

BILL ANALYSIS

Senate Research Center

H.B. 162
By: White (Zaffirini)
Transportation
5/13/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law authorizes the Department of Public Safety of the State of Texas (DPS) to suspend licenses for one to two years automatically after a person is convicted of driving without a valid license. DPS refers to these as "mandatory suspensions."

Using the same authorization, DPS also suspends licenses when it infers that a person must have been driving with a suspended license. If a person pleads guilty, for example, to a traffic citation for failure to signal, and during the time of the offense the person did not have a valid license, DPS will infer that the person drove during a suspension period and will add another suspension. DPS refers to these as "departmental suspensions."

H.B. 162 would limit mandatory and departmental suspensions to 90 days. This would provide persons with very old citations the opportunity to escape from a never-ending cycle of license suspensions.

H.B. 162 amends current law relating to the period of certain driver's license suspensions.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.293, Transportation Code, as follows:

Sec. 521.293. PERIOD OF SUSPENSION UNDER SECTION 521.292. Deletes subsection designations and existing text referring to an exception provided by Subsection (b) and providing that if the Department of Public Safety of the State of Texas (DPS) determines that the person engaged in conduct described by Section 521.292(a)(1) (relating to requiring DPS to suspend the person's license if DPS determines that the person has operated a motor vehicle on a highway while the person's license was suspended, canceled, disqualified, or revoked, or without a license after an application for a license was denied), the period of license suspension is extended for an additional period of the lesser of the term of the original suspension or one year.

SECTION 2. Amends Section 521.312(b), Transportation Code, to delete existing text referring to Section 521.293(b).

SECTION 3. Makes application of this Act prospective. Provides that, for purposes of this Act, conduct occurred before the effective date of this Act if any element of the conduct occurred before that date.

SECTION 4. Effective date: September 1, 2019.