

House Bill 3647
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 521.042, Transportation Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) Except as provided by Subsection (g), the department may not consider a record of a conviction of a license holder that is received by the department after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder, including a decision to suspend, revoke, or deny renewal of the license holder's driver's license.

(g) The department may consider a record of a conviction of a license holder that is received by the department after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder if:

(1) the license holder:

(A) is a commercial driver's license holder or was a commercial driver's license holder at the time of the offense;

(B) was operating a commercial motor vehicle at the time of the offense; or

(C) was operating a motor vehicle and transporting a hazardous material at the time of the offense; or

(2) the conviction is for an offense under Chapter 49, Penal Code.

SECTION 2. This Act takes effect September 1, 2023.

SENATE VERSION (IE)

SECTION 1. Section 521.042, Transportation Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) Except as provided by Subsection (g) and Chapter 706, the department may not consider a record of a conviction of a license holder that is received by the department after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder, including a decision to suspend, revoke, or deny renewal of the license holder's driver's license. [FA1]

(g) The department may consider a record of a conviction of a license holder that is received by the department after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder if:

(1) the license holder:

(A) is a commercial driver's license holder or was a commercial driver's license holder at the time of the offense;

(B) was operating a commercial motor vehicle at the time of the offense; or

(C) was operating a motor vehicle and transporting a hazardous material at the time of the offense; or

(2) the conviction is for an offense under Chapter 49, Penal Code.

SECTION 2. Same as House version.

CONFERENCE