

BILL ANALYSIS

Senate Research Center
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H.B. 838
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Section 521.009, Transportation Code, the Department of Public Safety of the State of Texas (DPS) is currently authorized to partner with municipalities and counties to provide driver's license (DL) and identification card (ID) renewal and duplicate transactions, and under Section 521.428, a participating county or city may collect an additional \$5 fee for each transaction under this agreement.

DPS is also currently authorized in statute to conduct fingerprint-based criminal history checks for employment or licensing applicants in a wide variety of professions through their Fingerprint Applicant Services of Texas (FAST) Program. The contract requires that the participating statewide vendor have offices within 25 miles of at least 90 percent of the population, and must have offices within 50 miles of 100 percent of the population.

In an effort to increase the number of locations for Texans to obtain DL services, current FAST contracts could be restructured to include limited DL transactions limited to like those available now through the city and county MOU program. This process would be an expansion of the current authority to partner with municipalities and counties to provide limited DL services. This type of limited third party partnership could provide more than 150 additional service locations statewide. Only DL renewals and duplicate requests would be processed at these locations—no original DL applicants.

H.B. 838 allows FAST program offices to offer these limited DL services under the same structure as is currently done with an MOU between cities and counties, and collect the \$10 fee. This capacity increase for DL services does not cost the state and allows the public to choose the convenience of additional locations for an extra \$5.

H.B. 838 amends current law relating to an agreement between the Department of Public Safety and a county, municipality, or private vendor for the issuance of renewal and duplicate driver's licenses and other identification certificate services; and increases a fee.

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 Sections 521.009(a), (a-1), and (c), Transportation Code, as follows:

(a) Authorizes the Department of Public Safety of the State of Texas (DPS) to establish a program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services by counties, municipalities, and private vendors, rather than in counties and municipalities, that enter into an agreement with DPS under Subsection (a-1).

(a-1) Authorizes DPS, under the program, to enter into an agreement with the commissioners court of a county, the governing body of a municipality, or a private vendor to permit county, municipal, or vendor employees to provide services at a county

or municipal office or at a location determined by the vendor, rather than to 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 certain enumerated services.

(c) Makes a conforming change to this subsection.

SECTION 2. Amends Section 521.428, Transportation Code, as follows:

Sec. 521.428. New heading: COUNTY, MUNICIPAL, OR PRIVATE VENDOR FEE. Authorizes a county, municipality, or private vendor, rather than a county or municipality, that provides services under an agreement described by Section 521.009 (Program Regarding the Provision of Renewal and Duplicate Driver's License and Other Identification Certificate Services) to collect an additional fee of up to \$10, rather than a fee of up to \$5, for each transaction provided that relates to driver's license and personal identification certificate services only.

SECTION 3. Effective date: September 1, 2019.