

BILL ANALYSIS

H.B. 2216
By: Coleman
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that driver's license applicants must answer several questions relating to their medical history and that failure to provide accurate information is cause for refusal of a license or identification card and, in some cases, cancellation or withdrawal of driving privileges. Most of those questions relate to conditions or illnesses that may impair a person's ability to drive. However, one of those questions asks about a person's psychiatric history without reference to its effect on the applicant's ability to drive. The parties report that a person answering in the affirmative to any of the questions is interviewed by trained personnel on site and a separate form is completed to determine whether a driving test is necessary. These parties assert that this is unfairly prejudicial to those with a medical history containing a psychiatric illness that does not affect the person's ability to drive. H.B. 2216 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 2216 amends the Transportation Code to prohibit an application for an original driver's license from including an inquiry regarding the mental health of the applicant, including an inquiry as to whether the applicant has been diagnosed with, treated for, or hospitalized for a psychiatric disorder. The bill excludes from the prohibition a general inquiry as to whether the applicant has a mental condition that may affect the applicant's ability to safely operate a motor vehicle.

EFFECTIVE DATE

September 1, 2015.