

1-1 By: Guillen (Senate Sponsor - Whitmire) H.B. No. 588
1-2 (In the Senate - Received from the House April 18, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 17, 2011, reported
1-5 favorably by the following vote: Yeas 6, Nays 0; May 17, 2011,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to surcharges under the Driver Responsibility Program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 708.157(b), Transportation Code, is
1-12 amended to read as follows:

1-13 (b) The department by rule shall [~~may~~] offer a holder of a
1-14 driver's license on which a surcharge has been assessed an
1-15 incentive for compliance with the law and efforts at
1-16 rehabilitation, including a reduction of a surcharge or a decrease
1-17 in the length of an installment plan.

1-18 SECTION 2. Subchapter D, Chapter 708, Transportation Code,
1-19 is amended by adding Section 708.159 to read as follows:

1-20 Sec. 708.159. ADVANCE PAYMENT OF SURCHARGES. (a) The
1-21 department shall offer an option for a single up-front payment to a
1-22 person who is assessed an annual surcharge under this chapter to
1-23 allow the person to pay in advance the total amount that will be
1-24 owed for the 36-month period for which the surcharge will be
1-25 assessed.

1-26 (b) Notice under Section 708.151 of an initial surcharge
1-27 imposed under this chapter must notify the driver's license holder
1-28 of:

1-29 (1) the total amount the person will owe for the
1-30 36-month period for which the surcharge will be assessed; and

1-31 (2) the availability of the advance payment option
1-32 under this section.

1-33 (c) If a person makes a single up-front payment under this
1-34 section in the amount specified in the notice under Subsection
1-35 (b)(1) and the person is not, in the 36-month period for which the
1-36 person made the up-front payment, subsequently convicted of an
1-37 offense requiring a surcharge or an increase in the amount due to
1-38 the department, the department is not required to:

1-39 (1) take any further action under Section 708.053,
1-40 708.102, 708.103, or 708.104, as applicable; or

1-41 (2) annually notify the person of the assessment of
1-42 the surcharge under Section 708.151.

1-43 SECTION 3. Section 708.159, Transportation Code, as added
1-44 by this Act, applies to any total surcharge amounts owed by a person
1-45 for a 36-month period under Chapter 708, Transportation Code,
1-46 regardless of whether the initial annual surcharge was assessed
1-47 before, on, or after the effective date of this Act.

1-48 SECTION 4. This Act takes effect September 1, 2011.

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