

BILL ANALYSIS

C.S.H.B. 842
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State law requires an individual's driver's license to be suspended for driving while license invalid (DWLI). Certain justices of the peace have noted that this requirement decreases the incentive to plea out and pay fines. C.S.H.B. 842 seeks to address this issue by prohibiting a person's driver's license from being suspended for DWLI and prohibits any current suspension period for DWLI from being extended under certain circumstances.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 842 amends the Transportation Code to prohibit the Department of Public Safety from suspending a person's driver's license for driving while license invalid (DWLI) or from extending the period a person's driver's license is suspended for a DWLI conviction if the offense was committed before September 1, 2019, and the following are true:

- the person was convicted after August 31, 2023; and
- the person pays DPS the reinstatement and reissuance fee prescribed by law or any other fee required for the reinstatement of the person's driver's license in the manner prescribed by DPS.

The bill requires such fees to be deposited to the credit of the Texas Mobility Fund and makes that prohibition inapplicable with respect to a commercial driver's license (CDL) or a person who was transporting hazardous materials or operating a commercial motor vehicle at the time of the offense.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 842 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas both the introduced and the substitute prohibit DPS from extending the period a person's driver's license is suspended for a DWLI conviction under certain circumstances, the substitute prohibits DPS from suspending a person's driver's license in the first place for a DWLI conviction under those same circumstances. However, the substitute includes an additional condition absent from the introduced that must be satisfied to trigger the prohibition, which is that the person has paid all requisite fees for reinstatement of the license. Accordingly, the substitute also includes a provision directing those fees to be deposited to the Texas Mobility Fund.

The substitute includes a provision absent from the introduced making the prohibition inapplicable with respect to a CDL or a person who was transporting hazardous materials or operating a commercial motor vehicle at the time of the offense.