

By: Gutierrez

H.B. No. 693

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a temporary visitor's driver's license, provisional temporary visitor's driver's license, and temporary visitor's driver's instruction permit; authorizing fees; 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. TEMPORARY VISITOR'S DRIVER'S LICENSE

Sec. 521.231. ELIGIBILITY. The department may issue a temporary visitor's driver's license to a person who:

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

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

(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.

Sec. 521.232. TEMPORARY VISITOR'S DRIVER'S LICENSE REQUIREMENTS. (a) A temporary visitor's driver's license issued under this subchapter is not valid as proof of the license holder's identity for any federal purposes.

(b) The department shall:

1 (1) designate and clearly mark as a temporary
2 visitor's driver's license each license issued under this
3 subchapter;

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

8 (3) include on a license issued under this subchapter
9 an indication that the license is not valid proof of identity for
10 any federal purposes.

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

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

19 (e) The department shall adopt rules:

20 (1) regarding the design and content of the temporary
21 visitor's driver's license;

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

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

26 (4) regarding the issuance of temporary visitor's
27 driver's instruction permits.

1 Sec. 521.233. APPLICATION. (a) An application for a
2 temporary visitor's driver's license must state the applicant's
3 full name and place and date of birth. This information must be
4 verified by presentation of a current passport or consular document
5 issued to the applicant by the country of which the applicant is a
6 citizen.

7 (b) The application must include:

8 (1) a complete electronic set of the applicant's
9 fingerprints;

10 (2) a photograph of the applicant;

11 (3) the signature of the applicant; and

12 (4) a brief description of 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 temporary visitor's driver's license is \$75.

17 (b) The fee for issuance or renewal of a temporary visitor's
18 driver's license is \$24.

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

22 Sec. 521.235. EXPIRATION. (a) Each temporary visitor's
23 driver's license issued under this subchapter expires four years
24 after the date of issuance.

25 (b) Each provisional temporary visitor's driver's license
26 and temporary visitor's driver's instruction permit issued under
27 this subchapter expires on the 18th birthday of the license or

1 permit holder.

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

7 (b) A holder of a temporary visitor's driver's license who
8 cannot produce proof of financial responsibility commits an offense
9 punishable under Section 521.457.

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

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

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

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

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

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

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

1 SECTION 3. Not later than January 1, 2016, the Department of
2 Public Safety of the State of Texas shall:

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

5 (2) create the application form required by Section
6 521.233, Transportation Code, as added by this Act.

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