

By: Legler

H.B. No. 1035

A BILL TO BE ENTITLED

AN ACT

relating to the proof of identity required of an applicant for a driver's license.

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

SECTION 1. Section 521.142, Transportation Code, is amended by amending Subsections (a) and (e) and adding Subsections (d-1) and (d-2) to read as follows:

(a) An application for an original license must state the applicant's full name and place and date of birth. This information must be verified by presentation of proof of identity that complies with Subsection (d-1) or (d-2), as applicable ~~[satisfactory to the department]~~. If the applicant does not present the required proof of identity, the department may not issue the license ~~[The department must accept as satisfactory proof of identity under this subsection an offender identification card or similar form of identification issued to an inmate by the Texas Department of Criminal Justice if the applicant also provides supplemental verifiable records or documents that aid in establishing identity].~~

(d-1) If the application indicates that the applicant is a citizen of the United States under Subsection (c), the applicant must provide to the department for inspection one of the following documents:

(1) a birth certificate issued by:

- 1 (A) an agency of the United States; or
2 (B) a state or territory of the United States, or
3 the District of Columbia;
4 (2) a Certificate of United States Citizenship;
5 (3) a Consular Report of Birth Abroad of a Citizen of
6 the United States;
7 (4) an unexpired United States passport;
8 (5) a Certificate of United States Naturalization;
9 (6) an unexpired United States Military
10 Identification Card; or
11 (7) a United States Citizen Identification Card.
12 (d-2) If the application indicates that the applicant is not
13 a citizen of the United States under Subsection (c), the applicant
14 must provide to the department for inspection one of the following
15 documents:
16 (1) a Permanent Resident Card;
17 (2) an unexpired passport issued by another country
18 with "Processed for I-551" stamp;
19 (3) a Permanent Resident Re-entry Permit;
20 (4) an Arrival-Departure Form I-94 that bears the
21 holder's photograph with "Temporary I-551" stamp;
22 (5) a Travel Document issued to Permanent Residents;
23 (6) a Travel Document issued to Refugees; or
24 (7) a Form I-94 with "Asylee," "Parolee or Parole,"
25 "Refugee," "Asylum," "HP-Humanitarian Parolee," or "PIP-Public
26 Interest Parolee" stamp.

27 (e) The application must include any other information the

1 department requires to determine the applicant's [~~identity~~,
2 competency~~]~~ and eligibility.

3 SECTION 2. The changes in law made by this Act apply only to
4 an application for a driver's license filed on or after the
5 effective date of this Act. An application for a driver's license
6 filed before the effective date of this Act is subject to the law in
7 effect on the date of filing, and that law is continued in effect
8 for that purpose.

9 SECTION 3. This Act takes effect September 1, 2011.