement
2-10 required by Section 708.105,~~] the following statement:

2-11 "A second or subsequent conviction of an offense under
2-12 the Texas Motor Vehicle Safety Responsibility Act will
2-13 result in the suspension of your driver's license and
2-14 motor vehicle registration unless you file and
2-15 maintain evidence of financial responsibility with the
2-16 Department of Public Safety for two years from the date
2-17 of conviction. The department may waive the
2-18 requirement to file evidence of financial
2-19 responsibility if you file satisfactory evidence with
2-20 the department showing that at the time this citation
2-21 was issued, the vehicle was covered by a motor vehicle
2-22 liability insurance policy or that you were otherwise
2-23 exempt from the requirements to provide evidence of
2-24 financial responsibility."

2-25 SECTION 5. Chapter 708, Transportation Code, is repealed.

2-26 SECTION 6. Notwithstanding the repeal by this Act of
2-27 Chapter 708, Transportation Code, a surcharge imposed under former
2-28 Chapter 708 of that code before the effective date of this Act is
2-29 governed by the applicable law in effect before the effective date
2-30 of this Act, and the former law is continued in effect for that
2-31 purpose.

2-32 SECTION 7. This Act takes effect immediately if it receives
2-33 a vote of two-thirds of all the members elected to each house, as
2-34 provided by Section 39, Article III, Texas Constitution. If this
2-35 Act does not receive the vote necessary for immediate effect, this
2-36 Act takes effect September 1, 2009.

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