

BILL ANALYSIS

Senate Research Center

S.B. 1325
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Criminal Justice
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DIGEST AND PURPOSE

Under current Texas law, registered sex offenders are required to renew their driver's license or photo identification card annually at a \$20 charge. There is some confusion regarding the application of this requirement due to certain provisions pertaining to hardship, learner, and provisional licenses. As proposed, S.B. 1325 sets forth provisions for the application of the annual renewal requirement to sex offenders under the age of 18 and other provisions to clarify the effect of the renewal requirement on various other licensing applications.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Public Safety in SECTION 4 (Section 521.274, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.222, Transportation Code, by adding Subsection (f), to authorize the Department of Public Safety (department) to issue a learner's license under this section to an applicant who is subject to registration requirements under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure. Provides that the learner's license will include a photo image. Provides that it is subject to all requirements and restrictions of an instruction permit. Provides that the fee for a learner's license issued under this subsection is \$20.

SECTION 2. Amends Section 521.223, Transportation Code, by adding Subsection (g), to provide that an applicant who meets the requirements of Subsection (a) or (d) who is subject to the registration requirements of Chapter 62, Code of Criminal Procedure, will be provided a photo license. Provides that a license issued under this subsection is subject to all requirements and restrictions imposed by this section. Provides that the fee for a license issued under this subsection is \$20.

SECTION 3. Amends Section 521.272, Transportation Code, by adding Subsection (d), to provide that the provisions of Subsection (c) do not apply to applicants under the age of 18. Provides that a learner's license, hardship license, or provisional license expires according to provisions of Sections 521.222, 521.223, and 521.271.

SECTION 4. Amends Section 521.274, Transportation Code, as follows:

Sec. 521.274. New heading: RENEWAL BY MAIL OR ELECTRONIC MEANS.
Authorizes the department by rule to provide that the holder of a driver's license may renew the license by mail, by telephone, over the Internet, or by other electronic means. Authorizes a rule adopted under this section to prescribe eligibility standards for renewal under this section. Prohibits a rule adopted under this section from permitting renewal by mail or electronic means if the record indicates that the holder is subject to the registration requirements of Chapter 62, Code of Criminal Procedure.

SECTION 5. Amends Section 521.421, Transportation Code, by adding Subsection (h), to provide

that the fee for a license issued under Section 521.272 or to an applicant who is subject to registration requirements of Chapter 62, Code of Criminal Procedure, is \$20.

SECTION 6. Amends Section 521.422(a), Transportation Code, to provide that the fee for a personal identification certificate is \$15 for a person under 60 years of age, \$5 for a person 60 years of age or older, and \$20 for a person issued a personal identification certificate under Section 521.103.

SECTION 7. Amends Section 521.426, Transportation Code, by adding Subsection (c), to provide that this section does not apply to a person who is required to obtain or renew a driver's license under section 521.272.

SECTION 8. Amends Section 522.029, Transportation Code, by amending Subsection (a) and adding Subsection (h), to provide that the fee for a commercial driver's license or commercial driver's learner's permit issued by the department is \$60, except as provided by Subsection (f) and Subsection (h). Provides that the fee for a commercial driver's license or commercial driver's learner's permit issued in compliance with Section 521.272 is \$20.

SECTION 9. Amends Chapter 522C, Transportation Code, by adding Section 522.033, as follows:

Section 522.033. COMMERCIAL DRIVER LICENSE ISSUED TO CERTAIN SEX OFFENDERS. Authorizes the department to issue an original or renewal commercial driver license to a person who is subject to registration requirements of Chapter 62, Code of Criminal Procedure, only if the person applies in accordance with Section 521.272.

SECTION 10. Amends Section 522.051, Transportation Code, by adding Subsection (f), to provide that the expiration of a commercial driver's license or commercial driver's learner's permit issued in compliance with Section 521.272 expires on the first birthday of the license holder occurring after the date of application, except that the initial license issued under Section 521.272 expires on the second birthday of the license holder occurring after the date of application.

SECTION 11. Amends Section 522.052(a), Transportation Code, to authorize a commercial driver's license issued by the department to be renewed in the year preceding the expiration date except those licenses issued under the provisions of Section 521.272 which can only be renewed 60 days preceding the expiration date.

SECTION 12. Effective date: September 1, 2001.