

BILL ANALYSIS

Senate Research Center

S.B. 1756
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Transportation
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of Public Safety of the State of Texas (DPS) currently has the authority to issue duplicate and renewal driver's licenses, election identification certificates, and personal identification certificates, as well as collect associated fees. As the state's population has increased, so has the demand for these services. Consequently, interested parties point out that this surge in demand has caused long wait times and backlogs in DPS driver's license offices.

In 2013, the legislature responded by enacting a pilot program that authorized DPS to enter into an agreement with eight counties. The program authorized county offices to process and issue identification documents and collect associated fees. Further, the pilot program authorized clerks or county assessor-collectors to train county employees in the administration procedures involved with issuing identification documents. These responsibilities including taking photos, administering vision tests, updating address and name information, and distributing information regarding organ donation. It did not authorize county employees to administer the driving examination or traffic laws examination required for driver's license applications. The program also authorized an additional county fee of up to \$5 for each transaction related only to driver's license and personal identification certificate services.

Since 2013, the pilot program has increased efficiency and expediency of local DPS offices by alleviating the volume of individuals seeking duplicate or renewal driver's licenses, election identification certificates, and personal identification certificates. As introduced, S.B. 1756 expands the program to authorize all county clerks or county assessor collectors to issue the three identification documents and collect associated fees.

S.B. 1756 amends current law relating to the issuance of driver's licenses and personal identification certificates and the classification and operation of certain vehicles and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 1 (Section 521.001, Transportation Code) of this bill.

Rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 1 (Section 521.001, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 521.001, Transportation Code, by amending Subsection (a)(6-a) and adding Subsection (c), as follows:

(a) (6-a) Redefines "motorcycle."

(c) Authorizes the Department of Public Safety of the State of Texas (DPS) by rule to define types of vehicles that are "motorcycles" for the purposes of this chapter, in addition to those defined under Subsection (a)(6-a). Authorizes the Texas Department of Motor Vehicles by rule to define the types of vehicles that are "motorcycles" for the purposes of Chapters 501 (Certificate of Title Act), 502 (Registration of Vehicles), and

503 (Dealer's and Manufacturer's Vehicle License Plates). Provides that this subsection applies only to vehicles manufactured by a manufacturer licensed under Chapter 2301 (Sale or Lease of Motor Vehicles), Occupations Code.

SECTION 2. Amends the heading to Section 521.008, Transportation Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular Session, 2013, to read as follows:

Sec. 521.008. PROGRAM REGARDING THE PROVISION OF RENEWAL AND DUPLICATE DRIVER'S LICENSE AND OTHER IDENTIFICATION CERTIFICATE SERVICES.

SECTION 3. Reenacts Sections 521.008(a) and (a-1), Transportation Code, as added by Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular Session, 2013, and amends them, as follows:

(a) Authorizes DPS to establish a program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services in counties that enter into an agreement with DPS under Subsection (a-1). Deletes existing text authorizing DPS to establish a pilot program for the provision of renewal and duplicate driver's license, election identification certificate, and personal identification certificate services in not more than three counties with a population of 50,000 or less, not more than three counties with a population of more than 50,000 but less than 1,000,001, not more than two counties with a population of more than one million, and, notwithstanding Subdivisions (1)-(3), any county in which DPS operates a driver's license office as a scheduled or mobile office.

(a-1) Changes a reference to pilot program to program.

SECTION 4. Amends Section 521.085(b), Transportation Code, as follows:

(b) Provides that Subsection (a) (authorizing the license holder to operate any vehicle of the type for which that class of license is issued and any lesser type of vehicle other than a motorcycle or moped) does not prohibit a license holder from operating a lesser type of vehicle that is:

(1) a motorcycle described by Section 521.001(a)(6-a); or

(2) a type of motorcycle defined by DPS under Section 521.001(c) and designated by DPS as qualifying for operation under this section.

SECTION 5. Amends Subchapter I, Chapter 545, Transportation Code, by adding Section 545.4165, as follows:

Sec. 545.4165. OPERATION OF CERTAIN MOTORCYCLES. Prohibits a person from operating a motorcycle described by Section 521.001(a)(6-a)(C)(vii) (defining "motorcycle") on a public highway for which the posted speed limit is more than 45 miles per hour, except that the operator may cross an intersection with a public highway that has a posted speed limit of more than 45 miles per hour.

SECTION 6. Effective date: upon passage or September 1, 2015.