By:  Canales, et al. (Senate Sponsor - Hinojosa) H.B. No. 4337

(In the Senate - Received from the House May 8, 2023; May 12, 2023, read first time and referred to Committee on State Affairs; May 15, 2023, rereferred to Committee on Border Security; May 19, 2023, reported favorably by the following vote: Yeas 5, Nays 0; May 19, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Birdwell        X

Flores          X

Blanco          X

Hinojosa        X

King            X

A BILL TO BE ENTITLED

AN ACT

relating to licenses and similar documents issued by certain foreign governments.

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

SECTION 1.  Section 37.01(2), Penal Code, is amended to read as follows:

(2)  "Governmental record" means:

(A)  anything belonging to, received by, or kept by government for information, including a court record;

(B)  anything required by law to be kept by others for information of government;

(C)  a license, certificate, permit, seal, title, letter of patent, or similar document issued by government, by another state, [~~or~~] by the United States, or by a foreign government engaged in a reciprocal treaty or memorandum of understanding with the United States;

(D)  a standard proof of motor vehicle liability insurance form described by Section 601.081, Transportation Code, a certificate of an insurance company described by Section 601.083 of that code, a document purporting to be such a form or certificate that is not issued by an insurer authorized to write motor vehicle liability insurance in this state, an electronic submission in a form described by Section 502.046(i), Transportation Code, or an evidence of financial responsibility described by Section 601.053 of that code;

(E)  an official ballot or other election record; or

(F)  the written documentation a mobile food unit is required to obtain under Section 437.0074, Health and Safety Code.

SECTION 2.  Section 522.015, Transportation Code, is amended to read as follows:

Sec. 522.015.  LICENSE OR PERMIT ISSUED BY OTHER JURISDICTION. (a) Subject to Subsection (b), a [~~A~~] person may drive a commercial motor vehicle in this state if:

(1)  either:

(A)  the person has a commercial driver's license or a commercial learner's permit issued by [~~:~~

[~~(A)~~]  another state in accordance with the minimum federal standards for the issuance of a commercial motor vehicle driver's license; or

(B)  the person:

(i)  has a commercial driver's license or a commercial learner's permit issued by a foreign jurisdiction the testing and licensing standards of which the United States Department of Transportation has determined meet the requirements of the federal act; and

(ii)  is authorized under federal law to work in the United States;

(2)  the person's license or permit is appropriate for the class of vehicle being driven;

(3)  the person is not disqualified from driving a commercial motor vehicle and is not subject to an out-of-service order;

(4)  the person has not had a domicile in this state for more than 30 days; and

(5)  if the person has a permit, the person also has a driver's license issued by the same jurisdiction that issued the permit.

(b)  If a person has a commercial driver's license or a commercial learner's permit described by Subsection (a)(1)(B)(i) and is not authorized under federal law to work in the United States but satisfies all of the other requirements of Subsection (a), the person may drive a commercial motor vehicle only in a county bordering the United Mexican States.

SECTION 3.  The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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

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