

By: King of Parker

H.B. No. 3050

A BILL TO BE ENTITLED

AN ACT

relating to driver's and learner licenses.

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

SECTION 1. Section 521.001(a)(3), Transportation Code, is amended to read as follows:

(3) "Driver's license" means an authorization issued by the department for the operation of a motor vehicle. The term includes:

(A) a temporary license or learner license [~~instruction permit~~]; and

(B) an occupational license.

SECTION 2. Section 521.0475(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Subsection (b) [~~or (c)~~], the department shall provide a certified abstract of a complete driving record of a license holder, for a fee of \$20, to the license holder or a person eligible to receive the information under Sections 730.007(a)(2)(A), (D), and (I).

SECTION 3. Sections 521.050(a) and (c), Transportation Code, are amended to read as follows:

(a) In addition to the provisions of this subchapter relating to the disclosure of driver's license information on an individual, the department may provide a purchaser, in a format prescribed by the department and acceptable to the purchaser, [~~with~~

1 ~~a magnetic tape of~~] the names, addresses, and dates of birth of all
2 license holders that are contained in the department's basic
3 driver's license record file if the purchaser certifies in writing
4 that the purchaser is eligible to receive the information under
5 Chapter 730.

6 (c) The department shall impose and collect a fee of:

7 (1) \$2,000 for the initial driver's license
8 information provided [~~each magnetic tape provided~~] under
9 Subsection (a); and

10 (2) if the department provides a weekly update of the
11 information [~~on the tape~~], \$75 for each update.

12 SECTION 4. Section 521.121(a), Transportation Code, is
13 amended to read as follows:

14 (a) The driver's license must include:

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

17 (2) a [~~color~~] photograph of the entire face of the
18 holder;

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

20 (4) a brief description of the holder; and

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

25 SECTION 5. Sections 521.1211(a) and (b), Transportation
26 Code, are amended to read as follows:

27 (a) In this section, "peace officer" has the meaning

1 assigned by Article 2.12, Code of Criminal Procedure, except that
2 the term includes a special investigator as defined by Article
3 2.122, Code of Criminal Procedure.

4 (b) Notwithstanding Section 521.121(a), the department by
5 rule shall adopt procedures for the issuance of a driver's license
6 to a peace officer that omits the license holder's actual residence
7 address and includes, as an alternative, an address that is [~~in the~~
8 ~~municipality or county of the peace officer's residence and is~~]
9 acceptable to the department and is in the:

10 (1) municipality or county of the peace officer's
11 residence; or

12 (2) county of the peace officer's place of employment.

13 SECTION 6. Section 521.204(b), Transportation Code, is
14 amended to read as follows:

15 (b) The department may not issue a Class A, B, or C driver's
16 license other than a hardship license to an applicant under 18 years
17 of age unless the applicant has held a learner license [~~an~~
18 ~~instruction permit~~] or hardship license for at least six months
19 preceding the date of the application.

20 SECTION 7. The heading to Section 521.222, Transportation
21 Code, is amended to read as follows:

22 Sec. 521.222. LEARNER LICENSE [~~INSTRUCTION PERMIT~~].

23 SECTION 8. Sections 521.222(d), (f), and (g),
24 Transportation Code, are amended to read as follows:

25 (d) A learner license [~~An instruction permit~~] entitles the
26 holder to operate a type of motor vehicle on a highway while:

27 (1) the license [~~permit~~] is in the holder's

1 possession; and

2 (2) the holder is accompanied by a person occupying
3 the seat by the operator who:

4 (A) holds a license that qualifies the operator
5 to operate that type of vehicle;

6 (B) is 21 years of age or older; and

7 (C) has at least one year of driving experience.

8 (f) The department may issue a learner license [~~an~~
9 ~~instruction permit~~] under this section to a person who is subject to
10 the registration requirements under Chapter 62, Code of Criminal
11 Procedure, and is otherwise eligible for the license [~~permit~~]. A
12 learner license [~~An instruction permit~~] issued under this
13 subsection must include a photograph of the person.

14 (g) A person who occupies the seat in a vehicle by a holder
15 of a learner license [~~an instruction permit~~] commits an offense if,
16 while the holder is operating the vehicle, the person:

17 (1) sleeps;

18 (2) is intoxicated, as defined by Section 49.01, Penal
19 Code; or

20 (3) is engaged in an activity that prevents the person
21 from observing and responding to the actions of the operator.

22 SECTION 9. Sections 521.271(a) and (a-3), Transportation
23 Code, are amended to read as follows:

24 (a) Each original driver's license, provisional license,
25 learner license [~~instruction permit~~], or occupational driver's
26 license issued to an applicant who is a citizen, national, or legal
27 permanent resident of the United States or a refugee or asylee

1 lawfully admitted into the United States expires as follows:

2 (1) except as provided by Section 521.2711, a driver's
3 license expires on the first birthday of the license holder
4 occurring after the sixth anniversary of the date of the
5 application;

6 (2) a provisional license expires on the 18th
7 birthday of the license holder;

8 (3) a learner license [~~an instruction permit~~] expires
9 on the 18th birthday of the license holder;

10 (4) an occupational driver's license expires on the
11 first anniversary of the court order granting the license; and

12 (5) unless an earlier date is otherwise provided, a
13 driver's license issued to a person whose residence or domicile is a
14 correctional facility or a parole facility expires on the first
15 birthday of the license holder occurring after the first
16 anniversary of the date of issuance.

17 (a-3) Each original provisional license or learner license
18 [~~instruction permit~~] issued to an applicant who is not a citizen,
19 national, or legal permanent resident of the United States or a
20 refugee or asylee lawfully admitted into the United States expires
21 on the earliest of:

22 (1) the 18th birthday of the license holder;

23 (2) the first birthday of the license holder occurring
24 after the date of the application; or

25 (3) the expiration of the license holder's lawful
26 presence in the United States as determined by the United States
27 agency responsible for citizenship and immigration in compliance

1 with federal law.

2 SECTION 10. Section 521.272(d), Transportation Code, is
3 amended to read as follows:

4 (d) Subsection (c) does not apply to a:

5 (1) ~~[a]~~ provisional license;

6 (2) learner license ~~[an instruction permit]~~ issued
7 under Section 521.222; or

8 (3) ~~[a]~~ hardship license issued under Section 521.223.

9 SECTION 11. Section 521.3451, Transportation Code, is
10 amended to read as follows:

11 Sec. 521.3451. SUSPENSION OR DENIAL ON ORDER OF JUSTICE OR
12 MUNICIPAL COURT FOR CONTEMPT OF COURT; REINSTATEMENT. (a) The
13 department shall suspend or deny the issuance of a driver's license
14 or learner license ~~[instruction permit]~~ on receipt of an order to
15 suspend or deny the issuance of either ~~[the]~~ license ~~[or permit]~~
16 from a justice or municipal court under Article 45.050, Code of
17 Criminal Procedure.

18 (b) The department shall reinstate a license ~~[or permit]~~
19 suspended or reconsider a license ~~[or permit]~~ denied under
20 Subsection (a) on receiving notice from the justice or municipal
21 court that ordered the suspension or denial that the contemnor has
22 fully complied with the court's order.

23 SECTION 12. Sections 521.421(c) and (h), Transportation
24 Code, are amended to read as follows:

25 (c) The fee for issuance of a provisional license or learner
26 license ~~[instruction permit]~~ is \$15.

27 (h) The fee for issuance or renewal of a driver's license, a

1 provisional license, a learner license [~~an instruction permit~~], or
2 a hardship license issued to a person subject to the registration
3 requirements under Chapter 62, Code of Criminal Procedure, is \$20.

4 SECTION 13. Section 545.424(c), Transportation Code, is
5 amended to read as follows:

6 (c) This section does not apply to:

7 (1) a person operating a motor vehicle while
8 accompanied in the manner required by Section 521.222(d)(2) for the
9 holder of a learner license [~~an instruction permit~~]; or

10 (2) a person licensed by the Federal Communications
11 Commission to operate a wireless communication device or a radio
12 frequency device.

13 SECTION 14. Sections 521.0475(c) and 521.222(b), (c), and
14 (e), Transportation Code, are repealed.

15 SECTION 15. The changes in law made by this Act to Sections
16 521.121 and 521.1211, Transportation Code, apply only to a driver's
17 license issued or renewed on or after the effective date of this
18 Act. A driver's license issued or renewed before the effective date
19 of this Act is governed by the law in effect when the license was
20 issued, and the former law is continued in effect for that purpose.

21 SECTION 16. This Act takes effect September 1, 2017.