

BILL ANALYSIS

H.B. 3272
By: Wray
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have identified obstacles to taking enforcement action against certain potentially unsafe drivers. H.B. 3272 seeks to address this problem by updating certain statutes that relate to the suspension, revocation, cancellation, or denial of a driver's license.

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. 3272 amends the Code of Criminal Procedure to prohibit a justice or municipal court from ordering the confinement of a child at least 10 years of age and younger than 17 years of age for the failure to appear for an offense committed by the child.

H.B. 3272 amends the Transportation Code to remove as conditions under which the Department of Public Safety (DPS) is required to revoke a person's authorization to operate a motor vehicle that is issued under or granted by state law the condition that the person has been reported by a court for failure to appear for a traffic offense unless the court files an additional report on final disposition of the case and the condition that the person has been reported within the preceding two years by a justice or municipal court for failure to appear or for a default in payment of a fine for a misdemeanor punishable only by fine, other than such a traffic offense, committed by a person who is at least 14 years of age but younger than 17 years of age when the offense was committed, unless the court files an additional report on final disposition of the case.

H.B. 3272 authorizes a hearing regarding the denial, suspension, or revocation of an authorization to operate a motor vehicle that is issued under or granted by state law to be conducted by telephone or video conference call if the presiding officer provides notice to the affected parties. The bill authorizes DPS to cancel a driver's license or personal identification certificate if it determines that the holder paid the required fee for the license or certificate by check or credit card that was returned to DPS or not honored by the funding institution or credit card company due to insufficient funds, a closed account, or any other reason.

EFFECTIVE DATE

September 1, 2017.