

Amend CSHB 90 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 521.201, Transportation Code, is amended to read as follows:

Sec. 521.201. LICENSE INELIGIBILITY IN GENERAL. (a) The department may not issue any license to a person who:

- (1) is under 15 years of age;
- (2) is under 18 years of age unless the person complies with the requirements imposed by Section 521.204;
- (3) is shown to be addicted to the use of alcohol, a controlled substance, or another drug that renders a person incapable of driving;
- (4) holds a driver's license issued by this state or another state or country that is revoked, canceled, or under suspension;
- (5) has been determined by a judgment of a court to be totally incapacitated or incapacitated to act as the operator of a motor vehicle unless the person has, by the date of the license application, been:
 - (A) restored to capacity by judicial decree; or
 - (B) released from a hospital for the mentally incapacitated on a certificate by the superintendent or administrator of the hospital that the person has regained capacity;
- (6) the department determines to be afflicted with a mental or physical disability or disease that prevents the person from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle on a highway, except that a person may not be refused a license because of a physical defect if common experience shows that the defect does not incapacitate a person from safely operating a motor vehicle;
- (7) has been reported by a court under Section 521.3452 for failure to appear unless the court has filed an additional report on final disposition of the case; [~~or~~]
- (8) has been reported by a court for failure to appear or default in payment of a fine for a misdemeanor that is not

covered under Subdivision (7) and that is punishable by a fine only, including a misdemeanor under a municipal ordinance, committed by a person who was under 17 years of age at the time of the alleged offense, unless the court has filed an additional report on final disposition of the case; or

(9) except as provided by Section 521.207, is younger than 24 years of age and:

(A) has not obtained a high school diploma or its equivalent; or

(B) is a student:

(i) enrolled in a public school or private school, including a home school, who attended school for at least 80 days in the fall or spring semester preceding the date of the driver's license application; or

(ii) who has been enrolled for at least 45 days, and is enrolled as of the date of the application, in a program to prepare persons to pass the high school equivalency exam.

(b) Subsection (a)(9) does not apply to the renewal of a license issued before January 1, 2012.

SECTION _____. Subchapter J, Chapter 521, Transportation Code, is amended by adding Section 521.207 to read as follows:

Sec. 521.207. RESTRICTIONS ON CERTAIN PERSONS WITHOUT HIGH SCHOOL DIPLOMA OR EQUIVALENT. (a) The department may issue a restricted license to an applicant who is younger than 24 years of age and who has not obtained a high school diploma or its equivalent that allows the holder to travel between the holder's residence and another place for the purpose of:

(1) school;

(2) work;

(3) any school-sponsored educational or athletic activity;

(4) any non-school-sponsored community service or volunteer activity;

(5) religious services;

(6) essential household duties, including obtaining child care; and

(7) obtaining emergency medical care.

(b) The department shall adopt rules to implement this section, including:

(1) defining types of acceptable documentation of obtaining a high school diploma or its equivalent, including documentation from the applicant's parent or a person standing in parental relation; and

(2) designing a license with a marking to indicate the restricted status described by this section.