

AN ACT

relating to surcharges under the Driver Responsibility Program.

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

SECTION 1. Section 708.157(b), Transportation Code, is amended to read as follows:

(b) The department by rule shall [~~may~~] offer a holder of a driver's license on which a surcharge has been assessed an incentive for compliance with the law and efforts at rehabilitation, including a reduction of a surcharge or a decrease in the length of an installment plan.

SECTION 2. Subchapter D, Chapter 708, Transportation Code, is amended by adding Section 708.159 to read as follows:

Sec. 708.159. ADVANCE PAYMENT OF SURCHARGES. (a) The department shall offer an option for a single up-front payment to a person who is assessed an annual surcharge under this chapter to allow the person to pay in advance the total amount that will be owed for the 36-month period for which the surcharge will be assessed.

(b) Notice under Section 708.151 of an initial surcharge imposed under this chapter must notify the driver's license holder of:

(1) the total amount the person will owe for the 36-month period for which the surcharge will be assessed; and

(2) the availability of the advance payment option

1 under this section.

2 (c) If a person makes a single up-front payment under this
3 section in the amount specified in the notice under Subsection
4 (b)(1) and the person is not, in the 36-month period for which the
5 person made the up-front payment, subsequently convicted of an
6 offense requiring a surcharge or an increase in the amount due to
7 the department, the department is not required to:

8 (1) take any further action under Section 708.053,
9 708.102, 708.103, or 708.104, as applicable; or

10 (2) annually notify the person of the assessment of
11 the surcharge under Section 708.151.

12 SECTION 3. Section 708.159, Transportation Code, as added
13 by this Act, applies to any total surcharge amounts owed by a person
14 for a 36-month period under Chapter 708, Transportation Code,
15 regardless of whether the initial annual surcharge was assessed
16 before, on, or after the effective date of this Act.

17 SECTION 4. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 588 was passed by the House on April 15, 2011, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 588 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor