By:  Patterson (Senate Sponsor - Whitmire) H.B. No. 842

(In the Senate - Received from the House April 17, 2023; April 18, 2023, read first time and referred to Committee on Transportation; April 26, 2023, reported favorably by the following vote: Yeas 9, Nays 0; April 26, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Nichols           X

West              X

Alvarado          X

Eckhardt          X

Hancock           X

King              X

Miles             X

Parker            X

Perry             X

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the suspension of a person's driver's license or extension of the period of a driver's license suspension for certain driving while license invalid convictions; authorizing a fee.

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)  Except as provided by Section 521.457(h), the [~~The~~] department shall suspend the person's license if the department determines that the person:

(1)  has operated a motor vehicle on a highway while the person's license was suspended, canceled, disqualified, or revoked, or without a license after an application for a license was denied;

(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;

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

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

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

(9)  has committed an offense under Section 545.421.

SECTION 2.  Section 521.343(c), Transportation Code, is amended to read as follows:

(c)  Except as provided by Section 521.457(h), if [~~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 the same term as the original suspension or disqualification, in addition to any penalty assessed under this chapter or Chapter 522.

SECTION 3.  Section 521.457, Transportation Code, is amended by adding Subsections (h), (i), and (j) to read as follows:

(h)  Except as provided by Subsection (i), the department may not suspend a person's driver's license under Section 521.292(a)(1), or extend the period a person's driver's license is suspended under Section 521.343(c), for a conviction of an offense under this section if:

(1)  the offense was committed before September 1, 2019;

(2)  the person was convicted of the offense after August 31, 2023; and

(3)  the person pays the department the fee required under Section 521.313(a) or any other fee required for the reinstatement of the person's driver's license in the manner prescribed by the department.

(i)  Subsection (h) does not apply to:

(1)  a commercial driver's license issued under Chapter 522; or

(2)  a person who was transporting hazardous materials or operating a commercial motor vehicle at the time of the offense under this section.

(j)  The fee collected under Subsection (h)(3) shall be deposited to the credit of the Texas mobility fund.

SECTION 4.  This Act takes effect September 1, 2023.

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