

By: Alonzo

H.B. No. 68

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a Texas resident driver's permit,
provisional Texas resident driver's permit, and Texas resident
driver's instruction permit; creating an offense.

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

SECTION 1. Chapter 521, Transportation Code, is amended by
adding Subchapter K-1 to read as follows:

SUBCHAPTER K-1. TEXAS RESIDENT DRIVER'S PERMIT

Sec. 521.231. ELIGIBILITY. The department may issue a
Texas resident driver's permit to a person who:

(1) as of the date the permit is issued, has resided in
this state for at least one year;

(2) is ineligible to obtain a social security number;

(3) is unable to present to the department
documentation issued by the United States agency responsible for
citizenship and immigration authorizing the person to be in the
United States; and

(4) has not been finally convicted of a Class B
misdemeanor, a Class A misdemeanor, or a felony offense.

Sec. 521.232. TEXAS RESIDENT DRIVER'S PERMIT REQUIREMENTS.

(a) A Texas resident driver's permit issued under this subchapter
is not valid as proof of the permit holder's identity for a federal
purpose.

(b) The department shall:

1 (1) designate and clearly mark as a Texas resident
2 driver's permit each permit issued under this subchapter;

3 (2) designate and clearly mark as a provisional Texas
4 resident driver's permit each permit issued under this subchapter
5 to a person who is at least 16 years of age but younger than 18 years
6 of age; and

7 (3) include on a permit issued under this subchapter
8 an indication that the permit is not valid proof of identity for a
9 federal purpose.

10 (c) Except as otherwise provided by this chapter, a person
11 who holds a Texas resident driver's permit is subject to the laws of
12 this state applicable to the holder of an original or duplicate
13 driver's license.

14 (d) Except as otherwise provided by this chapter, an
15 applicant for a Texas resident driver's permit who is at least 16
16 years of age but younger than 18 years of age is subject to the laws
17 of this state applicable to a holder of a provisional license.

18 (e) The department shall adopt rules:

19 (1) regarding the design and content of the Texas
20 resident driver's permit;

21 (2) establishing criteria for proof of identification
22 and residency of an applicant;

23 (3) designating acceptable evidence that an applicant
24 is not eligible for a social security number; and

25 (4) regarding the issuance of Texas resident driver's
26 instruction permits.

27 Sec. 521.233. APPLICATION. (a) An application for a Texas

1 resident driver's permit must state the applicant's full name and
2 place and date of birth. This information must be verified by
3 presentation of a current passport or consular document issued to
4 the applicant by the country of which the applicant is a citizen.

5 (b) The application must include:

6 (1) a complete electronic set of the applicant's
7 fingerprints;

8 (2) a photograph of the applicant;

9 (3) the signature of the applicant;

10 (4) a brief description of the applicant; and

11 (5) any information necessary for performing a
12 criminal history background check on the applicant.

13 (c) The application must state:

14 (1) the sex of the applicant;

15 (2) the residence address of the applicant;

16 (3) whether the applicant has been licensed to drive a
17 motor vehicle before;

18 (4) if previously licensed:

19 (A) when and by what state or country;

20 (B) whether that license has been suspended or
21 revoked or a license application denied; and

22 (C) the date and reason for the suspension,
23 revocation, or denial; and

24 (5) the county of residence of the applicant.

25 (d) If the applicant is younger than 21 years of age, the
26 application must state whether the applicant has completed a driver
27 education course required by Section 521.1601.

1 (e) The application must include any other information the
2 department requires to determine the applicant's identity,
3 residency, competency, and eligibility as required by the
4 department or state law.

5 (f) Information supplied to the department relating to an
6 applicant's medical history is for the confidential use of the
7 department and may not be disclosed to any person or used as
8 evidence in a legal proceeding other than a proceeding under
9 Subchapter N. This subsection does not apply to information
10 provided by an applicant under Subsection (g).

11 (g) The application must provide space for the applicant to
12 voluntarily list any health condition that may impede communication
13 with a peace officer as evidenced by a written statement from a
14 licensed physician.

15 Sec. 521.234. FEES. (a) The fee for applying for an
16 original Texas resident driver's permit is \$150.

17 (b) The fee for issuance or renewal of a Texas resident
18 driver's permit is \$24.

19 (c) The fee for issuance of a provisional Texas resident
20 driver's permit or Texas resident driver's instruction permit is
21 \$15.

22 Sec. 521.235. EXPIRATION. (a) Each Texas resident
23 driver's permit issued under this subchapter expires two years
24 after the date of issuance.

25 (b) Each provisional Texas resident driver's permit and
26 Texas resident driver's instruction permit issued under this
27 subchapter expires on the 18th birthday of the permit holder.

1 Sec. 521.236. FINANCIAL RESPONSIBILITY REQUIREMENT. (a) A
2 Texas resident driver's permit is invalid if, on request of a peace
3 officer, the permit holder is unable to provide evidence of
4 financial responsibility for a motor vehicle the permit holder is
5 operating.

6 (b) A holder of a Texas resident driver's permit who cannot
7 provide evidence of financial responsibility commits an offense
8 punishable under Section 521.457.

9 SECTION 2. Section 521.457(a), Transportation Code, is
10 amended to read as follows:

11 (a) A person commits an offense if the person operates a
12 motor vehicle on a highway:

13 (1) after the person's driver's license has been
14 canceled under this chapter if the person does not have a license
15 that was subsequently issued under this chapter;

16 (2) during a period that the person's driver's license
17 or privilege is suspended or revoked under any law of this state;

18 (3) while the person's driver's license is expired if
19 the license expired during a period of suspension; ~~or~~

20 (4) after renewal of the person's driver's license has
21 been denied under any law of this state, if the person does not have
22 a driver's license subsequently issued under this chapter; or

23 (5) if the person holds a Texas resident driver's
24 permit issued under Subchapter K-1 and is unable to provide
25 evidence of financial responsibility for a vehicle the permit
26 holder is operating, as required under Section 521.236.

27 SECTION 3. Not later than January 1, 2016, the Department of

1 Public Safety of the State of Texas shall:

2 (1) adopt the rules necessary to implement Subchapter
3 K-1, Chapter 521, Transportation Code, as added by this Act; and

4 (2) create the application form required by Section
5 521.233, Transportation Code, as added by this Act.

6 SECTION 4. This Act takes effect September 1, 2015.