

## **BILL ANALYSIS**

C.S.S.B. 1664  
By: Nichols  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, the Department of Public Safety (DPS) has the authority to issue commercial driver learner's permits and commercial driver's licenses, but Texas must ensure continued compliance with federal regulations to maintain this authority. Interested parties contend that interstate commerce, in particular, will be adversely affected if DPS is prevented from issuing these permits and licenses to commercial motor vehicle drivers who cross state lines transporting goods to consumers and businesses throughout the country. The parties assert that, in addition, Texas risks the loss of millions of dollars in federal highway funds if the state does not comply with Federal Motor Carrier Safety Administration rules and regulations. C.S.S.B. 1664 makes several changes to the Texas Commercial Driver's License Act that are necessary to maintain compliance with recently enacted federal regulations.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 1664 amends the Transportation Code to redesignate the term "commercial driver learner's permit" as "commercial learner's permit," for purposes of the Texas Commercial Driver's License Act, and to clarify that the term means a permit, rather than a commercial driver's license, that restricts the holder to driving a commercial motor vehicle as provided by the act. The bill, for purposes of the act, clarifies that the term "driver's license" does not include a commercial learner's permit unless otherwise provided by the act, expands the definition of "out-of-service order," and expands the definition of "serious traffic violation" to include a violation of a state or local law or ordinance prohibiting texting while driving or restricting or prohibiting the use of a wireless communication device while operating a commercial vehicle.

C.S.S.B. 1664 makes the exemption from the offense of violating the prohibition against driving a commercial motor vehicle for a person who has in the person's immediate possession a commercial learner's permit issued by the Department of Public Safety (DPS) and who is accompanied by the holder of a DPS-issued commercial driver's license appropriate for the class of vehicle being driven and who, for driving instruction purposes, occupies a seat beside the permit holder apply only if the person also has a DPS-issued driver's license in the person's immediate possession and the license holder has any necessary endorsements appropriate for the class of vehicle being driven and occupies such seat at all times. The bill, for purposes of that exemption, in the case of a passenger vehicle, requires the license holder for driving instruction purposes to occupy a seat directly behind the driver in a location that allows for direct observation and supervision of the permit holder. The bill establishes a defense to prosecution for that offense for a person driving a commercial motor vehicle who does not have in the person's immediate possession a commercial learner's permit and driver's license issued by DPS if the person charged produces in court a commercial learner's permit or driver's license, as appropriate, that was issued to the person and was valid when the offense was committed. The

bill authorizes a court to assess a defendant an administrative fee capped at \$10 if a charge for violating commercial driver's license or learner's permit requirements is dismissed because of that defense to prosecution.

C.S.S.B. 1664 redesignates the term "nonresident commercial driver's license" as "non-domiciled commercial driver's license" for purposes of the act, authorizes DPS to issue a non-domiciled commercial learner's permit to a person domiciled in a foreign jurisdiction if the secretary of the U.S. Department of Transportation has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing standards established by federal commercial driver's license standards, and expands the scope of statutory provisions regarding non-domiciled commercial driver's licenses to include non-domiciled commercial learner's permits. The bill requires DPS, before issuing a non-domiciled commercial learner's permit, to establish the practical capability of disqualifying the person under the conditions applicable to a commercial learner's permit issued to a Texas resident and requires "non-domiciled," rather than "nonresident," to appear on the face of an issued non-domiciled commercial driver's license or learner's permit.

C.S.S.B. 1664 requires an individual to whom DPS is authorized to issue a commercial learner's permit to have been issued a driver's license by DPS, requires a commercial learner's permit to be a separate document from a driver's license or a commercial driver's license, and establishes that the issuance of a commercial learner's permit is required for the initial issuance of a commercial driver's license or the upgrade in classification of a commercial driver's license that requires a skills test. The bill prohibits a commercial learner's permit holder from taking a commercial driver's license skills test before the 15th day after the date of the issuance of the permit. The bill requires a person who is statutorily authorized to drive a commercial motor vehicle in Texas by virtue of holding a commercial learner's permit issued by another state or a foreign jurisdiction and meeting other requirements to also have a driver's license issued by the same jurisdiction that issued the permit.

C.S.S.B. 1664 requires an applicant for a non-domiciled commercial driver's license who is domiciled in a foreign jurisdiction that does not meet federal commercial driver's license testing and licensing standards to present, in addition to the applicant's social security card, either an unexpired foreign passport issued to the applicant and a Form I-94 Arrival/Departure record or a successor document or an unexpired employment authorization document and documentation demonstrating proof of Texas residence, rather than each of the following documents: a passport issued by the applicant's country of residence, a Temporary Worker visa, and a Form I-94 Arrival/Departure record or a successor document. The bill subjects a person who knowingly falsifies such information or certification to a 60-day disqualification, rather than cancellation, of the person's commercial driver's license, commercial learner's permit, or application. The bill authorizes DPS to administer a skills test to a person who holds a commercial learner's permit issued by another state or jurisdiction and requires DPS, if a person surrenders a driver's license, commercial driver's license, or commercial learner's permit issued by another state for purposes of obtaining a commercial driver's license from DPS, to notify the issuing state of the surrendered license or permit, rather than to return a surrendered license or permit to that state.

C.S.S.B. 1664 requires DPS to check a commercial learner's permit applicant's driving record as required by federal regulations before issuing the permit and sets at \$24 the fee for the issuance or renewal of a commercial learner's permit generally, rather than \$60 for issuance. The bill removes the requirement regarding a fee reduction for a commercial learner's permit and sets the fee for a non-domiciled commercial learner's permit at \$120. The bill sets the fee for the administration of a skills test to a person who is not domiciled in Texas at \$60. The bill removes provisions setting the fee at \$20 for a commercial learner's permit issued to certain sex offenders, provisions setting the fee at \$25 for the issuance and renewal of a commercial learner's permit for certain persons 85 years of age or older, and provisions increasing by \$8 the fee for a commercial learner's permit that includes an authorization to operate a motorcycle or moped.

C.S.S.B. 1664 requires a commercial learner's permit to be marked "Commercial Learner's Permit" or "CLP," requires the domicile address, rather than mailing address, of the person to whom a commercial driver's license or commercial learner's permit is issued to be included on the license or permit, and removes the requirement that the photograph of the license or permit holder required to be included on the license or permit be a color photograph. The bill sets a commercial driver's license issued to a person whose driver's license or personal identification certificate record indicates that the person is subject to sex offender registration requirements to expire on the first birthday of the license holder occurring after the date of application or on the second such birthday for an initial license, regardless of the license or permit holder's citizenship or legal residence status in the United States.

C.S.S.B. 1664 removes provisions requiring an applicant for an original commercial learner's permit that includes an authorization to operate a motorcycle to furnish to DPS satisfactory evidence that the applicant has successfully completed a DPS-approved basic motorcycle operator training course and expands the scope of provisions regarding commercial driver's license classifications to include such classifications with respect to a commercial learner's permit. The bill authorizes DPS to issue a commercial learner's permit with endorsements authorizing the driving of a passenger vehicle, a school bus, or a tank vehicle and establishes that such an endorsement for a passenger vehicle or a school bus allows a permit holder to operate a vehicle with only the following passengers: federal or state auditors and inspectors, test examiners, or other permit holders and the commercial driver's license holder required to accompany the permit holder for driving instruction purposes. The bill establishes that such an endorsement for a tank vehicle allows a permit holder to operate only an empty tank vehicle that has been purged of any hazardous materials. The bill prohibits the holder of a commercial learner's permit from driving a vehicle that requires an endorsement unless the proper endorsement appears on the permit and makes it a Class C misdemeanor offense for a permit holder to violate endorsement requirements.

C.S.S.B. 1664 establishes that a non-domiciled commercial driver's license other than a temporary non-domiciled commercial driver's license expires on the earlier of the first birthday of the license holder occurring after the fifth anniversary of the date of the application or the expiration date of the license holder's lawful presence in the United States as determined by the appropriate U.S. agency in compliance with federal law; or expires on the first anniversary of the date of issuance, if there is no definitive expiration date for the applicant's authorized stay in the United States. The bill removes provisions establishing the expiration of such a license on the earlier of the expiration date of a Temporary Worker visa or the expiration date of the Form I-94 Arrival/Departure record or a successor document. The bill establishes that a commercial learner's permit expires on the earlier of the expiration date of the driver's license or commercial driver's license or the 181st day after the date of issuance and removes provisions establishing different expiration dates for an original commercial learner's permit under different circumstances. The bill authorizes a commercial driver learner's permit to be renewed once for an additional 180 days without requiring the applicant to retake the general and endorsement knowledge tests, rather than prohibiting such a permit from being renewed.

C.S.S.B. 1664 expands DPS's authority to deny under certain circumstances renewal of a DPS-issued commercial driver's license in the manner ordered by a court in another state in connection with a matter involving a certain motor vehicle traffic control violation and on receipt of the necessary information from the other state to include the authority to deny renewal of a DPS-issued commercial learner's permit under such circumstances and expands those circumstances to include failure to answer a citation or to pay fines, penalties, or costs related to the original violation. The bill requires DPS to apply any such notification received from another state as a conviction to the person's driving record.

C.S.S.B. 1664 expands the scope of the following statutory provisions regarding commercial driver's licenses to make the provisions apply also to a commercial learner's permit: provisions regarding clearance notice from another state to DPS that the grounds for denial of the renewal

of a commercial driver's license based on previously reported violations have ceased to exist, provisions regarding driving a commercial motor vehicle while disqualified for a commercial driver's license, provisions regarding the circumstances under which a commercial driver's license holder is disqualified from driving a commercial motor vehicle, and provisions regarding notification to DPS or to a commercial driver's license holder's employer of a conviction in another state of a certain motor vehicle traffic control violation. The bill expands the scope of a statutory provision regarding DPS notification of such a final conviction committed in a commercial motor vehicle by the holder of a commercial driver's license issued by another state to the driver's licensing authority in the issuing state to make the provision apply also to a driver's license and commercial learner's permit issued by another state. The bill includes among the circumstances under which a commercial driver's license or commercial learner's permit holder is disqualified from driving a commercial motor vehicle for one year a first conviction of driving while intoxicated with a child passenger and clarifies the licensing authorities in other states that DPS must notify after disqualifying a person who has a domicile in another state or in a foreign jurisdiction of such disqualification.

C.S.S.B. 1664 establishes that the following disqualifications imposed on a commercial driver's license or commercial learner's permit holder from driving a commercial motor vehicle take effect on the 10th day after the date DPS issues the order of disqualification: the 60-day disqualification for one violation of a law that regulates the operation of a motor vehicle at a railroad grade crossing, the one-year disqualification for a first conviction of certain motor vehicle-related violations, and the disqualification for life for using a motor vehicle in the commission of a certain controlled substance-related felony. The bill clarifies that a suspension, revocation, cancellation, or denial of a permit, in addition to a driver's license or privilege under state law, disqualifies a person under the Texas Commercial Driver's License Act.

C.S.S.B. 1664, effective January 30, 2014, requires DPS to remove the commercial driver's license privilege from a commercial driver's license or a commercial learner's permit holder if the holder fails to provide DPS a self-certification of operating status or fails to provide and maintain with DPS a current medical examiner's certificate that is required based on the self-certification.

C.S.S.B. 1664 specifies that the required disqualification by DPS of a person driving a commercial motor vehicle due to a peace officer's report that the person refused to give a requested specimen or submitted a specimen that disclosed an alcohol concentration of 0.04 or more begins on the 45th day after the date the report is received unless a hearing is granted.

C.S.S.B. 1664 prohibits the operator of a commercial motor vehicle from generating, sending, or reading a text message while driving the vehicle, makes it a Class C misdemeanor offense to violate this prohibition, and exempts from the prohibition an operator of a commercial motor vehicle who inputs, selects, or reads information on a global positioning or navigation system; presses a single button to initiate or terminate a voice communication using a wireless communication device; uses a device capable of performing multiple functions, such as a fleet management system, dispatch service, smart phone, citizens band radio, or music player, in a manner that is not prohibited by the bill's provisions; or communicates with law enforcement officials or other emergency personnel. The bill additionally exempts from the prohibition a law enforcement officer, firefighter, or operator of an authorized emergency vehicle communicating while engaged in the performance of official duties.

C.S.S.B. 1664 amends the Code of Criminal Procedure to make a conforming change.

C.S.S.B. 1664 repeals Section 522.029(f), Transportation Code, as added by Chapter 1156 (S.B. 99), Acts of the 75th Legislature, Regular Session, 1997, relating to the fee for renewal of a commercial driver's license or a commercial driver learner's permit that includes authorization to operate a motorcycle.

## EFFECTIVE DATE

Except as otherwise provided, January 1, 2014.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 1664 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

### SENATE ENGROSSED

SECTION 1. Section 522.003, Transportation Code, is amended.

SECTION 2. Section 522.011, Transportation Code, is amended.

SECTION 3. Section 522.013, Transportation Code, is amended to read as follows:

Sec. 522.013. NON-DOMICILED [NONRESIDENT] LICENSE OR PERMIT. (a) The department may issue a non-domiciled [nonresident] commercial driver's license or commercial learner's permit to a person domiciled in [resident of] a foreign jurisdiction if the secretary has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing standards established by 49 C.F.R. Part 383.

(b) An applicant for a non-domiciled commercial driver's license must surrender any non-domiciled [nonresident] commercial driver's license issued by another state.

(c) Before issuing a non-domiciled [nonresident] commercial driver's license, the department must establish the practical capability of disqualifying the person under the conditions applicable to a commercial driver's license issued to a resident of this state. Before issuing a non-domiciled commercial learner's permit, the department must establish the practical capability of disqualifying the person under the conditions applicable to a commercial learner's permit issued to a resident of this state.

(d) "Non-domiciled" ["Nonresident"] must appear on the face of a license or permit issued under this section.

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as engrossed version.

SECTION 2. Same as engrossed version.

SECTION 3. Section 522.013, Transportation Code, is amended to read as follows:

Sec. 522.013. NON-DOMICILED [NONRESIDENT] LICENSE OR PERMIT. (a) The department may issue a non-domiciled [nonresident] commercial driver's license or commercial learner's permit to a person domiciled in [resident of] a foreign jurisdiction if the secretary has determined that the commercial motor vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing standards established by 49 C.F.R. Part 383.

(b) An applicant for a non-domiciled commercial driver's license must surrender any non-domiciled [nonresident] commercial driver's license issued by another state.

(c) Before issuing a non-domiciled [nonresident] commercial driver's license, the department must establish the practical capability of disqualifying the person under the conditions applicable to a commercial driver's license issued to a resident of this state. Before issuing a non-domiciled commercial learner's permit, the department must establish the practical capability of disqualifying the person under the conditions applicable to a commercial learner's permit issued to a resident of this state.

(d) "Non-domiciled" ["Nonresident"] must appear on the face of a license or permit issued under this section.

(e) The department may issue a temporary non-domiciled ~~[nonresident]~~ commercial driver's license to a person who does not present a social security card as required by Section 522.021(a-1)(1) but who otherwise meets the requirements for a non-domiciled ~~[nonresident]~~ commercial driver's license, including the requirement that the commercial motor vehicle testing and licensing standards of the country of which the applicant is domiciled ~~[a-resident]~~ not meet the testing and licensing standards established by 49 C.F.R. Part 383. A license issued under this subsection:

(1) expires on the earlier of:

(A) the 60th day after the date the license is issued; or

(B) ~~[the expiration date of the visa presented under Section 522.021(a-1)(2)(B); or~~

~~[(C)]~~ the expiration date of the Form I-94 Arrival/Departure record, or a successor document, presented under Section 522.021(a-1)(2)(C); and

(2) may not be renewed.

(f) The department may not issue more than one temporary non-domiciled ~~[nonresident]~~ commercial driver's license to a person.

SECTION 4. Section 522.014, Transportation Code, is amended.

SECTION 5. Section 522.015, Transportation Code, is amended.

SECTION 6. Subsections (a), (a-1), and (d), Section 522.021, Transportation Code, are amended.

SECTION 7. Section 522.022, Transportation Code, is amended.

SECTION 8. Section 522.023, Transportation Code, is amended.

SECTION 9. Section 522.025, Transportation Code, is amended.

SECTION 10. Section 522.027, Transportation Code, is amended.

SECTION 11. Section 522.028, Transportation Code, is amended.

(e) The department may issue a temporary non-domiciled ~~[nonresident]~~ commercial driver's license to a person who does not present a social security card as required by Section 522.021(a-1)(1) but who otherwise meets the requirements for a non-domiciled ~~[nonresident]~~ commercial driver's license, including the requirement that the commercial motor vehicle testing and licensing standards of the country of which the applicant is domiciled ~~[a-resident]~~ not meet the testing and licensing standards established by 49 C.F.R. Part 383. A license issued under this subsection:

(1) expires on the earlier of:

(A) the 60th day after the date the license is issued; or

(B) ~~[the expiration date of the visa presented under Section 522.021(a-1)(2)(B); or~~

~~[(C)]~~ the expiration date of the Form I-94 Arrival/Departure record, or a successor document, presented under Section 522.021(a-1)(2)(A) ~~[522.021(a-1)(2)(C)]~~; and

(2) may not be renewed.

(f) The department may not issue more than one temporary non-domiciled ~~[nonresident]~~ commercial driver's license to a person.

SECTION 4. Same as engrossed version.

SECTION 5. Same as engrossed version.

SECTION 6. Same as engrossed version except for recitation.

SECTION 7. Same as engrossed version.

SECTION 8. Same as engrossed version.

SECTION 9. Same as engrossed version.

SECTION 10. Same as engrossed version.

SECTION 11. Same as engrossed version.

SECTION 12. Section 522.029, Transportation Code, is amended.

SECTION 13. Subsection (f), Section 522.029, Transportation Code, as added by Chapter 1372 (H.B. 1200), Acts of the 75th Legislature, Regular Session, 1997, is amended.

SECTION 14. Subsection (a), Section 522.030, Transportation Code, is amended.

SECTION 15. Subsections (a) and (b), Section 522.032, Transportation Code, are amended.

SECTION 16. Section 522.033, Transportation Code, is amended to read as follows:

Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN SEX OFFENDERS. (a) The department may issue an original or renewal commercial driver's license or commercial ~~[driver]~~ learner's permit to a person whose driver's license or personal identification certificate record indicates that the person is subject to the registration requirements of Chapter 62, Code of Criminal Procedure, only if the person is otherwise eligible for the commercial driver's license or commercial ~~[driver]~~ learner's permit and:

- (1) applies in person for the issuance of a license or permit under this section; and
- (2) pays a fee of \$20.

(b) Notwithstanding Sections 522.013 and [Section] 522.051, a commercial driver's license ~~or commercial [driver] learner's permit~~ issued under this section, including a renewal, duplicate, or corrected license, expires[;:

- ~~[(1) if the license or permit holder is a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States;]~~ on the first birthday of the license holder occurring after the date of application, except that the initial license issued under this section expires on the second birthday of the license holder occurring after the date of application[; ~~or~~ [(2) if the applicant is not described by Subdivision (1), on the earlier of:

SECTION 12. Same as engrossed version.

SECTION 13. Same as engrossed version except for recitation.

SECTION 14. Same as engrossed version except for recitation.

SECTION 15. Same as engrossed version except for recitation.

SECTION 16. Section 522.033, Transportation Code, is amended to read as follows:

Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN SEX OFFENDERS. (a) The department may issue an original or renewal commercial driver's license or commercial ~~[driver]~~ learner's permit to a person whose driver's license or personal identification certificate record indicates that the person is subject to the registration requirements of Chapter 62, Code of Criminal Procedure, only if the person is otherwise eligible for the commercial driver's license or commercial ~~[driver]~~ learner's permit and:

- (1) applies in person for the issuance of a license or permit under this section; and
- (2) pays a fee of:

- (A) \$20 for a commercial driver's license; or
- (B) \$24 for a commercial learner's permit.

(b) Notwithstanding Sections 522.013 and [Section] 522.051, a commercial driver's license ~~[or commercial driver learner's permit]~~ issued under this section, including a renewal, duplicate, or corrected license, expires[;:

- ~~[(1) if the license or permit holder is a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States;]~~ on the first birthday of the license holder occurring after the date of application, except that the initial license issued under this section expires on the second birthday of the license holder occurring after the date of application[; ~~or~~ [(2) if the applicant is not described by Subdivision (1), on the earlier of:

~~[(A) the expiration date of the applicant's authorized stay in the United States; or  
[(B) the first birthday of the license holder occurring after the date of application, except that the initial license issued under this section expires on the second birthday of the license holder occurring after the date of application].~~

SECTION 17. Subsections (a) and (b), Section 522.034, Transportation Code, are amended.

SECTION 18. Subsections (a) and (e), Section 522.041, Transportation Code, are amended.

SECTION 19. Section 522.042, Transportation Code, is amended.

SECTION 20. Section 522.051, Transportation Code, is amended.

SECTION 21. Subsection (e), Section 522.052, Transportation Code, is amended.

SECTION 22. Subsection (a), Section 522.054, Transportation Code, is amended.

SECTION 23. Section 522.0541, Transportation Code, is amended.

SECTION 24. Section 522.055, Transportation Code, is amended.

SECTION 25. Subsections (a), (b), and (c), Section 522.061, Transportation Code, are amended.

SECTION 26. Subsection (a), Section 522.062, Transportation Code, is amended.

SECTION 27. Subsection (a), Section 522.071, Transportation Code, as amended by Chapters 424 (S.B. 1372) and 499 (S.B. 333), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and amended.

SECTION 28. Subsection (b), Section 522.071, Transportation Code, is amended.

SECTION 29. Subsections (a), (b), (e), and (g), Section 522.081, Transportation Code, are amended.

~~[(A) the expiration date of the applicant's authorized stay in the United States; or  
[(B) the first birthday of the license holder occurring after the date of application, except that the initial license issued under this section expires on the second birthday of the license holder occurring after the date of application].~~

SECTION 17. Same as engrossed version except for recitation.

SECTION 18. Same as engrossed version except for recitation.

SECTION 19. Same as engrossed version.

SECTION 20. Same as engrossed version.

SECTION 21. Same as engrossed version except for recitation.

SECTION 22. Same as engrossed version except for recitation.

SECTION 23. Same as engrossed version.

SECTION 24. Same as engrossed version.

SECTION 25. Same as engrossed version except for recitation.

SECTION 26. Same as engrossed version except for recitation.

SECTION 27. Same as engrossed version except for recitation.

SECTION 28. Same as engrossed version except for recitation.

SECTION 29. Same as engrossed version except for recitation.

SECTION 30. Section 522.084, Transportation Code, is amended.

SECTION 30. Same as engrossed version.

SECTION 31. Section 522.087, Transportation Code, is amended.

SECTION 31. Same as engrossed version.

SECTION 32. Section 522.089, Transportation Code, is amended.

SECTION 32. Same as engrossed version.

SECTION 33. Effective January 30, 2014, Subchapter H, Chapter 522, Transportation Code, is amended.

SECTION 33. Same as engrossed version.

SECTION 34. Subsection (a), Section 522.105, Transportation Code, is amended.

SECTION 34. Same as engrossed version except for recitation.

SECTION 35. Subdivision (10), Section 524.001, Transportation Code, is amended.

SECTION 35. Same as engrossed version except for recitation.

SECTION 36. Section 543.007, Transportation Code, is amended.

SECTION 36. Same as engrossed version.

SECTION 37. Subsection (b), Section 543.202, Transportation Code, is amended.

SECTION 37. Same as engrossed version except for recitation.

SECTION 38. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.4255.

SECTION 38. Same as engrossed version.

SECTION 39. Subsection (a), Article 62.060, Code of Criminal Procedure, is amended.

SECTION 39. Same as engrossed version except for recitation.

SECTION 40. Subsection (f), Section 522.029, Transportation Code, as added by Chapter 1156 (Senate Bill No. 99), Acts of the 75th Legislature, Regular Session, 1997, is repealed.

SECTION 40. Substantially the same as engrossed version.

SECTION 41. (a) The changes in law made by this Act to Sections 522.011, 522.042, and 522.071, Transportation Code, apply only to an offense that is committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 41. Same as engrossed version.

(b) The change in law made by this Act to Section 522.021, Transportation Code, applies only to an application for a license that is filed on or after the effective date of this Act.

(c) The changes in law made by this Act to Sections 522.029, 522.033, and 522.051, Transportation Code, apply only to a license or permit that is issued on or after the effective date of this Act.

SECTION 42. Except as otherwise provided by this Act, this Act takes effect January 1, 2014.

SECTION 42. Same as engrossed version.