

BILL ANALYSIS

Senate Research Center

S.B. 347
By: Zaffirini
Transportation
5/23/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current 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 Legislature passed House Bill (H.B.) 162 unanimously, 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 licenses for driving with an invalid license under Section 521.343, Transportation Code, which H.B. 162 missed. Specifically, if a person is convicted of driving with a canceled, suspended, or revoked license, the suspension period is extended for the same duration as the original infraction that led to the cancellation, suspension, revocation, or denial, with a maximum 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 Class C ticket 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.

S.B. 347 would establish a 90-day suspension cap for persons convicted of driving without a valid license. This would ensure that the Legislature's intent to lower license suspension periods for this offense is met and provide persons with old citations the opportunity to escape from a never-ending cycle of license suspensions.

S.B. 347 amends current law relating to the extension of a driver's license suspension or disqualification following certain convictions.

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 Section 521.343(c), Transportation Code, as follows:

(c) Provides that if the license holder is convicted of operating a motor vehicle while the license to operate a motor vehicle is cancelled, disqualified, suspended, revoked, or denied, the period is extended for 90 days, rather than extended for the same term as the original suspension or disqualification, in addition to any penalty assessed under Chapter 521 (Driver's Licenses and Certificates) or Chapter 522 (Commercial Driver's Licenses).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.