

BILL ANALYSIS

Senate Research Center
82R18824 JXC-D

H.B. 2851
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Veteran Affairs & Military Installations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under the state's driver responsibility program, drivers are assessed a surcharge based on conviction of certain traffic offenses, including driving without a driver's license, driving with an invalid driver's license, or driving with no insurance. The surcharge must be paid within a certain timeframe to prevent the suspension of driving privileges. Driving privileges remain suspended until the person establishes an installment agreement or pays in full all surcharges and related costs.

H.B. 2851 provides for the deferral of surcharge payments for active duty military personnel until the personnel return home.

H.B. 2851 amends current law relating to deferral of certain surcharge payments for military personnel deployed outside of the continental United States.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 1 (Section 708.106, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 708, Transportation Code, by adding Section 708.106, as follows:

Sec. 708.106. DEFERRAL OF SURCHARGES FOR DEPLOYED MILITARY PERSONNEL. Requires the Department of Public Safety of the State of Texas by rule to establish a deferral program for surcharges assessed under Section 708.103 (Surcharge for Conviction of Driving While License Invalid or Without Financial Responsibility) or 708.104 (Surcharge for Conviction of Driving Without Valid License) against a person who is a member of the United States armed forces on active duty deployed outside of the continental United States. Requires that the program:

- (1) toll the 36-month period while the person is deployed; and
- (2) defer assessment of surcharges against the person until the date the person is no longer deployed for an offense committed before the person was deployed, or committed while the person is deployed.

SECTION 2. Effective date: September 1, 2011.