

By: Canales

H.B. No. 550

A BILL TO BE ENTITLED

AN ACT

relating to the expiration of the driver responsibility program.

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

SECTION 1. Article 102.022(a), Code of Criminal Procedure, is amended to read as follows:

(a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 542.304 [~~708.052~~], Transportation Code.

SECTION 2. Section 1001.112, Education Code, is amended by amending Subsection (a-1) and adding Subsection (a-2) to read as follows:

(a-1) The rules must provide that the student driver spend a minimum number of hours in classroom and behind-the-wheel instruction.

(a-2) The rules must provide [~~and~~] that the person conducting the course:

(1) possess a valid license for the preceding three years that has not been suspended, revoked, or forfeited in the past three years for an offense that involves the operation of a motor vehicle;

(2) has not been convicted of:

1 (A) criminally negligent homicide; or  
2 (B) driving while intoxicated in the past seven  
3 years; and  
4 (3) has not been convicted during the preceding three  
5 years of:

6 (A) three or more moving violations described by  
7 Section 542.304, Transportation Code, including violations that  
8 resulted in an accident; or

9 (B) two or more moving violations described by  
10 Section 542.304, Transportation Code, that resulted in an accident  
11 [does not have six or more points assigned to the person's driver's  
12 license under Subchapter B, Chapter 708, Transportation Code, at  
13 the time the person begins conducting the course].

14 SECTION 3. Section 411.110(f), Government Code, is amended  
15 to read as follows:

16 (f) The Department of State Health Services may not consider  
17 offenses described by [~~for which points are assessed under~~] Section  
18 542.304 [~~708.052~~], Transportation Code, to determine whether to  
19 hire or retain an employee or to contract with a person on whom  
20 criminal history record information is obtained under this section.

21 SECTION 4. Section 773.0614(b), Health and Safety Code, is  
22 amended to read as follows:

23 (b) For purposes of Subsection (a), the department may not  
24 consider offenses described by [~~for which points are assessed~~  
25 ~~under~~] Section 542.304 [~~708.052~~], Transportation Code.

26 SECTION 5. Section 773.06141(a), Health and Safety Code,  
27 is amended to read as follows:

1 (a) The department may suspend, revoke, or deny an emergency  
2 medical services provider license on the grounds that the  
3 provider's administrator of record, employee, or other  
4 representative:

5 (1) has been convicted of, or placed on deferred  
6 adjudication community supervision or deferred disposition for, an  
7 offense that directly relates to the duties and responsibilities of  
8 the administrator, employee, or representative, other than an  
9 offense described by [~~for which points are assigned under~~] Section  
10 542.304 [~~708.052~~], Transportation Code;

11 (2) has been convicted of or placed on deferred  
12 adjudication community supervision or deferred disposition for an  
13 offense, including:

14 (A) an offense listed in Article 42A.054(a)(2),  
15 (3), (4), (6), (7), (8), (10), or (14), Code of Criminal Procedure;  
16 or

17 (B) an offense, other than an offense described  
18 by Subdivision (1), for which the person is subject to registration  
19 under Chapter 62, Code of Criminal Procedure; or

20 (3) has been convicted of Medicare or Medicaid fraud,  
21 has been excluded from participation in the state Medicaid program,  
22 or has a hold on payment for reimbursement under the state Medicaid  
23 program under Subchapter C, Chapter 531, Government Code.

24 SECTION 6. Subchapter C, Chapter 542, Transportation Code,  
25 is amended by adding Section 542.304 to read as follows:

26 Sec. 542.304. MOVING VIOLATIONS FOR CERTAIN PURPOSES. (a)  
27 The department by rule shall designate the offenses involving the

1 operation of a motor vehicle that constitute a moving violation of  
2 the traffic law for the purposes of:

- 3 (1) Article 102.022(a), Code of Criminal Procedure;
- 4 (2) Section 1001.112(a-2), Education Code;
- 5 (3) Section 411.110(f), Government Code; and
- 6 (4) Sections 773.0614(b) and 773.06141(a), Health and  
7 Safety Code.

8 (b) The rules must provide that for the purposes of the  
9 provisions described in Subsection (a), moving violations:

- 10 (1) include:
  - 11 (A) a violation of the traffic law of this state,  
12 another state, or a political subdivision of this or another state;  
13 and
  - 14 (B) an offense under Section 545.412; and
- 15 (2) do not include:
  - 16 (A) an offense committed before September 1,  
17 2003;
  - 18 (B) the offense of speeding when the person  
19 convicted was at the time of the offense driving less than 10  
20 percent faster than the posted speed limit, unless the person  
21 committed the offense in a school crossing zone;
  - 22 (C) an offense adjudicated under Article 45.051  
23 or 45.0511, Code of Criminal Procedure; or
  - 24 (D) an offense under Section 545.4251.

25 SECTION 7. Chapter 708, Transportation Code, is amended by  
26 adding Subchapter E to read as follows:

1           SUBCHAPTER E. REDUCTION OF SURCHARGES; EXPIRATION

2           Sec. 708.201. REDUCTION OF SURCHARGES. Notwithstanding any  
3 other provision of this chapter, the department shall reduce the  
4 amount of a surcharge imposed under this chapter that is pending on  
5 or after September 1, 2021, regardless of whether the surcharge was  
6 imposed before that date, by 50 percent.

7           Sec. 708.202. EXPIRATION. This chapter expires September  
8 1, 2023.

9           SECTION 8. Subtitle I, Title 7, Transportation Code, is  
10 amended by adding Chapter 708A to read as follows:

11           CHAPTER 708A. LIMITED CONTINUATION OF DRIVER RESPONSIBILITY  
12   PROGRAM

13           Sec. 708A.001. RULES. The Department of Public Safety  
14 shall adopt and enforce rules to implement and enforce this  
15 chapter.

16           Sec. 708A.002. LIMITED CONTINUATION OF DRIVER  
17 RESPONSIBILITY PROGRAM. Beginning September 1, 2023, a surcharge  
18 imposed under the former driver responsibility program under former  
19 Chapter 708 is governed by the law in effect immediately before that  
20 date, and that law is continued in effect for that purpose.

21           Sec. 708A.003. EXPIRATION. This chapter expires September  
22 1, 2027.

23           SECTION 9. This Act takes effect September 1, 2019.