

## **BILL ANALYSIS**

Senate Research Center  
84R24364 AJZ-F

C.S.S.B. 1987  
By: Menéndez  
Transportation  
4/22/2015  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

When police pull over a car for a traffic violation, typically they are behind the car. They have lights and sirens. For people who are deaf and hard of hearing, they may be able to see the flashing lights, but not hear the sirens. Furthermore, if the police officer using the PA system (public address system) to give orders to the driver before approaching the vehicle window, those who are deaf and hard of hearing may not hear these orders. This may lead the officer to believe that the driver is being obstinate or adversarial when there is simply just a communication barrier.

Currently, drivers who are deaf and hard of hearing can receive a Driver Identification Visor Card from the Texas Department of Assistive and Rehabilitative Services. This card is placed on the visor and identifies that a person is deaf and hard of hearing for assistance in traffic stops. However, this is only effective when the officer is at the window of the vehicle. Deaf and hearing impaired drivers can also have a restriction code placed on their driver's license. Restriction codes can be placed on any type of license. According to the Texas Department of Public Safety, these restriction codes do not interfere with a person's driving, but is to help aid the driver. The particular restriction code for those drivers who are deaf and hearing impaired is "s" which is defined as "outside mirror or hearing aid." A similar problem with these two current options is the fact that a police officer must communicate with the driver initially before being made aware of the fact that the driver is deaf and hearing impaired.

C.S.S.B. 1987 seeks to amend the Transportation Code relating to specialty license plates for restricted distribution to include a section for a special license plate for the deaf or hearing impaired. This license plate will be offered for no charge to the driver who is deaf or hearing impaired. The intent of C.S.S.B. 1987 is to ensure that when a driver who is deaf or hard of hearing is pulled over for a traffic violation, both the police officer and the driver can properly communicate.

C.S.S.B. 1987 changes the area of the code from Section 504.664 relating to specialty license plates for general distribution, which carry a fee of \$30, to Section 504.204. Also, the committee substitute changes the terminology used for describing those individuals who are deaf and hard of hearing. The committee substitute also charges the Texas Commission on Law Enforcement with educating and training police officers on how to identify the license plate as well as procedures to use when communicating with a driver who is deaf and hard of hearing. Lastly, the committee substitute changes the effective date to January 1, 2016, at the suggestion of the Texas Department of Motor Vehicles.

C.S.S.B. 1987 amends current law relating to the issuance of specialty license plates for persons who are deaf or hard of hearing and to deaf or hard of hearing driver training for peace officers and authorizes a fee.

### **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 Subchapter C, Chapter 504, Transportation Code, by adding Section 504.204, as follows:

Sec. 504.204. PERSONS WHO ARE DEAF OR HARD OF HEARING. (a) Defines "deaf" and "hard of hearing" in this section.

(b) Requires the Texas Department of Motor Vehicles to design and issue specialty license plates for a motor vehicle that is regularly operated by a person who is deaf or hard of hearing. Requires that a license plate issued under this section include an emblem indicating that the person operating the vehicle is deaf or hard of hearing.

(c) Requires that the initial application for specialty license plates under this section be accompanied by a written statement from a physician who is licensed to practice medicine in this state or in a state adjacent to this state or who is authorized by applicable law to practice medicine in a hospital or other health facility of the Department of Veterans Affairs. Requires that the statement certify that the person making the application is deaf or hard of hearing.

(d) Provides that the fee for a set of license plates issued under this section is \$8.

SECTION 2. Amends Section 1701.253, Occupations Code, by adding Subsection (l), as follows:

(l) Requires the Texas Commission on Law Enforcement (TCOLE), as part of the minimum curriculum requirements, to establish a statewide comprehensive education and training program on procedures for interacting with drivers who are deaf or hard of hearing, as defined by Section 81.001 (Definitions), Human Resources Code, including identifying specialty license plates issued to individuals who are deaf or hard of hearing under Section 504.204, Transportation Code. Requires an officer to complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 3. Requires TCOLE, not later than March 1, 2016, to establish the deaf or hard of hearing driver training program as required by Section 1701.253(l), Occupations Code, as added by this Act.

SECTION 4. Effective date: January 1, 2016.