

BILL ANALYSIS

H.B. 2008
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state law requires the Department of Public Safety (DPS) to automatically suspend a driver's license after a person receives a citation for a moving violation while driving with a suspended, canceled, revoked, or denied license. In 2019, the Texas Legislature passed H.B. 162, which changed the suspension period for driving with an invalid license and other minor offenses under Section 521.292, Transportation Code, to 90 days. DPS, however, also suspends driver's licenses for driving with an invalid license under Section 521.343, Transportation Code, which H.B. 162 did not address. Specifically, if a person is convicted of driving with an invalid license under the latter statute, the suspension period is extended for the same duration as the original infraction, with a maximum suspension period of two years, rather than the 90 days established by H.B. 162. This means that, for example, if a person pleads guilty to a Class C traffic citation for driving with an invalid license, DPS will add another suspension for up to two years, depending on the original infraction that caused the license to be invalid. Even if the citation is many years old, the new suspension period will start upon conviction, effectively punishing the person for coming to court to take care of the old ticket. H.B. 2008 seeks to establish a fixed 90-day period during which the disqualification or suspension of a person's driver's license is extended as a result of the person being convicted of driving while their license is invalid.

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

H.B. 2008 amends the Transportation Code to change the duration of the period during which the disqualification or suspension of a person's driver's license based on a conviction that requires automatic suspension is extended as a result of the person being convicted of driving while their license is invalid from a period that runs the same term as the original disqualification or suspension to a fixed period of 90 days. This change applies only to a determination of suspension or disqualification made by the Department of Public Safety on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.