

By: Phillips

H.B. No. 3837

A BILL TO BE ENTITLED

AN ACT

relating to driver's licenses and accident crash reports of the Department of Public Safety.

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

SECTION 1. Section 521.101, Transportation Code, is amended by adding Subsection (1) to read as follows:

(1) The personal identification certificate must include a photograph of the entire face of the holder.

SECTION 2. Section 521.121(a), Transportation Code, is amended to read as follows:

(a) The driver's license must include:

(1) a distinguishing number assigned by the department to the license holder;

(2) a ~~color~~ photograph of the entire face of the holder;

(3) the full name and date of birth of the holder;

(4) a brief description of the holder; and

(5) the license holder's residence address or, for a license holder using the procedure under Subsection (c), the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or state judge.

SECTION 3. Section 521.148, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) This section does not apply to a person who has held or

1 holds a driver's license issued by this state or another state that
2 includes an authorization to operate a motorcycle.

3 SECTION 4. Subchapter H, Chapter 521, Transportation Code,
4 is amended by adding Section 521.1602 to read as follows:

5 Sec. 521.1602. EXCEPTION TO DRIVER EDUCATION REQUIREMENT
6 FOR LICENSED NONRESIDENTS. Section 521.1601 does not apply to a
7 person who holds a license issued by another state or other foreign
8 jurisdiction.

9 SECTION 5. Section 521.308, Transportation Code, is amended
10 by adding Subsection (a-1) and amending Subsections (b) and (e) to
11 read as follows:

12 (a-1) The department may appeal if a presiding officer did
13 not sustain the suspension or revocation of a driver's license
14 under this subchapter.

15 (b) To appeal the decision of the presiding officer, the
16 person or the department must file a petition not later than the
17 30th day after the date on which the department order was entered in
18 the county court at law of the county in which the person resides,
19 or, if there is no county court at law, in the county court. The
20 person must send a file-stamped copy of the petition, certified by
21 the clerk of the court in which the petition is filed, to the
22 department at the agency's headquarters in Austin by certified
23 mail. The department shall send a file-stamped copy of the petition
24 to the person, certified by the clerk of the court in which the
25 petition is filed, at the person's address of record with the
26 department.

27 (e) A trial on appeal is a trial de novo, and the person or

1 the department has the right to trial by jury.

2 SECTION 6. Section 522.030(a), Transportation Code, is
3 amended to read as follows:

4 (a) A commercial driver's license must:

5 (1) be marked "Commercial Driver License" or "CDL";

6 (2) be, to the extent practicable, tamper-proof; and

7 (3) include:

8 (A) the name and mailing address of the person to
9 whom it is issued;

10 (B) the person's [~~color~~] photograph;

11 (C) a physical description of the person,
12 including sex, height, and eye color;

13 (D) the person's date of birth;

14 (E) a number or identifier the department
15 considers appropriate;

16 (F) the person's signature;

17 (G) each class of commercial motor vehicle that
18 the person is authorized to drive, with any endorsements or
19 restrictions;

20 (H) the name of this state; and

21 (I) the dates between which the license is valid.

22 SECTION 7. Section 522.034, Transportation Code, is amended
23 by adding Subsection (d) to read as follows:

24 (d) This section does not apply to a person who has held or
25 holds a driver's license issued by this state or another state that
26 includes an authorization to operate a motorcycle.

27 SECTION 8. Section 550.064, Transportation Code, is amended

1 by adding Subsection (c) to read as follows:

2 (c) The department may not record an accident in the driving
3 record of a person who is employed as a peace officer, firefighter,
4 or emergency medical services employee of this state, a political
5 subdivision of this state, or a special-purpose district that
6 occurs while the peace officer, firefighter, or emergency medical
7 services employee is driving an official vehicle in the course and
8 scope of the license holder's official duties, if:

9 (1) the traffic accident resulted in damages to
10 property of less than \$1,000; or

11 (2) an investigation of the accident by a peace
12 officer, other than a peace officer involved in the accident,
13 determines that the peace officer, firefighter, or emergency
14 medical services employee involved in the accident was not at
15 fault.

16 SECTION 9. Section 703.003, Transportation Code, is amended
17 to read as follows:

18 Sec. 703.003. NONRESIDENT VIOLATOR COMPACT ADMINISTRATOR.
19 ~~[(a) The office of nonresident violator compact administrator is~~
20 ~~created.~~

21 ~~[(b)]~~ The public safety director or a designee of the public
22 safety director [governor] shall serve as [appoint] the compact
23 administrator [with the advice and consent of the senate to a
24 two-year term that expires on February 1 of each odd-numbered
25 year].

26 ~~[(c) The compact administrator is entitled to compensation~~
27 ~~and reimbursement for expenses as provided by legislative~~

1 ~~appropriation.]~~

2 SECTION 10. Section 521.1601, Transportation Code, as added
3 by Chapter 1413 (S.B. 1317), Acts of the 81st Legislature, Regular
4 Session, 2009, is repealed.

5 SECTION 11. Section 521.042(c), Transportation Code, is
6 repealed.

7 SECTION 12. The changes in law made by Section 521.101(1),
8 Transportation Code, as added by this Act, and Sections 521.121(a)
9 and 522.030(a), Transportation Code, as amended by this Act, apply
10 only to a personal identification certificate, driver's license, or
11 commercial driver's license issued or renewed on or after the
12 effective date of this Act. A personal identification certificate,
13 driver's license, or commercial driver's license issued or renewed
14 before the effective date of this Act is governed by the law in
15 effect when the license or certificate was issued, and the former
16 law is continued in effect for that purpose.

17 SECTION 13. Section 521.308, Transportation Code, as
18 amended by this Act, applies only to a suspension or revocation
19 issued by the department on or after the effective date of this Act.
20 A suspension or revocation issued before the effective date of this
21 Act is governed by the law in effect on the date the suspension or
22 revocation was issued, and the former law is continued in effect for
23 that purpose.

24 SECTION 14. Not later than December 31, 2013, the public
25 safety director of the Department of Public Safety or a designee of
26 the director shall replace the governor's appointee as the compact
27 administrator as required by Section 703.003, Transportation Code,

1 as amended by this Act.

2 SECTION 15. This Act takes effect September 1, 2013.