

By: White

H.B. No. 162

A BILL TO BE ENTITLED

AN ACT

relating to suspending the driver's licenses of certain persons convicted of driving while intoxicated offenses.

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

SECTION 1. Section 521.292(a), Transportation Code, is amended to read as follows:

(a) The department shall suspend the person's license if the department determines that the person:

(1) has operated a motor vehicle on a highway:

(A) while the person's license was suspended, canceled, disqualified, or revoked as the result of a conviction of an offense involving the operation of a motor vehicle while intoxicated; ~~or~~

(B) without a license after an application for a license was denied as the result of a conviction of an offense involving the operation of a motor vehicle while intoxicated;

(2) is a habitually reckless or negligent operator of a motor vehicle;

(3) is a habitual violator of the traffic laws;

(4) has permitted the unlawful or fraudulent use of the person's license;

(5) has committed an offense in another state or Canadian province that, if committed in this state, would be grounds for suspension;

1 (6) has been convicted of two or more separate  
2 offenses of a violation of a restriction imposed on the use of the  
3 license;

4 (7) has been responsible as a driver for any accident  
5 resulting in serious personal injury or serious property damage;

6 (8) is under 18 years of age and has been convicted of  
7 two or more moving violations committed within a 12-month period;  
8 or

9 (9) has committed an offense under Section 545.421.

10 SECTION 2. Section 521.293, Transportation Code, is amended  
11 to read as follows:

12 Sec. 521.293. PERIOD OF SUSPENSION UNDER SECTION 521.292.  
13 If [~~(a) Except as provided by Subsection (b), if~~] the person does  
14 not request a hearing, the period of license suspension under  
15 Section 521.292 is 90 days.

16 [~~(b) If the department determines that the person engaged in~~  
17 ~~conduct described by Section 521.292(a)(1), the period of license~~  
18 ~~suspension is extended for an additional period of the lesser of:~~

19 [(1) ~~the term of the original suspension; or~~

20 [(2) ~~one year.~~]

21 SECTION 3. Section 521.312(b), Transportation Code, is  
22 amended to read as follows:

23 (b) Except as provided by Subsection (c) [~~Section~~  
24 ~~521.293(b)~~], or Subchapter O, the department may not suspend a  
25 license for a period that exceeds one year.

26 SECTION 4. The change in law made by this Act applies only  
27 to a determination to suspend a driver's license made by the

1 Department of Public Safety on or after the effective date of this  
2 Act. A determination to suspend a driver's license made before the  
3 effective date of this Act is governed by the law in effect when the  
4 determination was made, and the former law is continued in effect  
5 for that purpose.

6 SECTION 5. This Act takes effect September 1, 2019.