

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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.

No equivalent provision.

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Sections 521.009(a), (a-1), and (c), Transportation Code, are amended to read as follows:

(a) The department may establish a program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services in counties and municipalities that enter into an agreement with the department under Subsection (a-1).

(a-1) Under the program, the department may enter into an agreement with the commissioners court of a county or the governing body of a municipality to permit county or municipal employees to provide services at a county or municipal office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including:

- (1) taking photographs;
- (2) administering vision tests;
- (3) updating a driver's license, election identification certificate, or personal identification certificate to change a name, address, or photograph;
- (4) distributing and collecting information relating to donations under Section 521.401;
- (5) collecting fees; and

CONFERENCE

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

- (6) performing other basic ministerial functions and tasks necessary to issue renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.
- (c) A participating county or municipality must remit to the department for deposit as required by this chapter fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate.

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

(a) Except as provided by Subsection (b) [~~or (e)~~], 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. Same as House version.

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

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

(1) \$2,000 for the initial driver's license information provided

SECTION 4. Same as House version.

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

~~[each magnetic tape provided]~~ under Subsection (a); and  
(2) if the department provides a weekly update of the information ~~[on the tape]~~, \$75 for each update.

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

- (a) The driver's license must include:
- (1) a distinguishing number assigned by the department to the license holder;
  - (2) a ~~color~~ photograph of the entire face of the holder;
  - (3) the full name and date of birth of the holder;
  - (4) a brief description of the holder; and
  - (5) the license holder's residence address or, for a license holder using the procedure under Subsection (c), the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or state judge.

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

- (a) In this section, "peace officer" has the meaning assigned by Article 2.12, Code of Criminal Procedure, except that the term includes a special investigator as defined by Article 2.122, Code of Criminal Procedure.
- (b) Notwithstanding Section 521.121(a), the department by rule shall adopt procedures for the issuance of a driver's license to a peace officer that omits the license holder's actual residence address and includes, as an alternative, an address that is ~~[in the municipality or county of the peace officer's residence and is]~~ acceptable to the department and is in the:
- (1) municipality or county of the peace officer's residence; or

SENATE VERSION (CS)

SECTION 5. Same as House version.

SECTION 6. Same as House version.

CONFERENCE

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

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

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

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

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

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

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

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

- (1) the license [~~permit~~] is in the holder's possession; and
- (2) the holder is accompanied by a person occupying the seat by the operator who:
  - (A) holds a license that qualifies the operator to operate that type of vehicle;
  - (B) is 21 years of age or older; and
  - (C) has at least one year of driving experience.

(f) The department may issue a learner license [~~an instruction permit~~] under this section to a person who is subject to the registration requirements under Chapter 62, Code of Criminal

SECTION 7. Same as House version.

SECTION 8. Same as House version.

SECTION 9. Same as House version.

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

Procedure, and is otherwise eligible for the license ~~[permit]~~. A learner license ~~[An instruction permit]~~ issued under this subsection must include a photograph of the person.

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

- (1) sleeps;
- (2) is intoxicated, as defined by Section 49.01, Penal Code; or
- (3) is engaged in an activity that prevents the person from observing and responding to the actions of the operator.

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

(a) Each original driver's license, provisional license, learner license ~~[instruction permit]~~, or occupational driver's license issued to an applicant who is a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States expires as follows:

- (1) except as provided by Section 521.2711, a driver's license expires on the first birthday of the license holder occurring after the sixth anniversary of the date of the application;
- (2) a provisional license expires on the 18th birthday of the license holder;
- (3) a learner license ~~[an instruction permit]~~ expires on the 18th birthday of the license holder;
- (4) an occupational driver's license expires on the first anniversary of the court order granting the license; and
- (5) unless an earlier date is otherwise provided, a driver's license issued to a person whose residence or domicile is a correctional facility or a parole facility expires on the first birthday of the license holder occurring after the first

SENATE VERSION (CS)

SECTION 10. Same as House version.

CONFERENCE

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

anniversary of the date of issuance.

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

- (1) the 18th birthday of the license holder;
- (2) the first birthday of the license holder occurring after the date of the application; or
- (3) the expiration of the license holder's lawful presence in the United States as determined by the United States agency responsible for citizenship and immigration in compliance with federal law.

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

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

- (1) [~~a~~] provisional license;
- (2) learner license [~~an instruction permit~~] issued under Section 521.222; or
- (3) [~~a~~] hardship license issued under Section 521.223.

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

Sec. 521.3451. SUSPENSION OR DENIAL ON ORDER OF JUSTICE OR MUNICIPAL COURT FOR CONTEMPT OF COURT; REINSTATEMENT. (a) The department shall suspend or deny the issuance of a driver's license or learner license [~~instruction permit~~] on receipt of an order to suspend or deny the issuance of either [~~the~~] license [~~or permit~~] from a

SECTION 11. Same as House version.

SECTION 12. Same as House version.

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

justice or municipal court under Article 45.050, Code of Criminal Procedure.

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

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

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

(h) The fee for issuance or renewal of a driver's license, a provisional license, a learner license [~~an instruction permit~~], or a hardship license issued to a person subject to the registration requirements under Chapter 62, Code of Criminal Procedure, is \$20.

No equivalent provision.

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

(c) This section does not apply to:

SENATE VERSION (CS)

SECTION 13. Same as House version.

SECTION 14. Section 521.428, Transportation Code, is amended to read as follows:

Sec. 521.428. COUNTY OR MUNICIPAL FEE. A county or municipality that provides services under an agreement described by Section 521.009 may collect an additional fee of up to \$5 for each transaction provided that relates to driver's license and personal identification certificate services only.

SECTION 15. Same as House version.

CONFERENCE

**House Bill 3050**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

(1) a person operating a motor vehicle while accompanied in the manner required by Section 521.222(d)(2) for the holder of a learner license ~~[an instruction permit]~~; or  
(2) a person licensed by the Federal Communications Commission to operate a wireless communication device or a radio frequency device.

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

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

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

SENATE VERSION (CS)

SECTION 16. Same as House version.

SECTION 17. Same as House version.

SECTION 18. Same as House version.

CONFERENCE