

BILL ANALYSIS

Senate Research Center

H.B. 90
By: Cook (Birdwell)
Transportation & Homeland Security
5/19/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Centers for Disease Control and Prevention, motor vehicle crashes are the leading cause of death for teenagers in the United States, and teenage drivers between the ages of 16 and 19 are four times more likely to be in an accident than older drivers. The risk is particularly high during a teenager's first year of driving.

H.B. 90 amends current law relating to eligibility to obtain a driver's license.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 3 (Section 521.207, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that this Act shall be known as Aaron's Act.

SECTION 2. Amends Section 521.201, Transportation Code, as follows:

Sec. 521.201. LICENSE INELIGIBILITY IN GENERAL. (a) Creates this subsection from existing text. Prohibits the Department of Public Safety of the State of Texas (DPS) from issuing any license to certain persons, including a person who, except as provided by Section 521.207, is younger than 24 years of age and has not obtained a high school diploma or its equivalent; or is a student 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 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) Provides that Subsection (a)(9) (relating to certain persons younger than 24 years of age) does not apply to the renewal of a license issued before January 1, 2012.

SECTION 3. Amends Subchapter J, Chapter 521, Transportation Code, by adding Section 521.207, as follows:

Sec. 521.207. RESTRICTIONS ON CERTAIN PERSONS WITHOUT HIGH SCHOOL DIPLOMA OR EQUIVALENT. (a) Authorizes DPS to 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 certain purposes.

(b) Requires DPS to 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.

SECTION 4. Amends Section 521.223, Transportation Code, by amending Subsections (b), (c), and (f) and adding Subsections (b-1) and (c-1), as follows:

(b) Requires an applicant for a license under Subsection (a) (relating to issuing a license to certain persons for certain purposes) to be 15 years and 180 days of age or older and to:

(1) except as provided by Subsection (b-1), have passed a driver education course approved by DPS, which may be a course approved under Section 521.205 (Department-Approved Courses); and

(2) pass the examination required by Section 521.161 (Examination of License Applicants).

(b-1) Requires an applicant for a license to operate a farm vehicle under Subsection (a) to have passed a driver education course approved by DPS, which may be a course approved under Section 521.205.

(c) Requires the person, except as provided by Subsection (c-1), to be eligible to take the driver education course under Subsection (b)(1), rather than to take the driver training course, to be at least 15 years of age, rather than at least 14 years of age.

(c-1) Requires the person, to be eligible to take the driver training course to obtain a license to operate a farm vehicle, to be at least 14 years of age.

(f) Requires, rather than authorizes, DPS, in the manner provided by Subchapter N (General Provisions Relating to License Denial, Suspension, or Revocation), to suspend a license issued under this section if the holder of the license is convicted of a moving violation.

SECTION 5. Repealer: Section 521.223(d) (relating to issuance of a temporary license and waiver of certain requirements), Transportation Code.

SECTION 6. Makes application of the change in law made by this Act to the issuance of a hardship license, prospective.

SECTION 7. Effective date: September 1, 2011.