

BILL ANALYSIS

Senate Research Center
84R10200 JAM-D

H.B. 2216
By: Coleman; Burkett (Kolkhorst)
Transportation
5/6/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that driver's license applicants must answer several questions relating to their medical history and that failure to provide accurate information is cause for refusal of a license or identification card and, in some cases, cancellation or withdrawal of driving privileges. Most of those questions relate to conditions or illnesses that may impair a person's ability to drive. However, one of those questions asks about a person's psychiatric history without reference to its effect on the applicant's ability to drive. The parties report that a person answering in the affirmative to any of the questions is interviewed by trained personnel on site and a separate form is completed to determine whether a driving test is necessary. These parties assert that this is unfairly prejudicial to those with a medical history containing a psychiatric illness that does not affect the person's ability to drive. H.B. 2216 seeks to address this issue.

H.B. 2216 amends current law relating to information required of an applicant for a driver's license.

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 521.142, Transportation Code, by amending Subsection (e) and adding Subsection (e-1), as follows:

(e) Requires that an application for an original license, subject to Subsection (e-1), include any other information the Department of Public Safety of the State of Texas (DPS) requires to determine the applicant's identity, residency, competency, and eligibility as required by DPS or state law.

(e-1) Prohibits an application, other than a general inquiry as to whether the applicant has a mental condition that may affect the applicant's ability to safely operate a motor vehicle, from including an inquiry regarding the mental health of the applicant, including an inquiry as to whether the applicant has been diagnosed with, treated for, or hospitalized for a psychiatric disorder.

SECTION 2. Provides that the change in law made by this Act applies only to an application for a driver's license filed on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.